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

SA 2318. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2319. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2320. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2321. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2322. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2323. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2324. Mr. LEVIN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2325. Mr. REED (for himself, Mr. ROCKEFELLER, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2326. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2327. Mr. MANCHIN (for himself, Mr. KIRK, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2328. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2329. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2330. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2331. Mr. MENENDEZ (for himself and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2332. Mr. CASEY (for himself, Mr. BROWN, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2333. Mr. PRYOR (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2334. Mr. PRYOR (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2335. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2336. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2337. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2338. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2339. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2340. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2341. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2342. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2343. Mr. MERKLEY (for himself, Mr. PAUL, Mr. LEE, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2344. Mr. DONNELLY (for Mr. BROWN) proposed an amendment to the bill S. 381, to award a Congressional Gold Medal to the World War II members of the ''Doolittle Tokyo Raiders'', for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

SA 2345. Mr. DONNELLY (for Mr. LEVIN) proposed an amendment to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor.

SA 2346. Mr. DONNELLY (for Mr. LEVIN) proposed an amendment to the bill H.R. 3304, supra.

SA 2347. Mrs. FISCHER (for herself and Mr. HOEVEN) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2348. Mr. JOHANNS (for himself and Mrs. FISCHER) 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 2148. Mr. BENNET (for himself, Mr. COBURN, Mr. CARPER, and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 93, strike lines 17 through 19, and insert the following:

SEC. 334. FEDERAL DATA CENTER CONSOLIDATION.

(a) SHORT TITLE.—This section may be cited as the ''Data Center Consolidation Act of 2013''.

(b) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator for the Office of E-Government and Information Technology within the Office of Management and Budget.

(2) COVERED AGENCY.—The term ''covered agency'' means the following (including all associated components of the agency):

(A) Department of Agriculture;
(B) Department of Commerce;
(C) Department of Defense;
(D) Department of Education;
(E) Department of Energy;
(F) Department of Health and Human Services;
(G) Department of Homeland Security;
(H) Department of Housing and Urban Development;
(I) Department of the Interior;
(J) Department of Justice;
(K) Department of Labor;
(L) Department of State;
(M) Department of Transportation;
(N) Department of Treasury;
(O) Department of Veterans Affairs;
(P) Environmental Protection Agency;
(Q) General Services Administration;
(R) National Aeronautics and Space Administration;
(S) National Science Foundation;
(T) Nuclear Regulatory Commission;
(U) Office of Personnel Management;
(V) Small Business Administration;
(W) Social Security Administration; and
(X) United States Agency for International Development.

(3) FDCCI.—The term ''FDCCI'' means the Federal Data Center Consolidation Initiative described in the Office of Management and Budget Memorandum on the Federal Data Center Consolidation Initiative, dated February 26, 2010, or any successor thereto.

(4) GOVERNMENT-WIDE DATA CENTER CONSOLIDATION AND OPTIMIZATION METRICS.—The term ''Government-wide data center consolidation and optimization metrics'' means the metrics established by the Administrator under subsection (c)(2)(G).

(c) FEDERAL DATA CENTER CONSOLIDATION INVENTORIES AND STRATEGIES.—

(1) IN GENERAL.—

(A) ANNUAL REPORTING.—Each year, beginning in the first fiscal year after the date of enactment of this Act and each fiscal year thereafter, the head of each covered agency, assisted by the Chief Information Officer of the agency, shall submit to the Administrator—

(i) a comprehensive inventory of the data centers owned, operated, or maintained by or on behalf of the agency; and

(ii) a multi-year strategy to achieve the consolidation and optimization of the data centers inventoried under clause (i), that includes—

(I) performance metrics—

(aa) that are consistent with the Government-wide data center consolidation and optimization metrics; and

(bb) by which the quantitative and qualitative progress of the agency toward the goals of the FDCCI can be measured;

(II) a timeline for agency activities to be completed under the FDCCI, with an emphasis on benchmarks the agency can achieve by specific dates;

(III) year-by-year calculations of investment and cost savings for the period beginning on the date of enactment of this Act and ending on the date described in subsection (f), broken down by each year, including a description of any initial costs for data center consolidation and optimization and life cycle cost savings and other improvements, with an emphasis on—

(aa) meeting the Government-wide data center consolidation and optimization metrics; and

(bb) demonstrating the amount of agency-specific cost savings each fiscal year achieved through the FDCCI; and

(IV) any additional information required by the Administrator.

(B) USE OF OTHER REPORTING STRUCTURES.—The Administrator may require a covered agency to include the information required to be submitted under this subsection through reporting structures determined by the Administrator to be appropriate.

(C) STATEMENT.—Each year, beginning in the first fiscal year after the date of enactment of this Act and each fiscal year thereafter, the head of each covered agency, acting through the Chief Information Officer of the agency, shall—

(i)(I) submit a statement to the Administrator stating whether the agency has complied with the requirements of this section; and

(II) make the statement submitted under subclause (I) publically available; and

(ii) if the agency has not complied with the requirements of this section, submit a statement to the Administrator explaining the reasons for not complying with such requirements.

(D) AGENCY IMPLEMENTATION OF STRATEGIES.—Each covered agency, under the direction of the Chief Information Officer of the agency, shall—

(i) implement the strategy required under subparagraph (A)(ii); and

(ii) provide updates to the Administrator, on a quarterly basis, of —

(I) the completion of activities by the agency under the FDCCI;

(II) any progress of the agency towards meeting the Government-wide data center consolidation and optimization metrics; and

(III) the actual cost savings and other improvements realized through the implementation of the strategy of the agency.

(E) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the reporting of information by a covered agency to the Administrator, the Director of the Office of Management and Budget, or Congress.

(2) ADMINISTRATOR RESPONSIBILITIES.—The Administrator shall—

(A) establish the deadline, on an annual basis, for covered agencies to submit information under this section;

(B) establish a list of requirements that the covered agencies must meet to be considered in compliance with paragraph (1);

(C) ensure that information relating to agency progress towards meeting the Government-wide data center consolidation and optimization metrics is made available in a timely manner to the general public;

(D) review the inventories and strategies submitted under paragraph (1) to determine whether they are comprehensive and complete;

(E) monitor the implementation of the data center strategy of each covered agency that is required under paragraph (1)(A)(ii);

(F) update, on an annual basis, the cumulative cost savings realized through the implementation of the FDCCI; and

(G) establish metrics applicable to the consolidation and optimization of data centers Government-wide, including metrics with respect to—

(i) costs;

(ii) efficiencies, including at least server efficiency; and

(iii) any other metrics the Administrator establishes under this subparagraph.

(3) COST SAVING GOAL AND UPDATES FOR CONGRESS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop, and make publically available, a goal, broken down by year, for the amount of planned cost savings and optimization improvements achieved through the FDCCI during the period beginning on the date of enactment of this Act and ending on the date described in subsection (f).

(B) ANNUAL UPDATE.—

(i) IN GENERAL.—Not later than 1 year after the date on which the goal described in subparagraph (A) is made publically available, and each year thereafter, the Administrator shall aggregate the reported cost savings of each covered agency and optimization improvements achieved to date through the FDCCI and compare the savings to the projected cost savings and optimization improvements developed under subparagraph (A).

(ii) UPDATE FOR CONGRESS.—The goal required to be developed under subparagraph (A) shall be submitted to Congress and shall be accompanied by a statement describing—

(I) whether each covered agency has in fact submitted a comprehensive asset inventory, including an assessment broken down by agency, which shall include the specific numbers, utilization, and efficiency level of data centers; and

(II) whether each covered agency has submitted a comprehensive consolidation strategy with the key elements described in paragraph (1)(A)(ii).

(4) GAO REVIEW.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Comptroller General of the United States shall review and verify the quality and completeness of the asset inventory and strategy of each covered agency required under paragraph (1)(A).

(B) REPORT.—The Comptroller General of the United States shall, on an annual basis, publish a report on each review conducted under subparagraph (A).

(d) ENSURING CYBERSECURITY STANDARDS FOR DATA CENTER CONSOLIDATION AND CLOUD COMPUTING.—

(1) IN GENERAL.—In implementing a data center consolidation and optimization strategy under this section, a covered agency shall do so in a manner that is consistent with Federal guidelines on cloud computing security, including—

(A) applicable provisions found within the Federal Risk and Authorization Management Program (FedRAMP); and

(B) guidance published by the National Institute of Standards and Technology.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of the Director of the Office of Management and Budget to update or modify the Federal guidelines on cloud computing security.

(e) WAIVER OF DISCLOSURE REQUIREMENTS.—The Director of National Intelligence may waive the applicability to any element (or component of an element) of the intelligence community of any provision of this section if the Director of National Intelligence determines that such waiver is in the interest of national security. Not later than 30 days after making a waiver under this subsection, the Director of National Intelligence shall submit to the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate and the Committee on Oversight and Government Reform and the Permanent Select Committee on Intelligence of the House of Representatives a statement describing the waiver and the reasons for the waiver.

(f) SUNSET.—This section is repealed effective on October 1, 2018.

SEC. 335. MODIFICATION OF ANNUAL CORROSION CONTROL AND PREVENTION REPORTING REQUIREMENTS.

SA 2149. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1066. REPORT ON DEPARTMENT OF DEFENSE SUPPORT OF CANINES USED IN STAND-OFF DETECTION OF EXPLOSIVES AND EXPLOSIVES PRECURSORS.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the plans of the Department of Defense to develop and maintain the capability and infrastructure required to support canines used for stand-off detection of explosives and explosives precursors to support combat, combat support, and combat service support dismounted forces.

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

(1) A description of the plans of the Department, and each Armed Force, to develop and maintain the capability and infrastructure required to support canines for stand-off detection of explosives and explosives precursors to support combat, combat support, and combat service support dismounted forces.

(2) A specification of each of the following:

(A) The acquisition, production, and procurement process for canines for stand-off detection of explosives and explosives precursors.

(B) The testing and evaluation procedures of the Department to ensure that canines reach or exceed current detection capabilities and standards for detection canines with respect to explosives and explosives precursors.

(C) The timeframe for procuring, training, and certifying canines capable of providing stand-off detection of explosives and explosives precursors in the event of a surge requirement.

(3) A description of the plans of the Department to continue research and development in the field of improvised explosive device (IED) detection for dismounted forces using canines for stand-off detection of explosives and explosives precursors.

(4) A description of the technologies, if any, capable of replacing canines as a stand-off detection of explosives and explosives precursors capability for dismounted forces that will be or are expected to be available during the 2-year period beginning on the date of the report.

(5) A description of the current work of the Department with other Federal, State, and local agencies, institutions of higher education, nonprofit organizations, other elements of the private sector, and international allies in the research, development, training, and coordination of the use of canines for stand-off detection of explosives and explosives precursors.

SA 2150. Mrs. HAGAN (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the

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

At the end of title XI, add the following:

SEC. 1109. LIMITATION ON PAY INCREASE OR BONUSES FOR FOREIGN NATIONALS EMPLOYED BY THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Except as provided in subsection (b), and notwithstanding any other provision of law, the Secretary of Defense may not increase the pay of any foreign national employed by the Department of Defense, or pay such a foreign national any employment-related bonus or award, until the later of—

(1) the effective date of the first adjustment under section 5303 of title 5, United States Code made after the date of enactment of this Act; or

(2) the date on which the Secretary of Defense determines that the discretionary spending limit under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) for the revised security category (as defined under section 251A(1) of such Act (2 U.S.C. 901a(1))) for the fiscal year during which the determination is made, and each fiscal year thereafter through fiscal year 2021, has been increased by an Act of Congress over the otherwise applicable discretionary spending limit, which shall be based on the amounts of such discretionary spending limits after the application of each calculation, reduction, and other adjustment required under section 251A of such Act.

(b) WAIVER.—The Secretary of Defense may waive the limitation under subsection (a), in whole or in part, if the Secretary determines the waiver is in the interest of national security.

SA 2151. Mrs. HAGAN (for herself, Mr. UDALL of Colorado, Mr. BAUCUS, Mr. WYDEN, and Mr. NELSON) 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 V, add the following:

SEC. 529. MINIMUM AMOUNTS OF EXPENDITURES ON TUITION ASSISTANCE PROGRAMS FOR MEMBERS OF THE ARMED FORCES DURING FISCAL YEAR 2014.

The minimum amount used by the Secretary of a military department for tuition assistance for members of an Armed Force under the jurisdiction of that Secretary during fiscal year 2014 shall be not less than—

(1) the amount authorized to be appropriated for fiscal year 2014 by this Act for tuition assistance programs for members of that Armed Force, minus

(2) an amount that is not more than the percentage of the reduction required to the Operation and Maintenance account for that Armed Force for fiscal year 2014 by the budget sequester required by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

SA 2152. Mr. UDALL of Colorado 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 XXXI, add the following:

SEC. 3119. MODIFICATION OF SUBMITTAL DATE OF COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE PROGRAM ON SCIENTIFIC ENGAGEMENT FOR NONPROLIFERATION.

Section 3122 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2176; 50 U.S.C. 2562) is amended—

(1) in subsection (b)(1), by inserting ‘‘, and to the Comptroller General of the United States,’’ after ‘‘the appropriate congressional committees’’; and

(2) in subsection (e)(1), by striking ‘‘two years after the date of the enactment of this Act’’ and inserting ‘‘18 months after the date of the submittal of the report described in subsection (b)(1)’’.

SA 2153. 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 ACTIVITIES BEING UNDERTAKEN BY THE PEOPLE'S REPUBLIC OF CHINA TO SUSTAIN THE ECONOMY OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the President shall submit to the appropriate committees of Congress a report on the activities being undertaken by the People's Republic of China to sustain the economy of the Democratic People's Republic of Korea.

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

(A) A description of the activities of the People's Liberation Army (PLA) and Politburo members of the People's Republic of China in government and non-government bilateral trade, banking, investment, economic development, and infrastructure projects between the People's Republic of China and the Democratic People's Republic of Korea at the national, provincial, and local level.

(B) A description of the financial resources, transactions, and structures of the entities and individuals of the People's Republic of China engaged in the activities described under subparagraph (A).

(C) An assessment of the impact of the activities described under subparagraph (A) on the weapons of mass destruction program and the ballistic missile program of the Democratic People's Republic of Korea.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘‘appropriate committees of Congress’’ means—

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

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

SA 2154. Mr. HOEVEN 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 27, strike lines 23 and 24 and insert the following:

181; 122 Stat. 32), is amended by inserting ‘‘conventional’’ after ‘‘common’’.

(b) LIMITATION.—No modification of B–52 aircraft for the purpose of complying with the terms of the New START Treaty MAY be made until the Secretary of Defense submits to Congress the report required under section 1042(a) of the National Defense Authorization Act of Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1575).

(c) NEW START TREATY DEFINED.—In this section, the term ‘‘New START Treaty’’ means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

SA 2155. Mr. COBURN (for himself, Mr. MANCHIN, Mr. GRASSLEY, Mr. PAUL, Mr. CHAMBLISS, Mr. JOHNSON of Wisconsin, Mr. CORNYN, Mr. WYDEN, and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVI—AUDIT OF THE DEPARTMENT OF DEFENSE

SEC. 1601. SHORT TITLE.

This title may be cited as the ‘‘Audit the Pentagon Act of 2013’’.

SEC. 1602. FINDINGS.

Congress makes the following findings:

(1) Section 9 of Article I of the Constitution of the United States requires all agencies of the Federal Government, including the Department of Defense, to publish ‘‘a regular statement and account of the receipts and expenditures of all public money’’.

(2) Section 3515 of title 31, United States Code, requires the agencies of the Federal Government, including the Department of Defense, to present auditable financial statements beginning not later than March 1, 1997. The Department has not complied with this law.

(3) The Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note) requires financial systems acquired by the Federal Government, including the Department of Defense, to be able to provide information to leaders to manage and control the cost of Government. The Department has not complied with this law.

(4) The financial management of the Department of Defense has been on the ''High-Risk'' list of the Government Accountability Office, which means that the Department is not consistently able to ''control costs; ensure basic accountability; anticipate future costs and claims on the budget; measure performance; maintain funds control; [and] prevent and detect fraud, waste, and abuse''.

(5) The National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107) requires the Secretary of Defense to report to Congress annually on the reliability of the financial statements of the Department of Defense, to minimize resources spent on producing unreliable financial statements, and to use resources saved to improve financial management policies, procedures, and internal controls.

(6) In 2005, the Department of Defense created a Financial Improvement and Audit Readiness (FIAR) Plan, overseen by a directorate within the office of the Under Secretary of Defense (Comptroller), to improve Department business processes with the goal of producing timely, reliable, and accurate financial information that could generate an audit-ready annual financial statement. In December 2005, that directorate, known as the FIAR Directorate, issued the first of a series of semiannual reports on the status of the Financial Improvement and Audit Readiness Plan.

(7) The National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) requires regular status reports on the Financial Improvement and Audit Readiness Plan described in paragraph (6), and codified as a statutory requirement the goal of the Plan in ensuring that Department of Defense financial statements are validated as ready for audit not later than September 30, 2017. In addition, the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239) requires that the statement of budgetary resources of the Department of Defense be validated as ready for audit by not later than September 30, 2014.

(8) At a September 2010 hearing of the Senate, the Government Accountability Office stated that past expenditures by the Department of Defense of $5,800,000,000 to improve financial information, and billions of dollars more of anticipated expenditures on new information technology systems for that purpose, may not suffice to achieve full audit readiness of the financial statement of the Department. At that hearing, the Government Accountability Office could not predict when the Department would achieve full audit readiness of such statements.

(9) At a 2013 hearing of the Senate, Secretary of Defense Chuck Hagel affirmed his commitment to audit-ready budget statements for the Department of Defense by the end of 2014, and stated that he ''will do everything he can to fulfill this commitment''. At that hearing, Secretary Hagel noted that auditable financial statements were essential to the Department not only for improving the quality of its financial information, but also for reassuring the public and Congress that it is a good steward of public funds.

SEC. 1603. CESSATION OF APPLICABILITY OF REPORTING REQUIREMENTS REGARDING THE FINANCIAL STATEMENTS OF THE DEPARTMENT OF DEFENSE.

(a) CESSATION OF APPLICABILITY.—

(1) MILITARY DEPARTMENTS.—The financial statements of a military department shall cease to be covered by the reporting requirements specified in subsection (b) upon the issuance of an unqualified audit opinion on such financial statements.

(2) DEPARTMENT OF DEFENSE.—The reporting requirements specified in subsection (b) shall cease to be effective when an unqualified audit opinion is issued on the financial statements of the Department of Defense, including each of the military departments and the other reporting entities defined by the Office of Management and Budget.

(b) REPORTING REQUIREMENTS.—The reporting requirements specified in this subsection are the following:

(1) The requirement for annual reports in section 892(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4311; 10 U.S.C. 2306a note).

(2) The requirement for semi-annual reports in section 1003(b) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2440; 10 U.S.C. 2222 note).

(3) The requirement for annual reports in section 817(d) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (10 U.S.C. 2306a note).

(4) The requirement for annual reports in section 1008(a) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1204; 10 U.S.C. 113 note).

(5) The requirement for periodic reports in section 908(b) of the Defense Acquisition Improvement Act of 1986 (Public Law 99–500; 100 Stat. 1783–140; 10 U.S.C. 2326 note) and duplicate requirements as provided for in section 6 of the Defense Technical Corrections Act of 1987 (Public Law 100–26; 101 Stat. 274; 10 U.S.C. 2302 note).

SEC. 1604. ENHANCED REPROGRAMMING AUTHORITY FOLLOWING ACHIEVEMENT BY DEPARTMENT OF DEFENSE AND MILITARY DEPARTMENTS OF AUDIT WITH UNQUALIFIED OPINION OF STATEMENT OF BUDGETARY RESOURCES FOR FISCAL YEARS AFTER FISCAL YEAR 2014.

(a) DEPARTMENT OF DEFENSE GENERALLY.—Subject to section 1606(1), if the Department of Defense obtains an audit with an unqualified opinion on its statement of budgetary resources for any fiscal year after fiscal year 2014, the limitation on the total amount of authorizations that the Secretary of Defense may transfer pursuant to general transfer authority available to the Secretary in the national interest in the succeeding fiscal year shall be $8,000,000,000.

(b) MILITARY DEPARTMENTS, DEFENSE AGENCIES, AND DEFENSE FIELD ACTIVITIES.—Subject to section 1607(a), if a military department, Defense Agency, or defense field activity obtains an audit with an unqualified opinion on its statement of budgetary resources for any fiscal year after fiscal year 2014, the thresholds for reprogramming of funds of such military department, Defense Agency, or defense field activity, as the case may be, without prior notice to Congress for the succeeding fiscal year shall be deemed to be the thresholds as follows:

(1) In the case of an increase or decrease to the program base amount for a procurement program, $60,000,000.

(2) In the case of an increase or decrease to the program base amount for a research program, $30,000,000.

(3) In the case of an increase or decrease to the amount for a budget activity for operation and maintenance, $45,000,000.

(4) In the case of an increase or decrease to the amount for a budget activity for military personnel, $30,000,000.

(c) CONSTRUCTION.—Nothing in this section shall be construed to alter or revise any requirement (other than a threshold amount) for notice to Congress on transfers covered by subsection (a) or reprogrammings covered by subsection (b) under any other provision of law.

(d) DEFINITIONS.—In this section, the terms ''program base amount'', ''procurement program'', ''research program'', and ''budget activity'' have the meanings given such terms in chapter 6 of volume 3 of the Financial Management Regulation of the Department of Defense (DoD 7000.14R), dated March 2011, or any successor document.

SEC. 1605. FAILURE TO OBTAIN AUDITS WITH UNQUALIFIED OPINION OF FISCAL YEAR 2015 GENERAL FUND STATEMENT OF BUDGETARY RESOURCES OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—If the Department of Defense fails to obtain an audit with an unqualified opinion on its general fund statement of budgetary resources for fiscal year 2015 by December 31, 2015, the following shall take effect on January 1, 2016:

(1) ADDITIONAL QUALIFICATIONS AND DUTIES OF USD (COMPTROLLER).—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Under Secretary of Defense (Comptroller) under section 135 of title 10, United States Code, shall be an individual who has served—

(i) as the chief financial officer or equivalent position of a Federal or State agency that has received an audit with an unqualified opinion on such agency's financial statements during the time of such individual's service; or

(ii) as the chief financial officer or equivalent position of a public company that has received an audit with an unqualified opinion on such company's financial statements during the time of such individual's service.

(B) DUTIES AND POWERS.—The duties and powers of the individual serving as Under Secretary of Defense (Comptroller) shall include, in addition to the duties and powers specified in section 135(c) of title 10, United States Code, such duties and powers with respect to the financial management of the Department of Defense as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(2) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASA FOR FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Army for Financial Management under section 3016 of title 10, United States Code, shall be an individual who has served—

(i) as the chief financial officer or equivalent position of a Federal or State agency that has received an audit with an unqualified opinion on such agency's financial statements during the time of such individual's service; or

(ii) as the chief financial officer or equivalent position of a public company that has received an audit with an unqualified opinion on such company's financial statements during the time of such individual's service.

(B) RESPONSIBILITIES.—The responsibilities of the individual serving as Assistant Secretary of the Army for Financial Management shall include, in addition to the responsibilities specified in section 3016(b)(4) of title 10, United States Code, such responsibilities as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(3) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASN FOR FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Navy for Financial Management under section 5016 of title 10,

United States Code, shall be an individual who has served—

(i) as the chief financial officer or equivalent position of a Federal or State agency that has received an audit with an unqualified opinion on such agency's financial statements during the time of such individual's service; or

(ii) as the chief financial officer or equivalent position of a public company that has received an audit with an unqualified opinion on such company's financial statements during the time of such individual's service.

(B) RESPONSIBILITIES.—The responsibilities of the individual serving as Assistant Secretary of the Navy for Financial Management shall include, in addition to the responsibilities specified in section 5016(b)(4) of title 10, United States Code, such responsibilities as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(4) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASAF FOR FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Air Force for Financial Management under section 8016 of title 10, United States Code, shall be an individual who has served—

(i) as the chief financial officer or equivalent position of a Federal or State agency that has received an audit with an unqualified opinion on such agency's financial statements during the time of such individual's service; or

(ii) as the chief financial officer or equivalent position of a public company that has received an audit with an unqualified opinion on such company's financial statements during the time of such individual's service.

(B) RESPONSIBILITIES.—The responsibilities of the individual serving as Assistant Secretary of the Air Force for Financial Management shall include, in addition to the responsibilities specified in section 8016(b)(4) of title 10, United States Code, such responsibilities as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(b) PUBLIC COMPANY DEFINED.—In this section, the term ''public company'' has the meaning given the term ''issuer'' in section 2(a)(7) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201(a)(7)).

SEC. 1606. FAILURE OF THE DEPARTMENT OF DEFENSE TO OBTAIN AUDITS WITH UNQUALIFIED OPINION OF FISCAL YEAR 2018 FINANCIAL STATEMENTS.

If the Department of Defense fails to obtain an audit with an unqualified opinion on its general fund statement of budgetary resources for fiscal year 2018 by December 31, 2018:

(1) PERMANENT CESSATION OF ENHANCED GENERAL TRANSFER AUTHORITY.—Effective as of January 1, 2019, the authority in section 1604(a) shall cease to be available to the Department of Defense for fiscal year 2018 and any fiscal year thereafter.

(2) REORGANIZATION OF RESPONSIBILITIES OF CHIEF MANAGEMENT OFFICER.—Effective as of April 1, 2019:

(A) POSITION OF CHIEF MANAGEMENT OFFICER.—Section 132a of title 10, United States Code, is amended to read as follows:

''§ 132a. Chief Management Officer

''(a) IN GENERAL.—(1) There is a Chief Management Officer of the Department of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(2) Any individual nominated for appointment as Chief Management Officer shall be an individual who has—

''(A) extensive executive level leadership and management experience in the public or private sector;

''(B) strong leadership skills;

''(C) a demonstrated ability to manage large and complex organizations; and

''(D) a proven record in achieving positive operational results.

''(b) POWERS AND DUTIES.—The Chief Management Officer shall perform such duties and exercise such powers as the Secretary of Defense may prescribe.

''(c) SERVICE AS CHIEF MANAGEMENT OFFICER.—(1) The Chief Management Officer is the Chief Management Officer of the Department of Defense.

''(2) In serving as the Chief Management Officer of the Department of Defense, the Chief Management Officer shall be responsible for the management and administration of the Department of Defense with respect to the following:

''(A) The expenditure of funds, accounting, and finance.

''(B) Procurement, including procurement of any enterprise resource planning (ERP) system and any information technology (IT) system that is a financial feeder system, human resources system, or logistics system.

''(C) Facilities, property, nonmilitary equipment, and other resources.

''(D) Strategic planning, annual performance planning, and identification and tracking of performance measures.

''(E) Internal audits and management analyses of the programs and activities of the Department, including the Defense Contract Audit Agency.

''(F) Such other areas or matters as the Secretary of Defense may designate.

''(3) The head of the Defense Contract Audit Agency shall be under the supervision of, and shall report directly to, the Chief Management Officer.

''(d) PRECEDENCE.—The Chief Management Officer takes precedence in the Department of Defense after the Secretary of Defense and the Deputy Secretary of Defense.''.

(B) CONFORMING AMENDMENTS.—

(i) Section 131(b) of title 10, United States Code, is amended—

(I) by striking paragraph (3);

(II) by redesignating paragraph (2) as paragraph (3); and

(III) by inserting after paragraph (1) the following new paragraph (2):

''(2) The Chief Management Officer of the Department of Defense.''.

(ii) Section 132 of such title is amended—

(I) by striking subsection (c); and

(II) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(iii) Section 133(e)(1) of such title is amended by striking ''and the Deputy Secretary of Defense'' and inserting '', the Deputy Secretary of Defense, and the Chief Management Officer of the Department of Defense''.

(iv) Such title is further amended by inserting ''the Chief Management Officer of the Department of Defense,'' after ''the Deputy Secretary of Defense,'' each place it appears in the provisions as follows:

(I) Section 133(e)(2).

(II) Section 134(c).

(v) Section 137a(d) of such title is amended by striking ''the Secretaries of the military departments,'' and all that follows and inserting ''the Chief Management Officer of the Department of Defense, the Secretaries of the military departments, and the Under Secretaries of Defense.''.

(vi) Section 138(d) of such title is amended by striking ''the Secretaries of the military departments,'' and all that follows through the period and inserting ''the Chief Management Officer of the Department of Defense, the Secretaries of the military departments, the Under Secretaries of Defense, and the Director of Defense Research and Engineering.''.

(C) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by striking the item relating to section 132a and inserting the following new item:

''132a. Chief Management Officer.''.

(D) EXECUTIVE SCHEDULE.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

''Chief Management Officer of the Department of Defense.''.

(E) REFERENCE IN LAW.—Any reference in any provision of law to the Chief Management Officer of the Department of Defense shall be deemed to refer to the Chief Management Officer of the Department of Defense under section 132a of title 10, United States Code (as amended by this paragraph).

(3) JURISDICTION OF DFAS.—Effective as of April 1, 2019:

(A) TRANSFER TO DEPARTMENT OF THE TREASURY.—Jurisdiction of the Defense Finance and Accounting Service (DFAS) is transferred from the Department of Defense to the Department of the Treasury.

(B) ADMINISTRATION.—The Secretary of the Treasury shall administer the Defense Finance and Accounting Service following transfer under this paragraph through the Financial Management Service of the Department of the Treasury.

(C) MEMORANDUM OF UNDERSTANDING.—The Secretary of Defense and the Secretary of the Treasury shall jointly enter into a memorandum of understanding regarding the transfer of jurisdiction of the Defense Finance and Accounting Service under this paragraph. The memorandum of understanding shall provide for the transfer of the personnel and other resources of the Service to the Department of the Treasury and for the assumption of responsibility for such personnel and resources by the Department of the Treasury.

(D) CONSTRUCTION.—Nothing in this paragraph shall be construed as terminating, altering, or revising any responsibilities or authorities of the Defense Finance and Accounting Service (other than responsibilities and authorities in connection with the exercise of jurisdiction of the Service following transfer under this paragraph).

SEC. 1607. FAILURE OF THE MILITARY DEPARTMENTS TO OBTAIN AUDITS WITH UNQUALIFIED OPINION OF FINANCIAL STATEMENTS FOR FISCAL YEARS AFTER FISCAL YEAR 2017.

(a) PERMANENT CESSATION OF AUTHORITIES ON REPROGRAMMING OF FUNDS.—If a military department fails to obtain an audit with an unqualified opinion on its financial statements for fiscal year 2018 by December 31, 2018, effective as of January 1, 2019, the authorities in section 1604(b) shall cease to be available to the military department for fiscal year 2018 and any fiscal year thereafter.

(b) ANNUAL PROHIBITION ON EXPENDITURE OF FUNDS FOR CERTAIN MDAPS PAST MILESTONE B IN CONNECTION WITH FAILURE.—

(1) PROHIBITION.—Effective for fiscal years after fiscal year 2017, if a military department fails to obtain an audit with an unqualified opinion on its financial statements for any fiscal year, effective as of the date of the issuance of the opinion on such audit, amounts available to the military department for the following fiscal year may not be obligated by the military department for a weapon or weapon system or platform being acquired as a major defense acquisition program for any activity beyond Milestone B

approval unless such program has already achieved Milestone B approval of the date of the issuance of the opinion on such audit.

(2) DEFINITIONS.—In this subsection:

(A) The term ''major defense acquisition program'' has the meaning given that term in section 2430 of title 10, United States Code.

(B) The term ''Milestone B approval'' has the meaning given that term in section 2366(e)(7) of title 10, United States Code.

SEC. 1608. ENTERPRISE RESOURCE PLANNING.

The Secretary of Defense shall amend the acquisition guidance of the Department of Defense to provide for the following:

(1) The Defense Business System Management Committee may not approve procurement of any Enterprise Resource Planning (ERP) business system that is independently estimated to take longer than three years to procure from initial obligation of funds to full deployment and sustainment.

(2) Any contract for the acquisition of an Enterprise Resource Planning business system shall include a provision authorizing termination of the contract at no cost to the Government if procurement of the system takes longer than three years from initial obligation of funds to full deployment and sustainment.

(3) Any implementation of an Enterprise Resource Planning system shall comply with each of the following:

(A) The current Business Enterprise Architecture established by the Chief Management Officer of the Department of Defense.

(B) The provisions of section 2222 of title 10, United States Code.

(4) The Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) shall have the authority to replace any program manager (whether in a military department or a Defense Agency) for the procurement of an Enterprise Resource Planning business system if procurement of the system takes longer than three years from initial obligation of funds to full deployment and sustainment.

(5) Any integrator contract for the implementation of an Enterprise Resource Planning business system shall only be awarded to companies that have a history of successful implementation of other Enterprise Resource Planning business systems for the Federal Government (whether with the Department of Defense or another department or agency of the Federal Government), including meeting cost and schedule goals.

SA 2156. Mr. COBURN (for himself 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 appropriate place, insert the following:

SEC. ___. USE OF FUNDS AVAILABLE FOR THE DEPARTMENT OF DEFENSE ONLY FOR DEFENSE-RELATED PURPOSES.

(a) ELIMINATION OF NON-DEFENSE SPENDING.—Amounts authorized to be appropriated by this Act may not be used for a program, project, or activity if the Secretary of Defense determines that the such program, project, or activity does not serve a defense-related purpose.

(b) TRANSFER OF DUPLICATIVE PROGRAMS.—In the event the Secretary of Defense determines that a program, project, or activity of the Department of Defense duplicates, in whole or in part, a program, project, or activity of another department or agency of the Federal Government, the Secretary shall transfer to the head of such department or agency jurisdiction any part of such program, project, or activity that is so duplicative.

(c) COORDINATION ON NON-DEFENSE-SPECIFIC RESEARCH.—In the event the Secretary of Defense determines that a program, project, or activity of the Department of Defense involves research or development that will benefit another department or agency of the Federal Government, the Secretary shall coordinate with the head of such department or agency and the Director of the Office of Management and Budget on such research and development in order to ensure that such research and development is conducted in a manner which provides maximum benefit to both the Department and such department or agency.

SA 2157. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 901 and insert the following:

SEC. 901. UNDER SECRETARY OF DEFENSE FOR MANAGEMENT.

(a) CONVERSION OF POSITION OF DEPUTY CHIEF MANAGEMENT OFFICER TO POSITION OF UNDER SECRETARY OF DEFENSE FOR MANAGEMENT.—

(1) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended—

(A) by redesignating section 137a as section 137b; and

(B) by inserting after section 137 the following new section 137a:

''§ 137a. Under Secretary of Defense for Management

''(a) APPOINTMENT.—(1) There is an Under Secretary of Defense for Management, appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(2) Any individual nominated for appointment to the position of Under Secretary of Defense for Management shall—

''(A) have served in a senior executive level position with operational responsibilities in a public company or a Federal or State agency;

''(B) have demonstrated experience driving strategic performance measures and leading the transformational efforts of a large, complex organization; and

''(C) possess an educational background in business administration, public administration.

''(b) RESPONSIBILITY FOR DISCHARGE OF CERTAIN.—(1) In addition to the responsibilities specified in subsection (c), the Under Secretary of Defense for Management is also the following:

''(A) The Deputy Chief Management Officer of the Department of Defense.

''(B) The Performance Improvement Officer of the Department of Defense.

''(C) The Chief Information Officer of the Department of Defense.

''(2) In the capacity of Chief Information Officer of the Department of Defense, the Under Secretary of Defense for Management shall exercise authority, direction, and control over the Information Assurance Directorate of the National Security Agency.

''(c) GENERAL RESPONSIBILITIES.—The Under Secretary of Defense for Management is responsible, subject to the authority, direction, and control of the Secretary of Defense and the Deputy Secretary of Defense in the role of the Deputy Secretary as Chief Management Officer of the Department of Defense, for—

''(1) supervising the management of the business operations of the Department of Defense and adjudicating issues and conflicts in functional do main business policies;

''(2) establishing business strategic planning and performance management policies and the Department of Defense Strategic Management Plan;

''(3) establishing business information technology portfolio policies and overseeing investment management of that portfolio for the Department of Defense; and

''(4) establishing end-to-end process and standards policies and the Business Enterprise Architecture.

''(d) PRECEDENCE.—The Under Secretary of Defense for Management takes precedence in the Department of Defense after the Deputy Secretary of Defense.''.

(2) CONFORMING REPEAL OF SUPERSEDED AUTHORITY.—Section 132a of such title is repealed.

(3) CONTINUATION OF OFFICE.—Notwithstanding subsection (a) of section 137a of title 10, United States Code (as amended by paragraph (1)), the individual serving in the position of Deputy Chief Management Officer of the Department of Defense as of the date of the enactment of this Act may serve as Under Secretary of Defense for Management under that section until a successor is appointed Under Secretary of Defense for Management as specified in that subsection.

(b) CLARIFICATION OF ORDER OF PRECEDENCE FOR THE PRINCIPAL DEPUTY UNDER SECRETARIES OF DEFENSE.—Subsection (d) of section 137b of such title, as redesignated by subsection (a)(1) of this section, is amended by striking ''and the Deputy Chief Management Officer of the Department of Defense'' and inserting ''the Under Secretary of Defense for Management, and the officials serving in the positions specified in section 131(b)(4) of this title''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Title 10, United States Code, is further amended as follows:

(A) In section 131(b)—

(i) in paragraph (2), by adding at the end the following new subparagraph:

''(F) The Under Secretary of Defense for Management.'';

(ii) by striking paragraph (3); and

(iii) by redesignating paragraphs (4) through (8) as paragraphs (3) through (7), respectively.

(B) In section 186—

(i) in subsection (a), by striking paragraph (2) and inserting the following new paragraph (2):

''(2) The Under Secretary of Defense for Management.''; and

(ii) in subsection (b), by striking ''the Deputy Chief Management Officer of the Department of Defense'' and inserting '' 'the Under Secretary of Defense for Management''.

(C) In section 2222, by striking ''the Deputy Chief Management Officer of the Department of Defense'' each place it appears in subsections (c)(2)(E), (d)(3), (f)(1)(D), (f)(1)(E), and (f)(2)(E) and inserting ''the Under Secretary of Defense for Management''.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 4 of such title is amended—

(A) by striking the item relating to section 132a; and

(B) by striking the item relating to section 137a and inserting the following new items:

''137a. Under Secretary of Defense for Management.
''137b. Principal Deputy Under Secretaries of Defense.''.

(3) EXECUTIVE SCHEDULE MATTERS.—Section 5314 of title 5, United States Code, is amended by striking the item relating to the Deputy Chief Management Office of the Department of Defense and inserting the following new item:

''Under Secretary of Defense for Management.''.

SA 2158. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DISPOSAL OF SURPLUS OR EXCESS TANGIBLE PROPERTY OF THE DEPARTMENT OF DEFENSE SOLELY BY PUBLIC SALE.

Notwithstanding any other provision of law, surplus or excess tangible property of the Department of Defense shall be disposed of solely by public sale.

SA 2159. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CONSOLIDATION OF DUPLICATIVE AND OVERLAPPING AGENCIES, PROGRAMS, AND ACTIVITIES OF THE FEDERAL GOVERNMENT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the heads of other departments and agencies of the Federal Government—

(1) use available administrative authority to eliminate, consolidate, or streamline Government agencies, programs, and activities with duplicative and overlapping missions as identified in Government Accountability Office reports on duplication and overlap in Government programs;

(2) identify and submit to Congress a report setting the legislative action required to further eliminate, consolidate, or streamline Government agencies, programs, and activities with duplicative and overlapping missions as identified in the reports referred to in paragraph (1); and

(3) determine the total cost savings that—

(A) will accrue to each department, agency, and office effected by an action under paragraph (1) as a result of the actions taken under that paragraph; and

(B) could accrue to each department, agency, and office effected by an action under paragraph (2) as a result of the actions proposed to be taken under that paragraph using the legislative authority set forth under that paragraph.

SA 2160. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON BALANCES CARRIED FORWARD BY THE DEPARTMENT OF DEFENSE AT THE END OF EACH FISCAL YEAR.

Not later March 1 each year, the Secretary of Defense shall submit to Congress, and publish on the Internet website of the Department of Defense available to the public, the following:

(1) The total dollar amount of all balances carried forward by the Department of Defense at the end of the previous fiscal year by account.

(2) The total dollar amount of all unobligated balances carried forward by the Department of Defense at the end of the previous fiscal year by account.

(3) The total dollar amount of any balances (both obligated and unobligated) that have been carried forward by the Department of Defense for five years or more as of the end of the previous fiscal year by account.

SA 2161. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LIMITATION ON AMOUNTS AVAILABLE IN FISCAL YEAR 2014 FOR TUITION ASSISTANCE PROGRAMS OF THE DEPARTMENT OF DEFENSE TO ADDRESS CRITICAL-NEEDS SHORTAGES FOR MILITARY PERSONNEL.

Notwithstanding any other provision of this Act, the total amount available in this Act for fiscal year 2014 for tuition assistance programs of the Department of Defense may not exceed $100,000,000 in order that such assistance be limited to use as a retention tool to address critical-needs shortages for military personnel.

SA 2162. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 524.

SA 2163. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON EMPLOYMENT BY THE DEPARTMENT OF DEFENSE OF INDIVIDUALS AND CONTRACTORS WITH SERIOUSLY DELINQUENT TAX DEBTS.

(a) PROHIBITION.—An individual or contractor with a seriously delinquent tax debt may not be appointed to, or continue serving in, a position within or funded by the Department of Defense.

(b) SERIOUSLY DELINQUENT TAX DEBT DEFINED.—In this section, the term ''seriously delinquent tax debt'' means an outstanding debt under the Internal Revenue Code of 1986 for which a notice of lien has been filed in public records pursuant to section 6323 of such Code, except that such term does not include—

(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or section 7122 of such Code; and

(2) a debt with respect to which a collection due process hearing under section 6330 of such Code, or relief under subsection (a), (b), or (f) of section 6015 of such Code, is requested or pending.

SA 2164. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. LIMITATION ON FUNDS AVAILABLE IN AFGHANISTAN SECURITY FORCES FUND FOR EQUIPMENT AND TRANSPORTATION.

Of the amounts available in the Afghanistan Security Forces Fund for fiscal year 2014 for equipment and transportation, not more than an amount equal to 50 percent of such amounts may be obligated or expended for such purposes until the Secretary of Defense submits to the congressional defense committees a report setting forth the plan of the Department of Defense to transfer or sell the C–27A aircraft.

SA 2165. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. C–130J AIRCRAFT.

Of the amount authorized to be appropriated for fiscal year 2014 by section 101 and available for Aircraft Procurement for the Air Force for procurement of C–130J aircraft as specified in the funding table in section 4101, not more than an amount equal to 25 percent of such amount may be obligated or expended for procurement of C–130J aircraft until the Secretary of Defense submits to the congressional defense committees a report

setting forth the plan of the Department of Defense to transfer or sell the C–27J aircraft.

SA 2166. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF CONGRESS ON SMALL ARMS AND AMMUNITION USED BY UNITED STATES ARMED FORCES.

It is the sense of Congress that the small arms and ammunition used by the United States Armed Forces should be superior to the small arms and ammunition used by potential threat nations, foreign allied militaries, and United States domestic law enforcement.

SA 2167. 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 D of title XXVIII, add the following:

SEC. 2833. TRANSFER OF ADMINISTRATIVE JURISDICTION, GEORGIA.

(a) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Not later than September 30, 2014, the Secretary of Agriculture shall transfer to the Secretary of the Army administrative jurisdiction over the approximately 282.304 acres of Federal land in the Chattahoochee National Forest that is being used by the Secretary of the Army for Camp Frank D. Merrill in Dahlonega, Georgia, in accordance with the permit numbered 0018-01, in exchange for the transfer by the Secretary of the Army (acting through the Chief of Engineers) to the Secretary of Agriculture of administrative jurisdiction over approximately 10 acres of Corps of Engineers land on Lake Lanier located at 372 Dunlap Landing Road, Gainesville, Georgia.

(b) USE OF TRANSFERRED LAND.—On transfer of the Federal land in the Chattahoochee National Forest to the Secretary of the Army under subsection (a), the Secretary of the Army shall continue to use the transferred land for military purposes.

(c) PROTECTION OF THE ETOWAH DARTER AND HOLIDAY DARTER.—Nothing in this section affects the designation of land within the Chattahoochee National Forest before the date of enactment of this Act as critical habitat for the Etowah darter (Etheostoma etowahae) and the Holiday darter (Etheostoma brevirostrum).

(d) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall publish in the Federal Register a map and legal description of the land to be transferred under subsection (a).

(2) EFFECT.—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of Agriculture may correct any errors in the map and legal description.

(e) REIMBURSEMENTS OF COSTS.—The transfer of administrative jurisdiction under subsection (a) shall be made without reimbursement, except that the Secretary of the Army shall reimburse the Secretary of Agriculture for any costs incurred by the Secretary of Agriculture in preparing the map and legal description under subsection (d).

SA 2168. Mrs. FEINSTEIN (for herself and Mrs. BOXER) 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 2832.

SA 2169. Mr. BENNET 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 V, add the following:

SEC. 593. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON IMPACT OF CERTAIN MENTAL AND PHYSICAL TRAUMA ON DISCHARGES FROM MILITARY SERVICE FOR MISCONDUCT.

(a) REPORT REQUIRED.—The Comptroller General of the United States shall submit to Congress a report on the impact of mental and physical trauma relating to Post Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), behavioral health matters not related to Post Traumatic Stress Disorder, and other neurological combat traumas (in this section referred to as ''covered traumas'') on the discharge of members of the Armed Forces from the Armed Forces for misconduct.

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

(1) An assessment of the extent to which the Armed Forces have in place processes for the consideration of the impact of mental and physical trauma relating to covered traumas on members of the Armed Forces who are being considered for discharge from the Armed Forces for misconduct, including the compliance of the Armed Forces with such processes and mechanisms in the Department of Defense for ensuring the compliance of the Armed Forces with such processes.

(2) An assessment of the extent to which the Armed Forces provide members of the Armed Forces, including commanding officers, junior officers, and noncommissioned officers, training on the symptoms of covered traumas and the identification of the presence of such conditions in members of the Armed Forces.

(3) An assessment of the extent to which members of the Armed Forces who receive treatment for a covered trauma before discharge from the Armed Forces are later discharged from the Armed Forces for misconduct.

(4) An identification of the number of members of the Armed Forces discharged as described in paragraph (3) who are ineligible for benefits from the Department of Veterans Affairs based on characterization of discharge.

(5) An assessment of the extent to which members of the Armed Forces who accept a discharge from the Armed Forces for misconduct in lieu of trial by court-martial are counseled on the potential for ineligibility for benefits from the Department of Veterans Affairs as a result of such discharge before acceptance of such discharge.

SA 2170. Mrs. MCCASKILL (for herself, Ms. AYOTTE, Mrs. FISCHER, Ms. COLLINS, and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 167, line 9, insert ''OR SENIOR TRIAL COUNSEL'' after ''STAFF JUDGE ADVOCATE''.

On page 167, line 13, insert ''or the senior trial counsel detailed to the case'' after ''Military Justice),''.

On page 167, line 21, insert ''OR SENIOR TRIAL COUNSEL'' after ''STAFF JUDGE ADVOCATE''.

On page 167, line 25, insert ''or the senior trial counsel detailed to the case'' after ''Military Justice),''.

At the end of part I subtitle E of title V, add the following:

SEC. 547. ADDITIONAL ENHANCEMENTS OF MILITARY DEPARTMENT ACTIONS ON SEXUAL ASSAULT PREVENTION AND RESPONSE.

(a) ADDITIONAL DUTY OF SPECIAL VICTIMS' COUNSEL.—In addition to the duties specified in section 539(a)(3), a Special Victims' Counsel designated under section 539 shall provide advice to victims of sexual assault on the advantages and disadvantages of prosecution of the offense concerned by court-martial or by a civilian court with jurisdiction over the offense before such victims express their preference as to the prosecution of the offense under subsection (b).

(b) CONSULTATION WITH VICTIMS REGARDING PREFERENCE IN PROSECUTION OF CERTAIN SEXUAL OFFENSES.—

(1) IN GENERAL.—The Secretaries of the military departments shall each establish a process to ensure consultation with the victim of a covered sexual offense that occurs in the United States with respect to the victim's preference as to whether the offense should be prosecuted by court-martial or by a civilian court with jurisdiction over the offense.

(2) WEIGHT AFFORDED PREFERENCE.—The preference expressed by a victim under paragraph (1) with respect to the prosecution of an offense, while not binding, should be afforded great weight in the determination whether to prosecute the offense by court-martial or by a civilian court.

(3) NOTICE TO VICTIM OF LACK OF CIVILIAN CRIMINAL PROSECUTION AFTER PREFERENCE FOR SUCH PROSECUTION.—In the event a victim expresses a preference under paragraph (1) in favor of prosecution of an offence by civilian court and the civilian authorities determine to decline prosecution, or defer to prosecution by court-martial, the victim shall be promptly notified of that determination.

(c) PERFORMANCE APPRAISALS OF MEMBERS OF THE ARMED FORCES.—

(1) APPRAISALS OF ALL MEMBERS ON COMPLIANCE WITH SEXUAL ASSAULT PREVENTION AND

RESPONSE PROGRAMS.—The Secretaries of the military departments shall each ensure that the written performance appraisals of members of the Armed Forces (whether officers or enlisted members) under the jurisdiction of such Secretary include an assessment of the extent to which each such member supports the sexual assault prevention and response program of the Armed Force concerned.

(2) PERFORMANCE APPRAISALS OF COMMANDING OFFICERS.—The Secretaries of the military departments shall each ensure that the performance appraisals of commanding officers under the jurisdiction of such Secretary indicate the extent to which each such commanding officer has or has not established a command climate in which—

(A) allegations of sexual assault are properly managed and fairly evaluated; and

(B) a victim can report criminal activity, including sexual assault, without fear of retaliation, including ostracism and group pressure from other members of the command.

(d) COMMAND CLIMATE ASSESSMENTS FOLLOWING INCIDENTS OF CERTAIN SEXUAL OFFENSES.—

(1) ASSESSMENTS REQUIRED.—The Secretaries of the military departments shall each establish a process whereby a command climate assessment is performed following an incident involving a covered sexual offense for each of the command of the accused and the command of the victim. If the accused and the victim are within the same command, only a single climate assessment is required. The process shall ensure the timely completion of command climate assessments for provision to military criminal investigation organizations and commanders pursuant to paragraph (2).

(2) PROVISION TO MILITARY CRIMINAL INVESTIGATION ORGANIZATIONS AND COMMANDERS.—A command climate assessment performed pursuant to paragraph (1) shall be provided to the following:

(A) The military criminal investigation organization conducting the investigation of the offense concerned.

(B) The commander next higher in the chain of command of the command covered by the climate assessment.

(e) CONFIDENTIAL REVIEW OF CHARACTERIZATION OF TERMS OF DISCHARGE OF VICTIMS OF SEXUAL OFFENSES.—

(1) IN GENERAL.—The Secretaries of the military departments shall each establish a confidential process, through boards for the correction of military records of the military department concerned, by which an individual who was the victim of a covered sexual offense during service in the Armed Forces may challenge, on the basis of being the victim of such an offense, the terms or characterization of the individual's discharge or separation from the Armed Forces.

(2) CONSIDERATION OF INDIVIDUAL EXPERIENCES IN CONNECTION WITH OFFENSES.—In deciding whether to modify the terms or characterization of an individual's discharge or separation pursuant to the process required by paragraph (1), the Secretary of the military department concerned shall instruct boards to give due consideration to the psychological and physical aspects of the individual's experience in connection with the offense concerned, and to what bearing such experience may have had on the circumstances surrounding the individual's discharge or separation from the Armed Forces.

(3) PRESERVATION OF CONFIDENTIALITY.—Documents considered and decisions rendered pursuant to the process required by paragraph (1) shall not be made available to the public, except with the consent of the individual concerned.

(f) COVERED SEXUAL OFFENSE DEFINED.—In subsections (a) through (e), the term ''covered sexual offense'' means any of the following:

(1) Rape or sexual assault under subsection (a) or (b) of section 920 of title 10, United States Code (article 120 of the Uniform Code of Military Justice).

(2) Forcible sodomy under section 925 of title 10, United States Code (article 125 of the Uniform Code of Military Justice).

(3) An attempt to commit an offense specified in paragraph (1) or (2) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(g) MODIFICATION OF MILITARY RULES OF EVIDENCE RELATING TO ADMISSIBILITY OF GENERAL MILITARY CHARACTER TOWARD PROBABILITY OF INNOCENCE.—Not later than 180 days after the date of the enactment of this Act, Rule 404(a) of the Military Rules of Evidence shall be modified to clarify that the general military character of an accused is not admissible for the purpose of showing the probability of innocence of the accused, except that evidence of a trait of the military character of an accused may be offered in evidence by the accused when that trait is relevant to an element of an offense for which the accused has been charged.

SEC. 548. APPLICABILITY OF SEXUAL ASSAULT PREVENTION AND RESPONSE AND RELATED MILITARY JUSTICE ENHANCEMENTS TO MILITARY SERVICE ACADEMIES.

(a) MILITARY SERVICE ACADEMIES.—The Secretary of the military department concerned shall ensure that the provisions of this subtitle, and the amendments made by this subtitle, apply to the United States Military Academy, the Naval Academy, and the Air Force Academy, as applicable.

(b) COAST GUARD ACADEMY.—The Secretary of Homeland Security shall ensure that the provisions of this subtitle, and the amendments made by this subtitle, apply to the Coast Guard Academy.

SEC. 549. COLLABORATION BETWEEN THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF JUSTICE IN EFFORTS TO PREVENT AND RESPOND TO SEXUAL ASSAULT.

(a) STRATEGIC FRAMEWORK ON COLLABORATION REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense and the Attorney General shall jointly develop a strategic framework for ongoing collaboration between the Department of Defense and the Department of Justice in their efforts to prevent and respond to sexual assault. The framework shall be based on and include the following:

(1) An assessment of the role of the Department of Justice in investigations and prosecutions of sexual assault cases in which the Department of Defense and the Department of Justice have concurrent jurisdiction, with the assessment to include a review of and list of recommended revisions to relevant Memoranda of Understanding and related documents between the Department of Justice and the Department of Defense.

(2) An assessment of the feasibility of establishing the position of advisor on military sexual assaults within the Department of Justice (using existing Department resources and personnel) to assist in the activities required under paragraph (1)and provide to the Department of Defense investigative and other assistance in sexual assault cases occurring on domestic and overseas military installations over which the Department of Defense has primary jurisdiction, with the assessment to address the feasibility of maintaining representatives or designees of the advisor at military installations for the purpose of reviewing cases of sexual assault and providing assistance with the investigation and prosecution of sexual assaults.

(3) An assessment of the number of unsolved sexual assault cases that have occurred on military installations, and a plan, with appropriate benchmarks, to review those cases using currently available civilian and military law enforcement resources, such as new technology and forensics information.

(4) A strategy to leverage efforts by the Department of Defense and the Department of Justice—

(A) to improve the quality of investigations, prosecutions, specialized training, services to victims, awareness, and prevention regarding sexual assault; and

(B) to address social conditions that relate to sexual assault.

(5) Mechanisms to promote information sharing and best practices between the Department of Defense and the Department of Justice on prevention and response to sexual assault, including victim assistance through the Violence against Women Act and Office for Victims of Crime programs of the Department of Justice.

(b) REPORT.—The Secretary of Defense and the Attorney General shall jointly submit to the appropriate committees of Congress a report on the framework required by subsection (a). The report shall—

(1) describe the manner in which the Department of Defense and Department of Justice will collaborate on an ongoing basis under the framework;

(2) explain obstacles to implementing the framework; and

(3) identify changes in laws necessary to achieve the purpose of this section.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

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

(2) the Committee on Armed Services and the Committee on the Judiciary of the House of Representatives.

SEC. 550. SENSE OF SENATE ON INDEPENDENT PANEL ON REVIEW AND ASSESSMENT ON RESPONSE SYSTEMS TO SEXUAL ASSAULT CRIMES.

It is the sense of the Senate that—

(1) the panel to review and assess the systems used to respond to sexual assault established by section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1758) is conducting an independent assessment of the systems used to investigate, prosecute, and adjudicate crimes involving adult sexual assault and related offenses;

(2) the work of the panel will be critical in informing the efforts of Congress to combat rape, sexual assault, and other sex-related crimes in the Armed Forces;

(3) the panel should include in its assessment under subsection (d)(1) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 a review of the reforms that will be enacted pursuant to this subtitle and the amendments made by this subtitle; and

(4) the views of the victim advocate community should continue to be well-represented on the panel, and input from victims should continue to play a central role in informing the work of the panel.

On page 176, line 23, strike ''120 days'' and insert ''60 days''.

SA 2171. Mrs. MCCASKILL (for herself, Mr. MCCAIN, and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of

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

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

SEC. 1066. POW/MIA MATTERS.

(a) REPORT ON ACCOUNTING FOR POW/MIAS.—

(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on accounting for missing persons from covered conflicts.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The total number of missing persons in all covered conflicts and in each covered conflict.

(B) The total number of missing persons in all covered conflicts, and in each covered conflict, that are considered unrecoverable, including—

(i) the total number in each conflict that are considered unrecoverable by being lost at sea or in inaccessible terrain;

(ii) the total number from the Korean War that are considered to be located in each of China, North Korea, and Russia.

(C) The total number of missing persons in all covered conflicts, and in each covered conflict, that were interred without identification, including the locations of interment.

(D) The number of remains in the custody of the Department of Defense that are awaiting identification, and the number of such remains estimated by the Department to be likely to be identified using current technology.

(E) The total number of identifications of remains that have been made since January 1, 1970, for all covered conflicts and for each covered conflict.

(F) The number of instances where next of kin have refused to provide a DNA sample for the identification of recovered remains, for each covered conflict.

(3) DEFINITIONS.—In this subsection:

(A) The term ''missing persons'' has the meaning given that term in section 1513(1) of title 10, United States Code.

(B) The term ''covered conflicts'' means the conflicts specified in or designated under section 1509(a) of title 10, United States Code, as of the date of the report required by paragraph (1).

(b) REPORT ON POW/MIA ACCOUNTING COMMUNITY.—

(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report on the POW/MIA accounting community.

(2) ELEMENTS.—The report required by paragraph (1)) shall including the following:

(A) A description and assessment of the current structure of the POW/MIA accounting community.

(B) An assessment of the feasibility and advisability of reorganizing the community into a single, central command, including—

(i) an identification of the elements that could be organized into such command; and

(ii) an assessment of cost-savings, advantages, and disadvantages of—

(I) transferring the command and control of the Joint POW/MIA Accounting Command (JPAC) and the Central Identification Laboratory (CIL) from the United States Pacific Command to the Office of the Secretary of Defense;

(II) merging the Joint POW/MIA Accounting Command and the Central Identification Laboratory with the Defense Prisoner of War/Missing Personnel Office (DPMO); and

(III) merging the Central Identification Laboratory with the Armed Forces DNA Identification Lab (AF-DIL).

(C) A recommendation on the element of the Department of Defense to be responsible for directing POW/MIA accounting activities, and on whether all elements of the POW/MIA accounting community should report to that element.

(D) An estimate of the costs to be incurred, and the cost savings to be achieved—

(i) by relocating central POW/MIA accounting activities to the continental United States;

(ii) by closing or consolidating existing Joint POW/MIA Accounting Command facilities; and

(iii) through any actions with respect to the POW/MIA accounting community and POW/MIA accounting activities that the Secretary considers advisable for purposes of the report.

(E) An assessment of the feasibility and advisability of the use by the Department of university anthropology or archaeology programs to conduct field work, particularly in politically sensitive environments, including an assessment of the potential cost of the use of such programs and whether the use of such programs would result in a greater number of identifications.

(F) A survey of the manner in which other countries conduct accounting for missing persons, and an assessment whether such practices can be used by the United States

(G) A recommendation as to the advisability of continuing to use a military model for recovery operations, including the impact of the use of such model on diplomatic relations with countries in which the United States seeks to conduct recovery operations.

(H) Such recommendations for the reorganization of the POW/MIA accounting community as the Secretary considers appropriate in light of the other elements of the report, including an estimate of the additional numbers of recoveries and identifications anticipated to be made by the accounting community as a result of implementation of the reorganization.

(3) BASIS IN PREVIOUS RECOMMENDATIONS.—The report required by paragraph (1) shall take into account recommendations previously made by the Director of Cost Assessment and Program Evaluation, the Inspector General of the Department of Defense, and the Comptroller General of the United States regarding the organization of the POW/MIA accounting community.

(4) POW/MIA ACCOUNTING COMMUNITY.—In this subsection, the term ''POW/MIA accounting community'' has the meaning given that term in section 1509(b)(2) of title 10, United States Code.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

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

(2) the Committee on Armed Services and the Committee on Oversight and Government Reform of the House of Representatives.

SA 2172. Mr. CASEY (for himself, Ms. AYOTTE, Mr. WARNER, and Mrs. SHAHEEN) 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. SECURITY SUPPORT FOR AFGHAN WOMEN AND GIRLS.

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

(1) In January 2013, President Barack Obama stated, ''The Afghan constitution protects the rights of Afghan women. And the United States strongly believes that Afghanistan cannot succeed unless it gives opportunity to its women. . .And we think that a failure to provide that protection not only will make reconciliation impossible to achieve, but also would make Afghanistan's long-term development impossible to achieve.''

(2) As stated in the Department of Defense's July 2013 1230 Report on Progress Toward Security and Stability in Afghanistan (in this section, the ''1230 Report''), the United States Government ''recognizes that promoting security for Afghan women and girls must remain a top foreign policy priority''. The November 2013 1230 Report also highlights this priority and further states, ''A major focus of DoD and others working to improve the conditions of women in Afghanistan is now to maintain the gains made in the last twelve years after the ISAF mission ends.''

(3) According to the United Nations Assistance Mission in Afghanistan (UNAMA) Mid-Year Report 2013: Protection of Civilians in Armed Conflict, the conflict ''increasingly harmed women and children. In the first six months of 2013, conflict related violence killed 106 women and injured 241 (347 casualties), a 61 percent increase from the same period in 2012.''

(4) Women still face significant barriers to full participation in the Afghan National Army (ANA) and Afghan National Police (ANP), including a discriminatory or hostile work environment. As stated in the July and November 1230 Report, other barriers include ''family-related issues. . .lack of challenging assignments upon graduation, accounts of sexual harassment and violence, and difficulties concerning separate housing and bathing facilities'' for female personnel.

(5) According to the November 1230 Report, female recruitment and retention rates for the Afghan National Security Forces fell short of the Ministry of Defense (MoD) and Ministry of the Interior (MoI) female recruitment goals of 10 percent of the ANA and AAF and 5,000 for the ANP. In regards to women serving in the ANP, the November 1230 report also states, ''Low female recruitment is due in part to the MoI's passive female recruitment efforts, which has no specific female recruitment strategy or plan.'' At the time of the November 1230 Report, only 1,557 women were serving in the ANP (847 officers and NCOs and 710 patrolmen). This represents an increase of 36 women from the last reporting period.

(6) According to the Special Inspector General for Afghan Reconstruction (SIGAR) October 2013 report, despite more women showing an interest in joining the security forces, only 0.3 percent of ANA and AAF and 1 percent of police in Afghanistan are women. According to the November 1230 Report, ''The MOD has failed to capitalize on this interest and organize the necessary initial training, such as Female Officer Candidate and NCO courses. ISAF advisors continue to mentor the MOD to reduce their emphasis on ethnic balancing in order to accelerate ANA gender integration.''

(7) According to the International Crisis Group, there are not enough female police officers to staff all provincial Family Response Units (FRUs). United Nations Assistance Mission in Afghanistan and the Office of the High Commissioner for Refugees found that ''in the absence of Family Response Units or visible women police officers, women victims almost never approach police stations willingly, fearing they will be arrested, their reputations stained or worse''.

(8) Fair, free, and inclusive presidential elections in Afghanistan in April 2014 will be critical for the country's future security and stability. Afghan women in particular are often prevented from meaningful participation in the electoral process due to the threat of violence, security environment, the scarcity of female poll workers, and lack of awareness of women's political rights and opportunities, according to the Free and Fair Election Foundation of Afghanistan.

(9) According to the Independent Election Commission of Afghanistan, Afghanistan needs 12,000 female police officers to search women at polling stations. The Afghan National Police has about 1,570 women for this duty. According to the United Nations Development Programme (UNDP), without female searchers at polling stations, security threats will increase as men can dress in burkhas attempting to enter the female areas of the polling station while concealing firearms, knives, or explosives.

(10) According to the July 1230 Report, ''U.S. Embassy engagement on security preparations for the 2014 election with the MoI and Independent Elections Commission has focused on the need for increased temporary female security personnel, which would provide an environment where women can access polling stations while also ensuring the safety and security of the polling stations, and highlighting the role women can play in ensuring security overall.''

(11) According to the November 1230 Report, ''The lack of female ANSF for both routine security operations and the 2014 Afghan elections makes the ANSF gender gap an operational and political risk for the Government of the Islamic Republic of Afghanistan (GIRoA).'' Further, the November 1230 Report highlights the significant risk to the credibility of the April 2014 elections and to the ANSF, stating, ''Failure to recruit more women could deter female voter turnout, harming the legitimacy of the ANSF and those elected to office in 2014.''

(b) THE SENSE OF CONGRESS ON PROMOTION OF SECURITY OF AFGHAN WOMEN.—It is the sense of Congress that—

(1) the United States Government should regularly press the Government of the Islamic Republic of Afghanistan to commit to the meaningful inclusion of women in any peace process and to ensure that women's concerns are fully reflected in relevant negotiations; and

(2) the United States Government and the Government of Afghanistan should ''reaffirm the role of Afghan civil society, particularly women's organizations, in advocating for and supporting human rights, good governance, and sustainable social, economic, and democratic development of Afghanistan through a sustained dialogue'', as agreed to during the meeting between the International Community and the Government of Afghanistan on the Tokyo Mutual Accountability Framework (TMAF) in July 2013.

(c) STRATEGY TO PROMOTE SECURITY OF AFGHAN WOMEN.—

(1) IN GENERAL.—The Secretary of Defense shall support the efforts of the Government of Afghanistan to ensure the security of Afghan women and girls during and after the security transition process through implementation of an Afghan-led strategy to increase awareness and responsiveness among Afghan National Army and Afghan National Police personnel regarding the unique challenges women confront when serving in those forces.

(2) TRAINING.—The Secretary of Defense, working with the International Security Force (ISAF) and NATO Training Mission-Afghanistan (NTM-A), should encourage the Government of Afghanistan to include in the strategy developed under paragraph (1) the following elements:

(A) An evaluation of the effectiveness of existing training for Afghan National Security Forces on this issue.

(B) A plan to increase the number of female security officers, including those serving in Family Response Units, specifically trained to address cases of gender-based violence.

(C) A plan to address the development of accountability mechanisms for ANA and ANP personnel who violate codes of conduct related to the human rights of women and girls.

(3) ENROLLMENT AND TREATMENT.—The Secretary of Defense, in cooperation with the Afghan Ministries of Defense and Interior, shall assist the Government of Afghanistan in including as part of the strategy developed under paragraph (1) the development and implementation of a strategy to increase the number of female members of the ANA and ANP and to ensure their equal treatment, including the following actions:

(A) Submission of status reports to the Secretary of Defense, not later than 120 days after the date of the enactment of this Act, on the plans of the MOD and MOI for the recruitment and retention of female officers, non-commissioned officers, and soldiers, including efforts to—

(i) provide appropriate equipment for female security and police forces;

(ii) modify facilities to allow for female participation within the security and police forces;

(iii) training to include literacy training for women recruits and gender awareness training for male counterparts; and

(iv) a review of the number of women in the ANP and realistic deadlines to increase the number of female officers by 2014.

(B) The allocation of not less than $15,000,000 from the Afghan Security Forces Fund to be available for the recruitment, retention, and support of women in the ANSF.

(4) STAFFING AT POLLING STATIONS.—The Secretary of Defense shall assist the Afghan MOD and MOI in increasing the number of women staffing polling stations during the April 2014 elections in Afghanistan, including—

(A) assistance in the development of a recruitment and training program for female searchers and security officers to staff voting stations during the April 2014 elections by not later than 60 days after the date of the enactment of this Act;

(B) assistance in the implementation of the program described in subparagraph (A), including working with the Ministry of Interior to ensure that female ANP officers are assigned to provide security for polling stations; and

(C) allocating up to $5,000,000 from the Afghan Security Forces Fund to be available to hire temporary female personnel to staff polling stations.

SA 2173. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXVIII, add the following:

SEC. 2842. RESPONSIBILITY FOR ENVIRONMENTAL REMEDIATION AT BADGER ARMY AMMUNITION PLANT, BARABOO, WISCONSIN.

(a) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) PLANT.—The term ''plant'' means the Badger Army Ammunition Plant near Baraboo, Wisconsin.

(3) PROPERTY.—The term ''property'' includes—

(A) the plant;

(B) any land—

(i) located in Sauk County, Wisconsin; and

(ii) managed by the Federal Government relating to the plant; and

(C) any structure on the land described in subparagraph (B).

(b) RETENTION OF ENVIRONMENTAL LIABILITY.—

(1) IN GENERAL.—Subject to paragraph (2), the Department of Defense shall retain liability for the costs of environmental remediation associated with the plant under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and any other applicable Federal or State law if the property is transferred in fee or in trust to another Federal agency.

(2) LIMITATION.—The liability described in paragraph (1) is limited to the costs of remediation of environmental contamination that existed before the date on which the property is transferred.

(c) LAND HELD IN TRUST.—If the property is transferred to another Federal agency to be held in trust for an Indian tribe, the transfer shall not result in any reduction of funds available to the Secretary of Defense to carry out the cleanup and closure of the plant.

(d) EFFECT.—Nothing in this section—

(1) relieves the Secretary of Defense, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, or any other person from any obligation or liability under any Federal or State law with respect to the plant;

(2) alters any authority of the Administrator of the Environmental Protection Agency or the Governor of the State of Wisconsin under subsection (a)(4) or (h)(3)(B) of section 120 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(a)(4), (h)(3)(B));

(3) affects the level of cleanup at the plant or the closure of the plant required under any Federal or State law;

(4) affects or limits the application of, or any obligation to comply with, any environmental law, including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(B) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.); or

(5) prevents the United States from bringing a cost recovery, contribution, or any other action that would otherwise be available under any Federal or State law.

SA 2174. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction,

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

At the end of part I of subtitle E of title V, add the following:

SEC. 547. REPORT ON FEASIBILITY OF ASSESSMENT OF SEXUAL VIOLENCE AMONG RESERVE OFFICERS' TRAINING CORPS CADETS.

(a) REPORT.—Not later than June 30, 2014, the Secretary of Defense shall, in consultation with the Secretary of Education, submit to the congressional defense committees a report setting forth an assessment of the feasibility of conducting a study of sexual violence by cadets in the Reserve Officers' Training Corps (ROTC) programs during fiscal years 2009 through 2014 in order to determine the extent of sexual violence in the Reserve Officers' Training Corps programs and the need for reform of such programs in connection with such violence.

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

(1) A description and prioritization of the quantitative and qualitative data, including collection and assessment methodologies in compliance with applicable privacy laws, that should be used to assess the extent of sexual violence among Reserve Officers' Training Corps cadets for each Armed Forces and across the Armed Forces in general, including data on—

(A) alleged and proven incidents of sexual violence by Reserve Officers' Training Corps cadets as reported to the Reserve Officers' Training Corps programs, institutions of higher education, and law enforcement officials;

(B) alleged and proven incidents of sexual violence by students of institutions of higher education of demographics similar to the demographics of Reserve Officers' Training Corps cadets as reported to institutions of higher education and law enforcement officials; and

(C) actions officially and unofficially taken by Reserve Officers' Training Corps programs, institutions of higher education, and law enforcement officials in response to such alleged and proven incidents of sexual violence.

(2) An assessment of the feasibility of the collection and analysis of the data provided for in paragraph (1), to include what methods and resources that would be required to collect, for sample sizes of sufficient size as to provide significant evidence for determining the extent, if any, of sexual violence among Reserve Officers' Training Corps cadets.

(3) An approach to surveying and assessing Reserve Officers' Training Corps classroom information materials, course materials, and lesson plans related to education and training for prevention of sexual violence, and the process for developing such materials and lesson plans.

(4) An approach to assessing the processes of communication among Reserve Officers' Training Corps program officials, institutions of higher education, and law enforcement officials about alleged and proven sexual violence incidents involving Reserve Officers' Training Corps cadets.

(5) An approach to assessing how the records of Reserve Officers' Training Corps cadets, including disciplinary records, are evaluated prior to commissioning.

(6) Such other matters and recommendations with respect to the study described in subsection (a) as the Secretary considers appropriate.

(c) COMPTROLLER GENERAL OF THE UNITED STATES REVIEW.—Not later than four months after the date of the submittal of the report required by subsection (a), the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an assessment of the methodology proposed in the feasibility study covered by such report to conduct a study of sexual violence among Reserve Officers' Training Corps cadets.

(d) CONGRESSIONAL REVIEW AND REPORT REQUIREMENTS.—The relevant congressional defense committees shall review the Comptroller General report required by subsection (c), and the feasibility study required by subsection (a). Such committees shall certify completion of the feasibility study required under subsection (a) and identify recommendations for a new report. Upon certification of the feasibility study, the Secretary of Defense, in consultation with the Secretary of Education, shall execute a new report following the guidelines established by the feasibility study required in subsection (a) and recommendations identified by the relevant defense committees. The new report shall be submitted to the congressional defense committees not later than 6 months after certification.

(e) SEXUAL VIOLENCE DEFINED.—In this section, the term ''sexual violence'' means the following:

(1) Sexual assault, as that term is defined in section 40002(a)(23) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(23)).

(2) Domestic violence, as that term is defined in section 40002(a)(6) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(6)).

(3) Dating violence, as that term is defined in section 40002(a)(8) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(8)).

(4) Stalking, as that term is defined in section 40002(a)(24) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(24)).

(5) Sexual harassment, as that term is defined in section 1561(e) of title 10, United States Code.

SA 2175. Mr. LEVIN (for himself, Mr. MCCAIN, Mrs. FEINSTEIN, and Mr. UDALL of Colorado) 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; as follows:

Strike section 1033 and insert the following:

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

(a) IN GENERAL.—Except as provided in subsection (b), 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, its territories, or possessions 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) TRANSFER FOR DETENTION AND TRIAL.—The Secretary of Defense may transfer a detainee described in subsection (a) to the United States for detention pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note), trial, and incarceration if the Secretary—

(1) determines that the transfer is in the national security interest of the United States;

(2) determines that appropriate actions have been taken, or will be taken, to address any risk to public safety that could arise in connection with detention and trial in the United States; and

(3) notifies the appropriate committees of Congress not later than 30 days before the date of the proposed transfer.

(c) NOTIFICATION ELEMENTS.—A notification on a transfer under subsection (b)(3) shall include the following:

(1) A statement of the basis for the determination that the transfer is in the national security interest of the United States.

(2) A description of the action the Secretary determines have been taken, or will be taken, to address any risk to the public safety that could arise in connection with the detention and trial in the United States.

(d) STATUS WHILE IN THE UNITED STATES.—A detainee who is transferred to the United States under this section—

(1) shall not be permitted to apply for asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) or be eligible to apply for admission into the United States;

(2) shall be considered to be paroled into the United States temporarily pursuant to section 212(d)(5)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)(A)); and

(3) shall not, as a result of such transfer, have a change in designation as an unprivileged enemy belligerent eligible for detention pursuant to the Authorization for Use of Military Force, as determined in accordance with applicable law and regulations.

(e) LIMITATION ON TRANSFER OR RELEASE OF DETAINEES TRANSFERRED TO THE UNITED STATES.—An individual who is transferred to the United States under this section may not be released within the United States and may only be transferred or released in accordance with the procedures under section 1031.

(f) LIMITATIONS ON JUDICIAL REVIEW.—

(1) LIMITATIONS.—Except as provided for in paragraph (2), no court, justice, or judge shall have jurisdiction to hear or consider any action against the United States or its agents relating to any aspect of the detention, transfer, treatment, or conditions of confinement of a detainee described in subsection (a) who is held by the Armed Forces of the United States.

(2) EXCEPTION.—A detainee who is transferred to the United States under this section shall not be deprived of the right to challenge his designation as an unprivileged enemy belligerent by filing a writ of habeas corpus as provided by the Supreme Court in Hamdan v. Rumsfeld (548 U.S. 557 (2006)) and Boumediene v. Bush (553 U.S. 723 (2008)).

(3) NO CAUSE OF ACTION IN DECISION NOT TO TRANSFER.—A decision not to transfer a detainee to the United States under this section shall not give rise to a judicial cause of action.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—Subsections (b), (c), (d), (e), and (f) shall take effect on the date that is 60 days after the date on which the Secretary of Defense submits to the appropriate committees of Congress a detailed plan to close the detention facility at United States Naval Station, Guantanamo Bay, Cuba.

(2) ELEMENTS.—The report required by paragraph (1) shall contain the following:

(A) A case-by-case determination made for each individual detained at Guantanamo of whether such individual is intended to be transferred to a foreign country, transferred

to the United States for the purpose of civilian or military trial, or transferred to the United States or another country for continued detention under the law of armed conflict.

(B) The specific facility or facilities that are intended to be used, or modified to be used, to hold individuals inside the United States for the purpose of trial, for detention in the aftermath of conviction, or for continued detention under the law of armed conflict.

(C) The estimated costs associated with the detention inside the United States of individuals detained at Guantanamo.

(D) A description of any additional actions that should be taken consistent with subsections (d), (e), and (f) to hold detainees inside the United States.

(E) A detailed description and assessment, made in consultation with the Secretary of State and the Director of National Intelligence, of the actions that would be taken prior to the transfer to a foreign country of an individual detained at Guantanamo that would substantially mitigate the risk of such individual engaging or reengaging in any terrorist or other hostile activity that threatens the United States or United States person or interests.

(F) What additional authorities, if any, may be necessary to detain an individual detained at Guantanamo inside the United States as an unprivileged enemy belligerent pursuant to the Authorization for Use of Military Force (Public Law 107–40), pending the end of hostilities or a future determination by the Secretary of Defense that such individual no longer poses a threat to the United States or United States persons or interests.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(h) INTERIM PROHIBITION.—The prohibition in section 1022 of the Fiscal Year 2013 National Defense Authorization Act (Public Law 112–239; 126 Stat. 1911) shall apply to funds appropriated or otherwise made available for fiscal year 2014 for the Department of Defense from the date of the enactment of this Act until the effective date specified in subsection (g).

(i) 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'' has the meaning given that term in section 1031(e)(2).

SA 2176. Mr. RISCH (for himself, Mr. RUBIO, Mr. CORNYN, Mr. BLUNT, Mr. MORAN, Ms. AYOTTE, Mr. VITTER, Mrs. FISCHER, Mr. JOHNSON of Wisconsin, Mr. CRAPO, and Mr. HOEVEN) 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 XXII, add the following:

SEC. 1237. REPORT ON INF TREATY COMPLIANCE INFORMATION SHARING.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense and the Director of National Intelligence, shall submit to the appropriate congressional committees a report on information and intelligence sharing with North Atlantic Treaty Organization (NATO) and NATO countries on compliance issues related to the INF Treaty.

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

(1) A description of all compliance and consistency issues associated with the INF Treaty, including a listing and assessment of all Ground Launched Russian Federation Systems being designed, tested, or deployed with ranges between 500 kilometers and 5,500 kilometers.

(2) An assessment of INF Treaty compliance and consistency information sharing among NATO countries, including—

(A) sharing among specific NATO countries and the NATO Secretariat;

(B) the date specific information was shared; and

(C) the manner in which such information was transmitted.

(3) If any information on INF Treaty compliance or consistency was withheld from a specific NATO country or the NATO Secretariat, a justification for why such information was withheld.

(c) UPDATES.—Not later than 180 days and one year after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense and the Director of National Intelligence, shall provide to the appropriate congressional committees updates to the report submitted under subsection (a).

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(C) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INF TREATY.—The term ''INF Treaty'' means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987.

SA 2177. Mr. HELLER (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. DETERMINATION OF CERTAIN SERVICE IN PHILIPPINES DURING WORLD WAR II.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs and such military historians as the Secretary of Defense considers appropriate, shall establish a process to determine whether a covered individual served as described in subsection (a) or (b) of section 107 of title 38, United States Code, for purposes of determining whether such covered individual is eligible for benefits described in such subsections.

(b) COVERED INDIVIDUALS.—For purposes of this section, a covered individual is any individual who—

(1) claims service described in subsection (a) or (b) of section 107 of title 38, United States Code; and

(2) is not included in the Approved Revised Reconstructed Guerilla Roster of 1948, known as the ''Missouri List''.

(c) PROHIBITION ON BENEFITS FOR DISQUALIFYING CONDUCT UNDER NEW PROCESS.—The process established under subsection (a) shall include a mechanism to ensure that a covered individual is not treated as an individual eligible for a benefit described in subsection (a) or (b) of section 107 of such title if such covered individual engaged in any disqualifying conduct during service described in such subsections, including collaboration with the enemy or criminal conduct.

SA 2178. Mr. FLAKE (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1523. REPORT ON USE OF FUNDS FOR OVERSEAS CONTINGENCY OPERATIONS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees a report on the use of funds appropriated for overseas contingency operations during fiscal year 2013 and on the funds requested for such operations for fiscal year 2014.

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

(1) An accounting (including by specific dollar amount) of the use of funds appropriated for overseas contingency operations for fiscal year 2013 by the Department of Defense Appropriations Act, 2013 (division C of Public Law 113–6), set forth by program, project, and activity.

(2) An accounting (including by specific dollar amount) of the proposed use of funds requested for overseas contingency operations for fiscal year 2014 in the budget of the President for that fiscal year (as submitted pursuant to section 1105 of title 31, United States Code), set forth by program, project, and activity.

(3) A description of dollar amounts within each program, project, and activity funded through funds for overseas contingency operations for fiscal year 2013 or 2014 that may be funded using funds authorized or appropriated for the Department of Defense on a recurring basis upon completion of current overseas contingency operations in Afghanistan.

(c) CONTINGENT REDUCTION IN AMOUNT AVAILABLE FOR OSD.—Of the amount authorized to be appropriated for fiscal year 2014 by this Act and available for the Office of the Secretary of Defense as specified in the funding tables in division D, not more than an amount equal to 90 percent of such amount may be used for that purpose until the date of the submittal of the report required by subsection (a).

SA 2179. Mr. FLAKE (for himself, Mr. COBURN, Mr. SCOTT, and Mr. JOHNSON of Wisconsin) 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 XXVIII, add the following:

SEC. 2803. CERTIFICATION REQUIREMENT FOR MILITARY CONSTRUCTION PROJECTS IN AREAS OF CONTINGENCY OPERATIONS.

(a) IN GENERAL.—Subchapter I of chapter 169 of title 10, United States Code, is amended by inserting after section 2804 the following new section:

''§ 2804a. Certification requirement for military construction projects in areas of contingency operations

''(a) CERTIFICATION REQUIREMENT.—(1) The Secretary of Defense may not obligate or expend funds to carry out a military construction project overseas in connection with a contingency operation (as defined in section 101(a)(13)) unless the combatant commander of the area of operations in which such project is to be constructed has certified to the Secretary of Defense that the project is needed for direct support of a contingency operation within that combatant command.

''(2) The restriction under paragraph (1) does not apply to planning and design activities.

''(b) CERTIFICATION GUIDANCE.—The Secretary of Defense shall provide guidance regarding the certification required under subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding after the item relating to section 2804 the following new item:

''2804a. Certification requirement for military construction projects in areas of contingency operations.''.

SA 2180. Mr. FLAKE (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1237. MARITIME SECURITY IN GULF OF GUINEA.

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

(1) Although the number of armed robbery at sea and piracy attacks worldwide dropped substantially in recent years, such acts in the Gulf of Guinea are increasing, with more than 40 reported through October 2013 and many more going unreported.

(2) The nature of attacks in the Gulf of Guinea demonstrates an ongoing pattern of cargo thefts and robbery, often occurring in the territorial waters of West and Central African states.

(3) The U.S. Strategy Toward Sub-Saharan Africa issued by President Barack Obama in June 2012 states, ''It is in the interest of the United States to improve the region's trade competitiveness, encourage the diversification of exports beyond natural resources, and ensure that the benefits from growth are broad-based.''.

(4) The United States Government in the Gulf of Guinea has focused on encouraging multi-layered regional and national ownership in developing sustainable capacity building efforts, including working with partners through the G8++ Friends of Gulf of Guinea Group, to coordinate United States Government maritime security activities in the region.

(5) United Nations Security Council Resolution 2039, ''expressing its deep concern about the threat that piracy and armed robbery at sea in the Gulf of Guinea pose to international navigation, security and the economic development of states in the region'', was unanimously adopted on February 29, 2012.

(b) SENSE OF CONGRESS.—Congress—

(1) condemns acts of armed robbery at sea, piracy, and other maritime crime in the Gulf of Guinea;

(2) endorses and supports the efforts made by United States Government agencies to assist affected West and Central African countries to build capacity to combat armed robbery at sea, piracy, and other maritime threats, and encourages the President to continue such assistance, as appropriate, within resource constraints; and

(3) commends the African Union, subregional entities such as the ECOWAS and ECCAS, and the various international agencies that have worked to develop policy and program frameworks for enhancing maritime security in West and Central Africa, and encourages these entities and their member states to continue to build upon these and other efforts to achieve that end.

SA 2181. Mr. VITTER 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. FORCE PROTECTION.

(a) REPORT.—Not later than March 1, 2014, the Secretary of Defense shall submit to the congressional defense committees a report on current expeditionary physical barrier systems and new systems or technologies that are or can be used for force protection and to provide blast protection for forces supporting contingency operations.

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

(1) A review of current and projected threats in connection with force protection, a description of any recent changes to policies on force protection, and an assessment of current planning methods on force protection, including standoff distances and physical barriers, to provide consistent and adequate levels of force protection.

(2) An assessment of the use of expeditionary physical barrier systems to meet the goals of the combatant commands for force protection and force resiliency.

(3) A description of the specifications developed by the Department to meet requirements for effectiveness, affordability, lifecycle management, and reuse or disposal of expeditionary physical barrier systems.

(4) A description of the process used within the Department to ensure appropriate consideration of the decommissioning cost, environmental impact, and subsequent disposal of expeditionary physical barrier materials in the procurement process for such materials.

(5) An assessment of the availability of new technologies or designs that improve the capabilities or lifecycle costs of expeditionary physical barrier systems.

SA 2182. Mr. VITTER 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. SECURITY CLEARANCES FOR CERTAIN SENATE PERSONAL OFFICE EMPLOYEES.

(a) DEFINITIONS.—In this section—

(1) the term ''covered committee of the Senate'' means—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Subcommittee on Defense of the Committee on Appropriations of the Senate;

(E) the Subcommittee on State, Foreign Operations, and Related Programs of the Committee on Appropriations of the Senate; and

(F) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the term ''covered Member of the Senate'' means a Member of the Senate who serves on a covered committee of the Senate; and

(3) the term ''personal office employee'' means an individual who is an employee serving in the official office of a covered Member of the Senate.

(b) PROCEDURES.—Not later than 60 days after the date of enactment of this Act, the Director of Senate Security, in coordination with the Secretary of Defense and the Director of National Intelligence, shall establish and implement procedures that enable 1 personal office employee of each covered Member of the Senate, to be designated by the covered Member of the Senate, to obtain security clearances necessary for access to classified national security information, including top secret and sensitive compartmented information, if the personal office employee meets the criteria for such clearances.

SA 2183. Mr. VITTER (for himself, Mr. RISCH, Mr. LEE, 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 E of title X, add the following:

SEC. 1046. SENSE OF CONGRESS ON CESSATION OF PURSUIT OF BILATERAL REDUCTIONS IN UNITED STATES NUCLEAR FORCES WITH COUNTRIES IN ACTIVE NONCOMPLIANCE WITH CURRENT NUCLEAR ARMS REDUCTION OBLIGATIONS.

It is the sense of Congress that the President should not seek further reductions to United States nuclear forces, including by negotiation, with a country that is in active noncompliance with its existing nuclear arms reduction obligations until, at the earliest, that noncompliance is resolved.

SA 2184. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___.TRANSPARENCY OF COVERAGE DETERMINATION.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Chief Administrative Officer of the House of Representatives and the Financial Clerk of the Senate shall make publically available the determinations of each member of the House of Representatives and each Senator, as the case may be, regarding the designation of their respective congressional staff (including leadership and committee staff) as ''official'' for purposes of requiring such staff to enroll in health insurance coverage provided through an Exchange as required under section 1312(d)(1)(D) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(1)(D)), and the regulations relating to such section.

(b) FAILURE TO SUBMIT.—The failure by any member of the House of Representatives or Senator to designate any of their respective staff, whether committee or leadership staff, as ''official'' (as described in subsection (a)), shall be noted in the determination made publically available under subsection (a) along with a statement that such failure permits the staff involved to remain in the Federal Employee Health Benefits Program.

(c) PRIVACY.—Nothing in this Act shall be construed to permit the release of any individually identifiable information concerning any individual, including any health plan selected by an individual.

SA 2185. Mr. WICKER (for himself, Mr. LEE, Mrs. FISCHER, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. LIMITATION ON CONSTRUCTION ON UNITED STATES SOIL OF SATELLITE POSITIONING GROUND MONITORING STATIONS OF FOREIGN GOVERNMENTS.

(a) CERTIFICATION.—The President may not authorize or permit the construction of a satellite positioning ground monitoring station directly or indirectly controlled by a foreign government on United States soil until the Secretary of Defense and the Director of National Intelligence jointly certify to Congress that such monitoring station will not possess the capability or potential to be used for the purpose of gathering intelligence or improving any foreign weapons system.

(b) REPORT.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, the Director of National Intelligence, and the Commander of the United States Strategic Command shall jointly submit to the appropriate committees of Congress a report on the use of satellite positioning ground monitoring stations by foreign governments for the purpose of gathering intelligence or improving the accuracy of missile guidance systems.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description and assessment of the current and potential use of satellite ground monitoring stations under the control of foreign governments for the purpose of gathering intelligence.

(B) A description of the role of positioning satellites in ballistic and tactical missile guidance systems.

(C) A description and assessment of the current and potential future use of satellite positioning ground monitoring stations as a means of improving the accuracy of satellite guided missiles.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

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

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

SA 2186. Mr. KIRK (for himself, Mr. GRASSLEY, Mr. HARKIN, Mr. DURBIN, Mr. BOOZMAN, Mrs. GILLIBRAND, and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 314. DEPARTMENT OF DEFENSE MANUFACTURING ARSENAL STUDY AND REPORT.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study that examines how the Department of Defense can improve its manufacturing arsenals located at the Joint Manufacturing and Technology Center at Rock Island Arsenal, Illinois, the Watervliet Arsenal in Watervliet, New York, and the Pine Bluff Arsenal in Jefferson, Arkansas and how the Department of Defense can more effectively use and manage public-private partnerships to preserve critical industrial capabilities at these facilities for future national security requirements while providing a return on investment to the Army.

(2) DETAILS OF STUDY.—The study required under paragraph (1) shall include an examination of the following issues:

(A) The effectiveness of the Department of Defense's strategy to workload each of the arsenals and the potential for alternative strategies that could better identify workload for each arsenal.

(B) The impact of the Army Working Capital Fund-driven rate structure on public private partnerships at each arsenal.

(C) The extent to which operations at each arsenal can be streamlined, improved, or enhanced.

(D) The effectiveness of the Army's implementation of cooperative agreements authorized at manufacturing arsenals under section 4544 of title 10, United States Code.

(b) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report on the study conducted under this section. The report shall include recommendations to improve the Department of Defense's work loading strategy.

SA 2187. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1237. SUSPENSION AND REFORM OF UNITED STATES ARMS SALES TO EGYPT AND UNITED STATES ECONOMIC SUPPORT TO EGYPT.

(a) SUSPENSION AND REFORM OF ARMS SALES.—

(1) IN GENERAL.—The United States Government may not license, approve, facilitate, or otherwise allow the sale, lease, transfer, retransfer, or delivery of defense articles or defense services to Egypt under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)) until 15 days after the President submits to the appropriate congressional committees a certification that—

(A) the Government of Egypt—

(i) continues to implement the Peace Treaty between the State of Israel and the Arab Republic of Egypt, signed at Washington, March 26, 1979;

(ii) is taking necessary and appropriate measures to counter terrorism, including measures to counter smuggling into the Gaza Strip by, among other measures, detecting and destroying tunnels between Egypt and the Gaza Strip and securing the Sinai peninsula;

(iii) is allowing the Armed Forces of the United States to transit the territory of Egypt, including through the airspace and territorial waters of Egypt;

(iv) is supporting a transition to an inclusive civilian government by demonstrating a commitment to, and making consistent progress toward, holding regular, credible elections that are free, fair, and consistent with internationally accepted standards;

(v) is respecting and protecting the political and economic freedoms of all residents of Egypt, including taking measures to address violence against women and religious minorities;

(vi) is respecting freedom of expression and due process of law, including respecting the rights of women and religious minorities; and

(vii) is permitting nongovernmental organizations and civil society groups in Egypt, the National Democratic Institute, the International Republican Institute, Freedom House, and the Konrad Adenauer Stiftung to operate freely and consistent with internationally recognized practices; and

(B) licensing, approving, facilitating, or otherwise allowing the sale, lease, transfer, retransfer, or delivery of defense articles or defense services to Egypt is in the national security interests of the United States.

(2) EXCEPTION.—The limitation under paragraph (1) shall not apply to defense articles and defense services to be used primarily for supporting or enabling counterterrorism, border and maritime security, or special operations capabilities or operations.

(3) WAIVER.—

(A) IN GENERAL.—The President may waive the limitation under paragraph (1) for a 180-day period if, not later than 15 days before the waiver takes effect, the President—

(i) certifies to the appropriate congressional committees that licensing, approving, facilitating, or otherwise allowing the sale, lease, transfer, retransfer, or delivery of defense articles or defense services to Egypt is in the vital national security interests of the United States; and

(ii) provides to those committees a report—

(I) detailing the reasons for the certification under clause (i); and

(II) analyzing the extent to which the actions of the Government of Egypt do or do not satisfy each of the criteria described in subparagraphs (A) and (B) of paragraph (1).

(B) EXTENSIONS OF WAIVER.—The President may extend the effective period of a waiver under subparagraph (A) for an additional 180-day period if, not later than 15 days before the extension takes effect, the President submits to the appropriate congressional committees an updated certification and report that meet the requirements of that subparagraph.

(b) SUSPENSION AND REFORM OF UNITED STATES ECONOMIC SUPPORT TO EGYPT.—

(1) IN GENERAL.—No bilateral economic assistance may be provided to Egypt as direct budget support for the Government of Egypt until 15 days after the Secretary of State certifies to the appropriate congressional committees that—

(A) providing such assistance is in the national security interest of the United States;

(B) the Government of Egypt—

(i) continues to implement the peace treaty referred to in subsection (a)(1)(A)(i);

(ii) is supporting the transition to an inclusive civilian government by demonstrating a commitment to hold regular, credible elections that are free, fair, and consistent with internationally accepted standards;

(iii) is respecting and protecting the political, economic, and religious freedoms of all residents of Egypt, including taking measures to address violence against women and religious minorities;

(iv) is permitting nongovernmental organizations and civil society groups in Egypt, including the National Democratic Institute, the International Republican Institute, Freedom House, and the Konrad Adenauer Stiftung to operate freely and consistent with internationally recognized standards; and

(v) is demonstrating a commitment to implementing economic reforms, including reforms necessary to reduce the deficit and ensure economic stability and growth.

(2) WAIVER.—

(A) IN GENERAL.—The President may waive the limitation under paragraph (1) for a 180-day period if, not later than 15 days before the waiver takes effect, the President—

(i) certifies to the appropriate congressional committees that providing assistance described in that paragraph is in the vital national security interests of the United States;

(ii) submits to those committees a report—

(I) detailing the reasons for the certification described in clause (i); and

(II) analyzing the extent to which the actions of the Government of Egypt do or do not satisfy each of the criteria described in subparagraphs (A) and (B) of paragraph (1).

(B) EXTENSIONS OF WAIVER.—The President may extend the effective period of a waiver under subparagraph (A) for an additional 180-day period if, not later than 15 days before the extension takes effect, the President submits to the appropriate congressional committees an updated certification and report that meet the requirements of subparagraph (A).

(c) FUNDING FOR DEMOCRACY AND GOVERNANCE PROGRAMS.—

(1) IN GENERAL.—If, in any fiscal year, bilateral economic assistance is provided to Egypt pursuant to chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the Economic Support Fund), not less than $50,000,000 of that assistance shall be provided through the Department of State and the National Endowment for Democracy for democracy and governance programs in Egypt.

(2) ADDITIONAL FUNDING IF WAIVER AUTHORITY INVOKED.—If, in any fiscal year, the President exercises the waiver authority under subsection (b)(2) and bilateral economic assistance is provided to Egypt pursuant to chapter 4 of part II of the Foreign Assistance Act of 1961, not less than $25,000,000 of that assistance (in addition to the amount provided for under paragraph (1)) shall be provided through the Department of State and the National Endowment for Democracy for democracy and governance programs in Egypt.

(d) INAPPLICABILITY OF CERTAIN LIMITATION.—The limitation on the use of funds under section 7008 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74; 125 Stat. 1195) shall not apply to assistance provided in accordance with this section.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 2188. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle D—Imposition of Sanctions With Respect to Syria

SEC. 1241. DEFINITIONS.

In this subtitle:

(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''account'', ''correspondent account'', and ''payable-through account'' have the meanings given those terms in section 5318A of title 31, United States Code.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Finance, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Ways and Means, and the Committee on Financial Services of the House of Representatives.

(3) DEFENSE ARTICLE; DEFENSE SERVICE.—The terms ''defense article'' and ''defense service'' have the meanings given those terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(4) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning of that term as determined by the Secretary of the Treasury pursuant to section 104(i) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(i)).

(5) PERSON.—The term ''person'' means an individual or entity.

(6) PETROLEUM.—The term ''petroleum'' includes crude oil and any mixture of hydrocarbons that exists in liquid phase in natural underground reservoirs and remains liquid at atmospheric pressure after passing through surface separating facilities.

(7) PETROLEUM PRODUCTS.—The term ''petroleum products'' includes unfinished oils, liquefied petroleum gases, pentanes plus, aviation gasoline, motor gasoline, napthatype jet fuel, kerosene-type jet fuel, kerosene, distillate fuel oil, residual fuel oil, petrochemical feedstocks, special naphthas, lubricants, waxes, petroleum coke, asphalt, road oil, still gas, miscellaneous products obtained from the processing of crude oil (including lease condensate), natural gas, and other hydrocarbon compounds.

(8) SYRIAN FINANCIAL INSTITUTION.—The term ''Syrian financial institution'' means—

(A) a financial institution organized under the laws of Syria or any jurisdiction within Syria, including a foreign branch of such an institution;

(B) a financial institution located in Syria;

(C) a financial institution, wherever located, owned or controlled by the Government of Syria; and

(D) a financial institution, wherever located, owned or controlled by a financial institution described in subparagraph (A), (B), or (C).

(9) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a natural person who is a citizen or resident of the United States or a national of the United States (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))); and

(B) an entity that is organized under the laws of the United States or a jurisdiction within the United States.

SEC. 1242. IMPOSITION OF SANCTIONS WITH RESPECT TO SELLING, TRANSFERRING, OR TRANSPORTING DEFENSE ARTICLES, DEFENSE SERVICES, OR MILITARY TRAINING TO THE ASSAD REGIME OF SYRIA.

On or after the date that is 30 days after the date of the enactment of this Act, the President may impose sanctions from among the sanctions described in section 1245 with respect to any person that the President determines has, on or after such date of enactment, knowingly participated in or facilitated a significant transaction related to the sale, transfer, or transportation of defense articles, defense services, or military training to the Assad regime of Syria or any successor regime in Syria that the President determines is not a legitimate transitional or replacement government.

SEC. 1243. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS PROVIDING PETROLEUM OR PETROLEUM PRODUCTS TO THE ASSAD REGIME OF SYRIA.

On or after the date that is 30 days after the date of the enactment of this Act, the President shall impose the sanction described in paragraph (5) of section 1245 and 2 or more of the other sanctions described in that section with respect to each person that the President determines has, on or after such date of enactment, knowingly participated in or facilitated a significant transaction related to the sale or transfer of petroleum or petroleum products to the Assad regime of Syria or any successor regime in Syria that the President determines is not a legitimate transitional or replacement government.

SEC. 1244. IMPOSITION OF SANCTIONS WITH RESPECT TO CONDUCTING CERTAIN FINANCIAL TRANSACTIONS WITH THE CENTRAL BANK OF SYRIA OR ANOTHER SYRIAN FINANCIAL INSTITUTION.

(a) IN GENERAL.—The President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines has knowingly conducted, on or after the date of the enactment of this Act, a significant transaction with the Central Bank of Syria or another Syrian financial institution designated by the Secretary of the Treasury for the imposition of sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) related to the sale of defense articles to—

(1) the Assad regime of Syria or any successor regime in Syria that the President determines is not a legitimate transitional or replacement government; or

(2) any person added after April 28, 2011, and before the date of the enactment of this Act, to the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury in connection with the conflict in Syria.

(b) HUMANITARIAN EXCEPTION.—The President may not impose sanctions under this section with respect to any person for the provision of agricultural commodities, food, medicine, or medical devices to Syria or the provision of humanitarian assistance to the people of Syria.

SEC. 1245. SANCTIONS DESCRIBED.

The sanctions the President may impose with respect to a person under sections 1242 and 1243 are the following:

(1) EXPORT-IMPORT BANK ASSISTANCE.—The President may direct the Export-Import Bank of the United States not to give approval to the issuance of any guarantee, insurance, extension of credit, or participation in the extension of credit in connection with the export of any goods or services to the person.

(2) PROCUREMENT SANCTION.—The President may prohibit the United States Government from procuring, or entering into any contract for the procurement of, any goods or services from the person.

(3) ARMS EXPORT PROHIBITION.—The President may prohibit United States Government sales to the person of any item on the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)) and require termination of sales to the person of any defense articles, defense services, or design and construction services under that Act (22 U.S.C. 2751 et seq.).

(4) DUAL-USE EXPORT PROHIBITION.—The President may deny licenses and suspend existing licenses for the transfer to the person of items the export of which is controlled under the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)) or the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations.

(5) BLOCKING OF ASSETS.—The President may, pursuant to such regulations as the President may prescribe, block and prohibit all transactions in all property and interests in property of the person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(6) VISA INELIGIBILITY.—In the case of a person that is an alien, the President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, the person, subject to regulatory exceptions to permit the United States to comply with the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force November 21, 1947, and other applicable international obligations.

SEC. 1246. WAIVERS.

(a) GENERAL WAIVER AUTHORITY.—The President may waive the application of section 1242, 1243, or 1244 to a person or category of persons for a period of 180 days, and may renew the waiver for additional periods of 180 days, if the President determines and reports to the appropriate congressional committees every 180 days that the waiver is in the vital national security interests of the United States.

(b) WAIVER FOR HUMANITARIAN NEEDS.—The President may waive the application of section 1243 to a person for a period of 180 days, and may renew the waiver for additional periods of 180 days, if the President determines and reports to the appropriate congressional committees every 180 days that the waiver is to necessary to permit the person to conduct or facilitate a transaction that is necessary to meet humanitarian needs of the people of Syria.

(c) FORM.—Each report submitted under subsection (a) or (b) shall be submitted in unclassified form but may include a classified annex.

SEC. 1247. SENSE OF CONGRESS ON SANCTIONS.

It is the sense of Congress that the President should work closely with allies of the United States to obtain broad multilateral support for countries to impose sanctions that are equivalent to the sanctions set forth in this subtitle under the laws of those countries.

SA 2189. Mr. RUBIO (for himself, Mr. CRUZ, Mr. ROBERTS, Mr. HATCH, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1237. SENSE OF CONGRESS ON IRANIAN NUCLEAR PROGRAM.

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

(1) Diplomats from the Islamic Republic of Iran, the European Union, the United States, the United Kingdom, Germany, France, China, and Russia continue to discuss the Government of Iran's illicit nuclear weapons program.

(2) President of Iran Hasan Rouhani has in the past bragged about his success in buying time for Iran to make nuclear advances.

(3) Iranian Supreme Leader Ayatollah Khamenei, who retains control over Iran's nuclear program, recently claimed that Iran did not desire nuclear weapons but said that if Iran ''intended to possess nuclear weapons, no power could stop us''.

(4) The Government of Iran continues to expand Iran's nuclear and missile programs in violation of multiple United Nations Security Council resolutions.

(5) The Government of Iran has a decades-long track record of cheating on and violating commitments regarding its nuclear program and has used more than 10 years of diplomatic negotiations to buy more time to expand its nuclear weapons program.

(6) Iran remains the world's number one exporter of terrorism and as recently as 2011 was plotting to assassinate a foreign official on United States soil.

(7) Over the last three decades, the Government of Iran and its terrorist proxies have been responsible for the deaths of Americans.

(8) The Government of Iran and its terrorist proxies continue to provide military and financial support to the regime of Bashar al-Assad in Syria, aiding his regime's mass killing of civilians.

(9) The Government of Iran continues to sow instability in its region and to threaten its neighbors, including United States allies such as Israel.

(10) The Government of Iran denies its people their fundamental freedoms, including freedom of the press, freedom of assembly, freedom of religion, and freedom of conscience.

(11) International and United States sanctions imposed on Iran have assisted in bringing Iran to the negotiating table.

(12) Other countries, such as North Korea, have used diplomatic talks regarding their nuclear programs to allow time for the development of nuclear weapons.

(13) Based on the Government of Iran's stockpile of low enriched uranium and its plan to continue installing advanced centrifuges, the Government of Iran could agree to suspend all enrichment above 3.5 percent and still be in a position to produce weapons-grade uranium without detection by the middle of next year.

(14) If the Government of Iran starts up its heavy water reactor in Arak, it could establish an alternate pathway to a nuclear weapon, producing enough plutonium each year for one or two nuclear weapons.

(15) Nineteen other nations currently access peaceful nuclear energy without any enrichment or reprocessing activities on their soil.

(16) The Government of Iran could likewise achieve access to peaceful nuclear energy without enrichment or reprocessing activities on its own soil.

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

(1) it shall be the policy of the United States that the Government of Iran will not be allowed to develop a nuclear weapon and that all instruments of United States power and influence remain on the table to prevent this outcome;

(2) the Government of Iran does not have an absolute or inherent right to enrichment and reprocessing technologies under the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force

March 5, 1970 (commonly known as the ''Nuclear Non-Proliferation Treaty'');

(3) relief of sanctions related to Iran's nuclear program imposed upon Iran by the United States should only be provided once Iran has completely abandoned its nuclear weapons program, including any enrichment or reprocessing capability, and has provided complete transparency to the International Atomic Energy Agency regarding its work on weaponization of a nuclear device; and

(4) until the Government of Iran has taken the actions set forth in paragraph (3), Congress should move to pass a new round of additional sanctions without delay.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as an authorization for the use of force or declaration of war.

SA 2190. Mr. RUBIO (for himself, Mr. TESTER, and Mr. BOOZMAN) 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 198, strike line 13 and insert the following:

the uniformed services are increased by 1.8 percent.

(c) FUNDING AND OFFSET.—

(1) INCREASE IN AMOUNT FOR MILITARY PERSONNEL.—The amount authorized to be appropriated for fiscal year by section 421 for military personnel is hereby increased by $600,000,000.

(2) DECREASE IN AMOUNT FOR RDT&E ARMY.—The amount authorized to be appropriated for fiscal year 2014 by section 201 and available for Research, Development, Test, and Evaluation, Army as specified in the funding table in section 4201 is hereby decreased by $71,223,000.

(3) DECREASE IN AMOUNT FOR RDT&E NAVY.—The amount authorized to be appropriated for fiscal year 2014 by section 201 and available for Research, Development, Test, and Evaluation, Navy as specified in the funding table in section 4201 is hereby decreased by $141,015,000.

(4) DECREASE IN AMOUNT FOR RDT&E AIR FORCE.—The amount authorized to be appropriated for fiscal year 2014 by section 201 and available for Research, Development, Test, and Evaluation, Air Force as specified in the funding table in section 4201 is hereby decreased by $227,890,000.

(5) DECREASE IN AMOUNT FOR RDT&E DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2014 by section 201 and available for Research, Development, Test, and Evaluation, Defense-wide as specified in the funding table in section 4201 is hereby decreased by $158,207,000.

(6) DECREASE IN AMOUNT FOR OT&E DEFENSE MANAGEMENT SUPPORT.—The amount authorized to be appropriated for fiscal year 2014 by section 201 and available for Operational Test and Evaluation, Defense Management Support as specified in the funding table in section 4201 is hereby decreased by $1,655,000.

SA 2191. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2803. DEPARTMENT OF DEFENSE REPORT ON MILITARY HOUSING PRIVATIZATION INITIATIVE.

Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall issue a report to Congress on the Military Housing Privatization Initiative under subchapter IV of chapter 169 of title 10, United States Code. The report shall include the details of any project where the project owner has outstanding local, county, city, town, or State tax obligations dating back over 12 months, as determined by a final judgment by a tax authority.

SA 2192. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 843. EXTENSION OF WHISTLEBLOWER PROTECTIONS FOR CONTRACTOR EMPLOYEES TO EMPLOYEES OF CONTRACTORS OF THE ELEMENTS OF THE INTELLIGENCE COMMUNITY.

(a) CONTRACTOR EMPLOYEES OF DOD AND RELATED AGENCIES.—Section 2409 of title 10, United States Code, is amended—

(1) by striking subsection (e); and

(2) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(b) PILOT PROGRAM ON OTHER CONTRACTOR EMPLOYEES.—Section 4712 of title 41, United States Code, is amended—

(1) by striking subsection (f); and

(2) by redesignating subsections (g), (h), and (i) as subsection (f), (g), and (h), respectively.

SA 2193. Mrs. MCCASKILL (for herself and Mr. MCCAIN) 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 F of title X , add the following:

SEC. 1054. PROHIBITION ON USE OF FUNDS FOR INCENTIVE PAYMENTS UNDER CERTAIN CONTRACTOR PREFERENCE AUTHORITY.

Amounts authorized to be appropriated for fiscal year 2014 for the Department of Defense may not be used for incentive payments for Indian organizations, Indian-owned economic enterprises, and Native Hawaiian small business concerns under subsection (f)(5) of clause 252.226–7001 of the Department of Defense Supplement to the Federal Acquisition Regulation.

SA 2194. Mrs. MCCASKILL (for herself and Mr. MCCAIN) 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. SMALL BUSINESS GOALS.

(a) DEFINITIONS.—In this section—

(1) the term ''small business concern'' has the meaning given that term under section 3 of the Small Business Act (15 U.S.C. 632); and

(2) the term ''small business contracting goal'' means a contracting or subcontracting goal for the utilization or participation of small business concerns or types of small business concerns established under section 8 of the Small Business Act (15 U.S.C. 637).

(b) LIMITATION.—In determining whether the Department of Defense has met a small business contracting goal, the Department of Defense may not include a contract or subcontract awarded under the authority under the Small Business Act that is—

(1) awarded as a sole source contract; and

(2) in an amount that is more than the limit on sole source contracts under subpart 19.8 of part 19 of the Federal Acquisition Regulation.

SA 2195. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____.PROHIBITION ON PERFORMANCE AWARDS IN THE SENIOR EXECUTIVE SERVICE.

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

(b) PROHIBITION.—On and after the date of enactment of this Act, an agency may not pay an award under section 4507 or 5384 of title 5, United States Code, to a career appointee that relates to any period of service performed during fiscal year 2013 or fiscal year 2014.

SA 2196. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1220. PROHIBITION ON USE OF UNITED STATES FUNDS FOR PROGRAMS AND PROJECTS IN AFGHANISTAN THAT CANNOT BE PHYSICALLY ACCESSED BY UNITED STATES GOVERNMENT CIVILIAN PERSONNEL.

(a) PROHIBITION.—Amounts available to the department and agencies of the United

States Government may not be obligated or expended for a program or project in Afghanistan if civilian personnel of the United States Government with authority to conduct oversight of such program or project cannot physically access such program or project.

(b) WAIVER.—

(1) IN GENERAL.—The prohibition in subsection (a) may be waived with respect to a program or project otherwise covered by that subsection if a determination described in paragraph (2) is made as follows:

(A) In the case of a program or project with an estimated lifecycle cost of less than $1,000,000, by the contracting officer assigned to oversee the program or project.

(B) In the case of a program or project with an estimated lifecycle cost of $1,000,000 or more, but less than $40,000,000, by the mission director of the department or agency concerned, the United States Ambassador to Afghanistan, or the Commander of the International Security Assistance Force (ISAF).

(C) In the case of a program or project with an estimated lifecycle cost of $40,000,000 or more, by the head of the department or agency of the United States Government concerned.

(2) DETERMINATION.—A determination described in this paragraph with respect to a program or project is a determination of each of the following:

(A) That the program or project clearly contributes to United States national interests or strategic objectives.

(B) That the people of Afghanistan want or need the program or project.

(C) That the program or project has been coordinated with the Afghanistan Government, and with any other implementing agencies or international donors.

(D) That security conditions permit effective implementation and oversight of the program or project.

(E) That the program or project includes safeguards to detect, deter, and mitigate corruption.

(F) That the people of Afghanistan have the financial resources, technical capacity, and political will to sustain the program or project.

(G) That all implementing agencies have established meaningful metrics for determining outcomes and measuring success of the program or project.

SA 2197. Mr. KAINE (for himself 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 F of title V, add the following:

SEC. 573. ASSESSMENT OF ELEMENTARY AND SECONDARY SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees a report setting forth an assessment of each program as follows:

(A) The Army Educational Outreach Program (AEOP).

(B) The STEM2Stern program of the Navy.

(C) The DoD STARBASE program carried out by the Under Secretary of Defense for Personnel and Readiness.

(2) CONSULTATION.—The Secretary of Defense shall conduct assessments under this subsection in consultation with the Secretary of Education and the heads of other appropriate Federal agencies.

(b) ELEMENTS.—The assessment of a program under subsection (a) shall include the following:

(1) An assessment of the current status of the program.

(2) A determination as to the advisability of retaining, terminating, or transferring the program to another agency, together with a justification for the determination.

(3) For a program determined under paragraph (2) to be terminated, a justification why the science, technology, engineering, and mathematics education requirements of the program are no longer required.

(4) For a program determined under paragraph (2) 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.

(5) Metrics to assess whether a program under paragraph (3) or (4) is meeting the requirements applicable to such program under such paragraph.

(c) LIMITATION ON CERTAIN ACTIONS ON PROGRAMS PENDING SUBMITTAL OF ASSESSMENT.—A program specified in paragraph (1) of subsection (a) may not be terminated or transferred to the jurisdiction of another agency until 30 days after the date on which the report required by that subsection is submitted to the congressional defense committees.

SA 2198. Mr. WHITEHOUSE (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 331 and insert the following:

SEC. 331. STRATEGY FOR IMPROVING ASSET TRACKING AND IN-TRANSIT VISIBILITY.

(a) STRATEGY AND IMPLEMENTATION PLANS.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a comprehensive strategy for improving asset tracking and in-transit visibility across the Department of Defense, together with the plans of the military departments, for implementing the strategy and ensuring compliance.

(2) ELEMENTS.—The strategy and implementation plans required under paragraph (1) shall include the following elements:

(A) The overarching goals and objectives desired from implementation of the strategy.

(B) A description of steps to achieve those goals and objectives, as well as milestones and performance measures to gauge results.

(C) An estimate of the costs associated with executing the plan, and the sources and types of resources and investments, including skills, technology, human capital, information, and other resources, required to meet the goals and objectives.

(D) A description of roles and responsibilities for managing and overseeing the implementation of the strategy, including the role of program managers, and the establishment of mechanisms for multiple stakeholders to coordinate their efforts throughout implementation and make necessary adjustments to the strategy based on performance.

(E) A description of key factors external to the Department of Defense and beyond its control that could significantly affect the achievement of the long-term goals contained in the strategy.

(F) A detailed description of asset marking requirements and how automated information and data capture technologies could improve readiness, cost effectiveness, and performance.

(G) A defined list of all categories of items that program managers shall identify for the purposes of asset marking.

(H) A description of steps to improve asset visibility tracking for classified programs.

(I) Steps to be undertaken to facilitate collaboration with industry designed to capture best practices, lessons learned, and any relevant technical matters.

(J) A description of how improved asset tracking and in-transit visibility could enhance audit readiness, reduce counterfeit risk, enhance logistical processes, and benefit the Department of Defense.

(b) COMPTROLLER GENERAL REPORT.—Not later than one year after the strategy is submitted under subsection (a), the Comptroller General shall submit to the congressional defense committees a report setting forth an assessment of the extent to which the strategy, accompanying implementation, and asset marking plans—

(1) include the elements set forth under subsection (a)(2);

(2) align to achieve the overarching asset visibility and in-transit visibility goals and objectives of the Department of Defense; and

(3) have been implemented.

SA 2199. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1066. REPORTS ON UNMANNED AIRCRAFT SYSTEMS.

(a) REPORT ON COLLABORATION, DEMONSTRATION, AND USE CASES AND DATA SHARING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of Transportation, the Administrator of the Federal Aviation Administration, and the Administrator of the National Aeronautics and Space Administration, on behalf of the UAS Executive Committee, shall jointly submit a report to the appropriate congressional committees that describes the following:

(1) The collaboration, demonstrations, and initial fielding of unmanned aircraft systems at test sites within and outside of restricted airspace.

(2) The progress being made to develop public and civil sense-and-avoid and command-and-control technology, including the human factors and other technological challenges identified in the Integration of Civil

Unmanned Aircraft Systems in the National Airspace System Roadmap, published by the Federal Aviation Administration on November 7, 2013, and what role the test sites can play in overcoming those challenges.

(3) An assessment on the sharing of operational, programmatic, and research data relating to unmanned aircraft systems operations by the Federal Aviation Administration, the Department of Defense, and the National Aeronautics and Space Administration to help the Federal Aviation Administration establish civil unmanned aircraft systems certification standards, pilot certification and licensing, and air traffic control procedures, including identifying the locations selected to collect, analyze, and store the data.

(4) The strategy to improve the effectiveness of government-industry collaboration between UAS Executive Committee members and relevant stakeholders regarding National Airspace System integration, and how the test sites can be used to improve this collaboration.

(5) An evaluation of how best to overcome the national security challenges identified in the NAS Roadmap referred to in paragraph (2).

(b) REPORT ON RESOURCE REQUIREMENTS NEEDED FOR UNMANNED AIRCRAFT SYSTEMS DESCRIBED IN 5-YEAR ROADMAP.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, on behalf of the UAS Executive Committee, shall submit a report to the appropriate congressional committees that describes the resource requirements needed to meet the milestones for unmanned aircraft systems integration described in the 5-year roadmap described in section 332(a)(5) of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Commerce, Science, and Transportation of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Armed Services of the House of Representatives;

(E) the Committee on Transportation and Infrastructure of the House of Representatives;

(F) the Committee on Science, Space, and Technology of the House of Representatives; and

(G) the Committee on Appropriations of the House of Representatives.

(2) The term ''UAS Executive Committee'' means the Department of Defense-Federal Aviation Administration executive committee described in section 1036(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4596) established by the Secretary of Defense and the Administrator of the Federal Aviation Administration.

SA 2200. Mr. NELSON 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 part I of subtitle E of title V, add the following:

SEC. 547. ASSESSMENT OF MEMBER ABUSE OF CHAIN OF COMMAND POSITIONS TO GAIN ACCESS TO OR COERCE ANOTHER PERSON FOR A SEX-RELATED OFFENSE AS ADDITIONAL DUTIES OF INDEPENDENT PANELS FOR REVIEW OF MILITARY JUSTICE AND JUDICIAL PROCEEDINGS OF SEXUAL ASSAULT CASES.

(a) ASSESSMENT AS ADDITIONAL DUTY OF PANEL ON RESPONSE SYSTEMS TO SEXUAL ASSAULT CRIMES.—Paragraph (1) of section 576(d) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1760), as amended by section 545(a) of this Act, is further amended—

(1) by redesignating subparagraph (L) as subparagraph (M); and

(2) by inserting after subparagraph (K) the following new subparagraph (L):

''(L) An assessment of instances in the Armed Forces in which a member of the Armed Forces has committing a sexual act upon another person by abusing one's position in the chain of command of the other person to gain access to or coerce the other person.''.

(b) ASSESSMENT OF CONSEQUENCES OF REVISION OF ARTICLE 120 SEX-RELATED OFFENSES AS ADDITIONAL DUTY OF INDEPENDENT PANEL ON JUDICIAL PROCEEDINGS.—Paragraph (2) of such section, as amended by section 546 of this Act, is further amended—

(1) by redesignating subparagraph (M) as subparagraph (N); and

(2) by inserting after subparagraph (L) the following new subparagraph (M):

''(M) Assess the likely consequences of amending of definition of rape and sexual assault under section 120 of title 10, United States Code (article 120 of the Uniform Code of Military Justice), to expressly cover a situation in which a person subject to the Uniform Code of Military Justice commits a sexual act upon another person by abusing one's position in the chain of command of the other person to gain access to or coerce the other person.''.

SA 2201. Mr. NELSON (for himself, Mr. BLUMENTHAL, and Mr. SCHUMER) 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 712 and insert the following:

SEC. 712. TIMELINE FOR IMPLEMENTATION OF INTEROPERABLE ELECTRONIC HEALTH RECORDS.

(a) TIMELINE.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly—

(1) ensure that the electronic health record systems of the Department of Defense and the Department of Veterans Affairs are interoperable through compliance with the national standards and architectural requirements identified by the Department of Defense/Department of Veterans Affairs Interagency Program Office, in collaboration with the Office of the National Coordinator for Health Information Technology of the Department of Health and Human Services; and

(2) by not later than December 31, 2016, provide for the deployment by the Department of Defense and the Department of Veterans Affairs of modernized electronic health record software supporting Department of Defense and Department of Veterans Affairs clinicians in a manner that ensures continuing compatibility with the interoperability platform and full standards-based interoperability.

(b) IMPLEMENTATION.—In implementing the interoperability of electronic health records under subsection (a), the Secretary of Defense and Secretary of Veterans Affairs shall jointly consider the feasibility and advisability of each of the following:

(1) The creation of a health data authoritative source by the Department of Defense and Department of Veterans Affairs that can be accessed by multiple providers and standardizes the input of new medical information.

(2) The ability of patients of both the Department of Defense and the Department of Veterans Affairs to download the medical records of the patient (commonly referred to as the ''Blue Button Initiative'').

(3) Enabling each current member of the Armed Forces and dependent of such a member to elect to receive an electronic copy of the health care record of such individual.

(4) The establishment of a secure, remote, network-accessible computer storage system (commonly referred to as ''cloud storage'') to provide members of the Armed Forces and veterans the ability to upload the health care records of the member or veteran if the member or veteran elects to do so and allow medical providers of the Department of Defense and the Department of Veterans Affairs to access such records in the course of providing care to the member or veteran.

(c) REPORTS.—

(1) STATUS REPORT.—Not later than January 1, 2014, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report setting forth a description of the current progress of the Secretaries in achieving the full interoperability of personal health care information between the Department of Defense and the Department of Veterans Affairs. The report shall include a description and assessment of lessons learned by the Secretaries as a result of efforts undertaken by the Secretary before the report to achieve the full interoperability of such information.

(2) PLAN TO MEET TIMELINE.—Not later than March 31, 2014, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report setting forth the plan of the Secretaries to meet the timeline specified in subsection (a)(2), and any associated deadlines and objectives.

SA 2202. Mr. NELSON (for himself, Ms. COLLINS, Mr. WYDEN, Mrs. HAGAN, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 646. REPEAL OF REQUIREMENT OF REDUCTION OF SURVIVOR BENEFITS PLAN SURVIVOR ANNUITIES BY DEPENDENCY AND INDEMNITY COMPENSATION.

(a) REPEAL.—

(1) IN GENERAL.—Subchapter II of chapter 73 of title 10, United States Code, is amended as follows:

(A) In section 1450, by striking subsection (c).

(B) In section 1451(c)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(2) CONFORMING AMENDMENTS.—Such subchapter is further amended as follows:

(A) In section 1450—

(i) by striking subsection (e);

(ii) by striking subsection (k); and

(iii) by striking subsection (m).

(B) In section 1451(g)(1), by striking subparagraph (C).

(C) In section 1452—

(i) in subsection (f)(2), by striking ''does not apply—'' and all that follows and inserting ''does not apply in the case of a deduction made through administrative error.''; and

(ii) by striking subsection (g).

(D) In section 1455(c), by striking '', 1450(k)(2),''.

(b) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits may be paid to any person for any period before the effective date provided under subsection (f) by reason of the amendments made by subsection (a).

(c) PROHIBITION ON RECOUPMENT OF CERTAIN AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPIENTS.—A surviving spouse who is or has been in receipt of an annuity under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10, United States Code, that is in effect before the effective date provided under subsection (f) and that is adjusted by reason of the amendments made by subsection (a) and who has received a refund of retired pay under section 1450(e) of title 10, United States Code, shall not be required to repay such refund to the United States.

(d) REPEAL OF AUTHORITY FOR OPTIONAL ANNUITY FOR DEPENDENT CHILDREN.—Section 1448(d) of such title is amended—

(1) in paragraph (1), by striking ''Except as provided in paragraph (2)(B), the Secretary concerned'' and inserting ''The Secretary concerned''; and

(2) in paragraph (2)—

(A) by striking ''DEPENDENT CHILDREN.—'' and all that follows through ''In the case of a member described in paragraph (1),'' and inserting ''DEPENDENT CHILDREN ANNUITY WHEN NO ELIGIBLE SURVIVING SPOUSE.—In the case of a member described in paragraph (1),''; and

(B) by striking subparagraph (B).

(e) RESTORATION OF ELIGIBILITY FOR PREVIOUSLY ELIGIBLE SPOUSES.—The Secretary of the military department concerned shall restore annuity eligibility to any eligible surviving spouse who, in consultation with the Secretary, previously elected to transfer payment of such annuity to a surviving child or children under the provisions of section 1448(d)(2)(B) of title 10, United States Code, as in effect on the day before the effective date provided under subsection (f). Such eligibility shall be restored whether or not payment to such child or children subsequently was terminated due to loss of dependent status or death. For the purposes of this subsection, an eligible spouse includes a spouse who was previously eligible for payment of such annuity and is not remarried, or remarried after having attained age 55, or whose second or subsequent marriage has been terminated by death, divorce or annulment.

(f) EFFECTIVE DATE.—The sections and the amendments made by this section shall take effect on the later of—

(1) the first day of the first month that begins after the date of the enactment of this Act; or

(2) the first day of the fiscal year that begins in the calendar year in which this Act is enacted.

SA 2203. Ms. MIKULSKI (for herself and Mr. COATS) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _. CONFIRMATION OF APPOINTMENT OF THE DIRECTOR OF THE NATIONAL SECURITY AGENCY.

(a) DIRECTOR OF THE NATIONAL SECURITY AGENCY.—Section 2 of the National Security Agency Act of 1959 (50 U.S.C. 3602) is amended—

(1) by inserting ''(b)'' before ''There''; and

(2) by inserting before subsection (b), as so designated by paragraph (1), the following:

''(a)(1) There is a Director of the National Security Agency.

''(2) The Director of the National Security Agency shall be appointed by the President, by and with the advice and consent of the Senate.

''(3) The Director of the National Security Agency shall be the head of the National Security Agency and shall discharge such functions and duties as are provided by this Act or otherwise by law or executive order.''.

(b) POSITION OF IMPORTANCE AND RESPONSIBILITY.—The President may designate the Director of the National Security Agency as a position of importance and responsibility under section 601 of title 10, United States Code.

(c) EFFECTIVE DATE AND APPLICABILITY.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply upon the earlier of—

(A) the date of the nomination by the President of an individual to serve as the Director of the National Security Agency, except that the individual serving as such Director as of the date of the enactment of this Act may continue to perform such duties after such date of nomination and until the individual appointed as such Director, by and with the advice and consent of the Senate, assumes the duties of such Director; or

(B) the date of the cessation of the performance of the duties of such Director by the individual performing such duties as of the date of the enactment of this Act.

(2) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Subsection (b) shall take effect on the date of the enactment of this Act.

SEC. _. PRESIDENTIAL APPOINTMENT AND SENATE CONFIRMATION OF THE INSPECTOR GENERAL OF THE NATIONAL SECURITY AGENCY.

(a) IN GENERAL.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 8G(a)(2), by striking ''the National Security Agency,''; and

(2) in section 12—

(A) in paragraph (1), by striking ''or the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code'' and inserting ''the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code; or the Director of the National Security Agency''; and

(B) in paragraph (2), by striking ''or the Commissions established under section 15301 of title 40, United States Code'' and inserting ''the Commissions established under section 15301 of title 40, United States Code, or the National Security Agency''.

(b) EFFECTIVE DATE; INCUMBENT.—

(1) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date on which the first Director of the National Security Agency takes office on or after the date of the enactment of this Act.

(2) INCUMBENT.—The individual serving as Inspector General of the National Security Agency on the date of the enactment of this Act shall be eligible to be appointed by the President to a new term of service under section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), by and with the advice and consent of the Senate.

SA 2204. Mr. LEVIN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1208. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO USE ACQUISITION AND CROSS-SERVICING AGREEMENTS TO LEND CERTAIN MILITARY EQUIPMENT TO CERTAIN FOREIGN FORCES FOR PERSONNEL PROTECTION AND SURVIVABILITY.

Section 1202(e) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2413), as most recently amended by section 1202(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1621), is further amended by striking ''September 30, 2014'' and inserting ''September 30, 2015''.

SA 2205. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 514. REVIEW OF DISCHARGE CHARACTERIZATION OF FORMER MEMBERS OF THE ARMED FORCES WHO WERE DISCHARGED BY REASON OF SEXUAL ORIENTATION.

(a) IN GENERAL.—In accordance with this section, the appropriate discharge boards—

(1) shall review the discharge characterization of covered members at the request of the covered member; and

(2) if such characterization is any characterization except honorable, may change such characterization to honorable.

(b) CRITERIA.—In changing the discharge characterization of a covered member to honorable under subsection (a)(2), the Secretary of Defense shall ensure that such changes are carried out consistently and uniformly across the military departments using the following criteria:

(1) The original discharge must be based on Don't Ask Don't Tell (in this Act referred to as ''DADT'') or a similar policy in place prior to the enactment of DADT.

(2) Such discharge characterization shall be so changed if, with respect to the original discharge, there were no aggravating circumstances, such as misconduct, that would

have independently led to a discharge characterization that was any characterization except honorable. For purposes of this paragraph, such aggravating circumstances may not include—

(A) an offense under section 925 of title 10, United States Code (article 125 of the Uniform Code of Military Justice), committed by a covered member against a person of the same sex with the consent of such person; or

(B) statements, consensual sexual conduct, or consensual acts relating to sexual orientation or identity, or the disclosure of such statements, conduct, or acts, that were prohibited at the time of discharge but after the date of such discharge became permitted.

(3) When requesting a review, a covered member, or their representative, shall be required to provide either—

(A) documents consisting of—

(i) a copy of the DD–214 form of the member;

(ii) a personal affidavit of the circumstances surrounding the discharge; and

(iii) any relevant records pertaining to the discharge; or

(B) an affidavit certifying that the member, or their representative, does not have the documents specified in subparagraph (A).

(4) If a covered member provides an affidavit described in subparagraph (B) of paragraph (3)—

(A) the appropriate discharge board shall make every effort to locate the documents specified in subparagraph (A) of such paragraph within the records of the Department of Defense; and

(B) the absence of such documents may not be considered a reason to deny a change of the discharge characterization under subsection (a)(2).

(c) REQUEST FOR REVIEW.—The appropriate discharge board shall ensure the mechanism by which covered members, or their representative, may request to have the discharge characterization of the covered member reviewed under this section is simple and straightforward.

(d) REVIEW.—

(1) IN GENERAL.—After a request has been made under subsection (c), the appropriate discharge board shall review all relevant laws, records of oral testimony previously taken, service records, or any other relevant information regarding the discharge characterization of the covered member.

(2) ADDITIONAL MATERIALS.—If additional materials are necessary for the review, the appropriate discharge board—

(A) may request additional information from the covered member or their representative, in writing, and specifically detailing what is being requested; and

(B) shall be responsible for obtaining a copy of the necessary files of the covered member from the member, or when applicable, from the Department of Defense.

(e) CHANGE OF CHARACTERIZATION.—The appropriate discharge board shall change the discharge characterization of a covered member to honorable if such change is determined to be appropriate after a review is conducted under subsection (d) pursuant to the criteria under subsection (b). A covered member, or the representative of the member, may appeal a decision by the appropriate discharge board to not change the discharge characterization by using the regular appeals process of the board.

(f) CHANGE OF RECORDS.—For each covered member whose discharge characterization is changed under subsection (e), or for each covered member who was honorably discharged but whose DD–214 form reflects the sexual orientation of the member, the Secretary of Defense shall reissue to the member or their representative a revised DD–214 form that reflects the following:

(1) For each covered member discharged, the Separation Code, Reentry Code, Narrative Code, and Separation Authority shall not reflect the sexual orientation of the member and shall be placed under secretarial authority. Any other similar indication of the sexual orientation or reason for discharge shall be removed or changed accordingly to be consistent with this paragraph.

(2) For each covered member whose discharge occurred prior to the creation of general secretarial authority, the sections of the DD–214 form referred to paragraph (1) shall be changed to similarly reflect a universal authority with codes, authorities, and language applicable at the time of discharge.

(g) STATUS.—

(1) IN GENERAL.—Each covered member whose discharge characterization is changed under subsection (e) shall be treated without regard to the original discharge characterization of the member, including for purposes of—

(A) benefits provided by the Federal Government to an individual by reason of service in the Armed Forces; and

(B) all recognitions and honors that the Secretary of Defense provides to members of the Armed Forces.

(2) REINSTATEMENT.—In carrying out paragraph (1)(B), the Secretary shall reinstate all recognitions and honors of a covered member whose discharge characterization is changed under subsection (e) that the Secretary withheld because of the original discharge characterization of the member.

(h) REPORTS.—

(1) REVIEW.—The Secretary of Defense shall conduct a review of the consistency and uniformity of the reviews conducted under this section.

(2) REPORTS.—Not later than 270 days after the date of the enactment of this Act, and each year thereafter for a four-year period, the Secretary shall submit to Congress a report on the reviews under paragraph (1). Such reports shall include any comments or recommendations for continued actions.

(i) HISTORICAL REVIEW.—The Secretary of each military department shall ensure that oral historians of such department—

(1) review the facts and circumstances surrounding the estimated 100,000 members of the Armed Forces discharged from the Armed Forces between World War II and September 2011 because of the sexual orientation of the member; and

(2) receive oral testimony of individuals who personally experienced discrimination and discharge because of the actual or perceived sexual orientation of the individual so that such testimony may serve as an official record of these discriminatory policies and their impact on American lives.

(j) DEFINITIONS.—In this section:

(1) The term ''appropriate discharge board'' means the boards for correction of military records under section 1552 of title 10, United States Code, or the discharge review boards under section 1553 of such title, as the case may be.

(2) The term ''covered member'' means any former member of the Armed Forces who was discharged from the Armed Forces because of the sexual orientation of the member.

(3) The term ''discharge characterization'' means the characterization under which a member of the Armed Forces is discharged or released, including ''dishonorable'', ''general'', ''other than honorable'', and ''honorable''.

(4) The term ''Don't Ask Don't Tell'' means section 654 of title 10, United States Code, as in effect before such section was repealed pursuant to the Don't Ask, Don't Tell Repeal Act of 2010 (Public Law 111–321).

(5) The term ''representative'' means the surviving spouse, next of kin, or legal representative of a covered member

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SA 2206. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 353. ORDNANCE RELATED RECORDS REVIEW AND REPORTING REQUIREMENT FOR VIEQUES AND CULEBRA ISLANDS, PUERTO RICO.

(a) IDENTIFICATION OF MILITARY MUNITIONS AND NAVY OPERATIONAL HISTORY.—

(1) RECORDS REVIEW.—The Secretary of Defense shall conduct a review of all existing Department of Defense records to determine and describe the historical use of military munitions and military training on the islands of Vieques and Culebra, Puerto Rico, and in the nearby cays and waters. The review shall, to the extent practicable and based on historical documents available, identify the type of munitions, the quantity of munitions, and the location where such munitions may have potentially been used or may be remaining on the islands of Vieques and Culebra, Puerto Rico, and in the nearby cays or waters. The historical review shall also determine the type of various military training exercises that occurred on each island and in the nearby cays and waters.

(2) COOPERATION AND CONSULTATION.—The Secretary of Defense may request the assistance of other Federal agencies and may consult the Governor of Puerto Rico as may be determined appropriate in conducting the review required by this subsection and in preparing the report required by subsection (b).

(b) REPORT.—Not later than 450 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, and shall make publicly available, a report detailing the findings and determinations of the review required by subsection (a). The report shall be organized to include the information detailed in subsection (a) in addition to site history, site description, real estate ownership information, and any other information about known military munitions and military training that occurred historically on the islands of Vieques and Culebra, Puerto Rico, and in the nearby cays and waters. The report shall include any information and recommendations that the Secretary determines appropriate about the potential hazards to the public associated with unexploded ordnance on the islands of Vieques and Culebra, Puerto Rico, and in the nearby cays and waters.

(c) DEFINITIONS.—In this section:

(1) MILITARY MUNITIONS.—The term ''military munitions'' has the meaning given that term in section 101(e)(4) of title 10, United States Code.

(2) UNEXPLODED ORDNANCE.—The term ''unexploded ordnance'' has the meaning given that term in section 101(e)(5) of title 10, United States Code.

SA 2207. Mr. BLUMENTHAL (for himself and Mr. MORAN) submitted an amendment intended to be proposed by

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

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

SEC. 1522. REDUCTION IN FUNDING AVAILABLE FOR AFGHANISTAN SECURITY FORCES FUND FOR ROTARY WING AIRCRAFT.

The amount authorized to be appropriated for fiscal year 2014 by section 1504 and available for Operation and Maintenance for Overseas Contingency Operations for the Afghanistan Security Forces Fund for the Ministry of Defense for equipment and transportation, as specified in the funding table in section 4302, is hereby reduced by $345,000,000, with the amount of the reduction to be applied to amounts otherwise so available for rotary wing aircraft.

SA 2208. Mr. CASEY (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2833. LAND CONVEYANCE, PHILADELPHIA NAVAL SHIPYARD, PHILADELPHIA, PENNSYLVANIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the Philadelphia Regional Port Authority (in this section referred to as the ''Port Authority'') all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately .595 acres located at the Philadelphia Naval Shipyard, Philadelphia, Pennsylvania. The Secretary may void any land use restrictions associated with the property to be conveyed under this subsection.

(b) CONSIDERATION.—

(1) AMOUNT AND DETERMINATION.—As consideration for the conveyance under subsection (a), the Port Authority shall pay to the Secretary of the Navy an amount that is not less than the fair market value of the conveyed property, as determined by the Secretary. The Secretary's determination of fair market value shall be final. In lieu of all or a portion of cash payment of consideration, the Secretary may accept in-kind consideration.

(2) TREATMENT OF CASH CONSIDERATION.—The Secretary shall deposit any cash payment received under paragraph (1) in the special account in the Treasury established for that Secretary under subsection (e) of section 2667 of title 10, United States Code. The entire amount deposited shall be available for use in accordance with paragraph (1)(D) of such subsection.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the Port Authority to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the Port Authority in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Port Authority.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the parcel of real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SA 2209. Ms. KLOBUCHAR (for herself, Mr. SCHATZ, Mr. PRYOR, and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 226, between lines 14 and 15, insert the following:

Subtitle A—TRICARE Program

SEC. 701. FUTURE AVAILABILITY OF TRICARE PRIME FOR CERTAIN BENEFICIARIES ENROLLED IN TRICARE PRIME.

Section 732 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1816) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection (b):

''(b) ACCESS TO TRICARE PRIME.—

''(1) ONE-TIME ELECTION.—Subject to paragraph (3), the Secretary shall ensure that each affected eligible beneficiary who is enrolled in TRICARE Prime as of September 30, 2013, may make a one-time election to continue such enrollment in TRICARE Prime, notwithstanding that a contract described in subsection (a)(2)(A) does not allow for such enrollment based on the location in which such beneficiary resides. The beneficiary may continue such enrollment in TRICARE Prime so long as the beneficiary resides in the same ZIP code as the ZIP Code in which the beneficiary resided at the time of such election.

''(2) ENROLLMENT IN TRICARE STANDARD.—If an affected eligible beneficiary makes the one-time election under paragraph (1), the beneficiary may thereafter elect to enroll in TRICARE Standard at any time in accordance with a contract described in subsection (a)(2)(A).

''(3) RESIDENCE AT TIME OF ELECTION.—An affected eligible beneficiary may not make the one-time election under paragraph (1) if, at the time of such election, the beneficiary does not reside in a ZIP code that is in a region described in subsection (c)(1)(B).''.

SA 2210. Ms. KLOBUCHAR (for herself, Mr. SCHATZ, and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 226, between lines 14 and 15, insert the following:

Subtitle A—TRICARE Program

SEC. 701. MODIFICATIONS OR REALIGNMENTS OF THE TRICARE PROGRAM.

(a) SENSE OF CONGRESS ON CHANGES OR REALIGNMENTS OF TRICARE PRIME SERVICE AREAS.—It is the sense of Congress that any changes or realignments of the service areas of the TRICARE Prime option of the TRICARE program that are implemented by the Department of Defense should minimize their impact on cost and beneficiary satisfaction for current beneficiaries under the TRICARE program to the greatest extent practicable.

(b) REPORT ON IMPLEMENTATION OF REDUCTIONS IN TRICARE PRIME SERVICE AREAS.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the policy of the Department of Defense on the implementation of reductions in the service areas of TRICARE Prime.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the implementation of the transition for eligible beneficiaries under the TRICARE program (other than eligible beneficiaries on active duty in the Armed Forces) who no longer have access to TRICARE Prime under current TRICARE managed care contracts, including the following:

(i) The number of eligible beneficiaries who have transitioned from TRICARE Prime to the TRICARE Standard option of the TRICARE program since October 1, 2013.

(ii) The number of affected eligible beneficiaries who transferred their TRICARE Prime enrollment to a more distant available Prime Service Area to remain in TRICARE Prime, by State.

(iii) The number of beneficiaries who were eligible to transfer to a more distant available Prime Service Area, but chose to use TRICARE Standard.

(B) An estimate of the increased annual costs per beneficiary incurred for healthcare under the TRICARE program for eligible beneficiaries described in subparagraph (A).

(C) A description of the plans of the Department to assess the impact on access to healthcare and beneficiary satisfaction for eligible beneficiaries described in subparagraph (A).

SA 2211. Ms. KLOBUCHAR (for herself and Mr. DONNELLY) 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 V, add the following:

SEC. 514. REVIEW OF INTEGRATED DISABILITY EVALUATION SYSTEM.

(a) REVIEW.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, conduct a review of—

(1) the backlog of pending cases in the Integrated Disability Evaluation System with respect to members of the reserve components of the Armed Forces for the purpose of addressing the matters specified in paragraph (1) of subsection (b); and

(2) the improvements to the Integrated Disability Evaluation System specified in paragraph (2) of such subsection.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the review under subsection (a). The report shall include the following:

(1) With respect to the reserve components of the Armed Forces—

(A) the number of pending cases that exist as of the date of the report, listed by military department, component, and, with respect to the National Guard, State;

(B) as of the date of the report, the average time it takes each of the Department of Defense and the Department of Veterans Affairs to process a case through each phase or step of the Integrated Disability Evaluation System under such Department's control;

(C) a description of the measures the Secretary has taken and will take to resolve the backlog of cases in the Integrated Disability Evaluation System; and

(D) the date by which the Secretary plans to resolve such backlog for each military department.

(2) With respect to the regular components and reserve components of the Armed Forces—

(A) a description of the progress being made by each of the Department of Defense and the Department of Veterans Affairs to transition the Integrated Disability Evaluation System to an integrated and readily accessible electronic format that a member of the Armed Forces may access to see the status of the member during each phase of the system;

(B) an estimate of the cost to complete the transition to an integrated and readily accessible electronic format; and

(C) an assessment of the feasibility of improving in-transit visibility of pending cases, including by establishing a method of tracking a pending case when—

(i) a military treatment facility is assigned a packet and pending case for action regarding a member; and

(ii) a packet is at the Veterans Tracking Application and Disability Rating Activity Site of the Department of Veterans Affairs.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

(2) The term ''pending case'' means a case involving a member of the Armed Forces who, as of the date of the review under subsection (a), is within the Integrated Disability Evaluation System and has been referred to a medical evaluation board.

SA 2212. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 593. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON USE OF DETERMINATIONS OF PERSONALITY DISORDER OR ADJUSTMENT DISORDER AS BASIS TO SEPARATE MEMBERS FROM THE ARMED FORCES.

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 Committees on Armed Services of the Senate and the House of Representatives a report setting forth an evaluation of the following:

(1) The use by the Secretaries of the military departments of the authority to separate members of the Armed Forces from the Armed Forces due to unfitness for duty because of a mental condition not amounting to disability, including separation on the basis of a personality disorder or adjustment disorder, during the period beginning on January 1, 2007, and ending on the date of the enactment of this Act, including the total number of members separated on such basis during that period.

(2) The extent to which the Secretaries of the military departments complied with Department of Defense regulations in separating members of the Armed Forces on the basis of a personality disorder or adjustment disorder during that period.

(3) The impact of such a separation on the ability of veterans so separated to obtain service-connected disability compensation, disability severance pay, and disability retirement pay.

(4) The effectiveness of existing mechanisms for members of the Armed Forces so separated to review or challenge separations on that basis.

SA 2213. Ms. KLOBUCHAR (for herself and Mr. ENZI) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. GRANTS FOR EMERGENCY MEDICAL SERVICES PERSONNEL TRAINING FOR VETERANS.

Section 330J(c) of the Public Health Service Act (42 U.S.C. 254c–15(c)) is amended—

(1) in paragraph (7), by striking ''and'' at the end;

(2) in paragraph (8), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(9) provide to military veterans who were certified as military emergency medical technicians (or a substantially similar military occupational specialty) with required coursework and training that take into account, and are not duplicative of, previous medical coursework and training received when such veterans were active members of the Armed Forces, to enable such veterans to satisfy emergency medical services personnel certification requirements, as determined by the appropriate State regulatory entity.''.

SA 2214. Ms. KLOBUCHAR (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. DESIGNATION OF MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS AS HEALTH PROFESSIONAL SHORTAGE AREAS.

(a) PHSA.—Section 332(a)(1) of the Public Health Service Act (42 U.S.C. 254e(a)(1)) is amended in the second sentence by inserting ''and medical facilities of the Department of Veterans Affairs (including State homes, as defined in section 101(19) of title 38, United States Code)'' after ''(42 U.S.C. 1395x(aa)),''.

(b) CONCURRENT BENEFITS.—

(1) SCHOLARSHIP PROGRAM.—Section 338A(b) of the Public Health Service Act (42 U.S.C. 254l(b)) is amended—

(A) in paragraph (3), by striking ''and'';

(B) in paragraph (4), by striking the period and inserting ''; and''; and

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

''(5) not be participating in the Department of Veterans Affairs Health Professionals Educational Assistance Program under chapter 76 of title 38, United States Code.''.

(2) DEBT REDUCTION PROGRAM.—Section 338B(b) of the Public Health Service Act (42 U.S.C. 254l-1(b)) is amended—

(A) in paragraph (2), by striking ''and'';

(B) in paragraph (3), by striking the period and inserting ''; and''; and

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

''(4) not be participating in the Department of Veterans Affairs Health Professionals Educational Assistance Program under chapter 76 of title 38, United States Code.''.

(c) CONSULTATION.—In carrying out the National Health Service Corps Program under subpart II of part D of title III of the Public Health Service Act (42 U.S.C. 254d et seq.), the Secretary of Health and Human Services shall consult with the Secretary of Veterans Affairs with respect to health professional shortage areas that are medical facilities of the Department of Veterans Affairs (including State homes, as defined in section 101(19) of title 38, United States Code).

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

SA 2215. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

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

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

SEC. 646. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR CERTAIN MILITARY RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES.

(a) EXTENSION OF CONCURRENT RECEIPT AUTHORITY TO RETIREES WITH SERVICE-CONNECTED DISABILITIES RATED LESS THAN 50 PERCENT.—

(1) REPEAL OF 50 PERCENT REQUIREMENT.—Section 1414 of title 10, United States Code, is amended by striking paragraph (2) of subsection (a).

(2) COMPUTATION.—Paragraph (1) of subsection (c) of such section is amended by adding at the end the following new subparagraph:

''(G) For a month for which the retiree receives veterans' disability compensation for a disability rated as 40 percent or less or has a service-connected disability rated as zero percent, $0.''.

(b) CLERICAL AMENDMENTS.—

(1) The heading of section 1414 of such title is amended to read as follows:

''§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation''.

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

''1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2014, and shall apply to payments for months beginning on or after that date.

SEC. 647. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.

(a) AMENDMENTS TO STANDARDIZE SIMILAR PROVISIONS.—

(1) QUALIFIED RETIREES.—Subsection (a) of section 1414 of title 10, United States Code, as amended by section 646(a), is amended—

(A) by striking ''a member or'' and all that follows through ''retiree')'' and inserting ''a qualified retiree''; and

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

''(2) QUALIFIED RETIREES.—For purposes of this section, a qualified retiree, with respect to any month, is a member or former member of the uniformed services who—

''(A) is entitled to retired pay (other than by reason of section 12731b of this title); and

''(B) is also entitled for that month to veterans' disability compensation.''.

(2) DISABILITY RETIREES.—Paragraph (2) of subsection (b) of section 1414 of such title is amended to read as follows:

''(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

''(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

''(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2014, and shall apply to payments for months beginning on or after that date.

SA 2216. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. CREDITABLE SERVICE FOR FEDERAL RETIREMENT FOR CERTAIN INDIVIDUALS.

(a) DEFINITION.—In this section, the term ''unfunded liability'' has the meaning given the term under section 8331 of title 5, United States Code.

(b) AMENDMENTS.—

(1) IN GENERAL.—Section 8332(b) of title 5, United States Code, is amended—

(A) in paragraph (16), by striking ''and'' at the end;

(B) in paragraph (17), by striking the period at the end and inserting ''; and'';

(C) by inserting after paragraph (17) the following:

''(18) any period of service performed—

''(A) not later than December 31, 1977;

''(B) while a citizen of the United States;

''(C) in the employ of—

''(i) Air America, Inc.; or

''(ii) any entity associated with, predecessor to, or subsidiary to Air America, Inc., including—

''(I) Air Asia Company Limited;

''(II) CAT Incorporated;

''(III) Civil Air Transport Company Limited; and

''(IV) the Pacific Division of Southern Air Transport; and

''(D) during the period that Air America, Inc. or any other entity described in subparagraph (C) was owned and controlled by the United States Government.''; and

(D) in the second undesignated paragraph following paragraph (18) (as added by subparagraph (C)), by adding at the end the following: ''For purposes of this subchapter, service of the type described in paragraph (18) shall be considered to have been service as an employee.''.

(2) EXEMPTION FROM DEPOSIT REQUIREMENT.—Section 8334(g) of title 5, United States Code, is amended—

(A) in paragraph (5), by striking ''or'' at the end;

(B) in paragraph (6), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(7) any period of service for which credit is allowed under section 8332(b)(18) of this title.''.

(c) APPLICABILITY.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply with respect to annuities commencing on or after the effective date of this section.

(2) PROVISIONS RELATING TO CURRENT ANNUITANTS.—

(A) IN GENERAL.—Except as provided under paragraph (4), any individual who is entitled to an annuity for the month in which this section becomes effective may elect to have the amount of the annuity recomputed as if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity is or may be based.

(B) SUBMISSION OF ELECTION.—An election to have an annuity recomputed under subparagraph (A) shall be submitted to the Office of Personnel Management not later than 2 years after the effective date of this section.

(C) PROSPECTIVE APPLICATION OF RECOMPUTATION.—A recomputation under subparagraph (A) shall be effective as of the date of the first payment under the annuity that is made after the later of—

(i) the date of the recomputation; or

(ii) the effective date of this section.

(D) NO RETROACTIVE PAYMENTS.—An individual may not receive payments for any additional amounts that would have been payable, if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity is or may be based, for periods before the first month for which recomputation is reflected in the regular monthly annuity payments of the individual.

(3) PROVISIONS RELATING TO INDIVIDUALS ELIGIBLE FOR (BUT NOT CURRENTLY RECEIVING) AN ANNUITY.—

(A) IN GENERAL.—

(i) ELECTION.—Except as provided under subparagraph (B)(ii) and paragraph (4), an individual not described in paragraph (2) who becomes eligible for an annuity or for an increased annuity as a result of the enactment of this section may elect to have the rights of the individual under subchapter III of chapter 83 of title 5, United States Code, determined as if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity is or would be based.

(ii) SUBMISSION OF ELECTION.—An individual shall make an election under clause (i) by submitting an appropriate application to the Office of Personnel Management not later than 2 years after the later of—

(I) the effective date of this section; or

(II) the date on which the individual separates from service.

(B) COMMENCEMENT DATE; RETROACTIVITY.—

(i) IN GENERAL.—Subject to clause (ii), any entitlement to an annuity or to an increased annuity resulting from an election under subparagraph (A) shall be effective as of the date on which regular monthly annuity payments begin to be made in accordance with the amendments made by this section.

(ii) NO RETROACTIVE PAYMENTS.—An individual may not receive payments for any amounts that would have been payable, if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity or increased annuity is or may be based, for periods before the first month for which regular monthly annuity payments begin to be made in accordance with the amendments made by this section.

(iii) RETROACTIVITY FOR PURPOSES OF ENTITLEMENT TO ANNUITY.—Any determination of the amount of any annuity, all the requirements for entitlement to which (including separation, but not including any application requirement) would have been satisfied before the effective date of this section if this section had been in effect (but would not then otherwise have been satisfied absent this section) shall be made as if application for the annuity had been submitted as of the earliest date that would have been allowable, after the date on which the individual separated from service, if the amendments made by this section had been in effect throughout the periods of service referred to in subparagraph (A)(i).

(4) NO RIGHT TO SURVIVOR ANNUITY.—Notwithstanding section 8341 of title 5, United States Code, or any other provision of law, an individual shall not be entitled to an annuity or increased annuity under subchapter

III of chapter 83 of such title based on service described in section 8332(b)(18) of such title (as added by subsection (b)(1)(C)) performed by a deceased individual.

(d) FUNDING.—Any increase in the unfunded liability of the Civil Service Retirement System attributable to the enactment of this section shall be financed in accordance with section 8348(f) of title 5, United States Code.

(e) REGULATIONS.—The Director of the Office of Personnel Management shall promulgate regulations necessary to carry out this section, which shall include provisions under which rules similar to those established under the amendments made by section 201 of the Federal Employees' Retirement System Act of 1986 (Public Law 99–335; 100 Stat. 588) shall be applied with respect to any service described in section 8332(b)(18) of title 5, United States Code (as amended by subsection (b)) that was subject to title II of the Social Security Act.

(f) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this section.

SA 2217. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 722. MEDICAL RESEARCH ON HYDROCEPHALUS.

In conducting the Peer Reviewed Medical Research Program, the Secretary of Defense may select medical research projects relating to hydrocephalus under the program.

SA 2218. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 514. INDEPENDENT ASSESSMENT ON ADVANCEMENT OF WOMEN IN THE ARMED FORCES.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall provide for an independent assessment of the manner in which current laws, policies, and practices of the Department of Defense support the full integration of women into the Armed Forces throughout their military careers.

(2) INDEPENDENT ENTITY.—The assessment shall be conducted by an independent, nongovernmental entity selected by the Secretary from among entities described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code that have recognized expertise in national security and military affairs and ready access to appropriate policy experts throughout the United States and internationally.

(b) ELEMENTS.—The assessment conducted pursuant to subsection (a) shall include the following:

(1) A review of current Department of Defense policies intended to ensure the physical safety of women in the Armed Forces and the prevention of unwanted sexual contact.

(2) A review of current and emerging data on the impacts of broadening career opportunities for women in the Armed Forces on the short-term and longer-term readiness of women for military service, as well as potential implications for the Department of Veterans Affairs.

(3) An identification and assessment of barriers to the equal advancement of women throughout their military careers.

(4) An identification and assessment of options to enhance the physical safety, short-term and long-term medical readiness, and career advancement opportunities of women in the Armed Forces.

(5) An identification and assessment of the views of policy leaders and experts from relevant fields, including the view of international leaders and experts when applicable, on the matters covered by the assessment.

(c) REPORT.—

(1) SUBMITTAL TO SECRETARY OF DEFENSE.—Not later than 270 days after the date of the enactment of this Act, the entity selected pursuant to subsection (a) to conduct the assessment required by that subsection shall submit to the Secretary a report on the findings of the entity as a result of the assessment. The report shall be submitted in unclassified form.

(2) TRANSMITTAL TO CONGRESS.—Not later than 90 days after the date of the receipt of the report under paragraph (1), the Secretary shall transmit the report to the congressional defense committees, together with such comments on the report as the Secretary considers appropriate.

(d) FUNDING.—Of the amount authorized to be appropriated for fiscal year 2014 by section 301 and available for Operation and Maintenance, Defense-wide, for the Office of Secretary of Defense Studies Fund as specified in the funding tables in section 4301, $800,000 shall be available for the assessment required by subsection (a).

SA 2219. Mr. MENENDEZ (for himself, Mr. ISAKSON, Ms. LANDRIEU, Mr. SCHUMER, Mr. VITTER, Mr. NELSON, Mrs. GILLIBRAND, Mr. COCHRAN, Ms. HEITKAMP, Ms. WARREN, Mr. MARKEY, Mr. SCHATZ, Mr. MANCHIN, Mr. BOOKER, Mr. BEGICH, Mr. CASEY, Mr. HOEVEN, Mrs. HAGAN, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of Division A, add the following:

TITLE XVI—FLOOD INSURANCE

SECTION 1601. SHORT TITLE.

This title may be cited as the ''Homeowner Flood Insurance Affordability Act of 2013''.

SEC. 1602. DEFINITIONS.

As used in this title, the following definitions shall apply:

(1) ADJUSTED BASE FLOOD ELEVATION.—For purposes of rating a floodproofed covered structure, the term ''adjusted base flood elevation'' means the base flood elevation for a covered structure on the applicable effective flood insurance rate map, plus 1 foot.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Emergency Management Agency.

(3) AFFORDABILITY AUTHORITY BILL.—The term ''affordability authority bill'' means a non-amendable bill that if enacted would only grant the Administrator the authority necessary to promulgate regulations in accordance with the criteria set forth in section 1603(d)(2).

(4) AFFORDABILITY STUDY.—The term ''affordability study'' means the study required under section 100236 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 957).

(5) APPLICABLE FLOOD PLAIN MANAGEMENT MEASURES.—The term ''applicable flood plain management measures'' means flood plain management measures adopted by a community under section 60.3(c) of title 44, Code of Federal Regulations.

(6) COVERED STRUCTURE.—The term ''covered structure'' means a residential structure—

(A) that is located in a community that has adopted flood plain management measures that are approved by the Federal Emergency Management Agency and that satisfy the requirements for an exception for floodproofed residential basements under section 60.6(c) of title 44, Code of Federal Regulations; and

(B) that was built in compliance with the applicable flood plain management measures.

(7) DRAFT AFFORDABILITY FRAMEWORK.—The term ''draft affordability framework'' means the draft programmatic and regulatory framework required to be prepared by the Administrator and submitted to Congress under section 1603(d) addressing the issues of affordability of flood insurance sold under the National Flood Insurance Program, including issues identified in the affordability study.

(8) FLOODPROOFED ELEVATION.—The term ''floodproofed elevation'' means the height of floodproofing on a covered structure, as identified on the Residential Basement Floodproofing Certificate for the covered structure.

(9) NATIONAL FLOOD INSURANCE PROGRAM.—The term ''National Flood Insurance Program'' means the program established under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

SEC. 1603. DELAYED IMPLEMENTATION OF FLOOD INSURANCE RATE INCREASES; DRAFT AFFORDABILITY FRAMEWORK.

(a) DELAYED IMPLEMENTATION OF FLOOD INSURANCE RATE INCREASES.—

(1) GRANDFATHERED PROPERTIES.—Beginning on the date of enactment of this Act, the Administrator may not increase risk premium rates for flood insurance for any property located in an area subject to the premium adjustment required under section 1308(h) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(h)).

(2) PRE-FIRM PROPERTIES.—Beginning on the date of enactment of this Act, the Administrator may not reduce the risk premium rate subsidies for flood insurance for any property—

(A) described under section 1307(g)(1) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(g)(1)); or

(B) described under 1307(g)(3) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(g)(3)), provided that the decision of the

policy holder to permit a lapse in flood insurance coverage was as a result of the property no longer being required to retain such coverage.

(3) EXPIRATION.—The prohibitions set forth under paragraphs (1) and (2) shall expire 6 months after the later of—

(A) the date on which the Administrator proposes the draft affordability framework;

(B) the date on which any regulations proposed pursuant to the authority that the Administrator is granted in the affordability authority bill, if such bill is enacted, become final; or

(C) the date on which the Administrator certifies in writing to Congress that the Federal Emergency Management Agency has implemented a flood mapping approach that utilizes sound scientific and engineering methodologies to determine varying levels of flood risk in all areas participating in the National Flood Insurance Program.

(b) PROPERTY SALE TRIGGER.—Section 1307(g)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(g)(2)) is amended to read as follows:

''(2) any property purchased after the expiration of the 6-month period set forth under section 1603(a)(3) of the Homeowner Flood Insurance Affordability Act of 2013;''.

(c) TREATMENT OF PRE-FIRM PROPERTIES.—Beginning on the date of enactment of this Act and ending upon the expiration of the 6-month period set forth under subsection (a)(3), the Administrator shall restore the risk premium rate subsidies for flood insurance estimated under section 1307(a)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)(2)) for any property described in subparagraphs (A) and (B) of subsection (a)(2) and in section 1307(g)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(g)(2)).

(d) DRAFT AFFORDABILITY FRAMEWORK.—

(1) IN GENERAL.—The Administrator shall prepare a draft affordability framework that proposes to address, via programmatic and regulatory changes, the issues of affordability of flood insurance sold under the National Flood Insurance Program, including issues identified in the affordability study.

(2) CRITERIA.—In carrying out the requirements under paragraph (1), the Administrator shall consider the following criteria:

(A) Accurate communication to consumers of the flood risk associated with their property.

(B) Targeted assistance to flood insurance policy holders based on their financial ability to continue to participate in the National Flood Insurance Program.

(C) Individual or community actions to mitigate the risk of flood or lower the cost of flood insurance.

(D) The impact of increases in risk premium rates on participation in the National Flood Insurance Program.

(E) The impact flood insurance rate map updates have on the affordability of flood insurance.

(3) DEADLINE FOR SUBMISSION.—Not later than 18 months after the date on which the Administrator submits the affordability study, the Administrator shall submit to the full Committee on Banking, Housing, and Urban Affairs and the full Committee on Appropriations of the Senate and the full Committee on Financial Services and the full Committee on Appropriations of the House of Representatives the draft affordability framework.

(e) CONGRESSIONAL CONSIDERATION OF FEMA AFFORDABILITY AUTHORITIES.—

(1) NO REFERRAL.—Upon introduction in either House of Congress, an affordability authority bill shall not be referred to a committee and shall immediately be placed on the calendar.

(2) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(A) PROCEEDING TO CONSIDERATION.—It shall be in order to move to proceed to consider the affordability authority bill in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect to the affordability authority bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(B) CONSIDERATION.—The affordability authority bill shall be considered as read. All points of order against the affordability authority bill and against its consideration are waived. The previous question shall be considered as ordered on the affordability authority bill to its passage without intervening motion except 10 hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the affordability authority bill shall not be in order.

(3) CONSIDERATION IN THE SENATE.—

(A) PLACEMENT ON THE CALENDAR.—Upon introduction in the Senate, an affordability authority bill shall be immediately placed on the calendar.

(B) FLOOR CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order, at any time beginning on the day after the 6th day after the date of introduction of an affordability authority bill (even if a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the affordability authority bill and all points of order against consideration of the affordability authority bill are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the affordability authority bill is agreed to, the affordability authority bill shall remain the unfinished business until disposed of.

(C) CONSIDERATION.—All points of order against the affordability authority bill are waived. Consideration of the affordability authority bill and of all debatable motions and appeals in connection therewith shall be limited to not more than 10 hours which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate on the affordability authority bill is in order, and is not debatable.

(D) NO AMENDMENTS.—An amendment to the affordability authority bill, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to commit or recommit the affordability authority bill, is not in order.

(E) VOTE ON PASSAGE.—If the Senate has voted to proceed to the affordability authority bill, the vote on passage of the affordability authority bill shall occur immediately following the conclusion of consideration of the affordability authority bill, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

(4) AMENDMENT.—The affordability authority bill shall not be subject to amendment in either the House of Representatives or the Senate.

(5) CONSIDERATION BY THE OTHER HOUSE.—

(A) IN GENERAL.—If, before passing the affordability authority bill, one House receives from the other an affordability authority bill—

(i) the affordability authority bill of the other House shall not be referred to a committee; and

(ii) the procedure in the receiving House shall be the same as if no affordability authority bill had been received from the other House except that the vote on passage shall be on the affordability authority bill of the other House.

(B) REVENUE MEASURE.—This subsection shall not apply to the House of Representatives if the affordability authority bill received from the Senate is a revenue measure.

(6) COORDINATION WITH ACTION BY OTHER HOUSE.—

(A) TREATMENT OF AFFORDABILITY AUTHORITY BILL OF OTHER HOUSE.—If the Senate fails to introduce or consider a affordability authority bill under this section, the affordability authority bill of the House shall be entitled to expedited floor procedures under this section.

(B) TREATMENT OF COMPANION MEASURES IN THE SENATE.—If following passage of the affordability authority bill in the Senate, the Senate then receives the affordability authority bill from the House of Representatives, the House-passed affordability authority bill shall not be debatable.

(C) VETOES.—If the President vetoes the affordability authority bill, debate on a veto message in the Senate under this section shall be 1 hour equally divided between the majority and minority leaders or their designees.

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

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of an affordability authority bill, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change its rules at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(f) INTERAGENCY AGREEMENTS.—The Administrator may enter into an agreement with another Federal agency to—

(1) complete the affordability study; or

(2) prepare the draft affordability framework.

(g) CLEAR COMMUNICATIONS.—The Administrator shall clearly communicate full flood risk determinations to individual property owners regardless of whether their premium rates are full actuarial rates.

(h) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide the Administrator with the authority to provide assistance to homeowners based on affordability that was not available prior to the enactment of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 916).

SEC. 1604. AFFORDABILITY STUDY AND REPORT.

Notwithstanding the deadline under section 100236(c) of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 957), not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the full Committee on Banking, Housing, and Urban Affairs and the full Committee on Appropriations of the Senate and the full Committee on Financial Services and the full Committee on Appropriations of the House of Representatives the affordability study and report required under such section.

SEC. 1605. AFFORDABILITY STUDY FUNDING.

Section 100236(d) of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 957) is amended by striking ''not more than $750,000'' and inserting ''such amounts as may be necessary''.

SEC. 1606. FUNDS TO REIMBURSE HOMEOWNERS FOR SUCCESSFUL MAP APPEALS.

(a) IN GENERAL.—Section 1363(f) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104(f)) is amended by striking the second sentence and inserting the following: ''The Administrator may use such amounts from the National Flood Insurance Fund established under section 1310 as may be necessary to carry out this subsection.''.

(b) CONFORMING AMENDMENT.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (6), by striking ''and'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(8) for carrying out section 1363(f).''.

SEC. 1607. FLOOD PROTECTION SYSTEMS.

(a) ADEQUATE PROGRESS ON CONSTRUCTION OF FLOOD PROTECTION SYSTEMS.—Section 1307(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(e)) is amended—

(1) in the first sentence, by inserting ''or reconstruction'' after ''construction'';

(2) by amending the second sentence to read as follows: ''The Administrator shall find that adequate progress on the construction or reconstruction of a flood protection system, based on the present value of the completed flood protection system, has been made only if (1) 100 percent of the cost of the system has been authorized, (2) at least 60 percent of the cost of the system has been appropriated, (3) at least 50 percent of the cost of the system has been expended, and (4) the system is at least 50 percent completed.''; and

(3) by adding at the end the following: ''Notwithstanding any other provision of law, in determining whether a community has made adequate progress on the construction, reconstruction, or improvement of a flood protection system, the Administrator shall consider all sources of funding, including Federal, State, and local funds.''.

(b) COMMUNITIES RESTORING DISACCREDITED FLOOD PROTECTION SYSTEMS.—Section 1307(f) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(f)) is amended by amending the first sentence to read as follows: ''Notwithstanding any other provision of law, this subsection shall apply to riverine and coastal levees that are located in a community which has been determined by the Administrator of the Federal Emergency Management Agency to be in the process of restoring flood protection afforded by a flood protection system that had been previously accredited on a Flood Insurance Rate Map as providing 100-year frequency flood protection but no longer does so, and shall apply without regard to the level of Federal funding of or participation in the construction, reconstruction, or improvement of the flood protection system.''.

SEC. 1608. TREATMENT OF FLOODPROOFED RESIDENTIAL BASEMENTS.

Notwithstanding the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 916), the amendments made by that Act, or any other provision of law, the Administrator shall rate a covered structure using the elevation difference between the floodproofed elevation of the covered structure and the adjusted base flood elevation of the covered structure.

SEC. 1609. DESIGNATION OF FLOOD INSURANCE ADVOCATE.

(a) IN GENERAL.—The Administrator shall designate a Flood Insurance Advocate to advocate for the fair treatment of policy holders under the National Flood Insurance Program and property owners in the mapping of flood hazards, the identification of risks from flood, and the implementation of measures to minimize the risk of flood.

(b) DUTIES AND RESPONSIBILITIES.—The duties and responsibilities of the Flood Insurance Advocate designated under subsection (a) shall be to—

(1) educate property owners and policyholders under the National Flood Insurance Program on—

(A) individual flood risks;

(B) flood mitigation; and

(C) measures to reduce flood insurance rates through effective mitigation; and

(D) the flood insurance rate map review and amendment process;

(2) assist policy holders under the National Flood Insurance Program and property owners to understand the procedural requirements related to appealing preliminary flood insurance rate maps and implementing measures to mitigate evolving flood risks;

(3) assist in the development of regional capacity to respond to individual constituent concerns about flood insurance rate map amendments and revisions;

(4) coordinate outreach and education with local officials and community leaders in areas impacted by proposed flood insurance rate map amendments and revisions; and

(5) aid potential policy holders under the National Flood Insurance Program in obtaining and verifying accurate and reliable flood insurance rate information when purchasing or renewing a flood insurance policy.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out the duties and responsibilities of the Flood Insurance Advocate.

SA 2220. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1066. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON ASSESSMENT OF ARMY STUDY ON THE COMBAT VEHICLE INDUSTRIAL BASE.

(a) REPORT REQUIRED.—Not later than 180 days 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 assessment by the Comptroller General of the study of the Army on the Bradley Fighting Vehicle industrial base submitted to Congress pursuant to the Conference Report to Accompany H.R. 4310 (112th Congress), the National Defense Authorization Act for Fiscal Year 2013 (House Report 112–705).

(b) ELEMENTS.—The report required by subsection (a) shall—

(1) address each of the combat vehicles included in the study of the Army;

(2) include an assessment of the reasonableness of the study's methods including, but not limited to the sufficiency, validity, and reliability of the data used to conduct the study; and

(3) include findings and recommendations on the combat vehicle industrial base, but should not replicate the study of the Army.

SA 2221. Mr. BURR (for himself, Mr. KIRK, and Mr. DURBIN) 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. CLARIFICATION OF VETERAN STATUS OF INDIVIDUALS WHO ATTENDED PREPARATORY SCHOOL OF SERVICE ACADEMY.

(a) CLARIFICATION OF DEFINITION OF MILITARY SERVICE.—Section 101 of title 38, United States Code, is amended—

(1) in paragraph (21)(D), by inserting after ''Naval Academy'' the following: ''(but, except for purposes of chapter 17 of this title in accordance with section 107(e)(2), does not include any service performed by a student at a preparatory school of a service academy who is not otherwise a member of the Armed Forces)'';

(2) in paragraph (22), by inserting before the period at the end the following: ''or, except for purposes of chapter 17 of this title in accordance with section 107(e)(2), duty performed by a student at a preparatory school of a service academy who is not otherwise a member of the Armed Forces''; and

(3) in paragraph (23), by adding after the period at the end the following: ''Except for purposes of chapter 17 of this title in accordance with section 107(e)(2), such term does not include duty performed by a student at a preparatory school of a service academy who is not otherwise a member of the Armed Forces.''.

(b) SERVICE DEEMED NOT TO BE ACTIVE SERVICE.—Section 107 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) Except as provided by paragraph (2), duty performed by a student at a preparatory school of a service academy who is not otherwise a member of the Armed Forces shall not be deemed to have been active military, naval, or air service for the purposes of any of the laws administered by the Secretary, regardless of whether the student was injured or disabled as a result of such duty.

''(2) Chapter 17 of this title shall apply to an individual described in paragraph (1) with respect to furnishing hospital care and medical services solely for an injury or disability incurred by the individual as a result of military training related to future active duty service performed as a student during the course of required training at a preparatory school of a service academy. An individual who receives such care and services under this paragraph may not be treated as a veteran for the purposes of any other provision of law solely by reason of receiving such care and services under this paragraph.''.

(c) SMALL BUSINESS CONCERNS.—Section 8127(l) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(3) The term 'veteran', in accordance with sections 101 and 107 of this title, does not include an individual whose veteran status is based solely on the attendance of the individual as a student at a preparatory school of a service academy, regardless of whether the individual was injured or disabled as a result of duty performed as such a student.''.

(d) PREFERENCE ELIGIBLE.—Section 2108 of title 5, United States Code, is amended—

(1) in paragraph (4)(B), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting ''; and''; and

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

''(6) an individual whose veteran status is based solely on the attendance of the individual as a student at a preparatory school of a service academy, regardless of whether the individual was injured or disabled as a result of duty performed as such a student, may not be treated as a 'veteran', 'disabled veteran', or 'preference eligible'.''.

SA 2222. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SECTION 1082. PURCHASE OF PRISON-MADE PRODUCTS BY FEDERAL DEPARTMENTS.

(a) REPEAL OF PURCHASE REQUIREMENT.—Section 4124 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''shall purchase'' and inserting ''may purchase''; and

(B) by inserting ''and services'' after ''such products''; and

(2) in subsection (c), by striking ''subject to the requirements of subsection (a)'' and inserting ''that purchases such products or services of the industries authorized by this chapter''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 8504 of title 41, United States Code, is amended—

(1) in subsection (a), by striking ''(a) IN GENERAL.—''; and

(2) by striking subsection (b).

SEC. 1083. PROHIBITION ON AWARD OF CERTAIN CONTRACTS TO FEDERAL PRISON INDUSTRIES, INC..

Notwithstanding any other provision of law, a Federal agency may not award a contract to Federal Prison Industries after competition restricted to small business concerns under section 15 of the Small Business Act (15 U.S.C. 644) or the program established under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

SEC. 1084. SHARE OF INDEFINITE DELIVERY/INDEFINITE QUANTITY CONTRACTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to require that if the head of an executive agency reduces the quantity of items or services to be delivered under an indefinite delivery/indefinite quantity contract to which Federal Prison Industries is a party, the head of the executive agency shall reduce Federal Prison Industries's share of the items or services to be delivered under the contract by the same percentage by which the total number of items or services to be delivered under the contract from all sources is reduced.

(b) DEFINITIONS.—In this section—

(1) the term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code; and

(2) the term ''Federal Acquisition Regulatory Council'' means the Federal Acquisition Regulatory Council established under section 1302(a) of title 41, United States Code.

SA 2223. Mr. PAUL (for himself, Mr. WYDEN, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CHALLENGES TO GOVERNMENT SURVEILLANCE.

Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) is amended by adding at the end the following new subsection:

''(m) CHALLENGES TO GOVERNMENT SURVEILLANCE.—

''(1) INJURY IN FACT.—In any claim in a civil action brought in a court of the United States relating to surveillance conducted under this section, the person asserting the claim has suffered an injury in fact if the person—

''(A) has a reasonable basis to believe that the person's communications will be acquired under this section; and

''(B) has taken objectively reasonable steps to avoid surveillance under this section.

''(2) REASONABLE BASIS.—A person shall be presumed to have demonstrated a reasonable basis to believe that the communications of the person will be acquired under this section if the profession of the person requires the person regularly to communicate foreign intelligence information with persons who—

''(A) are not United States persons; and

''(B) are located outside the United States.

''(3) OBJECTIVE STEPS.—A person shall be presumed to have taken objectively reasonable steps to avoid surveillance under this section if the person demonstrates that the steps were taken in reasonable response to rules of professional conduct or analogous professional rules.''.

SA 2224. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. IMPROVED ENUMERATION OF MEMBERS OF THE ARMED FORCES IN ANY TABULATION OF TOTAL POPULATION BY SECRETARY OF COMMERCE.

(a) IN GENERAL.—Section 141 of title 13, United States Code, is amended—

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

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

''(g) Effective beginning with the 2020 decennial census of population, in taking any tabulation of total population by States, the Secretary shall take appropriate measures to ensure, to the maximum extent practicable, that all members of the Armed Forces deployed abroad on the date of taking such tabulation are—

''(1) fully and accurately counted; and

''(2) properly attributed to the State in which their residence at their permanent duty station or homeport is located on such date.''.

(b) CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to affect the residency status of any member of the Armed Forces under any provision of law other than title 13, United States Code.

SA 2225. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. EXTENSION OF PERIOD FOR USE OF ENTITLEMENT TO POST-9/11 EDUCATIONAL ASSISTANCE FOR INDIVIDUALS WITH POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.

(a) EXTENDED PERIOD.—Section 3312 of title 38, United States Code, is amended—

(1) in subsection (a), by striking ''in subsections (b) and (c)'' and inserting ''in subsections (b), (c), and (d)''; and

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

''(d) EXTENDED PERIOD FOR INDIVIDUALS WITH POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.—Subject to section 3695 of this title and except as provided in subsections (b) and (c), an individual entitled to educational assistance under this chapter who has a service-connected disability consisting of post-traumatic stress disorder or traumatic brain injury is entitled to a number of months of educational assistance under section 3313 of this title equal to 54 months.''.

(b) REDUCED AMOUNT.—Section 3313 of such title is amended by adding at the end the following new subsection:

''(j) REDUCED AMOUNT FOR INDIVIDUALS WITH EXTENDED PERIOD OF ASSISTANCE.—The amount of educational assistance payable under this section to an individual described in section 3312(d) of this title shall be 67 percent of the amount otherwise payable to such individual under this section.''.

SA 2226. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SECTION 1082. PRESERVING FREEDOM FROM UNWARRANTED SURVEILLANCE.

(a) SHORT TITLE.—This section may be cited as the ''Preserving Freedom from Unwarranted Surveillance Act of 2013''.

(b) DEFINITIONS.—In this section—

(1) the term ''drone'' has the meaning given the term ''unmanned aircraft'' in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note); and

(2) the term ''law enforcement party'' means a person or entity authorized by law, or funded by the Government of the United

States, to investigate or prosecute offenses against the United States.

(c) PROHIBITED USE OF DRONES.—Except as provided in subsection (d), a person or entity acting under the authority, or funded in whole or in part by, the Government of the United States shall not use a drone to gather evidence or other information pertaining to criminal conduct or conduct in violation of a statute or regulation except to the extent authorized in a warrant that satisfies the requirements of the Fourth Amendment to the Constitution of the United States.

(d) EXCEPTIONS.—This Act does not prohibit any of the following:

(1) PATROL OF BORDERS.—The use of a drone to patrol national borders to prevent or deter illegal entry of any persons or illegal substances.

(2) EXIGENT CIRCUMSTANCES.—The use of a drone by a law enforcement party when exigent circumstances exist. For the purposes of this paragraph, exigent circumstances exist when the law enforcement party possesses reasonable suspicion that under particular circumstances, swift action to prevent imminent danger to the life of an individual is necessary.

(3) HIGH RISK.—The use of a drone to counter a high risk of a terrorist attack by a specific individual or organization, when the Secretary of Homeland Security determines credible intelligence indicates there is such a risk.

(e) REMEDIES FOR VIOLATION.—Any aggrieved party may in a civil action obtain all appropriate relief to prevent or remedy a violation of this section.

(f) PROHIBITION ON USE OF EVIDENCE.—No evidence obtained or collected in violation of this section may be admissible as evidence in a criminal prosecution in any court of law in the United States.

SA 2227. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1208. LIMITATION ON FOREIGN ASSISTANCE TO PAKISTAN.

No amounts may be obligated or expended to provide any direct United States assistance to the Government of Pakistan unless the President certifies to Congress that—

(1) Dr. Shakil Afridi has been released from prison in Pakistan;

(2) any criminal charges brought against Dr. Afridi, including treason, have been dropped; and

(3) if necessary to ensure his freedom, Dr. Afridi has been allowed to leave Pakistan.

SA 2228. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. AUDIT REFORM AND TRANSPARENCY FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) IN GENERAL.—Notwithstanding section 714 of title 31, United States Code, or any other provision of law, an audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks under subsection (b) of such section 714 shall be completed within 12 months of the date of enactment of this Act.

(b) REPORT.—

(1) IN GENERAL.—A report on the audit required under subsection (a) shall be submitted by the Comptroller General to the Congress before the end of the 90-day period beginning on the date on which such audit is completed and made available to the Speaker of the House, the majority and minority leaders of the House of Representatives, the majority and minority leaders of the Senate, the Chairman and Ranking Member of the committee and each subcommittee of jurisdiction in the House of Representatives and the Senate, and any other Member of Congress who requests it.

(2) CONTENTS.—The report under paragraph (1) shall include a detailed description of the findings and conclusion of the Comptroller General with respect to the audit that is the subject of the report, together with such recommendations for legislative or administrative action as the Comptroller General may determine to be appropriate.

(c) REPEAL OF CERTAIN LIMITATIONS.—Subsection (b) of section 714 of title 31, United States Code, is amended by striking all after ''in writing.''.

(d) TECHNICAL AND CONFORMING AMENDMENT.—Section 714 of title 31, United States Code, is amended by striking subsection (f).

SEC. 1083. AUDIT OF LOAN FILE REVIEWS REQUIRED BY ENFORCEMENT ACTIONS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct an audit of the review of loan files of homeowners in foreclosure in 2009 or 2010, required as part of the enforcement actions taken by the Board of Governors of the Federal Reserve System against supervised financial institutions.

(b) CONTENT OF AUDIT.—The audit carried out pursuant to subsection (a) shall consider, at a minimum—

(1) the guidance given by the Board of Governors of the Federal Reserve System to independent consultants retained by the supervised financial institutions regarding the procedures to be followed in conducting the file reviews;

(2) the factors considered by independent consultants when evaluating loan files;

(3) the results obtained by the independent consultants pursuant to those reviews;

(4) the determinations made by the independent consultants regarding the nature and extent of financial injury sustained by each homeowner as well as the level and type of remediation offered to each homeowner; and

(5) the specific measures taken by the independent consultants to verify, confirm, or rebut the assertions and representations made by supervised financial institutions regarding the contents of loan files and the extent of financial injury to homeowners.

(c) REPORT.—Not later than the end of the 6-month period beginning on the date of the enactment of this Act, the Comptroller General shall issue a report to the Congress containing all findings and determinations made in carrying out the audit required under subsection (a).

SA 2229. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1220. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ.

The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 116 Stat. 1498; 50 U.S.C. 1541 note) is repealed effective on the date of the enactment of this Act or January 1, 2014, whichever occurs later.

SA 2230. 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, 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 ways in which cost, schedule, and performance could be improved while

conducting or providing 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, and the Director of the Office of Management and Budget 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, publically 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 financial 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 150 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 and other departments and agencies that grant security clearances 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 180 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 2231. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. SENSE OF SENATE ON OBSERVANCE OF NATIONWIDE MOMENT OF REMEMBRANCE ON MEMORIAL DAY TO APPROPRIATELY HONOR UNITED STATES PATRIOTS LOST IN THE PURSUIT OF PEACE AND LIBERTY AROUND THE WORLD.

(a) FINDINGS.—The Senate makes the following findings:

(1) The preservation of basic freedoms and world peace has always been a valued objective of the United States.

(2) Thousands of United States men and women have selflessly given their lives in service as peacemakers and peacekeepers.

(3) The American people should continue to demonstrate the appreciation and gratitude these patriots deserve and to commemorate the ultimate sacrifice they made.

(4) Memorial Day is the day of the year for the United States to appropriately remember United States heroes by inviting the people of the United States to respectfully honor them at a designated time.

(5) The playing of ''Taps'' symbolizes the solemn and patriotic recognition of those Americans who died in service to the United States.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the people of the United States should, as part of a moment of remembrance on Memorial Day each year, observe that moment with the playing of ''Taps'' in honor of the people of the United States who gave their lives in the pursuit of freedom and peace; and

(2) that playing of ''Taps'' should take place at widely-attended public events on Memorial Day, including sporting events and civic ceremonies.

SA 2232. Mr. FLAKE (for himself, Mr. MCCAIN, Mr. ALEXANDER, Mr. HATCH, and Mr. LEE) 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. REFUND OF FUNDS USED BY STATES TO OPERATE NATIONAL PARKS DURING SHUTDOWN.

(a) IN GENERAL.—The Director of the National Park Service shall refund to each State all funds of the State that were used to reopen and temporarily operate a unit of the National Park System during the period in October 2013 in which there was a lapse in appropriations for the unit.

(b) FUNDING.—Funds of the National Park Service that are appropriated after the date of enactment of this Act shall be used to carry out this section.

SA 2233. Mr. KIRK (for himself, Mr. COONS, Mr. BLUNT, Mr. BROWN, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. NATIONAL MANUFACTURING COMPETITIVENESS STRATEGIC PLAN.

Section 102 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6622) is amended—

(1) in subsection (b), by striking paragraph (7) and inserting the following:

''(7) develop and update a national manufacturing competitiveness strategic plan in accordance with subsection (c).''; and

(2) by striking subsection (c) and inserting the following:

''(c) NATIONAL MANUFACTURING COMPETITIVENESS STRATEGIC PLAN.—

''(1) IN GENERAL.—Not later than 1 year after the date of the enactment of the American Manufacturing Competitiveness Act of 2013, the President shall submit to Congress, and publish on an Internet website that is accessible to the public, the strategic plan developed under paragraph (2).

''(2) DEVELOPMENT.—The Committee shall develop (and update as required under paragraph (8)), in coordination with the National Economic Council, a strategic plan to improve Government coordination and provide long-term guidance for Federal programs and activities in support of United States manufacturing competitiveness, including advanced manufacturing research and development.

''(3) COMMITTEE CHAIRPERSON.—In developing and updating the strategic plan, the Secretary of Commerce, or a designee of the Secretary, shall serve as the chairperson of the Committee.

''(4) GOALS.—The goals of such strategic plan shall be to—

''(A) promote growth, job creation, sustainability, and competitiveness in the United States manufacturing sector;

''(B) support the development of a skilled manufacturing workforce;

''(C) enable innovation and investment in domestic manufacturing; and

''(D) support national security.

''(5) CONTENTS.—Such strategic plan shall—

''(A) specify and prioritize near-term and long-term objectives to meet the goals of the plan, including research and development objectives, the anticipated timeframe for achieving the objectives, and the metrics for use in assessing progress toward the objectives;

''(B) describe the progress made in achieving the objectives from prior strategic plans, including a discussion of why specific objectives were not met;

''(C) specify the role, including the programs and activities, of each relevant Federal agency in meeting the objectives of the strategic plan;

''(D) describe how the Federal agencies and federally funded research and development centers supporting advanced manufacturing research and development will foster the transfer of research and development results into new manufacturing technologies and United States based manufacturing of new products and processes for the benefit of society to ensure national, energy, and economic security;

''(E) describe how such Federal agencies and centers will strengthen all levels of manufacturing education and training programs to ensure an adequate, well-trained workforce;

''(F) describe how such Federal agencies and centers will assist small and medium-sized manufacturers in developing and implementing new products and processes;

''(G) take into consideration and include a discussion of the analysis conducted under paragraph (6); and

''(H) solicit public input (which may be accomplished through the establishment of an advisory panel under paragraph (7)), including the views of a wide range of stakeholders, and consider relevant recommendations of Federal advisory committees.

''(6) PRELIMINARY ANALYSIS.—

''(A) IN GENERAL.—As part of developing such strategic plan, the Committee, in collaboration with Federal departments and agencies whose missions contribute to or are affected by manufacturing, shall conduct an analysis of factors that impact the competitiveness and growth of the United States manufacturing sector, including—

''(i) research, development, innovation, transfer of technologies to the marketplace, and commercialization activities in the United States;

''(ii) the adequacy of the industrial base for maintaining national security;

''(iii) the state and capabilities of the domestic manufacturing workforce;

''(iv) export opportunities and domestic trade enforcement policies;

''(v) financing, investment, and taxation policies and practices;

''(vi) the state of emerging technologies and markets; and

''(vii) efforts and policies related to manufacturing promotion undertaken by competing nations.

''(B) RELIANCE ON EXISTING INFORMATION.—To the extent practicable, in completing the analysis under subparagraph (A), the Committee shall use existing information and the results of previous studies and reports.

''(7) ADVISORY PANEL.—

''(A) ESTABLISHMENT.—The chairperson of the Committee may appoint an advisory panel of private sector and nonprofit leaders to provide input, perspective, and recommendations to assist in the development of the strategic plan under this subsection.

''(B) MEMBERSHIP.—The panel shall have no more than 15 members, and shall include representatives of manufacturing businesses, labor representatives of the manufacturing workforce, academia, and groups representing interests affected by manufacturing activities.

''(C) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.), other than section 14 of such Act, shall apply to the Advisory Panel.

''(8) UPDATES.—Not later than May 1, 2018, and not less frequently than once every 4 years thereafter, the President shall submit to Congress, and publish on an Internet website that is accessible to the public, an update of the strategic plan transmitted under paragraph (1). Such updates shall be developed in accordance with the procedures set forth under this subsection.

''(9) REQUIREMENT TO CONSIDER STRATEGY IN THE BUDGET.—In preparing the budget for a fiscal year under section 1105(a) of title 31, United States Code, the President shall include information regarding the consistency of the budget with the goals and recommendations included in the strategic plan developed under this subsection applying to that fiscal year.''.

SA 2234. Ms. AYOTTE (for herself, Mrs. SHAHEEN, Mr. BLUMENTHAL, and Mr. MURPHY) 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 XXVIII, add the following:

SEC. 2833. LAND CONVEYANCES RELATED TO ARMY RESERVE CENTERS IN NEW HAMPSHIRE AND CONNECTICUT.

(a) CONVEYANCES AUTHORIZED.—The Secretary of the Army may convey without consideration the following parcels to the designated entities for the specific purposes:

(1) Approximately 3.4 acres and improvements known as the Paul A. Doble Army Reserve Center in Portsmouth, New Hampshire, to the City of Portsmouth for the public benefit of a public park or recreational use.

(2) Approximately 5.11 acres and improvements known as the LT John S. Turner Army Reserve Center in Fairfield, Connecticut, to the City of Fairfield for the public benefit of a public park or recreational use.

(3) Approximately 6.9 acres and improvements known as the Paul J. Sutcovoy Army Reserve Center in Waterbury, Connecticut, to the City of Waterbury for the public benefit of emergency services and public safety activities.

(b) REVERSION.—Any deed of conveyance authorized under this section shall provide that all of the property be used and maintained for the purpose for which it was conveyed. If the Secretary determines at any time that any real property conveyed under subsection (a) ceases to be used or maintained in accordance with the purposes of the conveyances specified in such subsection, all right, title, and interest in and to the property shall revert, at the option of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) PAYMENT OF CONSIDERATION IN LIEU OF REVERSION.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, the Secretary may, in lieu of exercising the right of reversion specified under subsection (b), require the recipient City to pay to the United States an amount equal to the fair market value of the property conveyed. The fair market value of the property shall be determined by the Secretary.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the recipient City to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the recipient City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) TREATMENT OF CASH CONSIDERATION RECEIVED.—Any cash payment received by the United States as consideration for the conveyance or in lieu of reversion hereunder shall be deposited in the special account in the Treasury established under subsection (b) of section 572 of title 40, United States Code, and shall be available in accordance with paragraph (5)(B) of such subsection.

(f) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of each parcel of real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Army.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the conveyances under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SA 2235. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 237. UNITED STATES-ISRAEL MISSILE DEFENSE COOPERATION.

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

(1) The State of Israel remains under the threat of continuing attack from missiles, rockets, and mortars fired at Israel by militants from terrorist organizations on its southern border and by Hezbollah on its northern border, which have killed and wounded many innocent Israeli civilians. Israel also faces significant ballistic missile threats from Iran and Syria.

(2) The National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) expressed the sense of Congress that the United States should have an active program of ballistic missile defense cooperation with Israel, and should take steps to improve the coordination, interoperability, and integration of United States and Israeli missile defense capabilities, and to enhance the capability of both nations to defend against ballistic missile threats present in the Middle East region.

(3) The United States-Israel Enhanced Security Cooperation Act of 2012 (22 U.S.C. 8601 et seq.) states the policy of the United States to support the inherent right of Israel to self-defense and expresses the sense of Congress that the United States Government should provide the Government of Israel such support as may be necessary to increase development and production of joint missile defense systems, particularly such systems that defend against the urgent threat posed to Israel and United States forces in the region.

(4) It is central to the national security interests of the United States to support Israel's ability to defend itself against missiles and rockets, including through joint cooperation on the Arrow Weapon System (with Arrow–2 and Arrow–3 interceptors) and the David's Sling Weapons System, along with continued support for the Iron Dome short-range rocket defense system.

(5) The Arrow Weapon System, deployed with the Arrow–2 interceptor jointly developed by Israel and the United States, has been operational since 2000 and defends Israel against medium-range ballistic missiles.

(6) The Arrow–3 interceptor, being jointly developed by the United States and Israel, is designed to intercept ballistic missiles with nuclear or chemical warheads at high altitude. The Arrow–3 interceptor completed a successful fly-out test in February 2013.

(7) The David's Sling Weapon System, being jointly developed by the United States and Israel, is designed to intercept short-range ballistic missiles, medium-range and long-range rockets, and cruise missiles. The David's Sling Weapon System successfully intercepted an inert medium-range rocket target in a November 2012 test.

(8) The Israeli Defense Forces report that, during Operation Pillar of Defense in November 2012, the Iron Dome short-range rocket defense system achieved a success rate of about 85 percent against rockets bound for Israeli population centers and infrastructure, thus averting large-scale casualties in Israel and enhancing Israel's operational flexibility during the conflict.

(9) Continued missile defense cooperation between the United States and Israel will further develop and enhance the missile defense capability, and thus the security, of both the United States and Israel.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms its commitment to the security of our strategic partner Israel;

(2) supports maintenance of an active program of ballistic missile defense cooperation with Israel;

(3) supports efforts to enhance the capability of both the United States and Israel to defend against ballistic missile threats present in the Middle East region; and

(4) urges the Department of Defense to take all appropriate steps as may be necessary to improve the coordination, interoperability, and integration of United States and Israeli missile defense capabilities.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the status of missile defense cooperation between the United States and Israel.

(2) ELEMENTS.—The report under this subsection shall include the following:

(A) A description of the current program of ballistic missile defense cooperation between the United States and Israel, including its objectives and results to date.

(B) A description of the actions taken within the previous year to improve the coordination, interoperability, and integration of the missile defense capabilities of the United States and Israel.

(C) A description of the actions planned to be taken by the Government of the United States and the Government Israel over the next year to improve the coordination, interoperability, and integration of their missile defense capabilities.

(D) A description of the joint efforts of the United States and Israel to develop ballistic missile defense technologies and capabilities.

(E) A description of the joint missile defense exercises and training that have been conducted by the United States and Israel, and the lessons learned from those exercises.

(F) A description of the cooperation by the United States and Israel in sharing ballistic missile threat assessments.

(G) Any other matters the Secretary considers appropriate.

SA 2236. Mr. BLUMENTHAL (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 353. LIMITED DECONTAMINATION AUTHORITY FOR PORTIONS OF FORMER NAVAL BOMBARDMENT AREA, CULEBRA ISLAND, PUERTO RICO.

(a) DECONTAMINATION AUTHORITY.—Notwithstanding section 204(c) of the Military Construction Authorization Act, 1974 (Public Law 93–166; 87 Stat. 668), and paragraph 9 of the quitclaim deed relating to the transfer of the former bombardment area on the island of Culebra in the Commonwealth of Puerto Rico, the Secretary of Defense may authorize and conduct activities for the removal of unexploded ordnance and munitions scrap from those portions of the former bombardment area that were explicitly identified as having regular public access in the Department of Defense study entitled ''Study Relating to the Presence of Unexploded Ordnance in a Portion of the Former Naval Bombardment Area of Culebra Island, Commonwealth of Puerto Rico'' and dated April 20, 2012, which was prepared in accordance with section 2815 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4464).

(b) EXCEPTIONS.—In authorizing and conducting activities for the removal of unexploded ordnance and munitions scrap within the transferred former bombardment area, as authorized by subsection (a), the Secretary of Defense may exclude areas of dense vegetation and steep terrain that—

(1) make public access difficult and public use infrequent; and

(2) would severely hamper the effectiveness and increase the cost of removal activities.

(c) DEFINITIONS.—In this section:

(1) The term ''quitclaim deed'' refers to the quitclaim deed from the United States to the Commonwealth of Puerto Rico, signed by the Secretary of the Interior on August 11, 1982, for that portion of Tract (1b) consisting of the former bombardment area on the island of Culebra, Puerto Rico.

(2) The term ''unexploded ordnance'' has the meaning given that term by section 101(e)(5) of title 10, United States Code.

SA 2237. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1054. PROTECTION OF DEPARTMENT OF DEFENSE INSTALLATIONS.

(a) SECRETARY OF DEFENSE AUTHORITY.—Chapter 159 of title 10, United States Code, is amended by inserting after section 2671 the following new section:

''§ 2672. Protection of property

''(a) IN GENERAL.—The Secretary of Defense shall protect the buildings, grounds, and property that are under the jurisdiction, custody, or control of the Department of Defense and the persons on that property.

''(b) OFFICERS AND AGENTS.—(1)(A) The Secretary may designate military or civilian personnel of the Department of Defense as officers and agents to perform the functions of the Secretary under subsection (a), including, with regard to civilian officers and agents, duty in areas outside the property specified in that subsection to the extent necessary to protect that property and persons on that property.

''(B) A designation under subparagraph (A) may be made by individual, by position, by installation, or by such other category of personnel as the Secretary determines appropriate.

''(C) In making a designation under subparagraph (A) with respect to any category of personnel, the Secretary shall specify each of the following:

''(i) The personnel or positions to be included in the category.

''(ii) Which authorities provided for in paragraph (2) may be exercised by personnel in that category.

''(iii) In the case of civilian personnel in that category—

''(I) which authorities provided for in paragraph (2), if any, are authorized to be exercised outside the property specified in subsection (a); and

''(II) with respect to the exercise of any such authorities outside the property specified in subsection (a), the circumstances under which coordination with law enforcement officials outside of the Department of Defense should be sought in advance.

''(D) The Secretary may make a designation under subparagraph (A) only if the Secretary determines, with respect to the category of personnel to be covered by that designation, that—

''(i) the exercise of each specific authority provided for in paragraph (2) to be delegated to that category of personnel is necessary for the performance of the duties of the personnel in that category and such duties cannot be performed as effectively without such authorities; and

''(ii) the necessary and proper training for the authorities to be exercised is available to the personnel in that category.

''(2) Subject to subsection (h) and to the extent specifically authorized by the Secretary, while engaged in the performance of official duties pursuant to this section, an officer or agent designated under this subsection may—

''(A) enforce Federal laws and regulations for the protection of persons and property;

''(B) carry firearms;

''(C) make arrests—

''(i) without a warrant for any offense against the United States committed in the presence of the officer or agent; or

''(ii) for any felony cognizable under the laws of the United States if the officer or agent has reasonable grounds to believe that the person to be arrested has committed or is committing a felony;

''(D) serve warrants and subpoenas issued under the authority of the United States; and

''(E) conduct investigations, on and off the property in question, of offenses that may have been committed against property under the jurisdiction, custody, or control of the Department of Defense or persons on such property.

''(c) REGULATIONS.—(1) The Secretary may prescribe regulations, including traffic regulations, necessary for the protection and administration of property under the jurisdiction, custody, or control of the Department of Defense and persons on that property. The regulations may include reasonable penalties, within the limits prescribed in paragraph (2), for violations of the regulations. The regulations shall be posted and remain posted in a conspicuous place on the property to which they apply.

''(2) A person violating a regulation prescribed under this subsection shall be fined under title 18, imprisoned for not more than 30 days, or both.

''(d) LIMITATION ON DELEGATION OF AUTHORITY.—The authority of the Secretary of Defense under subsections (b) and (c) may be exercised only by the Secretary or the Deputy Secretary of Defense.

''(e) DISPOSITION OF PERSONS ARRESTED.—A person who is arrested pursuant to authority exercised under subsection (b) may not be held in a military confinement facility, other than in the case of a person who is subject to chapter 47 of this title (the Uniform Code of Military Justice).

''(f) FACILITIES AND SERVICES OF OTHER AGENCIES.—In implementing this section, when the Secretary determines it to be economical and in the public interest, the Secretary may use the facilities and services of Federal, State, tribal, and local law enforcement agencies, with the consent of those agencies, and may reimburse those agencies for the use of their facilities and services.

''(g) AUTHORITY OUTSIDE FEDERAL PROPERTY.—For the protection of property under the jurisdiction, custody, or control of the Department of Defense and persons on that property, the Secretary may enter into agreements with Federal agencies and with State, tribal, and local governments to obtain authority for civilian officers and agents designated under this section to enforce Federal laws and State, tribal, and local laws concurrently with other Federal law enforcement officers and with State, tribal, and local law enforcement officers.

''(h) ATTORNEY GENERAL APPROVAL.—The powers granted pursuant to subsection (b)(2)

to officers and agents designated under subsection (b)(1) shall be exercised in accordance with guidelines approved by the Attorney General.

''(i) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed—

''(1) to preclude or limit the authority of any Federal law enforcement agency;

''(2) to restrict the authority of the Secretary of Homeland Security under the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) or the authority of the Administrator of General Services, including the authority to promulgate regulations affecting property under the custody and control of that Secretary or the Administrator, respectively;

''(3) to expand or limit section 21 of the Internal Security Act of 1950 (50 U.S.C. 797);

''(4) to affect chapter 47 of this title (the Uniform Code of Military Justice); or

''(5) to restrict any other authority of the Secretary of Defense or the Secretary of a military department.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 159 of such title is amended by inserting after the item relating to section 2671 the following new item:

''2672. Protection of property.''.

SA 2238. Mr. BAUCUS submitted an amendment intended to be proposed to amendment SA 2100 submitted by Mr. WYDEN (for himself and Mr. HEINRICH) and intended to be proposed to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 37, between lines 14 and 15, insert the following:

(f) PAYMENTS IN LIEU OF TAXES.—Notwithstanding any other provision of law, the land withdrawn under subsection (a) shall be considered to be and treated as entitlement land (as defined in section 6901 of title 31, United States Code).

SA 2239. Mr. HEINRICH 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 XXXI, add the following:

SEC. 31___. REPORT ON STATUS OF PILOT PROGRAM FOR TECHNOLOGY COMMERCIALIZATION.

(a) APPOINTMENT OF TECHNOLOGY TRANSFER COORDINATOR.—Section 1001(a) of the Energy Policy Act of 2005 (42 U.S.C. 16391(a)) is amended by striking ''The Secretary'' and inserting ''Not later than 30 days after the date of enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary''.

(b) REPORT.—Not later than 60 days after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report on the status of the pilot program authorized under section 3165 of the National Defense Authorization Act for Fiscal Year 2013 (50 U.S.C. 2794 note; Public Law 112–239).

SA 2240. Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 153. SENSE OF CONGRESS ON NONKINETIC COUNTER-ELECTRONIC SYSTEMS.

It is the sense of Congress that—

(1) in carrying out the developmental planning effort of the Air Force for nonkinetic counter-electronics, the Secretary of Defense should consider the results of the successful joint technology capability demonstration conducted by the counter-electronics high power microwave missile project in 2012;

(2) an analysis of alternatives is an important step in the long term-term development of a nonkinetic counter-electronic system;

(3) the Secretary should pursue both near-term and long-term joint nonkinetic counter-electronic systems; and

(4) the counter-electronics high power microwave missile project (or a variant thereof) should be considered among the options for a possible materiel solution in response to any near-term joint urgent operational need, joint emergent operational need, or combatant command integrated priority for a nonkinetic counter-electronic system.

SA 2241. Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1534. USE OF PRE-DETONATION TECHNOLOGY TO EXPEDITE DEVELOPMENT OF NEXT GENERATION COUNTER IMPROVISED EXPLOSIVE DEVICES.

In developing and procuring capabilities to defeat improvised explosive devices, the Joint Improvised Explosive Device Defeat Organization (JIEDDO) shall leverage (including through the use of funds) existing pre-detonation technology demonstrated during the Max Power Operational Evaluation to expedite technology development of a next generation operational counter improvised explosive device system.

SA 2242. Mr. HEINRICH (for himself and Mr. VITTER) 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. REIMBURSEMENT OF DEPARTMENT OF DEFENSE FOR ASSISTANCE PROVIDED TO NONGOVERNMENTAL ENTERTAINMENT-ORIENTED MEDIA PRODUCERS.

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

(1) The Department of Defense benefits when the entertainment industry produces media portraying the skill, heroism, capability, and challenges of members of the Armed Forces and their families through increased morale, better recruitment and retention, and improved understanding by the public.

(2) The Department of Defense is in often the best position to ensure realism in productions.

(3) The Department of Defense is sometimes forced to decline assisting in productions because expenses incurred are not reimbursed to the accounts withdrawn.

(b) REIMBURSEMENT.—

(1) IN GENERAL.—Subchapter II of chapter 134 of title 10, United States Code, is amended by inserting after section 2263 the following new section:

''§ 2264. Reimbursement for assistance provide to nongovernmental entertainment-oriented media producers

''(a) IN GENERAL.—There shall be credited to the applicable appropriations account or fund from which the expenses described in subsection (b) were charged any amounts received by the Department of Defense as reimbursement for such expenses.

''(b) DESCRIPTION OF EXPENSES.—The expenses referred to in subsection (a) are any expenses—

''(1) incurred by the Department of Defense as a result of providing assistance to a nongovernmental entertainment-oriented media producer;

''(2) for which the Department of Defense requires reimbursement under section 9701 of title 31, United States Code, or any other provision of law; and

''(3) for which the Department of Defense received reimbursement after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding after the item relating to section 2263 the following new item:

''2264. Reimbursement for assistance provide to nongovernmental entertainment-oriented media producers.''.

SA 2243. Mr. HEINRICH (for himself, Mr. UDALL of New Mexico, and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 922. REPORT ON ORS-5 MISSION OF THE OPERATIONALLY RESPONSIVE SPACE PROGRAM.

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

(1) it remains the policy of the United States, as expressed in section 913(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2355), to demonstrate, acquire, and deploy an effective capability for operationally responsive space to support military users and operations from space, which shall consist of—

(A) responsive satellite payloads and busses built to common technical standards;

(B) low-cost space launch vehicles and supporting range operations that facilitate the timely launch and on-orbit operations of satellites;

(C) responsive command and control capabilities; and

(D) concepts of operations, tactics, techniques, and procedures that permit the use of responsive space assets for combat and military operations other than war; and

(2) the Operationally Responsive Space Program Office has demonstrated through multiple launches since 2009 an ability to accomplish each policy objective of the Operationally Responsive Space Program through specific missions, but has not executed a mission that leverages all policy objectives of that Program in a single mission.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Executive Agent for Space of the Department of Defense shall report to the congressional defense committees on the status of the ORS-5 mission, which seeks to leverage all policy objectives of the Operationally Responsive Space Program in a single mission.

SA 2244. Mr. HEINRICH (for himself, Mr. SHELBY, and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 237. AVAILABILITY OF FUNDS FOR CO-PRODUCTION OF IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM IN THE UNITED STATES.

(a) IN GENERAL.—Of the amounts authorized to be appropriated for fiscal year 2014 by section 201 and available for Research, Development, Test, and Evaluation, Defense-wide for the Missile Defense Agency as specified in the funding tables in section 4201, up to $15,000,000 may be obligated or expended for nonrecurring engineering costs in connection with the establishment of a capacity for production in the United States by United States industry of parts and components for the Iron Dome short-range rocket defense program.

(b) USE OF FUNDS ONLY PURSUANT TO AGREEMENT.—Funds may be obligated and expended under subsection (a) only pursuant to an agreement between the United States and Israel for co-production of Iron Dome parts and components in the United States.

(c) REPORT TO CONGRESS.—Not later than 30 days after obligating or expending funds authorized by subsection (a), the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on the plan to implement the agreement described in subsection (b), including the following:

(1) A description of the estimated cost of implementing the agreement, including the costs to be paid by industry.

(2) The expected schedule to implement the agreement.

(3) A description of any efforts to minimize the costs of the agreement to the United States Government.

(d) CONSTRUCTION OF AUTHORITY WITH PROCUREMENT OF IRON DOME.—Nothing in this section shall be construed to alter or effect the procurement schedule, or anticipated procurement numbers, under the Iron Dome short-range rocket defense program.

SA 2245. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2815. COMPREHENSIVE ALASKA INSTALLATION ENERGY REPORT.

(a) REPORT.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Deputy Under Secretary of Defense for Installations and Environment, in conjunction with the Service Assistant Secretaries responsible for Installations and Environment for the military services, shall submit a report to the congressional defense committees detailing the current cost and sources of energy at each military installation in Alaska, and viable and feasible options for achieving energy efficiency and cost savings at Alaska military installations.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following elements:

(A) A comprehensive, installation specific assessment of feasible and mission appropriate energy initiatives supporting energy production and consumption at military installations.

(B) An assessment of current sources of energy in Alaska and potential future sources that are technologically feasible, cost effective, and mission appropriate.

(C) A comprehensive implementation strategy to include required investment for feasible energy efficiency options determined to be the most beneficial and cost effective where appropriate and consistent with department priorities.

(D) An explanation on how military services are working collaboratively in order to leverage lessons learned on potential energy efficiency solutions.

(E) An assessment of State and local partnership opportunities that would achieve efficiency and cost savings, and any legislative authorities required to carry out such partnerships or agreements.

(3) UTILIZATION OF OTHER EFFORTS.—In preparing the report required under paragraph (1), the Under Secretary shall take into consideration completed and ongoing efforts by agencies of the Federal Government to analyze and develop energy efficient solutions in the state of Alaska, including the Department of Defense information available in the Annual Energy Management Report.

(4) COORDINATION WITH STATE AND LOCAL AND OTHER ENTITIES.—In preparing the report required under paragraph (1), the Under Secretary is encouraged to work in conjunction and coordinate with the State of Alaska, local communities, and other Federal departments and agencies.

(b) DEFINITIONS.—In this section, the term ''Alaska military installation'' includes to Clear Air Force Station, Eielson Air Force Base, Fort Wainwright, Joint Base Elmendorf-Richardson, Fort Greely, and Eareckson Air Station.

SA 2246. Mr. FRANKEN (for himself and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. ENHANCED TRANSPARENCY OF FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978 ACTIVITIES.

(a) ENHANCED PUBLIC REPORTING FOR ORDERS UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.—

(1) ENHANCED REPORTING FOR ELECTRONIC SURVEILLANCE ORDERS.—Section 107 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1807) is amended to read as follows:

''SEC. 107. REPORT OF ELECTRONIC SURVEILLANCE.

''(a) IN GENERAL.—In April of each year, the Attorney General shall transmit to the Administrative Office of the United States Court and to Congress a report setting forth with respect to the preceding calendar year—

''(1) the total number of applications made for orders and extensions of orders approving electronic surveillance under this title;

''(2) the total number of such orders and extensions either granted, modified, or denied;

''(3) the total number of individuals who were subject to electronic surveillance conducted under an order entered under this title, provided that if this number is fewer than 500, it shall exclusively be expressed as a numerical range of 'fewer than 500' and shall not be expressed as an individual number; and

''(4) the total number of citizens of the United States and aliens lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)) who were subject to electronic surveillance conducted under an order entered under this title, provided that if this number is fewer than 500, it shall exclusively be expressed as a numerical range of 'fewer than 500' and shall not be expressed as an individual number.

''(b) FORM OF REPORT.—Each report required by this section shall be submitted in unclassified form and shall be made available to the public 7 days after the date such report is submitted to Congress.''.

(2) ENHANCED REPORTING FOR PEN REGISTERS AND TRAP AND TRACE DEVICES.—Section 406 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1846) is amended by adding at the end the following:

''(c) ANNUAL REPORT ON USE OF PEN REGISTER AND TRAP AND RACE DEVICES.—

''(1) REQUIREMENT FOR REPORT.—Except as provided in paragraph (2), in April of each year, the Attorney General shall submit to Congress a report setting forth with respect to the preceding year—

''(A) the total number of applications made for orders approving the use of a pen register and trap and trace devices under this title;

''(B) the total number of such orders either granted, modified, or denied;

''(C) a good faith estimate of the total number of individual persons whose electronic or wire communications information was obtained through the use of pen register or trap and trace devices authorized under an order entered under this title;

''(D) good faith estimates of the total numbers of United States persons—

''(i) whose electronic or wire communications information was obtained through the use of pen register or trap and trace devices authorized under an order entered under this title;

''(ii) whose electronic communications information was obtained through the use of pen register or trap and trace devices authorized under an order entered under this title, and the number of such persons whose information was subsequently reviewed or accessed by a Federal officer, employee, or agent; and

''(iii) whose wire communications information was obtained through the use of pen register or trap and trace devices authorized under an order entered under this title, and the number of such persons whose information was subsequently reviewed or accessed by a Federal officer, employee, or agent; and

''(E) the total number of computer-assisted search queries initiated by a Federal officer, employee, or agent in any database of electronic or wire communications information obtained through the use of a pen register or trap and trace device authorized under an order entered under this title, and the number of such queries whose search terms included information from the electronic or wire communications information of a United States person.

''(2) STATEMENT OF NUMERICAL RANGE.—If an estimate specified in subparagraphs (C) or (D) of paragraph (1) is fewer than 500, it shall exclusively be expressed as a numerical range of 'fewer than 500' and shall not be expressed as an individual number.

''(3) FORM OF REPORT.—Each report under this section shall be submitted in unclassified form and shall be made available to the public 7 days after the date such report is submitted to Congress.

''(4) CONSTRUCTION.—Nothing in this subsection shall be construed to authorize or in any other way affect the lawfulness or unlawfulness of installing or using a pen register or trap and trace device.

''(5) DEFINITIONS.—In this subsection:

''(A) ELECTRONIC COMMUNICATION AND WIRE COMMUNICATION.—The terms 'electronic communication' and 'wire communication' have the meanings given those terms in section 2510 of title 18, United States Code.

''(B) INDIVIDUAL PERSON.—The term 'individual person' means any individual and excludes any group, entity, association, corporation, or governmental entity.

''(C) UNITED STATES PERSON.—The term 'United States person' means a citizen of the United States or an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)).''.

(3) ENHANCED REPORTING FOR BUSINESS RECORDS REQUESTS.—Section 502 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1862) is amended—

(A) in subsection (b)(3), by adding at the end the following:

''(F) Records concerning electronic communications.

''(G) Records concerning wire communications.

''(H) Information described in subparagraph (A), (B), (D), (E), or (F) of section 2703(c)(2) of title 18, United States Code.''; and

(B) by amending subsection (c) to read as follows:

''(c) ANNUAL REPORT ON SECTION 501 ORDERS.—

''(1) REQUIREMENT FOR REPORT.—Except as provided in paragraph (2), in April of each year, the Attorney General shall submit to Congress a report setting forth with respect to the preceding year—

''(A) the total number of applications made for orders approving requests for the production of tangible things under section 501;

''(B) the total number of such orders either granted, modified, or denied;

''(C) a good faith estimate of the total number of individual persons whose tangible things were produced under an order entered under section 501;

''(D) good faith estimates of the total numbers of United States persons—

''(i) whose tangible things were produced under an order entered under section 501;

''(ii) who were a party to an electronic communication of which a record was produced under an order entered under section 501, and the number of such persons whose records were subsequently reviewed or accessed by a Federal officer, employee, or agent;

''(iii) who were a party to a wire communication of which a record was produced under an order entered under section 501, and the number of such persons whose records were subsequently reviewed or accessed by a Federal officer, employee, or agent; and

''(iv) who were subscribers or customers of an electronic communication service or remote computing service and whose records, as described in subparagraph (A), (B), (D), (E), or (F) of section 2703(c)(2) of title 18, United States Code, were produced under an order entered under section 501, and the number of such persons whose records were subsequently reviewed by a Federal officer, employee, or agent;

''(E) the total number of computer-assisted search queries initiated by a Federal officer, employee or agent in any database of tangible things produced under an order entered under section 501, and the number of such queries whose search terms included information from the electronic or wire communications contents or records of a United States person; and

''(F) a certification confirming that in the course of the preceding year no orders entered under section 501 were used to obtain the contents of an electronic or wire communication.

''(2) STATEMENT OF NUMERICAL RANGE.—If an estimate described in subparagraph (C) or (D) of paragraph (1) is fewer than 500, it shall exclusively be expressed as a numerical range of 'fewer than 500' and shall not be expressed as an individual number.

''(3) FORM OF REPORT.—Each report under this subsection shall be submitted in unclassified form and shall be made available to the public 7 days after the date such report is submitted to Congress.

''(4) CONSTRUCTION.—Nothing in this subsection shall be construed to authorize or in any other way affect the lawfulness or unlawfulness of using an order for the production of tangible things under section 501 to obtain any of the items described in subparagraphs (A) through (H) of subsection (b)(3).

''(5) DEFINITIONS.—In this subsection:

''(A) IN GENERAL.—The terms 'contents', 'electronic communication', 'electronic communication service', and 'wire communication' shall have the meanings given those terms in section 2510 of title 18, United States Code.

''(B) INDIVIDUAL PERSON.—The term 'individual person' means any individual and excludes any group, entity, association, corporation, or governmental entity.

''(C) REMOTE COMPUTING SERVICE.—The term 'remote computing service' has the meaning given that term in section 2711 of title 18, United States Code.

''(D) UNITED STATES PERSON.—The term 'United States person' means a citizen of the United States or an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)).''.

(4) ENHANCED REPORTING FOR ADDITIONAL PROCEDURES REGARDING CERTAIN PERSONS OUTSIDE THE UNITED STATES.—Section 707 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881f) is amended by adding at the end the following:

''(c) ANNUAL REPORT.—

''(1) REQUIREMENT FOR REPORT.—In April of each year, the Attorney General shall submit to Congress a report setting forth with respect to the preceding year—

''(A) the total number of—

''(i) directives issued under section 702;

''(ii) orders granted under section 703; and

''(iii) orders granted under section 704;

''(B) good faith estimates of the total numbers of individual persons whose electronic or wire communications or communications records were collected pursuant to—

''(i) a directive issued under section 702;

''(ii) an order granted under section 703; and

''(iii) an order granted under section 704; and

''(C) good faith estimates of the total numbers of United States persons—

''(i) whose electronic or wire communications contents or records were collected pursuant to—

''(I) a directive issued under section 702;

''(II) an order granted under section 703; and

''(III) an order granted under section 704;

''(ii) who were a party to an electronic communication whose contents were collected pursuant to a directive issued under section 702, and the number of such persons whose communication contents were subsequently reviewed or accessed by a Federal officer, employee, or agent;

''(iii) who were a party to an electronic communication whose records (other than content) were collected pursuant to a directive issued under section 702, and the number of such persons whose communication records were subsequently reviewed or accessed by a Federal officer, employee, or agent;

''(iv) who were a party to a wire communication whose contents were collected pursuant to a directive issued under section 702, and the number of such persons whose communication contents were subsequently reviewed or accessed by a Federal officer, employee, or agent;

''(v) who were a party to a electronic communication whose records (other than content) were collected pursuant to a directive issued under section 702, and the number of such persons whose communication records were subsequently reviewed or accessed by a Federal officer, employee, or agent; and

''(vi) who were subscribers or customers of an electronic communication service or remote computing service whose records, as described in subparagraphs (A), (B), (D), (E), and (F) of section 2703(c)(2) of title 18, United States Code, were produced pursuant to a directive issued under section 702, and the number of such persons whose records were subsequently reviewed or accessed by a Federal officer, employee, or agent.

''(2) STATEMENT OF NUMERICAL RANGE.—If an estimate specified in subparagraphs (B) or (C) of paragraph (1) is fewer than 500, it shall exclusively be expressed as a numerical range of 'fewer than 500' and shall not be expressed as an individual number.

''(3) PUBLIC AVAILABILITY.—Each report under this subsection shall be submitted in

unclassified form and shall be made available to the public 7 days after the date such report is submitted to Congress.

''(4) DEFINITIONS.—In this subsection:

''(A) IN GENERAL.—The terms 'contents', 'electronic communication', 'electronic communication service', and 'wire communication' have the same meanings given those terms in section 2510 of title 18, United States Code.

''(B) INDIVIDUAL PERSON.—The term 'individual person' means any individual and excludes any group, entity, association, corporation, or governmental entity.

''(C) REMOTE COMPUTING SERVICE.—The term 'remote computing service' shall have the same meaning given that term in section 2711 of title 18, United States Code.

''(D) UNITED STATES PERSON.—The term 'United States person' means a citizen of the United States or an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)).

''(5) CONSTRUCTION.—Nothing in this subsection shall be construed to authorize or in any other way affect the lawfulness or unlawfulness of using an order or directive under section 702, 703, or 704 to collect any of the information described in subparagraph (B) or (C) of paragraph (1).''.

(5) RULES OF CONSTRUCTION.—Nothing in this subsection or the amendments made by this subsection shall be construed—

(A) to authorize the collection of any additional information, other than public demographic data, for the purpose of complying with the reporting requirements of this section; or

(B) to authorize an amount of additional appropriations to carry out this subsection that is more than the amount authorized for that purpose for fiscal year 2013.

(b) PUBLIC DISCLOSURES OF AGGREGATE INFORMATION RELATED TO ORDERS UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.—

(1) DISCLOSURES.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by adding at the end the following:

''TITLE IX—PUBLIC DISCLOSURES OF AGGREGATE INFORMATION.

''SEC. 901. PUBLIC DISCLOSURES OF AGGREGATE INFORMATION.

''(a) IN GENERAL.—Except as provided under subsection (c), a person that has received an order under section 105, 402, or 501, or an order or a directive under section 702, 703, or 704 may, every six months with respect to the preceding six month period, disclose to the public information with respect to each statutory authority as follows:

''(1) The total number of orders or directives received under the authority.

''(2) The percentage or total number of such orders or directives complied with, in whole or in part.

''(3) The total number of individual persons, users, or accounts whose information of any kind was produced to the Government, or was obtained or collected by the Government, under an order or directive received under the authority.

''(b) NATURE OF PRODUCTION.—Except as provided under subsection (c), a person that has received an order under section 402 or 501, or an order or a directive under section 702 may, every six months with respect to the preceding six month period, disclose to the public the total number of individual persons, users, or accounts for whom the following information was produced to the Government, or was obtained or collected by the Government, with respect to each such authority, if applicable:

''(1) The contents of electronic communications.

''(2) The contents of wire communications.

''(3) Records concerning electronic communications.

''(4) Records concerning wire communications.

''(5) Information described in subparagraph (A), (B), (D), (E), or (F) of section 2703(c)(2) of title 18.

''(c) STATEMENT OF NUMERICAL RANGE.—If the total number of individual persons, users, or accounts specified in paragraph (3) of subsection (a) or in paragraphs (1), (2), (3), (4), or (5) of subsection (b) is fewer than 500, it shall exclusively be expressed as a numerical range of 'fewer than 500' and shall not be expressed as an individual number.

''(d) PERMITTED DISCLOSURE.—No cause of action shall lie in any court against any person for making a disclosure in accordance with this section.

''(e) CONSTRUCTION.—Nothing in this section shall be construed—

''(1) to authorize or in any other way affect the lawfulness or unlawfulness of using an order or directive described in subsection (a) to obtain, collect, or secure the production of information described in paragraphs (1), (2), (3), (4), or (5) of subsection (b); or

''(2) to prohibit, implicitly preclude, or in any other way affect the lawfulness or unlawfulness of a disclosure not authorized by this section.

''(f) DEFINITIONS.—In this section:

''(1) IN GENERAL.—The terms 'contents', 'electronic communication', and 'wire communication' have the meanings given those terms in section 2510 of title 18, United States Code.

''(2) INDIVIDUAL PERSON.—The term 'individual person' means any individual and excludes any group, entity, association, corporation, or governmental entity.

''(3) PERSON.—The term 'person' has the meaning given that term in section 101.''.

(2) CONFORMING AMENDMENTS.—The Foreign Intelligence Surveillance Act of 1978 is amended—

(A) in section 402(d)(2)(B)(ii)(I) (50 U.S.C. 1842(d)(2)(B)(ii)(I)), by inserting ''except as permitted by section 901,'' before ''shall not disclose''; and

(B) in section 501(d) (50 U.S.C. 1861(d))—

(i) in paragraph (1)—

(I) in subparagraph (B), by striking ''or'' at the end;

(II) in subparagraph (C), by striking the period at the end and inserting a semicolon and ''or''; and

(III) by adding at the end the following:

''(D) the public as permitted by section 901.''; and

(ii) in paragraph (2)(A) by inserting ''subparagraph (A), (B), or (C) of'' after ''pursuant to''.

(3) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of th Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by adding at the end the following:

''TITLE IX—PUBLIC DISCLOSURES OF AGGREGATE INFORMATION.

''Sec. 901. Public disclosures of aggregate information.''.

SA 2247. Mr. SCHATZ (for himself, Mr. BARRASSO, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. NATIVE AMERICAN VETERANS' MEMORIAL ACT AMENDMENTS.

(a) AUTHORITY TO ESTABLISH MEMORIAL.—Section 3 of the Native American Veterans' Memorial Establishment Act of 1994 (20 U.S.C. 80q-5 note; 108 Stat. 4067) is amended—

(1) in subsection (b), by striking ''within the interior structure of the facility'' and inserting ''on property under the jurisdiction of the Smithsonian Institution''; and

(2) in subsection (c)(1), by striking '', in consultation with the Museum, is'' and inserting ''and the National Museum of the American Indian are''.

(b) PAYMENT OF EXPENSES.—Section 4(a) of the Native American Veterans' Memorial Establishment Act of 1994 (20 U.S.C. 80q-5 note; 108 Stat. 4067) is amended—

(1) in the heading, by inserting ''AND NATIONAL MUSEUM OF THE AMERICAN INDIAN'' after ''AMERICAN INDIANS''; and

(2) in the first sentence, by striking ''shall be solely'' and inserting ''and the National Museum of the American Indian shall be''.

SA 2248. Mr. KING (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. HUBZONES.

(a) IN GENERAL.—Section 3(p)(5)(A)(i)(I) of the Small Business Act (15 U.S.C. 632(p)(5)(A)(i)(I)) is amended—

(1) in item (aa), by striking ''or'' at the end;

(2) by redesignating item (bb) as item (cc); and

(3) by inserting after item (aa) the following:

''(bb) pursuant to subparagraph (A), (B), (C), (D), or (E) of paragraph (3), that its principal office is located in a HUBZone described in paragraph (1)(E) (relating to base closure areas) (in this item referred to as the 'base closure HUBZone'), and that not fewer than 35 percent of its employees reside in—

''(AA) a HUBZone;

''(BB) the census tract in which the base closure HUBZone is wholly contained;

''(CC) a census tract the boundaries of which intersect the boundaries of the base closure HUBZone; or

''(DD) a census tract the boundaries of which are contiguous to a census tract described in subitem (BB) or (CC); or''.

(b) PERIOD FOR BASE CLOSURE AREAS.—

(1) AMENDMENTS.—

(A) IN GENERAL.—Section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note) is amended by striking ''5 years'' and inserting ''10 years''.

(B) CONFORMING AMENDMENT.—Section 1698(b)(2) of National Defense Authorization Act for Fiscal Year 2013 (15 U.S.C. 632 note) is amended by striking ''5 years'' and inserting ''10 years''.

(2) EFFECTIVE DATE; APPLICABILITY.—The amendments made by paragraph (1) shall—

(A) take effect on the date of enactment of this Act; and

(B) apply to—

(i) a base closure area (as defined in section 3(p)(4)(D) of the Small Business Act (15

U.S.C. 632(p)(4)(D))) that, on the day before the date of enactment of this Act, is treated as a HUBZone described in section 3(p)(1)(E) of the Small Business Act (15 U.S.C. 632(p)(1)(E)) under—

(I) section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note); or

(II) section 1698(b)(2) of National Defense Authorization Act for Fiscal Year 2013 (15 U.S.C. 632 note); and

(ii) a base closure area relating to the closure of a military instillation under the authority described in clauses (i) through (iv) of section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D)) that occurs on or after the date of enactment of this Act.

SA 2249. Mr. TESTER (for himself, Mr. CHAMBLISS, Mr. BEGICH, Mr. BLUMENTHAL, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 514. REVIEW BY PHYSICAL DISABILITY BOARD OF REVIEW OF MILITARY SEPARATION ON BASIS OF A MENTAL CONDITION NOT AMOUNTING TO DISABILITY.

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

(1) Since September 11, 2001, approximately 30,000 veterans have been separated from the Armed Forces on the basis of a personality disorder or adjustment disorder.

(2) Nearly all veterans who are separated on the basis of a personality or adjustment disorder are prohibited from accessing service-connected disability compensation, disability severance pay, and disability retirement pay.

(3) Many veterans who are separated on the basis of a personality or adjustment disorder are unable to find employment because of the ''personality disorder'' or ''adjustment disorder'' label on their Certificate of Release or Discharge from Active Duty.

(4) The Government Accountability Office has found that the regulatory compliance of the Department of Defense in separating members of the Armed Forces on the basis of a personality or adjustment disorder was as low as 40 percent between 2001 and 2007.

(5) Expansion of the authority of the Physical Disability Board of Review to include review of the separation of members of the Armed Forces on the basis of a mental condition not amounting to disability, including separation on the basis of a personality or adjustment disorder, is warranted in order to ensure that any veteran wrongly separated on such basis will have the ability to access disability benefits and employment opportunities available to veterans.

(b) MEMBERS ENTITLED TO REVIEW BY PHYSICAL DISABILITY BOARD OF REVIEW.—Section 1554a of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking ''disability determinations of covered individuals by Physical Evaluation Boards'' and inserting ''disability and separation determinations regarding certain members and former members of the armed forces described in subsection (b)''; and

(2) by striking subsection (b) and inserting the following new subsection:

''(b) COVERED INDIVIDUALS.—For purposes of this section, covered individuals are members and former members of the armed forces who—

''(1) during the period beginning on September 11, 2001, and ending on December 31, 2014, are separated from the armed forces due to unfitness for duty because of a medical condition with a disability rating of 20 percent disabled or less and are found to be not eligible for retirement; or

''(2) before December 31, 2014, are separated from the armed forces due of unfitness for duty because of a mental condition not amounting to disability, including separation on the basis of a personality disorder or adjustment disorder.''.

(c) NATURE AND SCOPE OF REVIEW.—Such section is further amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) REVIEW OF SEPARATIONS DUE TO UNFITNESS FOR DUTY BECAUSE OF A MENTAL CONDITION NOT AMOUNTING TO DISABILITY.—(1) Upon the request of a covered individual described in paragraph (2) of subsection (b), or a surviving spouse, next of kin, or legal representative of a covered individual described in such paragraph, the Physical Disability Board of Review shall review the findings and decisions of the Physical Evaluation Board with respect to such covered individual. In addition, the Physical Disability Board of Review may review, upon its own motion, the findings and decisions of the Physical Evaluation Board with respect to a covered individual described in such paragraph.

''(2) Whenever a review is conducted under paragraph (1), the members of the Physical Disability Board of Review shall include at least one licensed psychologist and one licensed psychiatrist who has not had any fiduciary responsibility to the Department of Defense since December 31, 2001.

''(3) In conducting the review under paragraph (1), the Physical Disability Board of Review shall consider—

''(A) the findings of the psychologist or psychiatrist of the Department of Defense who diagnosed the mental condition;

''(B) the findings and decisions of the separation authority with respect to the covered individual; and

''(C) whether the separation authority correctly followed the process for separation as set forth in law, including Department of Defense regulations, directives, and policies.

''(4) The review by the Physical Disability Board of Review under paragraph (1) shall be based on the records of the Department of Defense and the Department of Veterans Affairs and such other evidence as may be presented to the Board. The Board shall consider any and all evidence to be considered, including private mental health records submitted by the covered individual in support of the claim.

''(5) If the Physical Disability Board of Review proposes, upon its own motion, to conduct a review under paragraph (1) with respect to a covered individual, the Board shall notify the covered individual, or a surviving spouse, next of kin, or legal representative of the covered individual, of the proposed review and obtain the consent of the covered individual or a surviving spouse, next of kin, or legal representative of the covered individual before proceeding with the review.

''(6) After the Physical Disability Board of Review has completed the review under this subsection with respect to the separation of a covered individual, the Board shall provide the claimant with a statement of reasons concerning the Board's decision. The covered individual has the right to raise with the Board a motion for reconsideration if—

''(A) new evidence can be presented that would address the issues raised in the Board's statement of reasons; or

''(B) the Board has made a plain error in making its recommendation.''.

(d) CORRECTION OF MILITARY RECORDS.—Subsection (f) of such section, as redesignated by subsection (c)(1), is amended to read as follows:

''(f) CORRECTION OF MILITARY RECORDS.—(1) The Secretary of the military department concerned shall correct the military records of a covered individual in accordance with the recommendation made by the Physical Disability Board of Review under subsection (e) unless the Secretary determines that the Board has made a clearly erroneous recommendation. Any such correction shall be made effective as of the date of the separation of the covered individual.

''(2) In the case of a covered individual previously separated with a lump-sum or other payment of back pay and allowances at separation, the amount of pay or other monetary benefits to which such individual would be entitled based on the individual's military record as corrected shall be adjusted to take into account receipt of such lump-sum or other payment in such manner as the Secretary of the military department concerned considers appropriate.

''(3) If the Physical Disability Board of Review makes a recommendation not to correct the military records of a covered individual, the action taken on the report of the Physical Evaluation Board to which such recommendation relates shall be treated as final as of the date of such action.''.

(e) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (c)—

(A) by inserting after ''REVIEW'' the following: ''OF SEPARATIONS DUE TO UNFITNESS FOR DUTY BECAUSE OF MEDICAL CONDITION WITH A LOW DISABILITY RATING''; and

(B) in paragraph (1)—

(i) by inserting ''described in paragraph (1) of subsection (b)'' after ''a covered individual'' the first place it appears;

(ii) by inserting ''described in such paragraph'' after ''a covered individual'' the second place it appears; and

(iii) by striking the second sentence and inserting the following new sentence: ''In addition, the Physical Disability Board of Review may review, upon its own motion, the findings and decisions of the Physical Evaluation Board with respect to a covered individual described in such paragraph.''; and

(2) in subsection (e), as redesignated by subsection (c)(1), by striking ''under subsection (c)'' and inserting ''conducted under subsection (c) or (d)''.

(f) NOTIFICATION OF NEW AVAILABILITY OF REVIEW.—

(1) NOTIFICATION REQUIREMENT.—In the case of individuals described in subsection (b)(2) of section 1554a of title 10, United States Code, as amended by subsection (b), who have been separated from the Armed Forces during the period beginning on September 11, 2001, and ending on the date of the enactment of this Act or who are separated after that date, the Secretary of Defense shall ensure, to the greatest extent practicable, that such individuals receive oral and written notification of their right to a review of their separation from the Armed Forces under such section 1554a.

(2) COMPLIANCE.—The Secretary of the military department with jurisdiction over the Armed Force in which the individual served immediately before separation shall be responsible for providing to the individual the notification required by paragraph (1). The Secretary of Defense shall monitor compliance with this notification requirement

and promptly notify Congress of any failures to comply.

(3) LEGAL COUNSEL.—The notification required by paragraph (1) shall—

(A) inform the individual of the right to obtain legal or non-legal counsel to represent the individual before the Physical Disability Board of Review; and

(B) include a list of organizations that may provide such counsel at no cost to the individual.

(g) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

"§ 1554a. Physical Disability Board of Review: review of separations with disability rating of 20 percent or less and separations on basis of mental condition not amounting to disability".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 79 of such title is amended by striking the item relating to section 1554a and inserting the following new item:

''1554a. Physical Disability Board of Review: review of separations with disability rating of 20 percent or less and separations on basis of mental condition not amounting to disability.''.

SA 2250. Mr. TESTER (for himself, Mr. BLUMENTHAL, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 529. DEFERRAL FOR CERTAIN PERIOD IN CONNECTION WITH RECEIPT OF ORDERS FOR MOBILIZATION FOR WAR OR NATIONAL EMERGENCY.

(a) FEDERAL FAMILY EDUCATION LOANS.—Section 428(b)(1)(M) of the Higher Education Act of 1965 (20 U.S.C. 1078(b)(1)(M)) is amended—

(1) in the matter preceding clause (i), by striking '', during any period'';

(2) in clause (i), by striking ''during which'' and inserting ''during any period during which'';

(3) in clause (ii), by striking ''during which'' and inserting ''during any period during which'';

(4) in clause (iii)—

(A) by striking ''during which'' and inserting ''during any period during which''; and

(B) in the matter following subclause (II), by striking '' or'' after the semicolon;

(5) by redesignating clause (iv) as clause (vi);

(6) by inserting after clause (iii) the following:

''(iv) in the case of any borrower who has received a call or order to duty described in subclause (I) or (II) of clause (iii), during the shorter of—

''(I) the period beginning on the date such call or order to duty is received by the borrower and ending on the first day of the service described in subclause (I) or (II) of clause (iii); and

''(II) the 180-day period preceding the first day of such service;

''(v) notwithstanding clause (iv)—

''(I) in the case of any borrower described in such clause whose call or order to duty is cancelled before the first day of the service described in subclause (I) or (II) of clause (iii) because of a personal injury in connection with training to prepare for such service, during the period described in clause (iv) and during an additional period equal to the duration of such service, as specified by or otherwise determined in the original call or order to duty; and

''(II) in the case of any borrower whose call or order to duty is cancelled before the first day of such service for a reason other than an injury described in subclause (I), during the period beginning on the date the call or order to duty is received by the borrower and ending on the date that is 14 days after such call or order to duty is cancelled; and''; and

(7) in clause (vi) (as redesignated by paragraph (5)), by striking ''not in excess'' and inserting ''during any period not in excess''.

(b) DIRECT LOANS.—Section 455(f)(2) of the Higher Education Act of 1965 (20 U.S.C. 1087e(f)(2)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''during any period'';

(2) in subparagraph (A), by striking ''during which'' and inserting ''during any period during which'';

(3) in subparagraph (B), by striking ''not in excess'' and inserting ''during any period not in excess'';

(4) in subparagraph (C)—

(A) by striking ''during which'' and inserting ''during any period during which''; and

(B) in the matter following clause (ii), by striking '' or'' after the semicolon;

(5) by redesignating subparagraph (D) as subparagraph (F);

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

''(D) in the case of any borrower who has received a call or order to duty described in clause (i) or (ii) of subparagraph (C), during the shorter of—

''(i) the period beginning on the date such call or order to duty is received by the borrower and ending on the first day of the service described in clause (i) or (ii) of subparagraph (C); and

''(ii) the 180-day period preceding the first day of such service;

''(E) notwithstanding subparagraph (D)—

''(i) in the case of any borrower described in such subparagraph whose call or order to duty is cancelled before the first day of the service described in clause (i) or (ii) of subparagraph (C) because of a personal injury in connection with training to prepare for such service, during the period described in subparagraph (D) and during an additional period equal to the duration of such service, as specified by or otherwise determined in the original call or order to duty; and

''(ii) in the case of any borrower whose call or order to duty is cancelled before the first day of such service for a reason other than an injury described in clause (i), during the period beginning on the date the call or order to duty is received by the borrower and ending on the date that is 14 days after such call or order to duty is cancelled; and''; and

(7) in subparagraph (F) (as redesignated by paragraph (5)), by striking ''not in excess'' and inserting ''during any period not in excess''.

(c) PERKINS LOANS.—Section 464(c)(2)(A) of the Higher Education Act of 1965 (20 U.S.C. 1087dd(c)(2)(A)) is amended—

(1) in the matter preceding clause (i), by striking ''during any period'';

(2) in clause (i), by striking ''during which'' and inserting ''during any period during which'';

(3) in clause (ii), by striking ''not in excess'' and inserting ''during any period not in excess'';

(4) in clause (iii), by striking ''during which'' and inserting ''during any period during which'';

(5) by redesignating clauses (iv) and (v) as clauses (vi) and (vii), respectively;

(6) by inserting after clause (iii) the following:

''(iv) in the case of any borrower who has received a call or order to duty described in subclause (I) or (II) of clause (iii), during the shorter of—

''(I) the period beginning on the date such call or order to duty is received by the borrower and ending on the first day of the service described in subclause (I) or (II) of clause (iii); and

''(II) the 180-day period preceding the first day of such service;

''(v) notwithstanding clause (iv)—

''(I) in the case of any borrower described in such clause whose call or order to duty is cancelled before the first day of the service described in subclause (I) or (II) of clause (iii) because of a personal injury in connection with training to prepare for such service, during the period described in clause (iv) and during an additional period equal to the duration of such service, as specified by or otherwise determined in the original call or order to duty; and

''(II) in the case of any borrower whose call or order to duty is cancelled before the first day of such service for a reason other than an injury described in subclause (I), during the period beginning on the date the call or order to duty is received by the borrower and ending on the date that is 14 days after such call or order to duty is cancelled;'';

(7) in clause (vi) (as redesignated by paragraph (5)), by striking ''not in excess'' and inserting ''during any period not in excess''; and

(8) in clause (vii) (as redesignated by paragraph (5)), by striking ''during which'' and inserting ''during any period during which''.

(d) CONFORMING AMENDMENTS.—Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) is further amended—

(1) in section 428B(d)(1)(A)(ii) (20 U.S.C. 1078–2(d)(1)(A)(ii)), by striking ''428(b)(1)(M)(i)(I)'' and inserting ''or clause (i)(I), (iv), or (v) of section 428(b)(1)(M)''; and

(2) in section 493D(a) (20 U.S.C. 1098f(a)), by striking ''section 428(b)(1)(M)(iii), 455(f)(2)(C), or 464(c)(2)(A)(iii)'' and inserting ''clause (iii) or (iv) of section 428(b)(1)(M), subparagraph (C) or (D) of section 455(f)(2), or clause (iii) or (iv) of section 464(c)(2)(A)''.

(e) RULE OF CONSTRUCTION.—Nothing in the amendments made by this section shall be construed to authorize any refunding of any repayment of a loan.

(f) APPLICABILITY.—The amendments made by this section shall apply with respect to all loans made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

SA 2251. Mr. MANCHIN (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1066. SENSE OF SENATE ON ANNUAL REPORTS TO CONGRESS ON PLANS FOR THE SIZE, FORCE STRUCTURE, AND READINESS OF THE COMPONENTS OF THE ARMED FORCES TO SUPPORT THE NATIONAL SECURITY STRATEGY.

(a) FINDINGS.—The Senate makes the following findings:

(1) The strategic environment remains uncertain and dangerous, as threats to our national security persist and continue to emerge.

(2) The fiscal environment is also uncertain, with constrained resources and declining budgets.

(3) The Nation will need trained and ready active and reserve component forces regardless of size or force structure and budgetary pressures. The Department of Defense is expected to provide sufficient military capability at an affordable cost to protect and promote our security interests at acceptable levels of risk.

(b) SENSE OF SENATE.—It is the sense of the Senate that the Secretary of Defense should provide a report to the congressional defense committees not later than 180 days after enactment of this Act, and every year thereafter for the next five years, on the Department's analysis, plans, and progress on the implementation of such plans with respect to the size, force structure, and readiness of the active and reserve components of the military departments that are necessary to support the national security strategy or other strategic guidance. Each report should include—

(1) end-strengths of the active and reserve components of the Armed Forces, and projected changes by year over the future years defense program;

(2) force structures of the active and reserve components of the Armed Forces, and projected changes by year over the future years defense program; and

(3) an assessment of the risk associated with the analysis and plans included in paragraphs (1) and (2), and how risk is projected to change over the future years defense program.

(c) FORM.—The reports described in subsection (b) may be in unclassified or classified form.

SA 2252. Mr. MANCHIN (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 510. TREATMENT OF MILITARY TECHNICIANS (DUAL STATUS) AS ESSENTIAL OR EXCEPTED EMPLOYEES OF THE FEDERAL GOVERNMENT IN THE EVENT OF A LAPSE IN APPROPRIATIONS.

Notwithstanding section 1341 of title 31, United States Code, or any other provision of law, if members of the Armed Forces on active duty are designated as essential or excepted personnel during a lapse in appropriations, military technicians (dual status) shall be deemed to be essential or excepted employees during that lapse in appropriations.

SA 2253. Mr. MANCHIN (for himself, Mrs. BOXER, and Mr. GRASSLEY) 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 841 and insert the following:

SEC. 841. MAXIMUM AMOUNT OF ALLOWABLE COSTS OF SALARIES OF CONTRACTOR EMPLOYEES.

(a) AMENDMENT TO COST PRINCIPLES.—Section 2324(e)(1)(P) of title 10, United States Code, is amended—

(1) by striking ''the benchmark'' and all that follows through ''section 1127 of title 41'' and inserting ''$230,700 per year, adjusted annually to reflect the change in the Employment Cost Index for all workers, as calculated by the Bureau of Labor Statistics''; and

(2) by striking ''scientists and engineers'' and inserting ''scientists, engineers, medical professionals, cybersecurity experts, and other workers with unique areas of expertise''.

(b) REVIEW.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall review alternative benchmarks and industry standards for compensation and provide the congressional defense committees with the views of the Department of Defense as to whether any such benchmarks or standards would provide a more appropriate measure of allowable compensation for the purposes of section 2324(e)(1)(P) of title 10, United States Code, as amended by subsection (a), as it relates to compensation of scientists, engineers, medical professionals, cybersecurity experts, and other workers with unique areas of expertise.

(c) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than 60 days after the end of each fiscal year, the Director of the Office of Management and Budget shall submit a report on contractor compensation to the congressional defense committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) the total number of contractor employees, by executive agency, in the narrowly targeted exception positions described under section 2324(e)(1)(P) of title 10, United States Code, during the preceding fiscal year;

(B) the taxpayer-funded compensation amounts received by each contractor employee in a narrowly targeted exception position during such fiscal year; and

(C) the duties and services performed by contractor employees in the narrowly targeted exception positions during such fiscal year.

(d) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2014, and shall apply with respect to costs of compensation incurred on or after that date under contracts entered into before, on, or after that date.

SA 2254. Mr. BAUCUS (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 part I of subtitle E of title V, add the following:

SEC. 547. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE SEXUAL ASSAULT PREVENTION ACTIVITIES OF THE DEPARTMENT OF DEFENSE AND THE ARMED FORCES.

(a) REPORT REQUIRED.—Not later than September 30, 2015, the Comptroller General of the United States shall submit to the congressional defense committees a report on the sexual assault prevention activities of the Department of Defense and the Armed Forces.

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

(1) An assessment of the sexual assault prevention strategy of the Department of Defense.

(2) A description and assessment of the actions taken by each of the Army, the Navy, the Air Force, and the Marine Corps to implement the sexual assault prevention strategy of such Armed Force.

(3) A comprehensive description of the sexual assault prevention activities of the Army, the Navy, the Air Force, and the Marine Corps, as of the submittal of the report and of those planned for the 12 months thereafter.

(4) A comprehensive description of the sexual assault prevention activities at joint installations, and an assessment of the collaborative efforts of the military departments involved, as of the submittal of the report and of those planned for the 12 months thereafter.

(5) A comparative assessment of the sexual assault prevention activities of the Army, the Navy, the Air Force, and the Marine Corps, including an assessment of the extent to which any differences among such activities arise from unique qualities of a particular Armed Force or the efforts of an Armed Force to pursue an innovative approach to sexual assault prevention.

(6) A description and assessment of the procedures and mechanisms used by each of the Army, the Navy, the Air Force, and the Marine Corps to ensure that the sexual assault prevention strategy of such Armed Force, and the training provided pursuant to such strategy, are effective in achieving the intended objectives of such strategy.

(7) Such other recommendations on the sexual assault prevention activities of the Army, the Navy, the Air Force, and the Marine Corps as the Comptroller General considers appropriate.

SA 2255. Ms. AYOTTE (for herself, Mr. CHAMBLISS, Mr. INHOFE, Mrs. FISCHER, Mr. ENZI, Mr. RUBIO, and Mr. BARRASSO) 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; 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 1032.

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 2256. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2815. COMPREHENSIVE ALASKA INSTALLATION ENERGY REPORT.

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

(1) According to a 2012 Total Energy Cost Analysis conducted by the Alaska Command Energy Steering Group, there exists a significant disparity between the costs of power at all military installations in Alaska.

(2) Military installations differ in energy sources and operating entities by utilizing both public and private means and methods of operation: three interior installations, Clear Air Force Station, Eielson Air Force Base, and Fort Wainwright use coal cogeneration heat and electric plants; fuel oil heat and commercial electric power is used to power Fort Greely; and natural gas heat and commercial electric power is used at Joint Base Elmendorf-Richardson.

(3) Electricity infrastructure in Alaska differs from other States because most consumers in Alaska are not interconnected to large grids through transmission and distribution lines.

(4) Alaska has more fossil and renewable energy resources than any other State.

(5) Alaska has the potential for long-term sustainable energy production through development of its natural gas, coal, oil, hydropower, tidal, geothermal and wind resources to meet the energy needs of the State and beyond.

(6) Renewable energy, when combined with advanced micro-grid and storage technologies, can significantly reduce the energy costs at military installations.

(7) The Department of the Air Force has successfully partnered with the municipality of Anchorage and a local utility company on a renewable energy project converting methane gas into fuel useable for a military installation.

(8) Over the past three years, the Department of the Air Force has invested over $25,000,000 in renewable energy projects at Alaska military installations.

(9) The Department of Defense prepares an Annual Energy Management Report in accordance with section 2925 of title 10, United States Code.

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

(1) energy security is critical to United States national security;

(2) cost-saving opportunities exist at Alaska military installations if energy efficiency solutions are sought after and implemented;

(3) evaluating energy efficiency measures at Alaska military installations is essential in order to determine enduring cost-effective energy production and consumption solutions and ensure mission effectiveness; and

(4) a comprehensive and detailed study of energy efficiency options at military installations in the state of Alaska is needed due to its complex and challenging geography, distance from the lower 48 states, resource availability, and lack of energy infrastructure.

(c) REPORT.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Deputy Under Secretary of Defense for Installations and Environment, in conjunction with the Service Assistant Secretaries responsible for Installations and Environment for the military services, shall submit a report to the congressional defense committees detailing the current cost and sources of energy at each military installation in Alaska, and viable and feasible options for achieving energy efficiency and cost savings at Alaska military installations.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following elements:

(A) A comprehensive, installation specific assessment of feasible and mission appropriate energy initiatives supporting energy production and consumption at military installations.

(B) An assessment of current sources of energy in Alaska and potential future sources that are technologically feasible, cost effective, and mission appropriate.

(C) A comprehensive implementation strategy to include required investment for feasible energy efficiency options determined to be the most beneficial and cost effective where appropriate and consistent with department priorities.

(D) An explanation on how military services are working collaboratively in order to leverage lessons learned on potential energy efficiency solutions.

(E) An assessment of State and local partnership opportunities that would achieve efficiency and cost savings, and any legislative authorities required to carry out such partnerships or agreements.

(3) UTILIZATION OF OTHER EFFORTS.—In preparing the report required under paragraph (1), the Under Secretary shall take into consideration completed and ongoing efforts by agencies of the Federal Government to analyze and develop energy efficient solutions in the state of Alaska, including the Department of Defense information available in the Annual Energy Management Report.

(4) COORDINATION WITH STATE AND LOCAL AND OTHER ENTITIES.—In preparing the report required under paragraph (1), the Under Secretary is encouraged to work in conjunction and coordinate with the State of Alaska, local communities, and other Federal departments and agencies.

(d) DEFINITIONS.—In this section, the term ''Alaska military installation'' includes Clear Air Force Station, Eielson Air Force Base, Fort Wainwright, Joint Base Elmendorf-Richardson, Fort Greely, and Eareckson Air Station.

SA 2257. Mr. MCCAIN (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 126. LIMITATION ON AVAILABILITY OF FUNDS FOR LITTORAL COMBAT SHIP.

The Secretary of the Navy may not obligate or expend funds for construction or advanced procurement of materials for the Littoral Combat Ships (LCS) designated as LCS 25 or LCS 26 until the Secretary submits to Congress each of the following:

(1) The report required by section 125(a).

(2) A coordinated determination by the Director of Operational Test and Evaluation and the Under Secretary of Defense for Acquisition, Technology, and Logistics that successful completion of the test evaluation master plan for both seaframes and each mission module will demonstrate operational effectiveness and operational suitability.

(3) A certification that the Joint Requirements Oversight Council—

(A) has reviewed the capabilities of the legacy systems that the Littoral Combat Ship is planned to replace and has compared these capabilities to those to be provided by the Littoral Combat Ship;

(B) has assessed the adequacy of the current Capabilities Development Document (CDD) for the Littoral Combat Ship to meet combatant command requirements and to address future threats as reflected in the latest assessment by the defense intelligence community; and

(C) has either validated the current Capabilities Development Document or directed the Secretary to update the current Capabilities Development Document based on the performance of the Littoral Combat Ship and mission modules to date.

(4) A report on the expected performance of each seaframe variant and mission module against the current or updated Capabilities Development Document.

(5) Certification that a Capability Production Document (CPD) for the seaframes has been completed.

(6) Certification that a Capability Production Document will be completed for each mission module before operational testing.

SA 2258. Mr. MCCAIN (for himself and Mr. REED) 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 20, strike lines 13 and 14 and insert the following:

costs of that ship that are attributable solely to an urgent and unforeseen requirement

identified as a result of the shipboard test program.''.

(c) LIMITATION ON SHIPBOARD TEST PROGRAM COST ADJUSTMENT.—The Secretary of the Navy may use the authority under paragraph (7) of section 122(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007, as added by subsection (b), to adjust the amount set forth in section 122(a)(1) of that Act, as amended by subsection (a), for the ship referred to in such paragraph with respect to an urgent and unforeseen requirement identified as a result of the shipboard test program only if—

(1) the Secretary determines, and certifies to the congressional defense committees, that such requirement was not known before the date of the submittal to Congress of the budget for fiscal year 2014 (as submitted pursuant to section 1105 of title 31, United States Code);

(2) the Secretary determines, and certifies to the congressional defense committees, that waiting on an action by Congress to raise the cost cap specified in such section 122(a)(1) to account for such requirement will result in a delay in the delivery of that ship or a delay in the date of initial operating capability of that ship; and

(3) the Secretary submits to Congress a report setting forth a description of such requirement before the obligation of additional funds pursuant to such authority.

SA 2259. Mr. BARRASSO 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 V, add the following:

SEC. 510. NATIONAL GUARD CONDUCT OF FIREFIGHTING HOMELAND DEFENSE MISSIONS WHILE IN STATE STATUS.

(a) NATIONAL GUARD SUPPORT FOR FEDERAL AND STATE CIVIL AUTHORITIES.—Section 502(f)(2) of title 32, United States Code, is amended by adding at the end the following new subparagraph:

''(C) Support of operations, missions, or activities undertaken in support of a civil authority of a Federal or State agency when expenses related to such operations, missions, or activities are reimbursed.''.

(b) ACTIVE GUARD AND RESERVE DUTY.—Section 328(b) of such title is amended—

(1) by inserting ''(1)'' before ''A member'';

(2) in paragraph (1), as so designated, by inserting ''subparagraphs (A) and (B) of'' after ''additional duties specified in''; and

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

''(2) A member of the National Guard performing duty under subsection (a) may perform the additional duties specified in subparagraph (C) of section 502(f)(2) of this title without regard to any limitation in paragraph (1).''.

(c) FEDERAL TECHNICIAN OPERATIONAL SUPPORT FOR FEDERAL AND STATE CIVIL AUTHORITIES.—Section 709(a)(3) of such title is amended by adding at the end the following new subparagraph:

''(D) Support of operations, missions, or activities undertaken in support of a civil authority of a Federal or State agency pursuant to section 502(f)(2)(C) of this title.''.

SA 2260. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1237. CONTINGENT LIMITATION ON AVAILABILITY OF FUNDS FOR UNITED STATES PARTICIPATION IN JOINT MILITARY EXERCISES WITH EGYPT.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act may be made used for United States participation in joint military exercises with Egypt if the Government of Egypt abrogates, terminates, or withdraws from the 1979 Egypt-Israel peace treaty signed at Washington, D.C., on March 26, 1979.

(b) WAIVER.—The President may waive the limitation in subsection (a) if the President certifies to Congress in writing that the waiver is in the national security interests of the United States.

SA 2261. Mr. GRASSLEY 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:

In division C, between titles XXXII and XXXV, insert the following:

TITLE XXXIII—NUCLEAR TERRORISM CONVENTIONS AND MARITIME SAFETY

SEC. 3301. SHORT TITLE.

This title may be cited as the ''Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act of 2012''.

Subtitle A—Safety of Maritime Navigation

SEC. 3311. AMENDMENT TO SECTION 2280 OF TITLE 18, UNITED STATES CODE.

Section 2280 of title 18, United States Code, is amended—

(1) in subsection (b)(1)(A)—

(A) in clause (i), by striking ''a ship flying the flag of the United States'' and inserting ''a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46)'';

(B) in clause (ii), by inserting '', including the territorial seas'' after ''in the United States''; and

(C) in clause (iii), by inserting '', by a United States corporation or legal entity,'' after ''by a national of the United States'';

(2) in subsection (c), by striking ''section 2(c)'' and inserting ''section 13(c)''; and

(3) by striking subsections (d) and (e) and inserting the following:

''(d) DEFINITIONS.—In this section and in sections 2280a, 2281, and 2281a:

''(1) APPLICABLE TREATY.—The term 'applicable treaty' means—

''(A) the Convention for the Suppression of Unlawful Seizure of Aircraft, done at The Hague on 16 December 1970;

''(B) the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971;

''(C) the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973;

''(D) International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979;

''(E) the Convention on the Physical Protection of Nuclear Material, done at Vienna on 26 October 1979;

''(F) the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 24 February 1988;

''(G) the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March 1988;

''(H) International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997; and

''(I) International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1999.

''(2) ARMED CONFLICT.—The term 'armed conflict' does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature.

''(3) BIOLOGICAL WEAPON.—The term 'biological weapon' means—

''(A) microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective, or other peaceful purposes; or

''(B) weapons, equipment, or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

''(4) CHEMICAL WEAPON.—The term 'chemical weapon' means, together or separately—

''(A) toxic chemicals and their precursors, except if intended for—

''(i) industrial, agricultural, research, medical, pharmaceutical, or other peaceful purposes;

''(ii) protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;

''(iii) military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare; or

''(iv) law enforcement, including domestic riot control purposes, if the types and quantities are consistent with such purposes;

''(B) munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in subparagraph (A), which would be released as a result of the employment of such munitions and devices; and

''(C) any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph (B).

''(5) COVERED SHIP.—The term 'covered ship' means a ship that is navigating or is scheduled to navigate into, through or from waters beyond the outer limit of the territorial sea of a single country or a lateral limit of that country's territorial sea with an adjacent country.

''(6) EXPLOSIVE MATERIALS.—The term 'explosive materials' has the meaning given the term in section 841(c) and includes an explosive (as defined in section 844(j)).

''(7) INFRASTRUCTURE FACILITY.—The term 'infrastructure facility' has the meaning given the term in section 2332f(e)(5).

''(8) INTERNATIONAL ORGANIZATION.—The term 'international organization' has the meaning given the term in section 831(f)(3).

''(9) MILITARY FORCES OF A STATE.—The term 'military forces of a state' means the armed forces of a state which are organized, trained, and equipped under its internal law for the primary purpose of national defense or security, and persons acting in support of those armed forces who are under their formal command, control, and responsibility.

''(10) NATIONAL OF THE UNITED STATES.—The term 'national of the United States' has the meaning given the term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)).

''(11) NON-PROLIFERATION TREATY.—The term 'Non-Proliferation Treaty' means the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow on 1 July 1968.

''(12) NON-PROLIFERATION STATE PARTY.—The term 'Non-Proliferation Treaty State Party' means any State Party to the Non-Proliferation Treaty, to include Taiwan, which shall be considered to have the obligations under the Non-Proliferation Treaty of a party to that treaty other than a Nuclear Weapon State Party to the Non-Proliferation Treaty.

''(13) NUCLEAR WEAPON STATE PARTY TO THE NON-PROLIFERATION TREATY.—The term 'Nuclear Weapon State Party to the Non-Proliferation Treaty' means a State Party to the Non-Proliferation Treaty that is a nuclear-weapon State, as that term is defined in Article IX(3) of the Non-Proliferation Treaty.

''(14) PLACE OF PUBLIC USE.—The term 'place of public use' has the meaning given the term in section 2332f(e)(6).

''(15) PRECURSOR.—The term 'precursor' has the meaning given the term in section 229F(6)(A).

''(16) PUBLIC TRANSPORTATION SYSTEM.—The term 'public transportation system' has the meaning given the term in section 2332f(e)(7).

''(17) SERIOUS INJURY OR DAMAGE.—The term 'serious injury or damage' means—

''(A) serious bodily injury,

''(B) extensive destruction of a place of public use, State or government facility, infrastructure facility, or public transportation system, resulting in major economic loss, or

''(C) substantial damage to the environment, including air, soil, water, fauna, or flora.

''(18) SHIP.—The term 'ship' means a vessel of any type whatsoever not permanently attached to the sea-bed, including dynamically supported craft, submersibles, or any other floating craft, but does not include a warship, a ship owned or operated by a government when being used as a naval auxiliary or for customs or police purposes, or a ship which has been withdrawn from navigation or laid up.

''(19) SOURCE MATERIAL.—The term 'source material' has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956.

''(20) SPECIAL FISSIONABLE MATERIAL.—The term 'special fissionable material' has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956.

''(21) TERRITORIAL SEA OF THE UNITED STATES.—The term 'territorial sea of the United States' means all waters extending seaward to 12 nautical miles from the baselines of the United States determined in accordance with international law.

''(22) TOXIC CHEMICAL.—The term 'toxic chemical' has the meaning given the term in section 229F(8)(A).

''(23) TRANSPORT.—The term 'transport' means to initiate, arrange or exercise effective control, including decision making authority, over the movement of a person or item.

''(24) UNITED STATES.—The term 'United States', when used in a geographical sense, includes the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and all territories and possessions of the United States.

''(e) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(f) DELIVERY OF SUSPECTED OFFENDER.—The master of a covered ship flying the flag of the United States who has reasonable grounds to believe that there is on board that ship any person who has committed an offense under section 2280 or section 2280a may deliver such person to the authorities of a country that is a party to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. Before delivering such person to the authorities of another country, the master shall notify in an appropriate manner the Attorney General of the United States of the alleged offense and await instructions from the Attorney General as to what action to take. When delivering the person to a country which is a state party to the Convention, the master shall, whenever practicable, and if possible before entering the territorial sea of such country, notify the authorities of such country of the master's intention to deliver such person and the reasons therefor. If the master delivers such person, the master shall furnish to the authorities of such country the evidence in the master's possession that pertains to the alleged offense.

''(g)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.''.

SEC. 3312. VIOLENCE AGAINST MARITIME NAVIGATION.

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2280 the following:

''§ 2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction

''(a) OFFENSES.—

''(1) IN GENERAL.—Subject to the exceptions set forth in subsection (c), a person who unlawfully and intentionally—

''(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

''(i) uses against or on a ship or discharges from a ship any explosive or radioactive material, biological, chemical, or nuclear weapon or other nuclear explosive device in a manner that causes or is likely to cause death to any person or serious injury or damage;

''(ii) discharges from a ship oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration that causes or is likely to cause death to any person or serious injury or damage; or

''(iii) uses a ship in a manner that causes death to any person or serious injury or damage;

''(B) transports on board a ship—

''(i) any explosive or radioactive material, knowing that it is intended to be used to cause, or in a threat to cause, death to any person or serious injury or damage for the purpose of intimidating a population, or compelling a government or an international organization to do or to abstain from doing any act;

''(ii) any biological, chemical, or nuclear weapon or other nuclear explosive device, knowing it to be a biological, chemical, or nuclear weapon or other nuclear explosive device;

''(iii) any source material, special fissionable material, or equipment or material especially designed or prepared for the processing, use, or production of special fissionable material, knowing that it is intended to be used in a nuclear explosive activity or in any other nuclear activity not under safeguards pursuant to an International Atomic Energy Agency comprehensive safeguards agreement, except where—

''(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

''(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of the Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

''(iv) any equipment, materials, or software or related technology that significantly contributes to the design or manufacture of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, unless—

''(I) the country to the territory of which or under the control of which such item is transferred is a Nuclear Weapon State Party to the Non-Proliferation Treaty; and

''(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of a Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

''(v) any equipment, materials, or software or related technology that significantly contributes to the delivery of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, except where—

''(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

''(II) such item is intended for the delivery system of a nuclear weapon or other nuclear explosive device of a Nuclear Weapon State Party to the Non-Proliferation Treaty; or

''(vi) any equipment, materials, or software or related technology that significantly contributes to the design, manufacture, or delivery of a biological or chemical weapon, with the intention that it will be used for such purpose;

''(C) transports another person on board a ship knowing that the person has committed an act that constitutes an offense under section 2280 or subparagraphs (A), (B), (D), or (E) of this paragraph or an offense set forth

in an applicable treaty, as specified in section 2280(d)(1), and intending to assist that person to evade criminal prosecution;

''(D) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraphs (A) through (C), or subsection (a)(2), to the extent that the offense set forth in subsection (a)(2) pertains to subparagraph (A);

''(E) attempts to do any act prohibited under subparagraph (A), (B), or (D); or

''(F) conspires to do any act prohibited under this subsection,

shall be fined under this title, imprisoned not more than 20 years, or both; and if the death of any person results from conduct prohibited by this paragraph, shall be punished by death or imprisoned for any term of years or for life.

''(2) THREATS.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A) shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) JURISDICTION.—There is jurisdiction over the activity prohibited under subsection (a)—

''(1) in the case of a covered ship, if—

''(A) such activity is committed—

''(i) against or on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) at the time the prohibited activity is committed;

''(ii) in the United States, including the territorial seas; or

''(iii) by a national of the United States, by a United States corporation or legal entity, or by a stateless person whose habitual residence is in the United States;

''(B) during the commission of such activity, a national of the United States is seized, threatened, injured, or killed; or

''(C) the offender is later found in the United States after such activity is committed;

''(2) in the case of a ship navigating or scheduled to navigate solely within the territorial sea or internal waters of a country other than the United States, if the offender is later found in the United States after such activity is committed; or

''(3) in the case of any vessel, if such activity is committed in an attempt to compel the United States to do or abstain from doing any act.

''(c) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(d)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2280 the following:

''2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction.''.

SEC. 3313. EXCEPTIONS TO LAW PROHIBITING VIOLENCE AGAINST MARITIME FIXED PLATFORMS.

Section 2281 of title 18, United States Code, is amended—

(1) in subsection (c), by striking ''section 2(c)'' and inserting ''section 13(c)'';

(2) in subsection (d), by striking the definitions of ''national of the United States,'' ''territorial sea of the United States,'' and ''United States''; and

(3) by adding at the end the following:

''(e) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.''.

SEC. 3314. ADDITIONAL OFFENSES AGAINST MARITIME FIXED PLATFORMS.

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2281 the following:

''§ 2281a. Additional offenses against maritime fixed platforms

''(a) OFFENSES.—

''(1) IN GENERAL.—A person who unlawfully and intentionally—

''(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

''(i) uses against or on a fixed platform or discharges from a fixed platform any explosive or radioactive material, biological, chemical, or nuclear weapon in a manner that causes or is likely to cause death or serious injury or damage; or

''(ii) discharges from a fixed platform oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration that causes or is likely to cause death or serious injury or damage;

''(B) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraph (A); or

''(C) attempts or conspires to do anything prohibited under subparagraph (A) or (B),

shall be fined under this title, imprisoned not more than 20 years, or both; and if death results to any person from conduct prohibited by this paragraph, shall be punished by death or imprisoned for any term of years or for life.

''(2) THREAT TO SAFETY.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A), shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) JURISDICTION.—There is jurisdiction over the activity prohibited under subsection (a) if—

''(1) such activity is committed against or on board a fixed platform—

''(A) that is located on the continental shelf of the United States;

''(B) that is located on the continental shelf of another country, by a national of the United States or by a stateless person whose habitual residence is in the United States; or

''(C) in an attempt to compel the United States to do or abstain from doing any act;

''(2) during the commission of such activity against or on board a fixed platform located on a continental shelf, a national of the United States is seized, threatened, injured, or killed; or

''(3) such activity is committed against or on board a fixed platform located outside the United States and beyond the continental shelf of the United States and the offender is later found in the United States.

''(c) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(d) DEFINITIONS.—In this section:

''(1) CONTINENTAL SHELF.—The term 'continental shelf' means the sea-bed and subsoil of the submarine areas that extend beyond a country's territorial sea to the limits provided by customary international law as reflected in Article 76 of the 1982 Convention on the Law of the Sea.

''(2) FIXED PLATFORM.—The term 'fixed platform' means an artificial island, installation, or structure permanently attached to the sea-bed for the purpose of exploration or exploitation of resources or for other economic purposes.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2281 the following:

''2281a. Additional offenses against maritime fixed platforms.''.

SEC. 3315. ANCILLARY MEASURES.

(a) FEDERAL CRIME OF TERRORISM.—Section 2332b(g)(5)(B) of title 18, United States Code, is amended, by striking ''2281'' and inserting ''2280a (relating to maritime safety), 2281 through 2281a''.

(b) PROVIDING MATERIAL SUPPORT TO TERRORISTS PREDICATE.—Section 2339A(a) of title 18, United States Code, is amended by striking, ''2280, 2281'' and inserting, ''2280, 2280a, 2281, 2281a''

(c) WIRETAP PREDICATES.—Section 2516(1)(q) of title 18, United States Code, is amended by striking ''or section'' and inserting '', section 2280, 2280a, 2281, or 2281(a) (relating to maritime safety), or section''.

Subtitle B—Prevention of Nuclear Terrorism

SEC. 3321. ACTS OF NUCLEAR TERRORISM.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding after section 2332h the following:

''§ 2332i. Acts of nuclear terrorism

''(a) OFFENSES.—

''(1) IN GENERAL.—Any person who knowingly and unlawfully—

''(A) possesses radioactive material or makes or possesses a device—

''(i) with the intent to cause death or serious bodily injury; or

''(ii) with the intent to cause substantial damage to property or the environment; or

''(B) uses in any way radioactive material or a device, or uses or damages or interferes with the operation of a nuclear facility in a manner that causes the release of or increases the risk of the release of radioactive material, or causes radioactive contamination or exposure to radiation—

''(i) with the intent to cause death or serious bodily injury or with the knowledge that such act is likely to cause death or serious bodily injury;

''(ii) with the intent to cause substantial damage to property or the environment or with the knowledge that such act is likely to cause substantial damage to property or the environment; or

''(iii) with the intent to compel a person, an international organization or a country to do or refrain from doing an act,

shall be punished as prescribed in subsection (c).

''(2) THREATS.—Any person who, under circumstances in which the threat may reasonably be believed, threatens to commit an offense under paragraph (1) shall be punished as prescribed in subsection (c). Whoever demands possession of or access to radioactive material, a device or a nuclear facility by threat or by use of force shall be punished as prescribed in subsection (c).

''(3) ATTEMPTS AND CONSPIRACIES.—Any person who attempts to commit an offense under paragraph (1) or conspires to commit an offense under paragraphs (1) or (2) shall be punished as prescribed in subsection (c).

''(b) JURISDICTION.—Conduct prohibited by subsection (a) is within the jurisdiction of the United States if—

''(1) the prohibited conduct takes place in the United States or the special aircraft jurisdiction of the United States;

''(2) the prohibited conduct takes place outside of the United States and—

''(A) is committed by a national of the United States, a United States corporation or legal entity or a stateless person whose habitual residence is in the United States;

''(B) is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed; or

''(C) is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States;

''(3) the prohibited conduct takes place outside of the United States and a victim or an intended victim is a national of the United States or a United States corporation or legal entity, or the offense is committed against any state or government facility of the United States; or

''(4) a perpetrator of the prohibited conduct is found in the United States.

''(c) PENALTIES.—Any person who violates this section shall be punished by death or imprisoned for any term of years or for life.

''(d) NONAPPLICABILITY.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(e) DEFINITIONS.—In this section:

''(1) ARMED CONFLICT.—The term 'armed conflict' has the meaning given that term in section 2332f(e)(11).

''(2) DEVICE.—The term 'device' means—

''(A) any nuclear explosive device; or

''(B) any radioactive material dispersal or radiation-emitting device that may, owing to its radiological properties, cause death, serious bodily injury or substantial damage to property or the environment.

''(3) INTERNATIONAL ORGANIZATION.—The term 'international organization' has the meaning given the term in section 831(f)(3).

''(4) MILITARY FORCES OF A STATE.—The term 'military forces of a state' means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility.

''(5) NATIONAL OF THE UNITED STATES.—The term 'national of the United States' has the meaning given the term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)).

''(6) NUCLEAR FACILITY.—The term 'nuclear facility' means—

''(A) any nuclear reactor, including reactors on vessels, vehicles, aircraft or space objects for use as an energy source in order to propel such vessels, vehicles, aircraft or space objects or for any other purpose;

''(B) any plant or conveyance being used for the production, storage, processing or transport of radioactive material; or

''(C) a facility (including associated buildings and equipment) in which nuclear material is produced, processed, used, handled, stored or disposed of, if damage to or interference with such facility could lead to the release of significant amounts of radiation or radioactive material.

''(7) NUCLEAR MATERIAL.—The term 'nuclear material' has the meaning given the term in section 831(f)(1).

''(8) RADIOACTIVE MATERIAL.—The term 'radioactive material' means nuclear material and other radioactive substances that contain nuclides that undergo spontaneous disintegration (a process accompanied by emission of one or more types of ionizing radiation, such as alpha-, beta-, neutron particles and gamma rays) and that may, owing to their radiological or fissile properties, cause death, serious bodily injury or substantial damage to property or to the environment.

''(9) SERIOUS BODILY INJURY.—The term 'serious bodily injury' has the meaning given the term in section 831(f)(4).

''(10) STATE.—The term 'state' has the meaning given the term under international law, and includes all political subdivisions of the state.

''(11) STATE OR GOVERNMENT FACILITY.—The term 'state or government facility' has the meaning given the term in section 2332f(e)(3).

''(12) UNITED STATES CORPORATION OR LEGAL ENTITY.—The term 'United States corporation or legal entity' means any corporation or other entity organized under the laws of the United States or any State, Commonwealth, territory, possession or district of the United States.

''(13) VESSEL.—The term 'vessel' has the meaning given the term in section 1502(19) of title 33.

''(14) VESSEL OF THE UNITED STATES.—The term 'vessel of the United States' has the meaning given the term in section 70502 of title 46.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 113B of title 18, United States Code, is amended by inserting after section 2332h the following:

''2332i. Acts of nuclear terrorism.''.

(c) DISCLAIMER.—Nothing contained in this section is intended to affect the applicability of any other Federal or State law that might pertain to the underlying conduct.

SEC. 3322. AMENDMENT TO SECTION 831 OF TITLE 18, UNITED STATES CODE.

Section 831 of title 18, United States Code, is amended—

(a) in subsection (a)—

(1) by redesignating paragraphs (3) through (8) as paragraphs (4) through (9), respectively;

(2) by inserting after paragraph (2) the following:

''(3) without lawful authority, intentionally carries, sends or moves nuclear material into or out of a country;'';

(3) in paragraph (8), as redesignated, by striking ''an offense under paragraph (1), (2), (3), or (4)'' and inserting ''any act prohibited under paragraphs (1) through (5)''; and

(4) in paragraph (9), as redesignated, by striking ''an offense under paragraph (1), (2), (3), or (4)'' and inserting ''any act prohibited under paragraphs (1) through (7)'';

(b) in subsection (b)—

(1) in paragraph (1), by striking ''(7)'' and inserting ''(8)''; and

(2) in paragraph (2), by striking ''(8)'' and inserting ''(9)'';

(c) in subsection (c)—

(1) in subparagraph (2)(A), by inserting ''or a stateless person whose habitual residence is in the United States'' after ''United States'';

(2) in paragraph (4), by striking ''or'' at the end; and

(3) by striking paragraph (5) and inserting the following:

''(5) the offense is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed;

''(6) the offense is committed outside the United States and against any state or government facility of the United States; or

''(7) the offense is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States.'';

(d) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively;

(e) by inserting after subsection (c) the following:

''(d) NONAPPLICABILITY.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.''; and

(f) in subsection (g), as redesignated—

(1) in paragraph (6), by striking ''and'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by inserting after paragraph (7), the following:

''(8) the term 'armed conflict' has the meaning given the term in section 2332f(e)(11);

''(9) the term 'military forces of a state' means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

''(10) the term 'state' has the meaning given the term under international law, and includes all political subdivisions of the state;

''(11) the term 'state or government facility' has the meaning given the term in section 2332f(e)(3); and

''(12) the term 'vessel of the United States' has the meaning given the term in section 70502 of title 46.''.

SEC. 3323. ANCILLARY MEASURES.

(a) FEDERAL CRIME OF TERRORISM.—Section 2332b(g)(5)(B) of title 18, United States Code, is amended by inserting ''2332i (relating to acts of nuclear terrorism),'' before ''2339 (relating to harboring terrorists),''.

(b) PROVIDING MATERIAL SUPPORT TO TERRORISTS PREDICATE.—Section 2339A(a) of title 18, United States Code, is amended by inserting ''2332i,'' before ''2340A,''.

(c) WIRETAP PREDICATES.—Section 2516(1)(q) of title 18, United States Code, is amended by inserting '', 2332i,'' after ''2332h''.

SA 2262. Mr. VITTER 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. FORCE PROTECTION.

(a) REPORT.—Not later than March 1, 2014, the Secretary of Defense shall submit to the congressional defense committees a report on current expeditionary physical barrier systems and new systems or technologies that are or can be used for force protection and to provide blast protection for forces supporting contingency operations.

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

(1) A review of current and projected threats in connection with force protection, a description of any recent changes to policies on force protection, and an assessment of current planning methods on force protection, including standoff distances and physical barriers, to provide consistent and adequate levels of force protection.

(2) An assessment of the use of expeditionary physical barrier systems to meet the goals of the combatant commands for force protection and force resiliency.

(3) A description of the specifications developed by the Department to meet requirements for effectiveness, affordability, lifecycle management, and reuse or disposal of expeditionary physical barrier systems.

(4) A description of the process used within the Department to ensure appropriate consideration of the decommissioning cost, environmental impact, and subsequent disposal of expeditionary physical barrier materials in the procurement process for such materials.

(5) An assessment of the availability of new technologies or designs that improve the capabilities or lifecycle costs of expeditionary physical barrier systems.

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 2263. Mr. FLAKE (for himself, Mr. MCCAIN, and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 126. PROHIBITION ON USE OF NONCOMPETITIVE PROCEDURES FOR OFFENSIVE ANTI-SURFACE WARFARE WEAPON CONTRACTS.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Offensive Anti-Surface Warfare Weapon may be used to enter into or modify a contract using procedures other than competitive procedures (as that term is defined in section 2302(2) of title 10, United States Code).

(b) NATIONAL SECURITY WAIVER AUTHORITY.—The Secretary of Defense may waive the applicability of subsection (a) if the Secretary determines that such a waiver is in the national security interests of the United States.

SA 2264. Mr. MANCHIN 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. SENSE OF CONGRESS ON SALES OF DEFENSE ARTICLES AND DEFENSE SERVICES TO EGYPT.

It is the sense of Congress that it should be the policy of the United States to consider the willingness of the Government of Egypt to sign the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, done at Paris January 13, 1993 (commonly known as the ''Chemical Weapons Convention''), before resuming sales of defense articles or defense services to Egypt.

SA 2265. Mrs. MURRAY (for herself, Mrs. GILLIBRAND, Mr. HARKIN, Mr. WYDEN, Mr. SCHATZ, Mr. DONNELLY, Mr. BROWN, Mr. MENENDEZ, Mr. BLUMENTHAL, Ms. HIRONO, and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 226, between lines 14 and 15, insert the following:

Subtitle A—TRICARE Program

SEC. 701. BEHAVIORAL HEALTH TREATMENT OF DEVELOPMENTAL DISABILITIES UNDER THE TRICARE PROGRAM.

(a) BEHAVIORAL HEALTH TREATMENT OF DEVELOPMENTAL DISABILITIES UNDER TRICARE.—Section 1077 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g)(1) Subject to paragraph (4), in providing health care under subsection (a), the treatment of developmental disabilities (as defined by section 102(8) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002(8))), including autism spectrum disorder, shall include behavioral health treatment, including applied behavior analysis, when prescribed by a physician.

''(2) In carrying out this subsection, the Secretary shall ensure that—

''(A) except as provided by subparagraph (B), a person who is authorized to provide behavioral health treatment is licensed or certified by a State or accredited national certification board; and

''(B) applied behavior analysis or other behavioral health treatment may be provided by an employee, contractor, or trainee of a person described in subparagraph (A) if the employee, contractor, or trainee meets minimum qualifications, training, and supervision requirements as set forth by the Secretary.

''(3) Nothing in this subsection shall be construed as limiting or otherwise affecting the benefits provided to a covered beneficiary under—

''(A) this chapter;

''(B) title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); or

''(C) any other law.

''(4)(A) Treatment may be provided under this subsection in a fiscal year only to the extent that amounts are provided in advance in appropriations Acts for the provision of such treatment for such fiscal year in the Defense Dependents Developmental Disabilities Account.

''(B) Funds for treatment under this subsection may be derived only from the Defense Dependents Developmental Disabilities Account.''.

(b) DEFENSE DEPENDENTS DEVELOPMENTAL DISABILITIES ACCOUNT.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—There is hereby established on the books of the Treasury an account to be known as the ''Defense Dependents Developmental Disabilities Account'' (in this subsection referred to as the ''Account'').

(B) SEPARATE ACCOUNT.—The Account shall be a separate account for the Department of Defense, and shall not be a subaccount within the Defense Health Program account of the Department.

(2) ELEMENTS.—The Account shall consist of amounts authorized to be appropriated or transferred to the account pursuant to paragraph (5).

(3) EXCLUDED SOURCES OF ELEMENTS.—Amounts in the Account may not be derived from transfers from the following:

(A) The Department of Defense Medicare-Eligible Retiree Health Care Fund under chapter 56 of title 10, United States Code.

(B) The Coast Guard Retired Pay Account.

(C) The National Oceanic and Atmospheric Administration Operations, Research, and Facilities Account.

(D) The Public Health Service Retirement Pay and Medical Benefits for Commissioned Officers Account.

(4) AVAILABILITY.—Amounts in the Account shall be available for the treatment of developmental disabilities in covered beneficiaries pursuant to subsection (g) of section 1077 of title 10, United States Code (as added by subsection (a)). Amounts in the Account shall be so available until expended.

(5) FUNDING.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for fiscal year 2014 for the Department of Defense for the Defense Dependents Developmental Disabilities Account, $60,000,000.

(B) OFFSET.—The amount authorized to be appropriated for fiscal year 2014 by section 301 for Operation and Maintenance and available for the Office of the Secretary of Defense as specified in the funding table in section 4301 is hereby reduced by $60,000,000.

(C) TRANSFER FOR CONTINUATION OF EXISTING SERVICES.—From amounts authorized to be appropriated for fiscal year 2014 by section 1406 and available for the Defense Health Program for Operation and Maintenance as specified in the funding table in section 4501, there is hereby transferred to the Defense Dependents Developmental Disabilities Account, $140,000,000.

SA 2266. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. EXPANSION OF ELIGIBILITY FOR POST-9/11 EDUCATIONAL ASSISTANCE TO INCLUDE SERVICE ON ACTIVE DUTY IN ENTRY LEVEL AND SKILL TRAINING UNDER CERTAIN CIRCUMSTANCES.

(a) FOR INDIVIDUALS WHO SERVE BETWEEN 18 AND 24 MONTHS.—Section 3311(b)(5)(A) of title 38, United States Code, is amended by striking ''excluding'' and inserting ''including''.

(b) FOR INDIVIDUALS WHO SERVED IN OPERATION ENDURING FREEDOM, OPERATION IRAQI FREEDOM, OR CERTAIN OTHER CONTINGENCY OPERATIONS.—Section 3311(b) of such title is amended in paragraphs (6)(A) and (7)(A) by striking ''excluding service on active duty in entry level and skill training'' and inserting ''including service on active duty in entry level and skill training for individuals who served on active duty in the Armed Forces in Operation Enduring Freedom, Operation Iraqi Freedom, Operation New Dawn, or any other contingency operation (as that term is defined in section 101 of title 10) and excluding service on active duty in entry level and skill training for all other individuals''.

SA 2267. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. INDUSTRY AND BUSINESS TECHNOLOGY TRANSFER WORKING GROUP.

(a) IN GENERAL.—The Secretary of Energy and the National Nuclear Security Administration shall jointly establish and administer an industry and business technology transfer working group that—

(1) parallels and complements the efforts of the National Laboratory technology working group; and

(2) shall convene regularly to make recommendations to the Department of Energy and the National Laboratories for use to assess capabilities and implement improvements regarding—

(A) priorities for commercialization;

(B) the assessment of technology targets;

(C) the evaluation of the impact of technology transfer activities; and

(D) implementation of technology transfer activities.

(b) REQUIREMENTS.—The working group established under subsection (a) shall carry out technology transfer evaluations, measurement, and reporting functions of the Department of Energy, including—

(1) an annual evaluation of the progress and impact of the technology transfer programs and activities of the Department and the National Nuclear Security Administration;

(2) functions in addition to the metrics included in the annual Federal laboratory technology transfer report of the National Institute of Standards and Technology relating to—

(A) the number of patents filed;

(B) the number of patents granted;

(C) the number of licenses and details regarding the license;

(D) the earned royalty income and other royalty statistical information;

(E) the disposition of royalty income;

(F) the number of licenses terminated for cause; and

(G) other relevant parameters unique to the technology transfer programs and activities of the Department and the National Nuclear Security Administration;

(3) as part of the annual evaluation of technology transfer activities of the Department of Energy, additional information relating to the economic and technology transfer impact of—

(A) North American Industry Classification System (NAICS) employment data;

(B) follow-on investment;

(C) start-up survival and growth rate;

(D) transactional efficiency;

(E) programmatic operational efficiency;

(F) the effectiveness of local and regional partnerships; and

(G) other key metrics determined by the Secretary of Energy and the National Nuclear Security Administration;

(4)(A) the use of random sampling, retroactive data, and other justifiable evaluation methodologies to control the cost and scope of the evaluations; and

(B) to the maximum extent practicable—

(i) the collection and analysis of data relevant to the metrics described in this paragraph; and

(ii) the use of the results to improve the implementation of technology transfer activities;

(5)(A) the continuous monitoring of the fairness and opportunities in the administration of this paragraph;

(B) the assessment of—

(i) accessibility; and

(ii) expectations and limitations relating to employee conflict of interest; and

(C) to the maximum extent practicable, the implementation of annual improvements to enable the Department and the National Laboratories to effectively coordinate technology transfer activities; and

(6) based on input from the National Laboratory and industry technology transfer working groups, an assessment of the degree to which the technology transfer programs and activities of the Department and the National Nuclear Security Administration and National Laboratory technology transfer offices are meeting the technology transfer goals of the Department.

SA 2268. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. DEPARTMENT OF ENERGY RESEARCH AND DEVELOPMENT GRANTS.

(a) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term ''director'' means the director of a National Laboratory.

(2) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(b) RESEARCH AND DEVELOPMENT GRANTS.—

(1) IN GENERAL.—A director may accept grants for research and development activities from foundations and other nonprofit organizations.

(2) WAIVER OF INDIRECT COSTS.—

(A) IN GENERAL.—Subject to subparagraph (B), a director may waive the indirect costs for the grants described in paragraph (1) to the extent required by the operating charter of the foundation or nonprofit organization.

(B) LIMITATION ON WAIVER.—The total amount waived under subparagraph (A) shall not be greater than 1 percent of the total budget of the National Laboratory.

SA 2269. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 662. PREVENTION OF VETERANS HOMELESSNESS THROUGH IMPROVED FINANCIAL EDUCATION FOR MEMBERS OF THE ARMED FORCES.

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

(1) The veterans population, as a percentage of total homeless population, is still extraordinarily high, and higher than the percentage of veterans in the general population.

(2) The Department of Veterans Affairs goal of eliminating homelessness among veterans by 2015 is a laudable goal.

(3) The Department of Veterans Affairs has made significant progress toward reaching the goal of eliminating homelessness among veterans.

(4) Even if the Department of Veterans Affairs reaches the goal of eliminating homelessness among veterans, both the Department of Veterans Affairs and the Department of Defense will need to embrace long-term efforts to prevent future veterans from becoming homeless.

(5) In addition to triggers of homelessness such as lack of employment, Post-Traumatic Stress Disorder (PTSD), substance use and abuse, and a poor support system, veterans who lack basic financial skills may be at a higher risk of becoming homeless.

(6) According to a study by the American Journal of Public Health, many members of the Armed Forces lack basic financial skills such as how to make a household budget.

(7) The lack of basic financial skills puts veterans at higher risk of making poor financial decisions, becoming victims of predatory lenders, and losing housing as a result of these and other financial decisions.

(8) The Department and Defense and the Department of Veterans Affairs have made strides to educate members separating from the Armed Forces through the Transition Assistance Program, but more can be done to educate members about basic financial decision making.

(b) TRAINING FOR ENLISTED ON MEMBERS ON BASIC FINANCIAL SKILLS.—

(1) PLAN FOR TRAINING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan for providing improved training on basic financial skills to all enlisted members of the Armed Forces in grade E–3 and above during their military service, The plan shall be based on the reviews required by subsections (c) and (d).

(2) COMMENCEMENT OF TRAINING.—The Secretary shall commence provision of the training described in paragraph (1) in accordance with the plan required by that paragraph by not later than one year after the date of the enactment of this Act.

(c) REVIEWS OF CERTAIN TRAINING.—

(1) TRAINING FOR OFFICER CANDIDATES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a review of the training on financial and economic matters provided to candidates for commissioning as officers in the Armed Forces to determine whether additional training on such matters should be provided to such candidates before commissioning.

(2) TRAINING WITHIN TAP.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall conduct a review of the training provided through the Transition Assistance Program (TAP) to determine whether training on financial skills provided through that Program is adequate for preparing members for civilian life.

(d) PROVISION OF BASIC FINANCIAL SKILLS TRAINING.—

(1) IN GENERAL.—The Secretary of Defense shall—

(A) review the effectiveness of the initial training on basic financial skills that is provided to enlisted members of the Armed Forces;

(B) assess whether yearly training refreshers should be required for members of the Armed Forces in order to build on the initial training described in subparagraph (A);

(C) review the qualifications required of individuals for the provision of training on basic financial skills to members of the Armed Forces; and

(D) in light of the reviews and assessment under this paragraph, establish a revised curriculum to be followed in the provision of training on basic financial skills for both trainees and trainers.

(2) CONSULTATION.—The Secretary of Defense shall carry out paragraph (1) in consultation with the Secretary of Veterans Affairs, the Secretary of Education, the Consumer Financial Protection Bureau, and such public and private organizations dedicated to financial skills education as the Secretary of Defense considers appropriate.

SA 2270. Mr. MURPHY (for himself, Mr. BLUMENTHAL, Mr. MERKLEY, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 843. CONSIDERATION AND VERIFICATION OF INFORMATION RELATING TO EFFECT ON DOMESTIC EMPLOYMENT OF AWARD OF FEDERAL DEFENSE CONTRACTS.

(a) IN GENERAL.—Section 2305(a)(3) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(C)(i) In prescribing the evaluation factors to be included in each solicitation for competitive proposals for covered contracts, an agency shall include the effects on employment within the United States of the contract as an evaluation factor that must be considered in the evaluation of proposals.

''(ii) In this subparagraph, the term 'covered contract' means—

''(I) a contract in excess of $1,000,000 for the procurement of manufactured goods;

''(II) a contract in excess of $1,000,000 for the procurement of goods or services listed in the report of industrial base capabilities required by section 2504 of title 10; and

''(III) a contract in excess of $1,000,000 for the procurement of any item procured as part of a major defense acquisition program.

''(iii) The head of an agency, in issuing a solicitation for competitive proposals, shall state in the solicitation that the agency may consider, and in the case of a covered contract will consider as an evaluation factor under subparagraph (A), information (in this subsection referred to as a 'jobs impact statement') that the offeror includes in its offer related to the effects on employment within the United States of the contract if it is awarded to the offeror.

''(iv) The information that may be included in a jobs impact statement may include the following:

''(I) The number of jobs expected to be created or retained in the United States if the contract is awarded to the offeror.

''(II) The number of jobs created or retained in the United States by the subcontractors expected to be used by the offeror in the performance of the contract.

''(III) A guarantee from the offeror that jobs created or retained in the United States will not be moved outside the United States after award of the contract unless doing so is required to provide the goods or services stipulated in the contract or is in the best interest of the Federal Government.

''(v) The contracting officer may consider, and in the case of a covered contract will consider, the information in the jobs impact statement in the evaluation of the offer and may request further information from the offeror in order to verify the accuracy of any such information submitted.

''(vi) In the case of a contract awarded to an offeror that submitted a jobs impact statement with the offer for the contract, the agency shall, not later than one year after the award of the contract and annually thereafter for the duration of the contract or contract extension, assess the accuracy of the jobs impact statement.

''(vii) The Secretary of Defense shall submit to Congress an annual report on the frequency of use within the Department of Defense of jobs impact statements in the evaluation of competitive proposals.

''(viii)(I) In any contract awarded to an offeror that submitted a jobs impact statement with its offer in response to the solicitation for proposals for the contract, the agency shall track the number of jobs created or retained during the performance of the contract.

''(II) If the number of jobs that the agency estimates will be created (by using the jobs impact statement) significantly exceeds the number of jobs created or retained, then the agency may consider this as a factor that affects a contractor's past performance in the award of future contracts.

''(III) Contractors shall be provided an opportunity to explain any differences between their original jobs impact statement and the actual amount of jobs created or retained before the discrepancy affects the agency's assessment of the contractor's past performance.''.

(b) REVISION OF FEDERAL ACQUISITION REGULATION.—The Department of Defense Supplement to the Federal Acquisition Regulation shall be revised to implement the amendment made by subsection (a).

SA 2271. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 722. COMPTROLLER GENERAL REPORT ON RECOVERY AUDIT PROGRAM OF THE TRICARE PROGRAM.

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 that evaluates the similarities and differences in the approaches to identifying and recovering improper payments between the Medicare program and the TRICARE program. The report shall contain an evaluation of the following:

(1) Medicare and TRICARE claims processing efforts to prevent improper payments by denying claims prior to payment.

(2) Medicare and TRICARE claims processing efforts to correct improper payments post-payment.

(3) The effectiveness of Medicare and TRICARE post-payment audit programs in identifying and correcting improper payments that are returned to the government plans.

SA 2272. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 394, between lines 9 and 10, insert the following:

(d) EXPANSION OF LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Subsection (d) of section 1227 of the National Defense Authorization Act for Fiscal Year 2013 is further amended in paragraph (1)(B)(i), by inserting '', Lashkar-e-Tayyiba, Jaish-e-Mohammed,'' after ''the Haqqani Network''.

SA 2273. 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 F of title III, add the following:

SEC. 353. TRANSFER OF EXCESS PERSONAL PROPERTY OF THE DEPARTMENT OF DEFENSE.

Section 2576a of title 10, United States Code, is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following new subsection:

''(c) RESTRICTIONS ON TRANSFER.—(1) Such excess military equipment shall not be transferred under the provisions of this section to a State or local law enforcement, firefighting, homeland security, or emergency management agency unless request therefor is made by such agency, in such form and manner as the Secretary of Defense shall prescribe, and such request, with respect to the type and amount of equipment so requested, is certified as being necessary

and suitable for the operation of such agency by the Governor (or such State official as he may designate) of the State in which such agency is located. Equipment transferred to a State or local law enforcement, firefighting, homeland security, or emergency management agency under this section shall not exceed, in quantity, the amount requested and certified for such agency and shall be for the exclusive use of such agency. Such equipment may not be sold, or otherwise transferred, by such agency to any individual or public or private organization or agency.

''(2) The Secretary of Defense shall, as a condition of transfer of personal property under this section, prohibit the additional transfer of such property to any receiving party unless the transfer and such receiving party meet the requirements under paragraph (1).

''(3) The Secretary may require any party receiving personal property pursuant to this section to return such property to the Department of Defense at no cost to the Department if such party does not comply with the requirements of paragraph (1).''.

SA 2274. 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 B of title III, add the following:

SEC. 314. LINKING DOMESTIC MANUFACTURERS TO DEFENSE SUPPLY CHAIN OPPORTUNITIES.

(a) IN GENERAL.—The Secretary of Defense is authorized to work with other Federal agencies—

(1) to identify United States manufacturers currently producing, or capable of producing, defense and industrial base equipment, component parts, or similarly performing products; and

(2) to work with Department of Defense contractors responsible for the production of major weapons systems to identify and address gaps in domestic supply chains.

(b) CONSULTATION.—In carrying out the actions authorized under this section, the Secretary shall consult with—

(1) the Department of Commerce and other Federal agencies with relevant experience; and

(2) participants in the National Institute of Standards and Technology Hollings Manufacturing Extension Partnership program authorized under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k), and other industry groups.

SA 2275. Mr. BROWN (for himself and Mr. SANDERS) 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. INCLUSION OF FLAGS OF THE UNITED STATES OF AMERICA UNDER BUY AMERICAN REQUIREMENTS OF THE DEPARTMENT OF DEFENSE.

Section 2533a(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) A flag of the United States of America (within the meaning of chapter 1 of title 4).''.

SA 2276. 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:

Strike section 311.

SA 2277. 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 A of title VIII, add the following:

SEC. 804. REVISION OF DEFENSE SUPPLEMENT TO THE FEDERAL ACQUISITION REGULATION TO TAKE INTO ACCOUNT SOURCING LAWS.

Not later than 60 days after the date of the enactment of this Act, the Department of Defense Supplement to the Federal Acquisition Regulation shall be revised to implement the requirements imposed by sections 129, 129a, 2330a, 2461, and 2463 of title 10, United States Code.

SA 2278. Mr. DURBIN (for himself, Mr. BOOZMAN, Mr. COONS, Mr. KIRK, Mr. GRAHAM, Mrs. SHAHEEN, 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 H of title X, add the following:

SEC. 1082. UNITED STATES EXPORTS TO AFRICA.

(a) PURPOSE.—The purpose of this section is to create jobs in the United States by increasing United States exports to Africa by 200 percent in real dollar value within 10 years.

(b) DEFINITIONS.—In this section:

(1) AFRICA.—The term ''Africa'' refers to the entire continent of Africa and its 54 countries, including the Republic of South Sudan.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Finance of the Senate; and

(B) the Committee on Appropriations, the Committee on Energy and Commerce, the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on Ways and Means of the House of Representatives.

(3) TRADE PROMOTION COORDINATING COMMITTEE.—The term ''Trade Promotion Coordinating Committee'' means the Trade Promotion Coordinating Committee established by Executive Order 12870 (58 Fed. Reg. 51753).

(4) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—The term ''United States and Foreign Commercial Service'' means the United States and Foreign Commercial Service established by section 2301 of the Export Enhancement Act of 1988 (15 U.S.C. 4721).

(c) COORDINATED AGENCY EFFORTS.—Not later than 60 days after the date of the enactment of this Act, the President shall designate an existing senior United States Government official with existing interagency authority for export policy for Africa to coordinate among various United States Government agencies existing export strategies with the goal of significantly increasing United States exports to Africa in real dollar value. Such coordination shall occur for not less than 2 years after the date of the enactment of this Act.

(d) TRADE MISSION TO AFRICA.—It is the sense of Congress that, not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce and other high-level officials of the United States Government with responsibility for export promotion, financing, and development should conduct a joint trade mission to Africa.

(e) PERSONNEL.—

(1) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—

(A) IN GENERAL.—The Secretary of Commerce shall ensure that not less than 10 total United States and Foreign Commercial Service officers are assigned to Africa for each of the first 5 fiscal years beginning after the date of the enactment of this Act.

(B) ASSIGNMENT.—The Secretary shall, in consultation with the Trade Promotion Coordinating Committee, the Under Secretary for International Trade of the Department of Commerce, and the person designated pursuant to subsection (c), assign the United States and Foreign Commercial Service officers described in subparagraph (A) to United States embassies in Africa after conducting a timely resource allocation analysis that represents a forward-looking assessment of future United States trade opportunities in Africa.

(C) COORDINATION.—As soon as practicable after the date of the enactment of this Act, the Secretary of Commerce shall ensure that the Department of Commerce coordinates with the United States Executive Director at the World Bank and the African Development Bank on United States export strategy related to Africa.

(2) OVERSEAS PRIVATE INVESTMENT CORPORATION.—

(A) STAFFING.—Of the net offsetting collections collected by the Overseas Private Investment Corporation used for administrative expenses, the Corporation shall use sufficient funds to ensure that adequate staff, not to increase by more than two new staff, are available to promote stable and sustainable economic growth and development in Africa, to strengthen and expand the private sector in Africa, and to facilitate the general economic development of Africa, with a particular focus on helping United States businesses expand into African markets.

(B) REPORT.—The Corporation shall report to the appropriate congressional committees on whether recent technology upgrades have

resulted in more effective and efficient processing and tracking of applications for financing received by the Corporation.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as permitting the reduction of Department of Commerce, Department of State, Export Import Bank, or Overseas Private Investment Corporation personnel or the alteration of planned personnel increases in other regions, except where a personnel decrease was previously anticipated or where decreased export opportunities justify personnel reductions.

(f) TRAINING.—Not later than 90 days after the date of the enactment of this Act, the President shall develop and implement a plan—

(1) to standardize the training received by United States and Foreign Commercial Service officers, economic officers of the Department of State, and economic officers of the United States Agency for International Development with respect to the programs and procedures of the Export-Import Bank of the United States, the Overseas Private Investment Corporation, the Small Business Administration, and the United States Trade and Development Agency; and

(2) to ensure that—

(A) all United States and Foreign Commercial Service officers that are stationed overseas receive the training described in paragraph (1); and

(B) in the case of a country to which no United States and Foreign Commercial Service officer is assigned, any economic officer of the Department of State stationed in that country shall receive that training.

(g) SMALL BUSINESS ADMINISTRATION.—Section 22(b) of the Small Business Act (15 U.S.C. 649(b)) is amended—

(1) in the matter preceding paragraph (1), by inserting ''the Trade Promotion Coordinating Committee,'' after ''Director of the United States Trade and Development Agency,''; and

(2) in paragraph (3), by inserting ''regional offices of the Export-Import Bank,'' after ''Retired Executives,''.

(h) NON-OECD LENDING AND REPORTING.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that foreign export credit agencies are providing non-OECD arrangement compliant financing in Africa, which distorts trade and threatens United States jobs.

(2) REPORT.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter for five years, the senior coordinator named in subsection (c) shall submit to the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate and the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives a report on United States Government export financing related to United States exports to Africa.

(B) ELEMENTS.—The report required under subparagraph (A) shall include the following elements:

(i) A summary of progress made to significantly increase United States exports to Africa in real dollars.

(ii) An explanation of challenges hindering further United States exports to Africa, including plans to overcome such challenges.

(iii) An assessment of challenges that prevented United States Government export financing for viable United States export business to Africa for which commercial lending was not available.

(iv) A summary of all Export Import Bank loans made and rejected that were considered to counter non-OECD arrangement compliant financing offered by other countries.

(v) A description of trade distorting non-OECD arrangement compliant financing loans made by other countries during that fiscal year to firms that competed against United States firms.

(C) NON-DISCLOSURE.—The report required under subparagraph (A) shall not disclose any information that is confidential or business proprietary, or that would violate section 1905 of title 18, United States Code (commonly referred to as the ''Trade Secrets Act'').

SA 2279. Mr. DURBIN (for himself and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 722. EXTREMITY TRAUMA AND AMPUTATION RESEARCH.

Section 723 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4508) is amended—

(1) in subsection (c)(2), by adding at the end the following: ''Such research may be conducted by awarding competitive grants for peer-reviewed research on patient outcomes, materials, and technology to advance orthotic and prosthetic clinical care for members of the Armed Forces and veterans who have undergone amputation, traumatic brain injury, and other serious physical injury as a result of combat or military experience.''; and

(2) in subsection (d)(2), by adding at the end the following new subparagraph:

''(C) Identification and prioritization of the most significant gaps in orthotic and prosthetic research pertinent to the provision of evidence-based clinical care to members of the Armed Forces and veterans, and a summary of how any grants awarded under subsection (c)(2) will address such gaps.''.

SA 2280. Mr. DURBIN (for himself, Mrs. HAGAN, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 529. REVENUE, RECRUITING, AND MARKETING RESTRICTIONS FOR INSTITUTIONS OF HIGHER EDUCATION RECEIVING FUNDS FROM VOLUNTARY MILITARY EDUCATION PROGRAMS.

(a) 90/10 RULE FOR PARTICIPATION IN VOLUNTARY MILITARY EDUCATION PROGRAMS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, in order for a proprietary institution of higher education (as defined in section 102(b) of the Higher Education Act of 1965 (20 U.S.C. 1002(b))) to be eligible to participate in a voluntary military education program, such institution shall demonstrate to the Secretary of Defense that not less than 10 percent of such institution's revenues are derived from sources other than—

(A) funds provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

(B) funds provided under voluntary military education programs, as calculated in a manner to be determined by the Secretary of Defense and consistent with section 487(d)(1) of such Act.

(2) VOLUNTARY MILITARY EDUCATION PROGRAMS DEFINED.—In this subsection, the term ''voluntary military education programs'' means—

(A) the programs to assist military spouses in achieving education and training for extended employment and portable career opportunities under section 1784a of title 10, United States Code (commonly referred to as ''MyCAA''); and

(B) the authority to pay tuition for off-duty training or education of members of the Armed Forces under section 2005 or 2007 of title 10, United States Code.

(b) MARKETING BAN.—

(1) IN GENERAL.—In order to be eligible to receive voluntary military education program funds and in addition to any other requirements to receive such funds, an institution of higher education or other postsecondary educational institution shall not use revenues derived from voluntary military education program funds for recruiting or marketing activities described in paragraph (2).

(2) COVERED ACTIVITIES.—Except as provided in paragraph (3), the recruiting and marketing activities subject to paragraph (1) shall include the following:

(A) Advertising and promotion activities, including—

(i) paid announcements in newspapers, magazines, radio, television, billboards or electronic media;

(ii) naming rights; and

(iii) any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

(B) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student's potential enrollment or application for grant, loan, or work assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or participation in preadmission or advising activities, which may include—

(i) paying employees responsible for overseeing enrollment and for contacting potential students in-person, by phone, by email, or by other internet communications regarding enrollment; and

(ii) soliciting an individual to provide contact information to an institution of higher education, including websites established for such purpose and funds paid to third parties for such purpose.

(C) Such other activities as the Secretary of Defense may prescribe, including paying for promotion or sponsorship of education-related or military-related associations.

(3) EXCEPTIONS.—The recruiting and marketing activities subject to paragraph (1) shall not include the following:

(A) Any activity that is required as a condition of receipt of funds by an institution of higher education under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under such title, or is otherwise specified by the Secretary of Education.

(B) Any activity that is required to qualify for voluntary military education program funds or is otherwise specified by the Secretary of Defense.

(4) REPORTING.—Each institution of higher education, or other postsecondary educational institution, that receives revenues derived from voluntary military education program funds shall annually prepare and submit a report to the Secretary of Defense and to Congress regarding the institution's expenditures on advertising, marketing, and recruiting.

(5) DEFINITION OF VOLUNTARY MILITARY EDUCATION PROGRAM FUNDS.—In this subsection, the term ''voluntary military education program funds'' means funds provided under—

(A) the programs to assist military spouses in achieving education and training for extended employment and portable career opportunities under section 1784a of title 10, United States Code (commonly referred to as ''MyCAA''); and

(B) the authority to pay tuition for off-duty training or education of members of the Armed Forces under section 2005 or 2007 of title 10, United States Code.

SA 2281. Mr. MERKLEY 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. PROGRAM TO PROVIDE FEDERAL PROCUREMENT CONTRACTS TO EARLY-STAGE SMALL BUSINESS CONCERNS.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by adding at the end the following:

''SEC. 48. PROGRAM TO PROVIDE FEDERAL PROCUREMENT CONTRACTS TO EARLY-STAGE SMALL BUSINESS CONCERNS.

''(a) DEFINITIONS.—In this section—

''(1) the term 'early-stage small business concern' means a small business concern—

''(A) that has not more than 15 employees;

''(B) that—

''(i) has average annual receipts that total not more than $1,000,000; or

''(ii) is in an industry with a size standard of less than $1,000,000 in average annual receipts; and

''(C) that is certified as an early-stage small business concern—

''(i) by the Administrator; or

''(ii) by a Federal agency, State government, or national certifying entity approved by the Administrator to certify that the small business concern is an early-stage small business concern;

''(2) the term 'Federal procurement contract' means a contract with a Federal agency for the procurement of goods or services; and

''(3) the term 'program' means the program established under subsection (b).

''(b) ESTABLISHMENT.—The Administrator shall establish and carry out a program to provide improved access to Federal procurement contract opportunities for early-stage small business concerns in accordance with this section.

''(c) PROCUREMENT CONTRACTS.—

''(1) IN GENERAL.—In carrying out the program, the Administrator shall, in consultation with other Federal agencies, identify Federal procurement contracts of not less than $3,000 and not more than $50,000 to be awarded to early-stage small business concerns under the program.

''(2) CONTRACT AWARDS.—A Federal agency may award a contract identified under paragraph (1) to an early-stage small business concern selected, and determined to be responsible, by the Federal agency.

''(3) COMPETITION.—

''(A) SOLE SOURCE.—A contracting officer may award a sole source contract to an early-stage small business concern under the program if—

''(i) the contracting officer determines that the early-stage small business concern is a responsible contractor with respect to performance of the contract;

''(ii) the contracting officer does not have a reasonable expectation that 2 or more early-stage small business concerns will submit offers for the contract; and

''(iii) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.

''(B) RESTRICTED COMPETITION.—A contracting officer may award a contract under the program on the basis of competition restricted to early-stage small business concerns if the contracting officer has a reasonable expectation that—

''(i) 2 or more early-stage small business concerns will submit offers for the contract; and

''(ii) the contract award can be made at a fair and reasonable price.

''(4) CONTRACT VALUE.—A contract awarded under the program shall have a value greater than $3,000 and less than $50,000.

''(d) TECHNICAL ASSISTANCE.—The Administrator shall provide early-stage small business concerns with technical assistance and counseling regarding—

''(1) applying and competing for Federal procurement contracts; and

''(2) fulfilling administrative responsibilities associated with the performance of a Federal procurement contract.

''(e) ATTAINMENT OF CONTRACT GOALS.—Contract awards made under the program shall count toward the attainment of the goals established under section 15(g).

''(f) REGULATIONS.—The Administrator shall—

''(1) not later than 180 days after the date of enactment of this section, propose regulations to carry out this section; and

''(2) not later than 270 days after the date of enactment of this section, issue final regulations to carry out this section.

''(g) REPORT TO CONGRESS.—Not later than April 30, 2015, the Administrator shall submit to Congress a report on the performance of the program.''.

(b) REPEAL OF SIMILAR PROGRAM.—Section 304 of the Small Business Administration Reauthorization and Amendments Act of 1994 (15 U.S.C. 644 note) is repealed.

SA 2282. Mr. WYDEN (for himself, Ms. MURKOWSKI, Mr. UDALL of New Mexico, Mr. BLUMENTHAL, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXVIII, add the following:

Subtitle F—Military Land Withdrawals

SEC. 2851. SHORT TITLE.

This subtitle may be cited as the ''Military Land Withdrawals Act of 2013''.

SEC. 2852. DEFINITIONS.

In this subtitle:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

(2) MANAGE; MANAGEMENT.—

(A) INCLUSIONS.—The terms ''manage'' and ''management'' include the authority to exercise jurisdiction, custody, and control over the land withdrawn and reserved by title LI.

(B) EXCLUSIONS.—The terms ''manage'' and ''management'' do not include authority for disposal of the land withdrawn and reserved by title LI.

(3) SECRETARY CONCERNED.—The term ''Secretary concerned'' has the meaning given the term in section 101(a) of title 10, United States Code.

PART 1—GENERAL PROVISIONS

SEC. 2861. GENERAL APPLICABILITY; DEFINITIONS.

(a) APPLICABILITY OF PART.—The provisions of this part apply to any withdrawal made by this subtitle.

(b) RULES OF CONSTRUCTION.—Nothing in this part assigns management of real property under the administrative jurisdiction of the Secretary concerned to the Secretary of the Interior.

SEC. 2862. MAPS AND LEGAL DESCRIPTIONS.

(a) PREPARATION OF MAPS AND LEGAL DESCRIPTIONS.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall—

(1) publish in the Federal Register a notice containing the legal description of the land withdrawn and reserved by part 2; and

(2) file maps and legal descriptions of the land withdrawn and reserved by part 2 with—

(A) the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Armed Services and the Committee on Natural Resources of the House of Representatives.

(b) LEGAL EFFECT.—The maps and legal descriptions filed under subsection (a)(2) shall have the same force and effect as if the maps and legal descriptions were included in this subtitle, except that the Secretary of the Interior may correct any clerical and typographical errors in the maps and legal descriptions.

(c) AVAILABILITY.—Copies of the maps and legal descriptions filed under subsection (a)(2) shall be available for public inspection—

(1) in the appropriate offices of the Bureau of Land Management;

(2) in the office of the commanding officer of the military installation for which the land is withdrawn; and

(3) if the military installation is under the management of the National Guard, in the office of the Adjutant General of the State in which the military installation is located.

(d) COSTS.—The Secretary concerned shall reimburse the Secretary of the Interior for the costs incurred by the Secretary of the Interior in implementing this section.

SEC. 2863. ACCESS RESTRICTIONS.

(a) IN GENERAL.—If the Secretary concerned determines that military operations, public safety, or national security require the closure to the public of any road, trail, or other portion of land withdrawn and reserved by this subtitle, the Secretary may take such action as the Secretary determines to be necessary to implement and maintain the closure.

(b) LIMITATION.—Any closure under subsection (a) shall be limited to the minimum area and duration that the Secretary concerned determines are required for the purposes of the closure.

(c) CONSULTATION REQUIRED.—

(1) IN GENERAL.—Subject to paragraph (3), before a closure is implemented under this

section, the Secretary concerned shall consult with the Secretary of the Interior.

(2) INDIAN TRIBE.—Subject to paragraph (3), if a closure proposed under this section may affect access to or use of sacred sites or resources considered to be important by an Indian tribe, the Secretary concerned shall consult, at the earliest practicable date, with the affected Indian tribe.

(3) LIMITATION.—No consultation shall be required under paragraph (1) or (2)—

(A) if the closure is provided for in an integrated natural resources management plan, an installation cultural resources management plan, or a land use management plan; or

(B) in the case of an emergency, as determined by the Secretary concerned.

(d) NOTICE.—Immediately preceding and during any closure implemented under subsection (a), the Secretary concerned shall post appropriate warning notices and take other appropriate actions to notify the public of the closure.

SEC. 2864. CHANGES IN USE.

(a) OTHER USES AUTHORIZED.—In addition to the purposes described in part 2, the Secretary concerned may authorize the use of land withdrawn and reserved by this subtitle for defense-related purposes.

(b) NOTICE TO SECRETARY OF THE INTERIOR.—

(1) IN GENERAL.—The Secretary concerned shall promptly notify the Secretary of the Interior if the land withdrawn and reserved by this subtitle is used for additional defense-related purposes.

(2) REQUIREMENTS.—A notification under paragraph (1) shall specify—

(A) each additional use;

(B) the planned duration of each additional use; and

(C) the extent to which each additional use would require that additional or more stringent conditions or restrictions be imposed on otherwise-permitted nondefense-related uses of the withdrawn and reserved land or portions of withdrawn and reserved land.

SEC. 2866. BRUSH AND RANGE FIRE PREVENTION AND SUPPRESSION.

(a) REQUIRED ACTIVITIES.—The Secretary concerned shall, consistent with any applicable land management plan, take necessary precautions to prevent, and actions to suppress, brush and range fires occurring as a result of military activities on the land withdrawn and reserved by this subtitle, including fires that occur on other land that spread from the withdrawn and reserved land.

(b) COOPERATION OF SECRETARY OF THE INTERIOR.—

(1) IN GENERAL.—At the request of the Secretary concerned, the Secretary of the Interior shall—

(A) provide assistance in the suppression of fires under subsection (a); and

(B) be reimbursed by the Secretary concerned for the costs of the Secretary of the Interior in providing the assistance.

(2) TRANSFER OF FUNDS.—Notwithstanding section 2215 of title 10, United States Code, the Secretary concerned may transfer to the Secretary of the Interior, in advance, funds to reimburse the costs of the Department of the Interior in providing assistance under this subsection.

SEC. 2867. ONGOING DECONTAMINATION.

(a) IN GENERAL.—During the period of a withdrawal and reservation of land under this subtitle, the Secretary concerned shall maintain a program of decontamination of contamination caused by defense-related uses on the withdrawn land—

(1) to the extent funds are available to carry out this subsection; and

(2) consistent with applicable Federal and State law.

(b) ANNUAL REPORT.—The Secretary of Defense shall include in the annual report required by section 2711 of title 10, United States Code, a description of decontamination activities conducted under subsection (a).

SEC. 2868. WATER RIGHTS.

(a) NO RESERVATION OF WATER RIGHTS.—Nothing in this subtitle—

(1) establishes a reservation of the United States with respect to any water or water right on the land withdrawn and reserved by this subtitle; or

(2) authorizes the appropriation of water on the land withdrawn and reserved by this subtitle, except in accordance with applicable State law.

(b) EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.—

(1) IN GENERAL.—Nothing in this section affects any water rights acquired or reserved by the United States before the date of enactment of this Act.

(2) AUTHORITY OF SECRETARY CONCERNED.—The Secretary concerned may exercise any water rights described in paragraph (1).

SEC. 2869. HUNTING, FISHING, AND TRAPPING.

Section 2671 of title 10, United States Code, shall apply to all hunting, fishing, and trapping on the land—

(1) that is withdrawn and reserved by this subtitle; and

(2) for which management of the land has been assigned to the Secretary concerned.

SEC. 2870. LIMITATION ON EXTENSIONS AND RENEWALS.

The withdrawals and reservations established under this subtitle may not be extended or renewed except by a law enacted after the date of enactment of this Act.

SEC. 2871. APPLICATION FOR RENEWAL OF A WITHDRAWAL AND RESERVATION.

To the extent practicable, not later than 5 years before the date of termination of a withdrawal and reservation established by this subtitle, the Secretary concerned shall—

(1) notify the Secretary of the Interior as to whether the Secretary concerned will have a continuing defense-related need for any of the land withdrawn and reserved by this subtitle after the termination date of the withdrawal and reservation; and

(2) transmit a copy of the notice submitted under paragraph (1) to—

(A) the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Armed Services and the Committee on Natural Resources of the House of Representatives.

SEC. 2872. LIMITATION ON SUBSEQUENT AVAILABILITY OF LAND FOR APPROPRIATION.

On the termination of a withdrawal and reservation by this subtitle, the previously withdrawn land shall not be open to any form of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws, unless the Secretary of the Interior publishes in the Federal Register an appropriate order specifying the date on which the land shall be—

(1) restored to the public domain; and

(2) opened for appropriation under the public land laws.

SEC. 2873. RELINQUISHMENT.

(a) NOTICE OF INTENTION TO RELINQUISH.—If, during the period of withdrawal and reservation under this subtitle, the Secretary concerned decides to relinquish any or all of the land withdrawn and reserved by this subtitle, the Secretary concerned shall submit to the Secretary of the Interior notice of the intention to relinquish the land.

(b) DETERMINATION OF CONTAMINATION.—The Secretary concerned shall include in the notice submitted under subsection (a) a written determination concerning whether and to what extent the land that is to be relinquished is contaminated with explosive materials or toxic or hazardous substances.

(c) PUBLIC NOTICE.—The Secretary of the Interior shall publish in the Federal Register the notice of intention to relinquish the land under this section, including the determination concerning the contaminated state of the land.

(d) DECONTAMINATION OF LAND TO BE RELINQUISHED.—

(1) DECONTAMINATION REQUIRED.—The Secretary concerned shall decontaminate land subject to a notice of intention under subsection (a) to the extent that funds are appropriated for that purpose, if—

(A) the land subject to the notice of intention is contaminated, as determined by the Secretary concerned; and

(B) the Secretary of the Interior, in consultation with the Secretary concerned, determines that—

(i) decontamination is practicable and economically feasible, after taking into consideration the potential future use and value of the contaminated land; and

(ii) on decontamination of the land, the land could be opened to operation of some or all of the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

(2) ALTERNATIVES TO RELINQUISHMENT.—The Secretary of the Interior shall not be required to accept the land proposed for relinquishment under subsection (a), if—

(A) the Secretary of the Interior, after consultation with the Secretary concerned, determines that—

(i) decontamination of the land is not practicable or economically feasible; or

(ii) the land cannot be decontaminated sufficiently to be opened to operation of some or all of the public land laws; or

(B) sufficient funds are not appropriated for the decontamination of the land.

(3) STATUS OF CONTAMINATED LAND ON TERMINATION.—If, because of the contaminated state of the land, the Secretary of the Interior declines to accept land withdrawn and reserved by this subtitle that has been proposed for relinquishment, or if at the expiration of the withdrawal and reservation made by this subtitle, the Secretary of the Interior determines that a portion of the land withdrawn and reserved by this subtitle is contaminated to an extent that prevents opening the contaminated land to operation of the public land laws—

(A) the Secretary concerned shall take appropriate steps to warn the public of—

(i) the contaminated state of the land; and

(ii) any risks associated with entry onto the land;

(B) after the expiration of the withdrawal and reservation under this subtitle, the Secretary concerned shall undertake no activities on the contaminated land, except for activities relating to the decontamination of the land; and

(C) the Secretary concerned shall submit to the Secretary of the Interior and Congress a report describing—

(i) the status of the land; and

(ii) any actions taken under this paragraph.

(e) REVOCATION AUTHORITY.—

(1) IN GENERAL.—If the Secretary of the Interior determines that it is in the public interest to accept the land proposed for relinquishment under subsection (a), the Secretary of the Interior may order the revocation of a withdrawal and reservation established by this subtitle.

(2) REVOCATION ORDER.—To carry out a revocation under paragraph (1), the Secretary of

the Interior shall publish in the Federal Register a revocation order that—

(A) terminates the withdrawal and reservation;

(B) constitutes official acceptance of the land by the Secretary of the Interior; and

(C) specifies the date on which the land will be opened to the operation of some or all of the public land laws, including the mining laws.

(f) ACCEPTANCE BY SECRETARY OF THE INTERIOR.—

(1) IN GENERAL.—Nothing in this section requires the Secretary of the Interior to accept the land proposed for relinquishment if the Secretary determines that the land is not suitable for return to the public domain.

(2) NOTICE.—If the Secretary makes a determination that the land is not suitable for return to the public domain, the Secretary shall provide notice of the determination to Congress.

SEC. 2874. LAND WITHDRAWALS; IMMUNITY OF THE UNITED STATES.

The United States and officers and employees of the United States shall be held harmless and shall not be liable for any injuries or damages to persons or property incurred as a result of any mining or mineral or geothermal leasing activity or other authorized nondefense-related activity conducted on land withdrawn and reserved by this subtitle.

PART 2—MILITARY LAND WITHDRAWALS

SEC. 2881. CHINA LAKE, CALIFORNIA.

(a) WITHDRAWAL AND RESERVATION.—

(1) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this section, the public land (including the interests in land) described in paragraph (2), and all other areas within the boundary of the land depicted on the map described in that paragraph that may become subject to the operation of the public land laws, is withdrawn from all forms of appropriation under the public land laws (including the mining laws and the mineral leasing laws).

(2) DESCRIPTION OF LAND.—The public land (including interests in land) referred to in paragraph (1) is the Federal land located within the boundaries of the Naval Air Weapons Station China Lake, comprising approximately 1,045,000 acres in Inyo, Kern, and San Bernardino Counties, California, as generally depicted on the maps entitled ''Naval Air Weapons Station China Lake Withdrawal—Renewal'', ''North Range'', and ''South Range'', dated March 18, 2013, and filed in accordance with section 2862.

(3) RESERVATION.—The land withdrawn by paragraph (1) is reserved for use by the Secretary of the Navy for the following purposes:

(A) Use as a research, development, test, and evaluation laboratory.

(B) Use as a range for air warfare weapons and weapon systems.

(C) Use as a high-hazard testing and training area for aerial gunnery, rocketry, electronic warfare and countermeasures, tactical maneuvering and air support, and directed energy and unmanned aerial systems.

(D) Geothermal leasing, development, and related power production activities.

(E) Other defense-related purposes consistent with the purposes described in subparagraphs (A) through (D) and authorized under section 2864.

(b) MANAGEMENT OF WITHDRAWN AND RESERVED LAND.—

(1) MANAGEMENT BY THE SECRETARY OF THE INTERIOR.—

(A) IN GENERAL.—Except as provided in paragraph (2), during the period of the withdrawal and reservation of land by this section, the Secretary of the Interior shall manage the land withdrawn and reserved by this section in accordance with—

(i) this subtitle;

(ii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(iii) any other applicable law.

(B) AUTHORIZED ACTIVITIES.—To the extent consistent with applicable law and Executive orders, the land withdrawn by this section may be managed in a manner that permits the following activities:

(i) Grazing.

(ii) Protection of wildlife and wildlife habitat.

(iii) Preservation of cultural properties.

(iv) Control of predatory and other animals.

(v) Recreation and education.

(vi) Prevention and appropriate suppression of brush and range fires resulting from non-military activities.

(vii) Geothermal leasing and development and related power production activities.

(C) NONDEFENSE USES.—All nondefense-related uses of the land withdrawn by this section (including the uses described in subparagraph (B)), shall be subject to any conditions and restrictions that the Secretary of the Interior and the Secretary of the Navy jointly determine to be necessary to permit the defense-related use of the land for the purposes described in this section.

(D) ISSUANCE OF LEASES.—

(i) IN GENERAL.—The Secretary of the Interior shall be responsible for the issuance of any lease, easement, right-of-way, permit, license, or other instrument authorized by law with respect to any activity that involves geothermal resources on—

(I) the land withdrawn and reserved by this section; and

(II) any other land not under the administrative jurisdiction of the Secretary of the Navy.

(ii) CONSENT REQUIRED.—Any authorization issued under clause (i) shall—

(I) only be issued with the consent of the Secretary of the Navy; and

(II) be subject to such conditions as the Secretary of the Navy may require with respect to the land withdrawn and reserved by this section.

(2) ASSIGNMENT TO THE SECRETARY OF THE NAVY.—

(A) IN GENERAL.—The Secretary of the Interior may assign the management responsibility, in whole or in part, for the land withdrawn and reserved by this section to the Secretary of the Navy.

(B) APPLICABLE LAW.—On assignment of the management responsibility under subparagraph (A), the Secretary of the Navy shall manage the land in accordance with—

(i) this subtitle;

(ii) title I of the Sikes Act (16 U.S.C. 670a et seq.);

(iii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(iv) cooperative management arrangements entered into by the Secretary of the Interior and the Secretary of the Navy; and

(v) any other applicable law.

(3) GEOTHERMAL RESOURCES.—

(A) IN GENERAL.—Nothing in this section or section 2865 affects—

(i) geothermal leases issued by the Secretary of the Interior before the date of enactment of this Act; or

(ii) the responsibility of the Secretary of the Interior to administer and manage the leases described in clause (i), consistent with the provisions of this section.

(B) AUTHORITY OF THE SECRETARY OF THE INTERIOR.—Nothing in this section or any other provision of law prohibits the Secretary of the Interior from issuing, subject to the concurrence of the Secretary of the Navy, and administering any lease under the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.) and any other applicable law for the development and use of geothermal steam and associated geothermal resources on the land withdrawn and reserved by this section.

(C) APPLICABLE LAW.—Nothing in this section affects the geothermal exploration and development authority of the Secretary of the Navy under section 2917 of title 10, United States Code, with respect to the land withdrawn and reserved by this section, except that the Secretary of the Navy shall be required to obtain the concurrence of the Secretary of the Interior before taking action under section 2917 of title 10, United States Code.

(D) NAVY CONTRACTS.—On the expiration of the withdrawal and reservation of land under this section or the relinquishment of the land, any Navy contract for the development of geothermal resources at Naval Air Weapons Station, China Lake, in effect on the date of the expiration or relinquishment shall remain in effect, except that the Secretary of the Interior, with the consent of the Secretary of the Navy, may offer to substitute a standard geothermal lease for the contract.

(E) CONCURRENCE OF SECRETARY OF THE NAVY REQUIRED.—Any lease issued under section 2865(d) with respect to land withdrawn and reserved by this section shall require the concurrence of the Secretary of the Navy, if—

(i) the Secretary of the Interior anticipates the surface occupancy of the withdrawn land; or

(ii) the Secretary of the Interior determines that the proposed lease may interfere with geothermal resources on the land.

(4) WILD HORSES AND BURROS.—

(A) IN GENERAL.—The Secretary of the Navy—

(i) shall be responsible for the management of wild horses and burros located on the land withdrawn and reserved by this section; and

(ii) may use helicopters and motorized vehicles for the management of the wild horses and burros.

(B) REQUIREMENTS.—The activities authorized under subparagraph (A) shall be conducted in accordance with laws applicable to the management of wild horses and burros on public land.

(C) AGREEMENT.—The Secretary of the Interior and the Secretary of the Navy shall enter into an agreement for the implementation of the management of wild horses and burros under this paragraph.

(5) CONTINUATION OF EXISTING AGREEMENT.—The agreement between the Secretary of the Interior and the Secretary of the Navy entered into before the date of enactment of this Act under section 805 of the California Military Lands Withdrawal and Overflights Act of 1994 (Public Law 103–433; 108 Stat. 4503) shall continue in effect until the earlier of—

(A) the date on which the Secretary of the Interior and the Secretary of the Navy enter into a new agreement; or

(B) the date that is 1 year after the date of enactment of this Act.

(6) COOPERATION IN DEVELOPMENT OF MANAGEMENT PLAN.—

(A) IN GENERAL.—The Secretary of the Navy and the Secretary of the Interior shall update and maintain cooperative arrangements concerning land resources and land uses on the land withdrawn and reserved by this section.

(B) REQUIREMENTS.—A cooperative arrangement entered into under subparagraph (A) shall—

(i) focus on and apply to sustainable management and protection of the natural and cultural resources and environmental values found on the withdrawn and reserved land, consistent with the defense-related purposes for which the land is withdrawn and reserved; and

(ii) include a comprehensive land use management plan that—

(I) integrates and is consistent with any applicable law, including—

(aa) title I of the Sikes Act (16 U.S.C. 670a et seq.); and

(bb) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(II) shall be—

(aa) annually reviewed by the Secretary of the Navy and the Secretary of the Interior; and

(bb) updated, as the Secretary of the Navy and the Secretary of the Interior determine to be necessary—

(AA) to respond to evolving management requirements; and

(BB) to complement the updates of other applicable land use and resource management and planning.

(7) IMPLEMENTING AGREEMENT.—

(A) IN GENERAL.—The Secretary of the Interior and the Secretary of the Navy may enter into a written agreement to implement the comprehensive land use management plan developed under paragraph (6)(B)(ii).

(B) COMPONENTS.—An agreement entered into under subparagraph (A)—

(i) shall be for a duration that is equal to the period of the withdrawal and reservation of land under this section; and

(ii) may be amended from time to time.

(c) TERMINATION OF PRIOR WITHDRAWALS.—

(1) IN GENERAL.—Subject to paragraph (2), the withdrawal and reservation under section 803(a) of the California Military Lands Withdrawal and Overflights Act of 1994 (Public Law 103–433; 108 Stat. 4502) is terminated.

(2) LIMITATION.—Notwithstanding the termination under paragraph (1), all rules, regulations, orders, permits, and other privileges issued or granted by the Secretary of the Interior or the Secretary of the Navy with respect to the land withdrawn and reserved under that section, unless inconsistent with the provisions of this section, shall remain in force until modified, suspended, overruled, or otherwise changed by—

(A) the Secretary of the Interior or the Secretary of the Navy (as applicable);

(B) a court of competent jurisdiction; or

(C) operation of law.

(d) DURATION OF WITHDRAWAL AND RESERVATION.—The withdrawal and reservation made by this section terminate on March 31, 2039.

SEC. 2882. LIMESTONE HILLS, MONTANA.

(a) WITHDRAWAL AND RESERVATION OF PUBLIC LAND FOR LIMESTONE HILLS TRAINING AREA, MONTANA.—

(1) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this section, the public land (including the interests in land) described in paragraph (3), and all other areas within the boundaries of the land as depicted on the map provided for by paragraph (4) that may become subject to the operation of the public land laws, is withdrawn from all forms of appropriation under the public land laws (including the mining laws, the mineral leasing laws, and the geothermal leasing laws).

(2) RESERVATION; PURPOSE.—Subject to the limitations and restrictions contained in subsection (c), the public land withdrawn by paragraph (1) is reserved for use by the Secretary of the Army for the following purposes:

(A) The conduct of training for active and reserve components of the Armed Forces.

(B) The construction, operation, and maintenance of organizational support and maintenance facilities for component units conducting training.

(C) The conduct of training by the Montana Department of Military Affairs, provided that the training does not interfere with the purposes specified in subparagraphs (A) and (B).

(D) The conduct of training by State and local law enforcement agencies, civil defense organizations, and public education institutions, provided that the training does not interfere with the purposes specified in subparagraphs (A) and (B).

(E) Other defense-related purposes consistent with the purposes specified in subparagraphs (A) through (D).

(3) DESCRIPTION OF LAND.—The public land (including the interests in land) referred to in paragraph (1) comprises approximately 18,644 acres in Broadwater County, Montana, generally depicted as ''Proposed Land Withdrawal'' on the map entitled ''Limestone Hills Training Area Land Withdrawal'' and dated April 10, 2013.

(4) INDIAN TRIBES.—

(A) IN GENERAL.—Nothing in this subtitle alters any rights reserved for an Indian tribe for tribal use of the public land withdrawn by paragraph (1) by treaty or Federal law.

(B) CONSULTATION REQUIRED.—The Secretary of the Army shall consult with any Indian tribes in the vicinity of the public land withdrawn by paragraph (1) before taking any action within the public land affecting tribal rights or cultural resources protected by treaty or Federal law.

(b) MANAGEMENT OF WITHDRAWN AND RESERVED LAND.—During the period of the withdrawal and reservation specified in subsection (e), the Secretary of the Army shall manage the public land withdrawn by paragraph (1) of subsection (a) for the purposes specified in paragraph (2) of that subsection, subject to the limitations and restrictions contained in subsection (c).

(c) SPECIAL RULES GOVERNING MINERALS MANAGEMENT.—

(1) INDIAN CREEK MINE.—

(A) IN GENERAL.—Of the land withdrawn by subsection (a)(1), locatable mineral activities in the approved Indian Creek Mine plan of operations, MTM–78300, shall be regulated in accordance with subparts 3715 and 3809 of title 43, Code of Federal Regulations.

(B) RESTRICTIONS ON SECRETARY OF THE ARMY.—

(i) IN GENERAL.—The Secretary of the Army shall make no determination that the disposition of, or exploration for, minerals as provided for in the approved plan of operations described in subparagraph (A) is inconsistent with the defense-related uses of the land withdrawn under this section.

(ii) COORDINATION.—The coordination of the disposition of and exploration for minerals with defense-related uses of the land shall be determined in accordance with procedures in an agreement provided for under paragraph (3).

(2) REMOVAL OF UNEXPLODED ORDNANCE ON LAND TO BE MINED.—

(A) REMOVAL ACTIVITIES.—

(i) IN GENERAL.—Subject to the availability of funds appropriated for such purpose, the Secretary of the Army shall remove unexploded ordnance on land withdrawn by subsection (a)(1) that is subject to mining under paragraph (1), consistent with applicable Federal and State law.

(ii) PHASES.—The Secretary of the Army may provide for the removal of unexploded ordnance in phases to accommodate the development of the Indian Creek Mine under paragraph (1).

(B) REPORT ON REMOVAL ACTIVITIES.—

(i) IN GENERAL.—The Secretary of the Army shall annually submit to the Secretary of the Interior a report regarding any unexploded ordnance removal activities conducted during the previous fiscal year in accordance with this paragraph.

(ii) INCLUSIONS.—The report under clause (i) shall include—

(I) a description of the amounts expended for unexploded ordnance removal on the land withdrawn by subsection (a)(1) during the period covered by the report; and

(II) the identification of the land cleared of unexploded ordnance and approved for mining activities by the Secretary of the Interior under this paragraph.

(3) IMPLEMENTATION AGREEMENT FOR MINING ACTIVITIES.—

(A) IN GENERAL.—The Secretary of the Interior and the Secretary of the Army shall enter into an agreement to implement this subsection with respect to the coordination of defense-related uses and mining and the ongoing removal of unexploded ordnance.

(B) DURATION.—The duration of an agreement entered into under subparagraph (A) shall be equal to the period of the withdrawal under subsection (a)(1), but may be amended from time to time.

(C) REQUIREMENTS.—The agreement shall provide the following:

(i) That Graymont Western US, Inc., or any successor or assign of the approved Indian Creek Mine mining plan of operations, MTM–78300, shall be invited to be a party to the agreement.

(ii) Provisions regarding the day-to-day joint-use of the Limestone Hills Training Area.

(iii) Provisions addressing periods during which military and other authorized uses of the withdrawn land will occur.

(iv) Provisions regarding when and where military use or training with explosive material will occur.

(v) Provisions regarding the scheduling of training activities conducted within the withdrawn land that restrict mining activities.

(vi) Procedures for deconfliction with mining operations, including parameters for notification and resolution of anticipated changes to the schedule.

(vii) Procedures for access through mining operations covered by this section to training areas within the boundaries of the Limestone Hills Training Area.

(viii) Procedures for scheduling of the removal of unexploded ordnance.

(4) EXISTING MEMORANDUM OF AGREEMENT.—Until the date on which the agreement under paragraph (3) becomes effective, the compatible joint use of the land withdrawn and reserved by subsection (a)(1) shall be governed, to the extent compatible, by the terms of the 2005 Memorandum of Agreement among the Montana Army National Guard, Graymont Western US, Inc., and the Bureau of Land Management.

(d) GRAZING.—

(1) ISSUANCE AND ADMINISTRATION OF PERMITS AND LEASES.—The Secretary of the Interior shall manage the issuance and administration of grazing permits and leases, including the renewal of permits and leases, on the public land withdrawn by subsection (a)(1), consistent with all applicable laws (including regulations) and policies of the Secretary of the Interior relating to the permits and leases.

(2) SAFETY REQUIREMENTS.—With respect to any grazing permit or lease issued after the date of enactment of this Act for land withdrawn by subsection (a)(1), the Secretary of the Interior and the Secretary of the Army shall jointly establish procedures that—

(A) are consistent with Department of the Army explosive and range safety standards; and

(B) provide for the safe use of the withdrawn land.

(3) ASSIGNMENT.—The Secretary of the Interior may, with the agreement of the Secretary of the Army, assign the authority to issue and to administer grazing permits and leases to the Secretary of the Army, except

that the assignment may not include the authority to discontinue grazing on the land withdrawn by subsection (a)(1).

(e) DURATION OF WITHDRAWAL AND RESERVATION.—The withdrawal of public land by subsection (a)(1) shall terminate on March 31, 2039.

SEC. 2883. CHOCOLATE MOUNTAIN, CALIFORNIA.

(a) WITHDRAWAL AND RESERVATION.—

(1) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this section, the public land (including the interests in land) described in paragraph (2), and all other areas within the boundary of the land depicted on the map described in that paragraph that become subject to the operation of the public land laws, is withdrawn from all forms of appropriation under the public land laws (including the mining laws, the mineral leasing laws, and the geothermal leasing laws).

(2) DESCRIPTION OF LAND.—The public land (including the interests in land) referred to in paragraph (1) is the Federal land comprising approximately 228,324 acres in Imperial and Riverside Counties, California, generally depicted on the map entitled ''Chocolate Mountain Aerial Gunnery Range—Administration's Land Withdrawal Legislative Proposal Map'', dated October 30, 2013, and filed in accordance with section 2862.

(3) RESERVATION.—The land withdrawn by paragraph (1) is reserved for use by the Secretary of the Navy for the following purposes:

(A) Testing and training for aerial bombing, missile firing, tactical maneuvering, and air support.

(B) Small unit ground forces training, including artillery firing, demolition activities, and small arms field training.

(C) Other defense-related purposes consistent with the purposes that are—

(i) described in subparagraphs (A) and (B); and

(ii) authorized under section 2864.

(b) MANAGEMENT OF WITHDRAWN AND RESERVED LAND.—

(1) MANAGEMENT BY THE SECRETARY OF THE INTERIOR.—Except as provided in paragraph (2), during the period of the withdrawal and reservation of land by this section, the Secretary of the Interior shall manage the land withdrawn and reserved by this section in accordance with—

(A) this subtitle;

(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(C) any other applicable law.

(2) ASSIGNMENT OF MANAGEMENT TO THE SECRETARY OF THE NAVY.—

(A) IN GENERAL.—The Secretary of the Interior may assign the management responsibility, in whole or in part, for the land withdrawn and reserved by this section to the Secretary of the Navy.

(B) ACCEPTANCE.—If the Secretary of the Navy accepts the assignment of responsibility under subparagraph (A), the Secretary of the Navy shall manage the land in accordance with—

(i) this subtitle;

(ii) title I of the Sikes Act (16 U.S.C. 670a et seq.); and

(iii) any other applicable law.

(3) IMPLEMENTING AGREEMENT.—The Secretary of the Interior and the Secretary of the Navy may enter into a written agreement—

(A) that implements the assignment of management responsibility under paragraph (2);

(B) the duration of which shall be equal to the period of the withdrawal and reservation of the land under this section; and

(C) that may be amended from time to time.

(4) ACCESS AGREEMENT.—The Secretary of the Interior and the Secretary of the Navy may enter into a written agreement to address access to and maintenance of Bureau of Reclamation facilities located within the boundary of the Chocolate Mountain Aerial Gunnery Range.

(c) ACCESS.—Notwithstanding section 2863, the land withdrawn and reserved by this section (other than the land comprising the Bradshaw Trail) shall be—

(1) closed to the public and all uses (other than the uses authorized by subsection (a)(3) or under section 2864); and

(2) subject to any conditions and restrictions that the Secretary of the Navy determines to be necessary to prevent any interference with the uses authorized by subsection (a)(3) or under section 2864.

(d) DURATION OF WITHDRAWAL AND RESERVATION.—The withdrawal and reservation made by this section terminates on March 31, 2039.

SEC. 2884. TWENTYNINE PALMS, CALIFORNIA.

(a) WITHDRAWAL AND RESERVATION.—

(1) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this section, the public land (including the interests in land) described in paragraph (2), and all other areas within the boundary of the land depicted on the map described in that paragraph that may become subject to the operation of the public land laws, is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

(2) DESCRIPTION OF LAND.—The public land (including the interests in land) referred to in paragraph (1) is the Federal land comprising approximately 150,928 acres in San Bernardino County, California, generally depicted on the map entitled ''MCAGCC 29 Palms Expansion Map'', dated November 13, 2013 (3 sheets), and filed in accordance with section 2862, which are divided into the following 2 areas:

(A) The Exclusive Military Use Area, divided into 4 areas, consisting of—

(i) 1 area to the west of the Marine Corps Air Ground Combat Center, consisting of approximately 91,293 acres;

(ii) 1 area south of the Marine Corps Air Ground Combat Center, consisting of approximately 19,704 acres; and

(iii) 2 other areas, each measuring approximately 300 meters square (approximately 22 acres), located inside the boundaries of the Shared Use Area described in subparagraph (B), totaling approximately 44 acres.

(B) The Shared Use Area, consisting of approximately 40,931 acres.

(3) RESERVATION FOR SECRETARY OF THE NAVY.—The land withdrawn by paragraph (2)(A) is reserved for use by the Secretary of the Navy for the following purposes:

(A) Sustained, combined arms, live-fire, and maneuver field training for large-scale Marine air ground task forces.

(B) Individual and unit live-fire training ranges.

(C) Equipment and tactics development.

(D) Other defense-related purposes that are—

(i) consistent with the purposes described in subparagraphs (A) through (C); and

(ii) authorized under section 2864.

(4) RESERVATION FOR SECRETARY OF THE INTERIOR.—The land withdrawn by paragraph (2)(B) is reserved—

(A) for use by the Secretary of the Navy for the purposes described in paragraph (3); and

(B) for use by the Secretary of the Interior for the following purposes:

(i) Public recreation—

(I) during any period in which the land is not being used for military training; and

(II) as determined to be suitable for public use.

(ii) Natural resources conservation.

(b) MANAGEMENT OF WITHDRAWN AND RESERVED LAND.—

(1) MANAGEMENT BY THE SECRETARY OF THE NAVY.—Except as provided in paragraph (2), during the period of withdrawal and reservation of land by this section, the Secretary of the Navy shall manage the land withdrawn and reserved by this section for the purposes described in subsection (a)(3), in accordance with—

(A) an integrated natural resources management plan prepared and implemented under title I of the Sikes Act (16 U.S.C. 670a et seq.);

(B) this subtitle;

(C) a programmatic agreement between the Marine Corps and the California State Historic Preservation Officer regarding operation, maintenance, training, and construction at the United States Marine Air Ground Task Force Training Command, Marine Corps Air Ground Combat Center, Twentynine Palms, California; and

(D) any other applicable law.

(2) MANAGEMENT BY THE SECRETARY OF THE INTERIOR.—

(A) IN GENERAL.—Except as provided in subparagraph (B), during the period of withdrawal and reservation of land by this section, the Secretary of the Interior shall manage the area described in subsection (a)(2)(B).

(B) EXCEPTION.—Twice a year during the period of withdrawal and reservation of land by this section, there shall be a 30-day period during which the Secretary of the Navy shall—

(i) manage the area described in subsection (a)(2)(B); and

(ii) exclusively use the area described in subsection (a)(2)(B) for military training purposes.

(C) APPLICABLE LAW.—The Secretary of the Interior, during the period of the management by the Secretary of the Interior under subparagraph (A), shall manage the area described in subsection (a)(2)(B) for the purposes described in subsection (a)(4), in accordance with—

(i) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(ii) any other applicable law.

(D) SECRETARY OF THE NAVY.—

(i) IN GENERAL.—The Secretary of the Navy, during the period of the management by the Secretary of the Navy under subparagraph (A), shall manage the area described in subsection (a)(2)(B) for the purposes described in subsection (a)(3), in accordance with—

(I) an integrated natural resources management plan prepared and implemented in accordance with title I of the Sikes Act (16 U.S.C. 670a et seq.);

(II) this subtitle;

(III) the programmatic agreement described in paragraph (1)(C); and

(IV) any other applicable law.

(ii) LIMITATION.—The Department of the Navy shall not fire dud-producing ordnance onto the land withdrawn by subsection (a)(2)(B).

(3) PUBLIC ACCESS.—

(A) IN GENERAL.—Notwithstanding section 2863, the area described in subsection (a)(2)(A) shall be closed to all public access unless otherwise authorized by the Secretary of the Navy.

(B) PUBLIC RECREATIONAL USE.—

(i) IN GENERAL.—The area described in subsection (a)(2)(B) shall be open to public recreational use during the period in which the area is under the management of the Secretary of the Interior, if there is a determination by the Secretary of the Navy that the area is suitable for public use.

(ii) DETERMINATION.—A determination of suitability under clause (i) shall not be withheld without a specified reason.

(C) RESOURCE MANAGEMENT GROUP.—

(i) IN GENERAL.—The Secretary of the Navy and the Secretary of the Interior, by agreement, shall establish a Resource Management Group comprised of representatives of the Departments of the Interior and Navy.

(ii) DUTIES.—The Resource Management Group established under clause (i) shall—

(I) develop and implement a public outreach plan to inform the public of the land uses changes and safety restrictions affecting the land; and

(II) advise the Secretary of the Interior and the Secretary of the Navy with respect to the issues associated with the multiple uses of the area described in subsection (a)(2)(B).

(iii) MEETINGS.—The Resource Management Group established under clause (i) shall—

(I) meet at least once a year; and

(II) solicit input from relevant State agencies, private off-highway vehicle interest groups, event managers, environmental advocacy groups, and others relating to the management and facilitation of recreational use within the area described in subsection (a)(2)(B).

(D) MILITARY TRAINING.—

(i) NOT CONDITIONAL.—Military training within the area described in subsection (a)(2)(B) shall not be conditioned on, or precluded by—

(I) the lack of a recreation management plan or land use management plan for the area described in subsection (a)(2)(B) developed and implemented by the Secretary of the Interior; or

(II) any legal or administrative challenge to a recreation management plan or land use plan developed under subclause (I).

(ii) MANAGEMENT.—The area described in subsection (a)(2)(B) shall be managed in a manner that does not compromise the ability of the Department of the Navy to conduct military training in the area.

(4) IMPLEMENTATION AGREEMENT.—

(A) IN GENERAL.—The Secretary of the Interior and the Secretary of the Navy shall enter into a written agreement to implement the management responsibilities of the respective Secretaries with respect to the area described in subsection (a)(2)(B).

(B) COMPONENTS.—The agreement entered into under subparagraph (A)—

(i) shall be of a duration that is equal to the period of the withdrawal and reservation of land under this section;

(ii) may be amended from time to time;

(iii) may provide for the integration of the management plans required of the Secretary of the Interior and the Secretary of the Navy by this section;

(iv) may provide for delegation to civilian law enforcement personnel of the Department of the Navy of the authority of the Secretary of the Interior to enforce the laws relating to protection of natural and cultural resources and fish and wildlife; and

(v) may provide for the Secretary of the Interior and the Secretary of the Navy to share resources so as to most efficiently and effectively manage the area described in subsection (a)(2)(B).

(5) JOHNSON VALLEY OFF-HIGHWAY VEHICLE RECREATION AREA.—

(A) DESIGNATION.—The following areas are designated as the ''Johnson Valley Off-Highway Vehicle Recreation Area'':

(i) Approximately 45,000 acres (as depicted on the map referred to in subsection (a)(2)) of the existing Bureau of Land Management-designated Johnson Valley Off-Highway Vehicle Area that is not withdrawn and reserved for defense-related uses by this section.

(ii) The area described in subsection (a)(2)(B).

(B) AUTHORIZED ACTIVITIES.—To the extent consistent with applicable Federal law (including regulations) and this section, any authorized recreation activities and use designation in effect on the date of enactment of this Act and applicable to the Johnson Valley Off-Highway Vehicle Recreation Area may continue, including casual off-highway vehicular use and recreation.

(C) ADMINISTRATION.—The Secretary of the Interior shall administer the Johnson Valley Off-Highway Vehicle Recreation Area (other than the portion of the area described in subsection (a)(2)(B) that is being managed in accordance with the other provisions of this section), in accordance with—

(i) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(ii) any other applicable law.

(D) TRANSIT.—In coordination with the Secretary of the Interior, the Secretary of the Navy may authorize transit through the Johnson Valley Off-Highway Vehicle Recreation Area for defense-related purposes supporting military training (including military range management and management of exercise activities) conducted on the land withdrawn and reserved by this section.

(c) DURATION OF WITHDRAWAL AND RESERVATION.—The withdrawal and reservation made by this section terminate on March 31, 2039.

SEC. 2885. WHITE SANDS MISSILE RANGE AND FORT BLISS.

(a) WITHDRAWAL.—

(1) IN GENERAL.—Subject to valid existing rights and paragraph (3), the Federal land described in paragraph (2) is withdrawn from—

(A) entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(2) DESCRIPTION OF FEDERAL LAND.—The Federal land referred to in paragraph (1) consists of—

(A) the approximately 5,100 acres of land depicted as ''Parcel 1'' on the map entitled ''White Sands Missile Range/Fort Bliss/BLM Land Transfer and Withdrawal'' and dated April 3, 2012 (referred to in this section as the ''map'');

(B) the approximately 37,600 acres of land depicted as ''Parcel 2'', ''Parcel 3'', and ''Parcel 4'' on the map; and

(C) any land or interest in land that is acquired by the United States within the boundaries of the parcels described in subparagraph (B).

(3) LIMITATION.—Notwithstanding paragraph (1), the land depicted as ''Parcel 4'' on the map is not withdrawn for purposes of the issuance of oil and gas pipeline rights-of-way.

(b) RESERVATION.—The Federal land described in subsection (a)(2)(A) is reserved for use by the Secretary of the Army for military purposes in accordance with Public Land Order 833, dated May 27, 1952 (17 Fed. Reg. 4822).

(c) REVOCATION OF WITHDRAWAL.—Effective on the date of enactment of this Act—

(1) Public Land Order 833, dated May 21, 1952 (17 Fed. Reg. 4822), is revoked with respect to the approximately 2,050 acres of land generally depicted as ''Parcel 2'' on the map; and

(2) the land described in paragraph (1) shall be managed by the Secretary of the Interior as public land, in accordance with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(B) any other applicable laws.

SA 2283. Mrs. GILLIBRAND (for herself and Mr. KIRK) 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 II, add the following:

SEC. 237. UNITED STATES-ISRAEL MISSILE DEFENSE COOPERATION.

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

(1) The State of Israel remains under the threat of continuing attack from missiles, rockets, and mortars fired at Israel by militants from terrorist organizations on its southern border and by Hezbollah on its northern border, which have killed and wounded many innocent Israeli civilians. Israel also faces significant ballistic missile threats from Iran and Syria.

(2) The National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) expressed the sense of Congress that the United States should have an active program of ballistic missile defense cooperation with Israel, and should take steps to improve the coordination, interoperability, and integration of United States and Israeli missile defense capabilities, and to enhance the capability of both nations to defend against ballistic missile threats present in the Middle East region.

(3) The United States-Israel Enhanced Security Cooperation Act of 2012 (22 U.S.C. 8601 et seq.) states the policy of the United States to support the inherent right of Israel to self-defense and expresses the sense of Congress that the United States Government should provide the Government of Israel such support as may be necessary to increase development and production of joint missile defense systems, particularly such systems that defend against the urgent threat posed to Israel and United States forces in the region.

(4) It is central to the national security interests of the United States to support Israel's ability to defend itself against missiles and rockets, including through joint cooperation on the Arrow Weapon System (with Arrow–2 and Arrow–3 interceptors) and the David's Sling Weapons System, along with continued support for the Iron Dome short-range rocket defense system.

(5) The Arrow Weapon System, deployed with the Arrow–2 interceptor jointly developed by Israel and the United States, has been operational since 2000 and defends Israel against medium-range ballistic missiles.

(6) The Arrow–3 interceptor, being jointly developed by the United States and Israel, is designed to intercept ballistic missiles with nuclear or chemical warheads at high altitude. The Arrow–3 interceptor completed a successful fly-out test in February 2013.

(7) The David's Sling Weapon System, being jointly developed by the United States and Israel, is designed to intercept short-range ballistic missiles, medium-range and long-range rockets, and cruise missiles. The David's Sling Weapon System successfully intercepted an inert medium-range rocket target in a November 2012 test.

(8) The Israeli Defense Forces report that, during Operation Pillar of Defense in November 2012, the Iron Dome short-range rocket defense system achieved a success rate of about 85 percent against rockets bound for

Israeli population centers and infrastructure, thus averting large-scale casualties in Israel and enhancing Israel's operational flexibility during the conflict.

(9) Continued missile defense cooperation between the United States and Israel will further develop and enhance the missile defense capability, and thus the security, of both the United States and Israel.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms its commitment to the security of our strategic partner Israel;

(2) supports maintenance of an active program of ballistic missile defense cooperation with Israel;

(3) supports efforts to enhance the capability of both the United States and Israel to defend against ballistic missile threats present in the Middle East region; and

(4) urges the Department of Defense to take all appropriate steps as may be necessary to improve the coordination, interoperability, and integration of United States and Israeli missile defense capabilities.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the status of missile defense cooperation between the United States and Israel.

(2) ELEMENTS.—The report under this subsection shall include the following:

(A) A description of the current program of ballistic missile defense cooperation between the United States and Israel, including its objectives and results to date.

(B) A description of the actions taken within the previous year to improve the coordination, interoperability, and integration of the missile defense capabilities of the United States and Israel.

(C) A description of the actions planned to be taken by the Government of the United States and the Government Israel over the next year to improve the coordination, interoperability, and integration of their missile defense capabilities.

(D) A description of the joint efforts of the United States and Israel to develop ballistic missile defense technologies and capabilities.

(E) A description of the joint missile defense exercises and training that have been conducted by the United States and Israel, and the lessons learned from those exercises.

(F) A description of the cooperation by the United States and Israel in sharing ballistic missile threat assessments.

(G) Any other matters the Secretary considers appropriate.

SA 2284. Mr. DONNELLY (for himself, Mr. CRUZ, Mr. LEAHY, Mr. BLUNT, Mr. BEGICH, Mr. PRYOR, Mr. SCHATZ, Mr. BENNET, Mr. JOHANNS, Mr. MENENDEZ, Mr. BOOZMAN, Ms. HEITKAMP, Mr. CHAMBLISS, and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle 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), by striking ''and'' at the end;

(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) 'qualified reservist' means an individual who is a member of a reserve component of the Armed Forces on the date of the applicable determination—

''(A) who—

''(i) has completed at least 4 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; or

''(B) 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

''(7) '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) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(3) a preference eligible described in section 2108(6)(B) - 4 points; and

''(4) a preference eligible described in section 2108(6)(A) - 3 points.''.

SA 2285. Mr. WARNER (for himself, Ms. COLLINS, Mr. KAINE, and Mr. GRASSLEY) 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 511 and insert the following:

SEC. 511. EXPANSION AND ENHANCEMENT OF AUTHORITIES RELATING TO PROTECTED COMMUNICATIONS OF MEMBERS OF THE ARMED FORCES AND PROHIBITED RETALIATORY ACTIONS.

(a) EXPANSION OF PROHIBITED RETALIATORY PERSONNEL ACTIONS.—Subsection (b) of section 1034 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting ''or being perceived as making or preparing'' after ''making or preparing'';

(B) in subparagraph (A), by striking ''or'' at the end;

(C) in subparagraph (B)—

(i) in clause (i), by inserting ''or a representative of a Member of Congress'' after ''a Member of Congress'';

(ii) in clause (iv), by striking ''or'' at the end;

(iii) by redesignating clause (v) as clause (vi);

(iv) by inserting after clause (v) the following new clause (v):

''(v) a court, grand jury, or court-martial proceeding, or an authorized official of the Department of Justice or another law enforcement agency; or''; and

(v) in clause (vi), as redesignated by clause (iii) of this subparagraph, by striking the period at the end and inserting ''; or''; and

(D) by adding at the end the following new subparagraph:

''(C) testimony, or otherwise participating in or assisting in an investigation or proceeding related to a communication under subparagraph (A) or (B), or filing, causing to be filed, participating in, or otherwise assisting in an action brought under this section.''; and

(2) in paragraph (2), by inserting after ''any favorable action'' the following: '', or a significant change in a members duties or responsibilities not commensurate with the member's grade''.

(b) INSPECTOR GENERAL INVESTIGATIONS OF ALLEGATIONS.—Subsection (c) of such section is amended—

(1) in paragraph (1), by striking ''paragraph (3)'' and inserting ''paragraph (4)'';

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively;

(3) by inserting after paragraph (2) the following new paragraph (3):

''(3) A communication described in paragraph (2) shall not be excluded from the protections provided in this section because—

''(A) the communication was made to a person who participated in an activity that the member reasonably believed to be covered by paragraph (2);

''(B) the communication revealed information that had previously been disclosed;

''(C) of the member's motive for making the communication;

''(D) the communication was not made in writing;

''(E) the communication was made while the member was off duty; and

''(F) the communication was made during the normal course of duties of the member.'';

(4) in paragraph (4), as so redesignated, by striking ''subsection (h)'' each place it appears and inserting ''subsection (j)'';

(5) in paragraph (5), as so redesignated—

(A) by striking ''paragraph (3)(A)'' and inserting ''paragraph (4)(A)'';

(B) by striking ''paragraph (3)(D)'' and inserting ''paragraph (4)(D)''; and

(C) by striking ''60 days'' and inserting ''one year''; and

(6) in paragraph (6), as so redesignated, by striking ''outside the immediate chain of command'' and all that follows and inserting ''both of the following:

''(A) Outside the immediate chain of command of both the member submitting the allegation and the individual or individuals alleged to have taken the retaliatory action.

''(B) At least one organization higher in the chain of command than the organization of the member submitting the allegation and the individual or individuals alleged to have taken the retaliatory action.''.

(c) INSPECTOR GENERAL INVESTIGATIONS OF UNDERLYING ALLEGATIONS.—Subsection (d) of such section is amended by striking ''subparagraph (A) or (B) of subsection (c)(2)'' and inserting ''subparagraph (A), (B), or (C) of subsection (c)(2)''.

(d) REPORTS ON INVESTIGATIONS.—Subsection (e) of such section is amended—

(1) in paragraph (1)—

(A) by striking ''subsection (c)(3)(E)'' both places it appears and inserting ''subsection (c)(4)(E)'';

(B) by inserting ''and the Secretary of the military department concerned'' after ''the Secretary of Defense''; and

(C) by striking ''to the Secretary,'' and inserting ''to such Secretaries,''; and

(2) in paragraph (3), by inserting ''and the Secretary of the military department concerned'' after ''the Secretary of Defense''.

(e) ACTION IN CASE OF VIOLATIONS.—Such section is further amended—

(1) by redesignating subsections (f), (g), (h), and (i) as subsections (g), (h), (i), and (j), respectively; and

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

''(f) ACTION IN CASE OF VIOLATIONS.—(1) Not later than 30 days after receiving a report from the Inspector General under subsection (e), the Secretary of Homeland Security or the Secretary of the military department concerned, as applicable, shall determine whether there is sufficient basis to conclude whether a personnel action prohibited by subsection (b) has occurred, and, if so, shall order such action as is necessary to correct the record of a personnel action prohibited by subsection (b). Such Secretary shall take any appropriate disciplinary action against the individual who committed such prohibited personnel action.

''(2) If the Secretary of Homeland Security or the Secretary of the military department concerned, as applicable, determines that an order for corrective or disciplinary action is not appropriate, not later than 30 days after making the determination, such Secretary shall—

''(A) provide to the Secretary of Defense and the member or former member, a notice of the determination and the reasons for not taking action; and

''(B) refer the report to the appropriate board for the correction of military records for further review under subsection (g).''.

(f) CORRECTION OF RECORDS.—Subsection (g) of such section, as redesignated by subsection (e)(1) of this section, is further amended—

(1) in paragraph (1), by adding at the end the following new sentence: ''In a case referred to the Board by the Secretary of Homeland Security or the Secretary of a military Department pursuant to subsection (f), the Board shall review the matter.''; and

(2) in paragraph (3), by striking ''board elects to hold'' in the matter preceding subparagraph (A) and inserting ''board holds''.

(g) REVIEW.—Subsection (h) of such section, as redesignated by subsection (e)(1) of this section, is further amended by striking ''subsection (f)'' and inserting ''subsection (g)''.

SA 2286. Mr. COONS (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. CREDIT FOR CERTAIN SUBCONTRACTORS.

(a) IN GENERAL.—Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended by adding at the end the following:

''(16) CREDIT FOR CERTAIN SUBCONTRACTOR.—

''(A) IN GENERAL.—For purposes of determining whether a prime contractor has attained the percentage goals specified in paragraph (6)—

''(i) if the subcontracting goals pertain only to a single contract with an executive agency, the prime contractor shall receive credit for a small business concern performing as a first tier subcontractor or a subcontractor at any tier under the subcontracting plans required under paragraph (6)(D), in an amount equal to the dollar value of work awarded to the small business concern; and

''(ii) if the subcontracting goals pertain to more than 1 contract with 1 or more executive agencies, or to 1 contract with more than 1 executive agency, the prime contractor shall only receive credit for a small business concern that is a first tier subcontractor, in an amount equal to the dollar value of work awarded to the small business concern.

''(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to limit the responsibility of a prime contractor to provide the maximum practicable opportunities for participation by small business concerns as first tier subcontractors.''

(b) DEFINITIONS PERTAINING TO SUBCONTRACTING.—Section 3 of the Small Business Act (15 U.S.C. 632) is amended by adding at the end the following:

''(dd) DEFINITIONS PERTAINING TO SUBCONTRACTING.—In this Act:

''(1) AT ANY TIER.—The term 'at any tier' means any subcontractor that is not a first tier subcontractor.

''(2) FIRST TIER SUBCONTRACTOR.—The term 'first tier subcontractor' means a subcontractor who has a subcontract directly with the prime contractor.

''(3) SUBCONTRACT.—The term 'subcontract' means a legally binding agreement between a contractor that is already under contract to another party to perform work, and a third party, for the third party to perform a part, or all, of the work that the contractor has undertaken.

''(4) SUBCONTRACTOR.—The term 'subcontractor' means any a third party entering a subcontract.''.

(c) IMPLEMENTATION AND EFFECTIVE DATE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Small Business Administration, the Secretary of Defense, and the Administrator of General Services shall submit to the Committee on Small Business and Entrepreneurship and the Committee on Armed Services of the Senate and the Committee on Small Business and the Committee on Armed Services of the House of Representatives a plan to—

(A) implement this section and the amendments made by this section; and

(B) ensure that the appropriate tracking mechanisms are in place to enable transparency of subcontracting activities at all tiers.

(2) COMPLETION.—Not later 180 days after the date on which the plan described in paragraph (1) is submitted, the Administrator of the Small Business Administration, the Secretary of Defense, and the Administrator of General Services shall complete the actions required by the plan.

(3) REGULATIONS.—Not later than 1 year after the date on which the actions required under the plan described in paragraph (1) are completed, the Administrator of the Small Business Administration and the Federal Acquisition Council shall promulgate any regulations necessary to implement this section and the amendments made by this section.

(4) APPLICATION.—Any regulations promulgated under paragraph (3) shall not apply to any contract entered into before the first day of the first full fiscal year after the date on which the regulations are promulgated.

(d) GAO STUDY ON SUBCONTRACTING REPORTING SYSTEMS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report studying the feasibility of using Federal subcontracting reporting systems (including the Federal subaward reporting system required by section 2 of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) and any electronic subcontracting reporting award system used by the Small Business Administration) to attribute subcontractors to particular contracts in the case of contractors that have subcontracting plans under section 8(d) of the Small Business Act that pertain to multiple contracts with executive agencies.

SA 2287. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes ; which was ordered to lie on the table; as follows:

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

SEC. 237. PROHIBITION ON INTEGRATION OF CHINESE MISSILE DEFENSE SYSTEMS INTO UNITED STATES MISSILE DEFENSE SYSTEMS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that missile defense systems of the People's Republic of China should not be integrated into the missile defense systems of the United States or the North Atlantic Treaty Organization.

(b) FUNDING PROHIBITION.—None of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to integrate missile defense systems of the People's Republic of China into United States missile defense systems.

SA 2288. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2815. LAND CONVEYANCE, CAMP WILLIAMS, UTAH.

(a) CONVEYANCE REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Interior, acting through the Bureau of Land Management, shall convey, without consideration, to the State of Utah all right, title, and interest of the United States in and to certain lands comprising approximately 420 acres, as generally depicted on a map entitled ''Proposed Camp Williams Land Transfer'' and dated June 14, 2011, which are located within the boundaries of the public lands currently

withdrawn for military use by the Utah National Guard and known as Camp Williams, Utah, for the purpose of permitting the Utah National Guard to use the conveyed land for National Guard and national defense purposes.

(b) SUPERSEDENCE OF EXECUTIVE ORDER.—Executive Order No. 1922 of April 24, 1914, as amended by section 907 of the Camp W.G. Williams Land Exchange Act of 1989 (title IX of Public Law 101–628; 104 Stat. 4501), is hereby superseded, only insofar as it affects the lands identified for conveyance to the State of Utah under subsection (a).

(c) REVERSIONARY INTEREST.—The lands conveyed to the State of Utah under subsection (a) shall revert to the United States if the Secretary of Defense determines that the land, or any portion thereof, is sold or attempted to be sold, or that the land, or any portion thereof, is used for non-National Guard or non-national defense purposes.

(d) HAZARDOUS MATERIALS.—With respect to any portion of the land conveyed under subsection (a) that the Secretary of Defense determines is subject to reversion under subsection (c), if the Secretary of Defense also determines that the portion of the conveyed land contains hazardous materials, the State of Utah shall pay the United States an amount equal to the fair market value of that portion of the land, and the reversionary interest shall not apply to that portion of the land.

SA 2289. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. RELEASE OF REPORT ON ENERGY AND COST SAVINGS IN NONBUILDING APPLICATIONS.

Not later than 15 days after the date of enactment of this Act, the Secretary of Energy and the Secretary of Defense shall jointly publish on a public website and otherwise make available to the public the report on the results of the study of energy and cost savings in nonbuilding applications required under section 518(b) of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1660).

SA 2290. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2815. LONG-TERM ENERGY SAVINGS CONTRACTS.

(a) DEPARTMENT OF DEFENSE.—Section 2913(d) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting ''for up to 25 years'' after ''enter into agreements''; and

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

''(5) An agreement entered into under this subsection shall include requirements for measurement, verification, and performance assurances or guarantees of energy savings.''.

(b) OTHER AGENCIES.—Section 546(c) of the National Energy Conservation Policy Act (42 U.S.C. 8256(c)) is amended—

(1) in paragraph (3), by inserting ''with agreements for up to 25 years'' after ''conservation incentive programs''; and

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

''(5) Any agreement entered into under paragraph (3) shall include requirements for measurement, verification, and performance assurances or guarantees of energy savings.''.

SA 2291. Mr. MANCHIN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 573. NOTICE TO COMMANDING OFFICERS ON CHILD ABUSE COMMITTED BY MEMBERS OF THE ARMED FORCES.

Section 1794 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) NOTICE TO COMMANDING OFFICERS ON CHILD ABUSE COMMITTED BY MEMBERS.—Notice on an incident of child abuse committed by a member of the armed forces shall be submitted to an officer in grade O–6 in the chain of command of the member.''.

SA 2292. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1054. PROHIBITION RELATING TO TOBACCO PRODUCTS.

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

(1) Tobacco use by military personnel has two major economic effects on the Department of Defense, the cost of health care for military personnel (active-duty, retired, and dependents), and the cost of lost productivity.

(2) The Department of Defense spends over $1,600,000,000 a year on tobacco-related medical care, increased hospitalization, and lost days of work (according to Department of Defense figures for 2008).

(3) Over the next 10 years, the net present value of preventable smoking-attributable health-care expenditures is $19,685,000,000 for the entire population of veterans, an average of $21,444 for each current veteran smoker.

(4) The cost of treating individuals for tobacco-related diseases in the TRICARE system is estimated to be over $500,000,000 per year (or 4 percent of the total TRICARE budget) for medical care and $346,000,000 in lost productivity. These expenses are primarily for care of individuals who had cardiovascular disease or respiratory problems. Other tobacco related costs included treatment of cancer, cerebrovascular diseases, and newborn health complications.

(5) In 2008, the Department of Veterans Affairs spent over $5,000,000,000 to treat chronic obstructive pulmonary disease. More than 80 percent of chronic obstructive pulmonary disease is attributed to smoking.

(6) The Department of Veterans Affairs spent an additional 1,300,000,000 in 2008 on arteriosclerosis, another smoking-related disease.

(7) Tobacco use has been implicated in higher dropout rates during and after basic training, poorer visual acuity, and a higher rate of absenteeism in active-duty military personnel in addition to a multitude of health problems.

(8) Military retirees and their dependents incur greater tobacco-related health costs than do active-duty members of the military or their dependents.

(9) Over 9,200 hospital-bed days for active-duty personnel were attributed to tobacco-related diseases, or about 10 percent of the total Department of Defense hospital-bed days and 1.5 percent of all active-duty hospital-bed days (Helyer et al., 1998).

(10) Tobacco-related medical costs amounted to $20,000,000 in a 1997 Centers for Disease Control and Prevention study of smoking in active-duty Air Force personnel, or 6 percent of total Air Force medical system expenditures (2000).

(11) A 2007 study (Dall et al) calculated that moderate to heavy smoking was associated with greater absenteeism in the TRICARE Prime enrolled population, 356,000 full time equivalent days were lost per year, and 30,000 full time equivalent days were lost as a result of below-normal work performance.

(12) The Centers for Disease Control and Prevention has determined the following mortality rates :

(A) Cigarette smoking is associated with about one of every five deaths in the United States each year.

(B) Cigarette smoking is associated with more than 440,000 deaths annually (including deaths from secondhand smoke).

(C) Life expectancy for smokers is at least 10 years shorter than for nonsmokers.

(b) PROHIBITION.—The Secretary of Defense shall promulgate regulations to prohibit the sale of discounted tobacco products in any commissary store or exchange store under the commissary system and the exchange system operated under chapter 147 of title 10, United States Code.

SA 2293. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 502. DEMONSTRATION PROGRAM ON ACCESSION OF CANDIDATES WITH AUDITORY IMPAIRMENTS AS AIR FORCE OFFICERS.

(a) DEMONSTRATION PROGRAM REQUIRED.—Beginning not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall carry out a demonstration program to assess the feasibility and advisability of permitting individuals with auditory impairments (including

deafness) to access as officers of the Air Force.

(b) CANDIDATES.—

(1) NUMBER OF CANDIDATES.—The total number of individuals with auditory impairments who may participate in the demonstration program shall be not fewer than 15 individuals or more than 20 individuals.

(2) MIX AND RANGE OF AUDITORY IMPAIRMENTS.—The individuals who participate in the demonstration program shall include individuals who are deaf and individuals who have a range of other auditory impairments.

(3) QUALIFICATION FOR ACCESSION.—Any individual who is chosen to participate in the demonstration program shall meet all essential qualifications for accession as an officer in the Air Force, other than those related to having an auditory impairment.

(c) SELECTION OF PARTICIPANTS.—

(1) IN GENERAL.—The Secretary of the Air Force shall—

(A) publicize the demonstration program nationally, including to individuals who have auditory impairments and would be otherwise qualified for officer training;

(B) create a process whereby interested individuals can apply for the demonstration program; and

(C) select the participants for the demonstration program, from among the pool of applicants, based on the criteria in subsection (b).

(2) NO PRIOR SERVICE AS AIR FORCE OFFICERS.—Participants selected for the demonstration program shall be individuals who have not previously served as officers in the Air Force.

(d) BASIC OFFICER TRAINING.—

(1) IN GENERAL.—The participants in the demonstration program shall undergo, at the election of the Secretary of the Air Force, the Basic Officer Training course or the Commissioned Officer Training course at Maxwell Air Force Base, Alabama.

(2) NUMBER OF PARTICIPANTS.—Once individuals begin participating in the demonstration program, each Basic Officer Training course or Commissioned Officer Training course at Maxwell Air Force Base, Alabama, shall include not fewer than 4, or more than 6, participants in the demonstration program until all participants have completed such training.

(3) AUXILIARY AIDS AND SERVICES.—The Secretary of Defense shall ensure that participants in the demonstration program have the necessary auxiliary aids and services (as that term is defined in section 4 of the Americans With Disabilities Act of 1990 (42 U.S.C. 12103)) in order to fully participate in the demonstration program.

(e) COORDINATION.—

(1) SPECIAL ADVISOR.—The Secretary of the Air Force shall designate a special advisor to the demonstration program to act as a resource for participants in the demonstration program, as well as a liaison between participants in the demonstration program and those providing the officer training.

(2) QUALIFICATIONS.—The special advisor shall be a member of the Armed Forces on active duty—

(A) who—

(i) if a commissioned officer, shall be in grade O–3 or higher; or

(ii) if an enlisted member, shall be in grade E–5 or higher; and

(B) who is knowledgeable about issues involving, and accommodations for, individuals with auditory impairments (including deafness).

(3) RESPONSIBILITIES.—The special advisor shall be responsible for facilitating the officer training for participants in the demonstration program, intervening and resolving issues and accommodations during the training, and such other duties as the Secretary of the Air Force may assign to facilitate the success of the demonstration program and participants.

(f) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the appropriate committees of Congress a report on the demonstration program. The report shall include the following:

(1) A description of the demonstration program and the participants in the demonstration program.

(2) The outcome of the demonstration program, including—

(A) the number of participants in the demonstration program that successfully completed the Basic Officer Training course or the Commissioned Officer Training course;

(B) the number of participants in the demonstration program that were recommended for continued military service;

(C) the issues that were encountered during the program; and

(D) such recommendation for modifications to the demonstration program as the Secretary considers appropriate to increase further inclusion of individuals with auditory disabilities serving as officers in the Air Force or other Armed Forces.

(3) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the demonstration program.

(g) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Health, Education, Labor, and Pensions, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

SA 2294. 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 H of title X, add the following:

SEC. 1082. REPORTING ON GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.

Section 15(h)(1) of the Small Business Act (15 U.S.C. 644(h)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''describing'' and inserting ''including'';

(2) in subparagraph (B), by striking ''and''; and

(3) by striking subparagraph (C) and inserting the following:

''(C) if the agency failed to achieve the goals established for the agency under subsection (g)(2) for such fiscal year—

''(i) any justifications for the failure to achieve such goals; and

''(ii) a remediation plan, which shall—

''(I) be based on an analysis of factors that led to the failure to achieve such goals; and

''(II) include proposed new practices to better achieve such goals;

''(D) methods of enforcement, including any penalties imposed, with respect to prime contractors that did not meet the subcontracting goals established for the agency under subsection (g)(2) for such fiscal year;

''(E) methods to incentivize prime contractors to achieve the subcontracting goals established for the agency under subsection (g)(2); and

''(F) a certification by the agency regarding whether prime contractors took all feasible steps to implement the subcontracting plans required under section 8(d) for such fiscal year.''.

SA 2295. Mr. KIRK (for himself, Mr. MCCONNELL, Mr. CORNYN, Mr. RUBIO, Mr. GRAHAM, Ms. AYOTTE, and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle D—Iran Sanctions

SEC. 1241. FINDINGS; SENSE OF CONGRESS; STATEMENT OF POLICY.

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

(1) The Government of Iran continues to expand the nuclear and missile programs of Iran in violation of multiple United Nations Security Council resolutions.

(2) The Government of Iran has a decades-long track record of cheating on and violating commitments regarding the nuclear program of Iran and has used more than 10 years of diplomatic negotiations to allow more time to expand its nuclear weapons program.

(3) Iran remains the number one exporter of terrorism in the world and as recently as 2011 was plotting to assassinate a foreign official in the United States.

(4) Over the last 30 years, the Government of Iran and its terrorist proxies have been responsible for the deaths of citizens of the United States.

(5) The Government of Iran and its terrorist proxies continue to provide military and financial support to the regime of Bashar al-Assad in Syria, aiding that regime in the mass killing of the people of Syria.

(6) The Government of Iran continues to sow instability in the Middle East and threaten its neighbors, including allies of the United States such as Israel.

(7) The Government of Iran denies its people fundamental freedoms, including freedom of the press, freedom of assembly, freedom of religion, and freedom of conscience.

(8) Sanctions imposed with respect to Iran by the United States and the international community have assisted in bringing Iran to the negotiating table, but other countries, such as North Korea, have used diplomatic talks regarding their nuclear programs to allow time for the development of nuclear weapons.

(9) President Hasan Rouhani of Iran has in the past bragged about his success in buying time for Iran to make nuclear advances.

(10) Based on the stockpile of low enriched uranium held by the Government of Iran and its plan to continue installing advanced centrifuges, the Government of Iran could agree to suspend all enrichment of uranium to greater than 3.5 percent and still be in a position to produce weapons-grade uranium without detection by the middle of 2014.

(11) If the Government of Iran commences the operation of its heavy water reactor in Arak, it could establish an alternate pathway to a nuclear weapon, producing enough plutonium each year for one or 2 nuclear weapons.

(12) As of the date of the enactment of this Act, 19 countries access nuclear energy for peaceful purposes without conducting any enrichment or reprocessing activities within that country.

(13) The Government of Iran could likewise access nuclear energy for peaceful purposes without conducting any enrichment or reprocessing activities within Iran.

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

(1) the Government of Iran must not be allowed to develop nuclear weapons capabilities;

(2) all instruments of power and influence of the United States should remain on the table to prevent the Government of Iran from developing nuclear weapons capabilities;

(3) the Government of Iran does not have an absolute or inherent right to enrichment and reprocessing capabilities and technologies under the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (commonly known as the ''Nuclear Non-Proliferation Treaty'');

(4) any interim agreement with Iran regarding its nuclear program must require that Iran comply with all United Nations Security Council resolutions concerning the nuclear program of Iran, including by—

(A) suspending enrichment at all facilities;

(B) suspending construction of a heavy water nuclear reactor in Arak; and

(C) ceasing all work related to nuclear weaponization and providing full transparency with respect to the cessation of that work;

(5) given the decades-long history of deception by the Government of Iran with respect to the nuclear program of Iran, and violations by that government of its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, any final agreement with Iran regarding its nuclear program must—

(A) prevent that government from possessing any enrichment or reprocessing capabilities;

(B) provide for the continuous monitoring of the nuclear program of Iran under a strict verification regime, including inspections at any time or place;

(C) result in Iran surrendering its supply of enriched material to the International Atomic Energy Agency;

(D) prevent any operation of the reactor in Arak; and

(E) require that Iran sign and abide by the Protocol Additional to the Agreement Between Iran and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, done at Vienna December 18, 2003 (commonly referred to as the ''Additional Protocol'');

(6) a violation by Iran of any interim or final agreement with respect to the nuclear program of Iran should result in the immediate imposition of comprehensive economic sanctions, including on all petroleum-related exports and additional restrictions on financial and commercial activity by Iran; and

(7) if the Government of Israel is compelled to take military action against Iran in self-defense, the Government of the United States should provide diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.

(c) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to prevent the proliferation of nuclear weapons and material related to nuclear weapons because of the significant negative impact of that proliferation, particularly to countries that do not possess nuclear weapons, including Iran, on the national security and economic interests of the United States and other countries;

(2) to ensure that the proliferation of nuclear weapons and material related to nuclear weapons be strictly restricted;

(3) to ensure that countries that do not possess nuclear weapons, including Iran, do not obtain nuclear weapons;

(4) to take such actions as may be necessary to implement the policy described in paragraph (3);

(5) to ensure that Iran ceases all domestic uranium enrichment and reprocessing technology development, installation, and operation;

(6) to ensure that Iran ceases all plutonium-related activities and dismantles all plutonium-related facilities; and

(7) that any negotiated agreement with the Government of Iran regarding its nuclear program, whether interim or otherwise, must—

(A) include clear, measurable, and verifiable requirements for the Government of Iran to substantially and effectively terminate any activities that may be related to the development of a nuclear weapons capability before any existing sanctions or other measures with respect to Iran are modified, whether temporarily or otherwise; and

(B) because of the significant impact of such an agreement on the national security and economic interests of the United States, including the impact on commerce, trade, and sanctions policy, be submitted to Congress and be subject to a congressional resolution of disapproval.

SEC. 1242. DEFINITIONS.

In this subtitle:

(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''account'', ''correspondent account'', and ''payable-through account'' have the meanings given those terms in section 5318A of title 31, United States Code.

(2) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(4) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning determined by the Secretary of the Treasury pursuant to section 104(i) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(i)).

(5) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(6) MEDICAL DEVICE.—The term ''medical device'' has the meaning given the term ''device'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(7) MEDICINE.—The term ''medicine'' has the meaning given the term ''drug'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(8) NATIONAL BALANCE SHEET.—The term ''national balance sheet of Iran'' refers to the ratio of the assets of the Government of Iran to the liabilities of that Government.

SEC. 1243. IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT PROVIDE THE GOVERNMENT OF IRAN ACCESS TO ASSETS OF THAT GOVERNMENT OR UNDERWRITING, INSURANCE, OR REINSURANCE SERVICES.

(a) PROHIBITION ON PROVIDING ACCESS TO OR USE OF CERTAIN ASSETS.—Notwithstanding any other provision of law, the President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines has knowingly, on or after the date of the enactment of this Act, directly or indirectly provided to a person described in subsection (c) access to, the use of, or the ability to make a payment with, any asset, fund, or account owned or controlled by, or owed to, that person or another person described in subsection (c).

(b) PROHIBITION ON PROVIDING UNDERWRITING, INSURANCE, AND REINSURANCE.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the President shall impose 5 or more of the sanctions described in section 6(a) of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note) with respect to a person if the President determines that the person knowingly, on or after the date of the enactment of this Act, provides underwriting services or insurance or reinsurance to a person described in subsection (c).

(2) TREATMENT OF SANCTIONS RELATING TO IMPORTATION OF GOODS.—The requirement to impose sanctions under paragraph (1) shall not include the authority to impose sanctions relating to the importation of goods under paragraph (8)(A) or (12) of section 6(a) of the Iran Sanctions Act of 1996, and any sanction relating to the importation of goods shall not count for purposes of the requirement to impose sanctions under paragraph (1).

(3) EXCEPTION FOR UNDERWRITERS AND INSURANCE PROVIDERS EXERCISING DUE DILIGENCE.—The President may not impose sanctions under paragraph (1) with respect to a person that provides underwriting services or insurance or reinsurance if the President determines that the person has exercised due diligence in establishing and enforcing official policies, procedures, and controls to ensure that the person does not underwrite or enter into a contract to provide insurance or reinsurance for a person described in subsection (c).

(c) PERSON DESCRIBED.—A person described in this subsection is any of the following:

(1) The state and the Government of Iran, or any political subdivision, agency, or instrumentality of that Government, including the Central Bank of Iran.

(2) Any person owned or controlled, directly or indirectly, by that Government.

(3) Any person acting or purporting to act, directly or indirectly, for or on behalf of that Government.

(4) Any other person determined by the President to be described in paragraph (1), (2), or (3).

SEC. 1244. IMPOSITION OF SANCTIONS WITH RESPECT TO THE SALE, SUPPLY, OR TRANSFER OF CERTAIN GOODS AND SERVICES TO OR FROM IRAN.

(a) IN GENERAL.—Notwithstanding any other provision of law, the President shall impose 5 or more of the sanctions described in section 6(a) of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note) with respect to a person if the President determines that the person knowingly, on or after the date of the enactment of this Act, sells, supplies, or transfers to Iran, directly or indirectly, a good or service that is a type of good or service that is—

(1) used by Iran as a medium for barter, swap, or any other exchange or transaction; or

(2) listed as an asset of the Government of Iran for the purpose of the national balance sheet of Iran.

(b) TREATMENT OF SANCTIONS RELATING TO IMPORTATION OF GOODS.—The requirement to impose sanctions under subsection (a) shall not include the authority to impose sanctions relating to the importation of goods under paragraph (8)(A) or (12) of section 6(a) of the Iran Sanctions Act of 1996, and any sanction relating to the importation of goods shall not count for purposes of the requirement to impose sanctions under subsection (a).

SEC. 1245. HUMANITARIAN EXCEPTION.

The President may not impose sanctions under this subtitle with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran.

SEC. 1246. SUSPENSION OF SANCTIONS.

(a) IN GENERAL.—The President may suspend the imposition of sanctions under this subtitle if the President determines and reports to the appropriate congressional committees that Iran has—

(1) suspended all enrichment, reprocessing, and heavy water-related activities and facility construction;

(2) suspended any activity related to ballistic missiles capable of delivering nuclear weapons, including any launch using ballistic missile technology;

(3) ratified and begun to make substantial efforts toward the full implementation of the Protocol Additional to the Agreement Between Iran and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, done at Vienna December 18, 2003 (commonly referred to as the ''Additional Protocol'');

(4) fully cooperated with the International Atomic Energy Agency on all outstanding issues, particularly those that give rise to concerns about the possible military dimensions of the Iranian nuclear program; and

(5) fulfilled its obligations pursuant to United Nations Security Council Resolution 1929 (2010).

(b) REINSTATEMENT OF SANCTIONS.—If the President, during a period in which the President has suspended sanctions under subsection (a), receives information from any entity, including the International Atomic Energy Agency, the Secretary of Defense, the Secretary of State, the Secretary of Energy, or the Director of National Intelligence, that Iran has, since the suspension of sanctions took effect, engaged in any enrichment, reprocessing, heavy water, or ballistic missile-related activity or construction, or has refused to cooperate in any way with the requests of the International Atomic Energy Agency, the President shall—

(1) not later than 10 days after receiving the information, determine whether the information is credible and accurate;

(2) notify the appropriate congressional committees of that determination; and

(3) if the President determines that the information is credible and accurate, not later than 5 days after that determination, reinstate the sanctions suspended under subsection (a).

SA 2296. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 585. MEDALS FOR MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE WHO WERE KILLED OR WOUNDED IN THE NOVEMBER 5, 2009, ATTACK AT FORT HOOD, TEXAS.

(a) PURPLE HEART.—

(1) AWARD.—

(A) IN GENERAL.—Chapter 57 of title 10, United States Code, is amended by inserting after section 1129 the following new section:

''§ 1129a. Purple Heart: members killed or wounded in attacks of homegrown violent extremists motivated or inspired by foreign terrorist organizations

''(a) IN GENERAL.—For purposes of the award of the Purple Heart, the Secretary concerned shall treat a member of the armed forces described in subsection (b) in the same manner as a member who is killed or wounded in action as a result of an act of an enemy of the United States.

''(b) COVERED MEMBERS.—A member described in this subsection is a member who was killed or wounded in an attack perpetrated by a homegrown violent extremist who was inspired or motivated to engage in violent action by a foreign terrorist organization, unless the death or wound is the result of willful misconduct of the member.

''(c) DEFINITIONS.—In this section:

''(1) The term 'foreign terrorist organization' means an entity designated as a foreign terrorist organization by the Secretary of State pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

''(2) The term 'homegrown violent extremist' shall have the meaning given that term by the Secretary of Defense in regulations prescribed for purposes of this section.''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 57 of such title is amended by inserting after the item relating to section 1129 the following new item:

''1129a. Purple Heart: members killed or wounded in attacks of homegrown violent extremists motivated or inspired by foreign terrorist organizations.''.

(2) RETROACTIVE EFFECTIVE DATE AND APPLICATION.—

(A) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as of September 11, 2001.

(B) REVIEW OF CERTAIN PREVIOUS INCIDENTS.—The Secretaries concerned shall undertake a review of each death or wounding of a member of the Armed Forces that occurred between September 11, 2001, and the date of the enactment of this Act under circumstances that could qualify as being the result of the attack of a homegrown violent extremist as described in section 1129a of title 10, United States Code (as added by paragraph (1)), to determine whether the death or wounding qualifies as a death or wounding resulting from a homegrown violent extremist attack motivated or inspired by a foreign terrorist organization for purposes of the award of the Purple Heart pursuant to such section (as so added).

(C) ACTIONS FOLLOWING REVIEW.—If the death or wounding of a member of the Armed Forces reviewed under subparagraph (B) is determined to qualify as a death or wounding resulting from a homegrown violent extremist attack motivated or inspired by a foreign terrorist organization as described in section 1129a of title 10, United States Code (as so added), the Secretary concerned shall take appropriate action under such section to award the Purple Heart to the member.

(D) SECRETARY CONCERNED DEFINED.—In this paragraph, the term ''Secretary concerned'' has the meaning given that term in section 101(a)(9) of title 10, United States Code.

(b) SECRETARY OF DEFENSE MEDAL FOR THE DEFENSE OF FREEDOM.—

(1) REVIEW OF THE NOVEMBER 5, 2009 ATTACK AT FORT HOOD, TEXAS.—If the Secretary concerned determines, after a review under subsection (a)(2)(B) regarding the attack that occurred at Fort Hood, Texas, on November 5, 2009, that the death or wounding of any member of the Armed Forces in that attack qualified as a death or wounding resulting from a homegrown violent extremist attack motivated or inspired by a foreign terrorist organization as described in section 1129a of title 10, United States Code (as added by subsection (a)), the Secretary of Defense shall make a determination as to whether the death or wounding of any civilian employee of the Department of Defense or civilian contractor in the same attack meets the eligibility criteria for the award of the Secretary of Defense Medal for the Defense of Freedom.

(2) AWARD.—If the Secretary of Defense determines under paragraph (1) that the death or wounding of any civilian employee of the Department of Defense or civilian contractor in the attack that occurred at Fort Hood, Texas, on November 5, 2009, meets the eligibility criteria for the award of the Secretary of Defense Medal for the Defense of Freedom, the Secretary shall take appropriate action to award the Secretary of Defense Medal for the Defense of Freedom to the employee or contractor.

SA 2297. Mr. CHAMBLISS (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 529. SENSE OF SENATE ON FUNDING FOR THE UNITED STATES NAVAL SEA CADET CORPS.

(a) FINDINGS.—The Senate makes the following findings:

(1) The United States Naval Sea Cadet Corps, chartered by Congress in 1962, focuses on the development of youth ages 11 through 17, and has trained more than 150,000 young Americans since its creation.

(2) The United States Naval Sea Cadet Corps directly enhances the primary recruiting goal of the Navy of ensuring awareness of the Navy and its mission.

(3) The Navy has not increased funding for the United States Naval Sea Cadet Corps since fiscal year 2006.

(b) SENSE OF SENATE.—It is the sense of the Senate that the Secretary of the Navy should fully fund the United States Naval Sea Cadet Corps during fiscal year 2014.

SA 2298. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction,

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

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

SEC. 1082. INPATIENT HEALTH CARE FACILITY AT DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY IN HARLINGEN, TEXAS.

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

(1) The current and future health care needs of veterans residing in Far South Texas are not being fully met by the Department of Veterans Affairs.

(2) According to recent census data, more than 108,000 veterans reside in Far South Texas.

(3) Travel times for veterans from the Valley Coastal Bend area from their homes to the nearest Department of Veterans Affairs hospital for acute inpatient health care can exceed six hours.

(4) Even with the significant travel times, veterans from Far South Texas demonstrate a high demand for health care services from the Department of Veterans Affairs.

(5) Ongoing overseas deployments of members of the Armed Forces from Texas, including members of the Armed Forces on active duty, members of the Texas National Guard, and members of the other reserve components of the Armed Forces, will continue to increase demand for medical services provided by the Department of Veterans Affairs.

(6) The Department of Veterans Affairs employs an annual Strategic Capital Investment Planning process to ''enable the VA to continually adapt to changes in demographics, medical and information technology, and health care delivery'', which results in the development of a multi-year investment plan that determines where gaps in services exist or are projected and develops an appropriate solution to meet those gaps.

(7) According to the Department of Veterans Affairs, final approval of the Strategic Capital Investment Planning priority list serves as the ''building block'' of the annual budget request for the Department.

(8) Arturo ''Treto'' Garza, a veteran who served in the Marine Corps, rose to the rank of Sergeant, and served two tours in the Vietnam War, passed away on October 3, 2012.

(9) Treto Garza, who was also a former co-chairman of the Veterans Alliance of the Rio Grande Valley, tirelessly fought to improve health care services for veterans in the Rio Grande Valley, with his efforts successfully leading to the creation of the South Texas VA Health Care Center at Harlingen, located in Harlingen, Texas.

(b) REDESIGNATION OF SOUTH TEXAS DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE CENTER.—

(1) IN GENERAL.—The South Texas Department of Veterans Affairs Health Care Center at Harlingen, located in Harlingen, Texas, is redesignated as the ''Treto Garza South Texas Department of Veterans Affairs Health Care Center''.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the medical facility of the Department of Veterans Affairs referred to in paragraph (1) shall be deemed to be a reference to the ''Treto Garza South Texas Department of Veterans Affairs Health Care Center''.

(c) REQUIREMENT OF FULL-SERVICE INPATIENT FACILITY.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall ensure that the Treto Garza South Texas Department of Veterans Affairs Health Care Center includes a full-service inpatient health care facility of the Department and shall modify the existing facility as necessary to meet that requirement.

(2) PLAN TO EXPAND FACILITY CAPABILITIES.—The Secretary shall include in the annual Strategic Capital Investment Plan of the Department a project to expand the capabilities of the Treto Garza South Texas Department of Veterans Affairs Health Care Center by adding the following:

(A) Inpatient capability for 50 beds with appropriate administrative, clinical, diagnostic, and ancillary services needed for support.

(B) An urgent care center.

(C) The capability to provide a full range of services to meet the needs of women veterans.

(d) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report detailing a plan to implement the requirements in subsection (c), including an estimate of the cost of required actions and the time necessary for the completion of those actions.

(e) FAR SOUTH TEXAS DEFINED.—In this section, the term ''Far South Texas'' means the following counties in Texas: Aransas, Bee, Brooks, Calhoun, Cameron, DeWitt, Dimmit, Duval, Goliad, Hidalgo, Jackson, Jim Hogg, Jim Wells, Kenedy, Kleberg, Nueces, Refugio, San Patricio, Starr, Victoria, Webb, Willacy, Zapata.

SA 2299. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1237. REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.

(a) REPORT.—Not later than June 1, 2014, the Secretary of Defense shall submit to the specified congressional committees a report, in both classified and unclassified form, on the current and future military strategy of the Russian Federation (in this section referred to as ''Russia''). The report shall address the development of Russian security strategy and military strategy.

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

(1) An assessment of the security situation in the independent states of the former Soviet Union.

(2) The goals and factors shaping Russian security strategy and military strategy.

(3) An assessment of Russia's security objectives, including objectives that would affect the North Atlantic Treaty Organization, Iran, Syria, the broader Middle East region, and the People's Republic of China.

(4) Developments in Russian military doctrine and training and trends in military spending and investments.

(5) An assessment of the United States military-to-military relationship with the Russian Federation armed forces, including the following elements:

(A) A comprehensive and coordinated strategy for military-to-military activities and updates to the strategy.

(B) A summary of all such military-to-military activities during the one-year period preceding the report, including objectives of the activities and perceived benefits to Russia of those activities.

(C) A description of military-to-military activities planned for the following 12-month period.

(D) The Secretary's assessment of the benefits the Department of Defense expects to gain from such military-to-military activities, and any risks associated with such activities.

(E) The Secretary's assessment of how such military-to-military activities fit into the larger security relationship between the United States and the Russian Federation.

(6) A description of Russian military-to-military relationships with the independent states of the former Soviet Union, Iran, and Syria, including the size of associated military attaché offices.

(7) Other military and security developments involving Russia that the Secretary of Defense considers relevant to United States national security.

(c) SPECIFIED CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''specified congressional committees'' means—

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

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

SA 2300. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1534. COMPREHENSIVE LONG-TERM PLAN FOR AFGHAN NATIONAL SECURITY FORCES AVIATION CAPABILITIES.

(a) LONG-TERM PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees report setting forth a comprehensive long-term plan for training, equipping, advising, and sustaining the aviation capabilities of the Afghan National Security Forces (ANSF) through 2024 (when the 2012 United States–Afghan Strategic Partnership Agreement expires).

(b) SCOPE AND COVERAGE.—

(1) IN GENERAL.—The plan required by subsection (a) shall cover the plans of the Department of Defense to ensure that the Afghan National Security Forces are able to independently maintain and sustain a professional and safe military aviation program.

(2) COVERED COMPONENTS.—The plan shall cover the Special Mission Wing (SMW) and the Afghan Air Force (AAF), the two main components of the aviation assistance effort of the United States and its coalition allies in Afghanistan.

(c) ELEMENTS.—The plan shall include the following:

(1) Elements regarding the aviation capabilities of the Afghan National Security Forces, including—

(A) the manner in which the Department of Defense will maintain and evaluate safety, airworthiness, and pilot proficiency standards of the Afghan National Security Forces;

(B) means by which the Department will train the Afghan National Security Forces to minimum aviation proficiency levels; and

(C) means by which the Department will assist the Afghan National Security Forces in recruiting the requisite number of pilots, other crewmembers, and aircraft maintenance personnel.

(2) Elements regarding training of Afghanistan National Security Forces aviation personnel.

(3) Elements regarding the aviation equipment of the Afghan National Security Forces, including—

(A) the type and number of aircraft required to equip each Afghan National Security Forces aviation unit;

(B) the additional aircraft to be procured by the Afghan National Security Forces to meet such requirements; and

(C) for each aircraft platform required to equip Afghan National Security Forces aviation units, the date on which the Afghan National Security Forces are expected to be capable of maintaining and operating such platform without support from the United States Armed Forces or contractors.

(4) Elements regarding the cost of training, equipping, advising, and sustaining the aviation capabilities of the Afghan National Security Forces, including—

(A) the amount required on an annual basis for operations and sustainment costs for the aviation capabilities;

(B) means by which such costs will be borne by the United States or its coalition allies in Afghanistan; and

(C) means by which some or all such costs will be borne by Afghanistan commencing in 2014.

(5) Elements regarding vetting and end-user monitoring systems for both Afghanistan and the United States with respect to any aircraft and training provided the Afghan National Security Forces by the United States.

(d) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) SIGAR REVIEW.—Not later than 180 days after the date of the submittal of the report required by subsection (a), the Special Inspector General for Afghanistan Reconstruction shall submit to the congressional defense committee a report on the plan covered by such report. The report under this subsection shall include the following:

(1) A review and assessment of the plan by the Special Inspector General.

(2) Such recommendations for additional actions on training, equipping, advising, and sustaining the aviation capabilities of the Afghan National Security Forces as the Special Inspector General considers appropriate.

SA 2301. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 713. PILOT PROGRAM ON INVESTIGATIONAL TREATMENT OF MEMBERS OF THE ARMED FORCES FOR TRAUMATIC BRAIN INJURY AND POST-TRAUMATIC STRESS DISORDER.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a 3-year pilot program under which the Secretary shall establish a process for randomized placebo-controlled clinical trials of investigational treatments (including diagnostic testing) of Traumatic Brain Injury (TBI) or Post-Traumatic Stress Disorder (PTSD) received by members of the Armed Forces in health care facilities other than military treatment facilities.

(b) CONDITIONS FOR APPROVAL.—The approval by the Secretary for payment for a treatment pursuant to subsection (a) shall be subject to the following conditions:

(1) Any drug or device used in the treatment must be approved or cleared by the Food and Drug Administration for any purpose and its use must comply with rules of the Food and Drug Administration applicable to investigational new drugs or investigational devices.

(2) The treatment must be approved by the Secretary following approval by an institutional review board operating in accordance with regulations issued by the Secretary of Health and Human Services.

(3) The patient receiving the treatment may not be a retired member of the Armed Forces who is entitled to benefits under part A, or eligible to enroll under part B, of title XVIII of the Social Security Act.

(c) ADDITIONAL RESTRICTIONS AUTHORIZED.—The Secretary may establish additional restrictions or conditions for reimbursement as the Secretary determines appropriate to ensure the protection of human research subjects, appropriate fiscal management, and the validity of the research results.

(d) DATA COLLECTION AND AVAILABILITY.—The Secretary shall develop and maintain a database containing data from each patient case involving the use of a treatment under this section. The Secretary shall ensure that the database preserves confidentiality and that any use of the database or disclosures of such data are limited to such use and disclosures permitted by law and applicable regulations.

(e) REPORT TO CONGRESS.—Not later than 30 days after the last day of each fiscal year during which the Secretary is authorized to make payments under this section, the Secretary shall submit to Congress an annual report on the implementation of this section and any available results on investigational treatment studies authorized under this section.

SA 2302. Mr. CORNYN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 673. SURVEY OF PREFERENCES OF MEMBERS OF THE ARMED FORCES REGARDING MILITARY PAY AND BENEFITS.

(a) SURVEY REQUIRED.—The Secretary of Defense shall carry out an anonymous survey of random members of the Armed Forces regarding their preferences in military pay and benefits.

(b) ELEMENTS.—The survey under this section shall be conducted for the purpose of soliciting information on the following:

(1) The value that members of the Armed Forces place on the following forms of compensation relative to one another:

(A) Basic pay.

(B) Allowances for housing and subsistence.

(C) Bonuses and special pays.

(D) Dependent healthcare benefits.

(E) Healthcare benefits for retirees under 65 years old.

(F) Healthcare benefits for Medicare-eligible retirees.

(G) Retirement pay.

(2) How the members value different levels of pay or benefits, including the impact of co-payments or deductibles on the value of benefits.

(3) Any other matters related to military pay and benefits that the Secretary considers appropriate.

(4) How information collected pursuant to paragraph (1), (2), or (3) varies by age, grade, dependent status, and other factors the Secretary considers appropriate.

(c) SUBMITTAL OF RESULTS.—

(1) IN GENERAL.—Upon the completion of the survey required by this section, the Secretary shall submit a report on the analysis and raw data of the survey to each of the following:

(A) The Military Compensation and Retirement Modernization Commission under subtitle H of title VI of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239).

(B) Congress.

(2) AVAILABILITY TO PUBLIC.—At the same time the Secretary submits the report required by paragraph (1), the Secretary shall make the report available to the public.

(d) USE OF RESULTS BY COMMISSION.—Section 671(b)(1) of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 1787) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) by redesignating subparagraph (C) as subparagraph (D); and

(3) by inserting after subparagraph (B) the following new subparagraph (C):

''(C) examining the report and corresponding analysis and raw data collected pursuant to the survey of preference of members of the Armed Forces regarding military pay and benefits required by section 673(a) of the National Defense Authorization Act for Fiscal Year 2014; and''.

SA 2303. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 411, beginning on line 6, strike ''may be used to enter'' and all that follows through line 9 and insert ''may be used—

(1) to enter into a contract or subcontract, memorandum of understanding, or cooperative agreement with, to make a grant to, or to provide a loan or loan guarantee to Rosoboronexport; or

(2) to modify any existing contract or subcontract with Rosoboronexport.

On page 411, beginning on line 12, strike ''determines that such waiver is in the national security interests of the United States'' and insert '', in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge, Rosoboronexport has ceased the transfer of

lethal military equipment to, and the maintenance of existing lethal military equipment for, the Government of the Syrian Arab Republic''.

On page 412, between lines 7 and 8, insert the following:

SEC. 1233A. MODIFICATION OF FISCAL YEAR 2013 PROHIBITION ON USE OF FUNDS TO ENTER INTO CONTRACTS OR AGREEMENTS WITH ROSOBORONEXPORT.

(a) SCOPE OF PROHIBITION.—Subsection (a) of section 1277 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2030) is amended by striking ''may be used'' and all that follows and inserting ''may be used—

''(1) to enter into a contract or subcontract, memorandum of understanding, or cooperative agreement with, to make a grant to, or to provide a loan or loan guarantee to Rosoboronexport; or

''(2) to modify any existing contract or subcontract with Rosoboronexport.''.

(b) NATIONAL SECURITY WAIVER AUTHORITY.—Subsection (b) of that section is amended by striking ''determines that such waiver is in the national security interests of the United States.'' and inserting '', in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge, Rosoboronexport has ceased the transfer of lethal military equipment to, and the maintenance of existing lethal military equipment for, the Government of the Syrian Arab Republic.''.

SEC. 1233B. PROHIBITION ON USE OF FISCAL YEAR 2012 FUNDS TO ENTER INTO CONTRACTS OR AGREEMENTS WITH ROSOBORONEXPORT.

(a) PROHIBITION.—None of the funds authorized to be appropriated for the Department of Defense for fiscal year 2012 by the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) that remain available for obligation or expenditure as of the date of the enactment of this Act may be used—

(1) to enter into a contract or subcontract, memorandum of understanding, or cooperative agreement with, to make a grant to, or to provide a loan or loan guarantee to Rosoboronexport; or

(2) to modify any existing contract or subcontract with Rosoboronexport.

(b) NATIONAL SECURITY WAIVER AUTHORITY.—The Secretary of Defense may waive the applicability of subsection (a) if the Secretary, in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge, Rosoboronexport has ceased the transfer of lethal military equipment to, and the maintenance of existing lethal military equipment for, the Government of the Syrian Arab Republic.

SA 2304. Mr. BOOZMAN (for himself, Mr. MANCHIN, and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 593. CONTENTS OF TRANSITION ASSISTANCE PROGRAM.

(a) IN GENERAL.—Section 1144 of title 10, United States Code, is amended—

(1) in subsection (b), by adding at the end the following new paragraph:

''(9) Provide information about disability-related employment and education protections.'';

(2) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively; and

(3) by inserting after subsection (b) the following new subsection (c):

''(c) ADDITIONAL ELEMENTS OF PROGRAM.—The mandatory program carried out under this section shall include—

''(1) for any member who plans to use the member's entitlement to educational assistance under title 38—

''(A) instruction providing an overview of the use of such entitlement; and

''(B) testing to determine academic readiness for post-secondary education, courses of post-secondary education appropriate for the member, courses of post-secondary education compatible with the member's education goals, and instruction on how to finance the member's post-secondary education; and

''(2) instruction in the benefits under laws administered by the Secretary of Veterans Affairs and in other subjects determined by the Secretary concerned.''.

(b) DEADLINE FOR IMPLEMENTATION.—The program carried out under section 1144 of title 10, United States Code, shall comply with the requirements of subsections (b)(9) and (c) of such section, as added by subsection (a), by not later than April 1, 2015.

(c) FEASIBILITY STUDY.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives the results of a study carried out by the Secretary to determine the feasibility of providing the instruction described in subsection (b) of section 1142 of title 10, United States Code, at all overseas locations where such instruction is provided by entering into a contract jointly with the Secretary of Labor for the provision of such instruction.

SA 2305. Mr. REID proposed an amendment 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; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 2306. Mr. REID proposed an amendment to amendment SA 2305 proposed by Mr. REID 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; as follows:

In the amendment, strike ''3 days'' and insert ''2 days''.

SA 2307. Mr. REID proposed an amendment to amendment SA 2306 proposed by Mr. REID to the amendment SA 2305 proposed by Mr. REID 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; as follows:

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

SA 2308. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1066. REPORT ON ROLE OF MILITARY BANDS IN NATIONAL DEFENSE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on role of military bands in the national defense. The report shall include the following:

(1) A description of the average annual cost of military bands over the three fiscal years ending with fiscal year 2013, set forth by Armed Force, including costs of training centers, support and logistics, cadre, and other personnel and equipment.

(2) An assessment of the direct contributions of military bands to the national security of the United States.

(3) A justification, if any, from the Secretary of each military department for the continuation of military band capabilities by the Armed Forces under the jurisdiction of such Secretary in light of an austere fiscal environment and upcoming reductions in end strengths for the Armed Forces.

SA 2309. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 593. PILOT PROGRAM ON PROVISION OF CERTAIN INFORMATION TO STATE VETERANS AGENCIES TO FACILITATE THE TRANSITION OF MEMBERS OF THE ARMED FORCES FROM MILITARY SERVICE TO CIVILIAN LIFE.

(a) PILOT PROGRAM REQUIRED.—Commencing not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of providing the information described in subsection (b) on members of the Armed Forces who are separating from the Armed Forces to State veterans agencies as a means of facilitating the transition of members of the Armed Forces from military service to civilian life.

(b) COVERED INFORMATION.—The information described in this subsection with respect to a member is as follows:

(1) Department of Defense Form DD 214.
(2) A personal email address.
(3) A personal telephone number.
(4) A mailing address.

(c) VOLUNTARY PARTICIPATION.—The participation of a member in the pilot program shall be at the election of the member.

(d) FORM OF PROVISION OF INFORMATION.—Information shall be provided to State veterans agencies under the pilot program in digitized electronic form.

(e) USE OF INFORMATION.—Information provided to State veterans agencies under the pilot program may be shared by such agencies with appropriate county veterans service offices in such manner and for such purposes as the Secretary shall specify for purposes of the pilot program.

(f) REPORT.—Not later than 15 months after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the pilot program. The report shall include a description of the pilot program and such recommendations, including recommendations for continuing or expanding the pilot program, as the Secretary considers appropriate in light of the pilot program.

SA 2310. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. REQUIREMENT FOR PROMPT RESPONSES FROM SECRETARY OF DEFENSE WHEN SECRETARY OF VETERANS AFFAIRS REQUESTS INFORMATION NECESSARY TO ADJUDICATE BENEFITS CLAIMS.

(a) DEADLINE FOR PROMPT RESPONSE.—Whenever the Secretary of Veterans Affairs submits a request to the Secretary of Defense for information that the Secretary of Veterans Affairs determines is necessary to adjudicate a claim for a benefit under a law administered by the Secretary of Veterans Affairs, the Secretary of Defense shall attempt to furnish such information to the Secretary of Veterans Affairs by not later than 30 days after receiving the request from the Secretary of Veterans Affairs.

(b) INITIAL EXTENSION OF DEADLINE.—In a case in which the Secretary of Defense is unable to furnish the Secretary of Veterans Affairs with information requested under subsection (a) within the 30-day period set forth in such subsection, the Secretary of Defense shall—

(1) notify the Secretary of Veterans Affairs of the Secretary of Defense's inability to furnish the Secretary of Veterans Affairs with the information requested within the 30-day period set forth in such subsection; and

(2) attempt to furnish the Secretary of Veterans Affairs with the information requested by not later than 30 days after the end of the 30-day period set forth in such subsection.

(c) SUBSEQUENT EXTENSION.—In a case in which the Secretary of Defense is unable to furnish the Secretary of Veterans Affairs with information requested under subsection (a) within 60 days, the Secretary of Defense shall submit to the Secretary of Veterans Affairs—

(1) an explanation as to why the Secretary of Defense is unable to furnish the Secretary of Veterans Affairs with the requested information; and

(2) an estimate as to when the Secretary of Defense will furnish the Secretary of Veterans Affairs with the requested information.

(d) ANNUAL REPORT.—Not less frequently than once each year, the Secretary of Defense shall submit to the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate and the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives a report that summarizes, with respect to the most recently completed one-year period—

(1) the number of requests for information received from the Secretary of Veterans Affairs under subsection (a);

(2) the number of requests for information received from the Secretary of Veterans Affairs under subsection (a) with respect to which the Secretary of Defense supplied the requested information; and

(3) the number of requests for information received from the Secretary of Veterans Affairs under subsection (a) with respect to which the Secretary of Defense was unable to furnish the requested information to the Secretary of Veterans Affairs within 60 days.

SA 2311. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 713. DEADLINE FOR COMPLETION OF IMPLEMENTATION OF THE HEALTHCARE ARTIFACT AND IMAGE MANAGEMENT SOLUTION PROGRAM.

(a) DEADLINE.—The Secretary of Defense shall complete the implementation of the Healthcare Artifact and Image Management Solution (HAIMS) program of the Department of Defense by not later than the date that is 180 days after the date of the enactment of this Act.

(b) REPORT.—Upon completion of the implementation of the Healthcare Artifact and Image Management Solution program, the Secretary shall submit to Congress a report describing the extent of the interoperability between the Healthcare Artifact and Image Management Solution program and the Veterans Benefits Management System (VBMS) of the Department of Veterans Affairs.

SA 2312. Mr. ALEXANDER (for himself and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 314. TRANSPORTATION OF SUPPLIES AND EQUIPMENT IN THE UNITED STATES BY COMMERCIAL MOTOR VEHICLES.

(a) STATEMENT OF POLICY.—It is the policy of the United States to maximize the operational effectiveness, efficiency, and cost savings of the Defense Transportation System, especially surface and related intermodal transportation requirements in support of contingency and peacetime operations by allowing surface transportation supplies to be transported in longer tractor-trailer combinations.

(b) INCREASE IN ALLOWABLE LENGTH OF TRACTOR TRAILER COMBINATIONS.—Section 31111(b)(1)(A) of title 49, United States Code, is amended by striking ''or of less than 28 feet'' and inserting ''or, notwithstanding section 31112, of less than 33 feet''.

SA 2313. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1237. LIMITATION ON ASSISTANCE TO ASSAD REGIME DURING DESTRUCTION OF SYRIAN CHEMICAL WEAPONS.

(a) IN GENERAL.—The United States Government may not provide financial assistance or license, approve, facilitate, contribute, or otherwise allow the sale, lease, transfer, or delivery of any items for the purposes of the dismantlement and destruction of Syria's chemical program that could be adapted for military use to the Organization for the Prohibition of Chemical Weapons (OPCW) or the government of any country until the Secretary of Defense submits to the appropriate congressional committees—

(1) a certification that—

(A) such assistance will not be transferred or provided to the Government of Syria; and

(B) the final disposition of any items or equipment, after the chemical weapons are removed from Syria or are destroyed in Syria, will not remain with the Government of Syria; and

(2) an assessment of whether the Government of Syria's declaration to the OPCW regarding its chemical weapons program is complete, including a list of undeclared chemical weapons stockpiles, munitions, and facilities in Syria.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees;

(2) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(3) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 2314. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1035. PROHIBITION ON USE OF FUNDS TO CLOSE DETENTION FACILITIES AT GUANTANAMO BAY, CUBA.

None of the amounts authorized to be appropriated by this Act or otherwise made

available for fiscal year 2014 for the Department of Defense may be obligated or expended for the purpose of funding personnel or programs whose primary focus is facilitating the closure of Guantanamo Bay prison.

SA 2315. 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:

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

SEC. 2833. CONVEYANCE, AIR NATIONAL GUARD RADAR SITE, FRANCIS PEAK, WASATCH MOUNTAINS, UTAH.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the State of Utah (in this section referred to as the ''State''), all right, title, and interest of the United States in and to the structures, including equipment and any other personal property related thereto, comprising the Air National Guard radar site located on Francis Peak, Utah, for the purpose of permitting the State to use the structures to support emergency public safety communications, including 911 emergency response service for Northern Utah.

(b) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Air Force may require the State to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(c) DESCRIPTION OF PROPERTY.—The exact inventory of equipment and other personal property to be conveyed under subsection (a) shall be determined by the Secretary of the Air Force.

(d) TIME OF CONVEYANCE.—The conveyance under this section shall occur as soon as practicable after the date of the enactment of this Act. Until such time as the conveyance occurs, the Secretary of the Air Force shall take no action with regard to the structures described in subsection (a) that will result in the likely disruption of emergency communications by the State and local authorities.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Air Force may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(f) ISSUANCE OF LAND USE AUTHORIZATION.—The conveyance of the structures under subsection (a) shall not affect the validity and continued applicability of the land use. Upon completion of the conveyance under subsection (a), the State of Utah shall submit for a land use authorization to the Forest Service for placement and use of structures on National Forest System land. Such land use authorization shall comply with Forest Service land use authorization requirements for similar land uses on National Forest System land.

(g) DURATION OF AUTHORITY.—The authority to make a conveyance under this section shall expire on the later of—

(1) September 30, 2014; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015.

SA 2316. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 514. PROTECTION OF RELIGIOUS FREEDOMS OF MILITARY CHAPLAINS DURING NON-MILITARY SERVICES.

(a) ARMY CHAPLAINS.—Section 3547 of title 10, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection (b):

''(b) A chaplain may close a prayer lead by the chaplain outside of a religious service in accordance with the traditions, expressions, and religious exercises of the group for whom the prayer is lead.''.

(b) NAVY CHAPLAINS.—Section 6031 of such title is amended by adding at the end the following new subsection:

''(d) A chaplain may close a prayer lead by the chaplain outside of devine service in accordance with the traditions, expressions, and religious exercises of the group for whom the prayer is lead.''.

(c) AIR FORCE CHAPLAINS.—Section 8547 of such title is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection (b):

''(b) A chaplain may close a prayer lead by the chaplain outside of a religious service in accordance with the traditions, expressions, and religious exercises of the group for whom the prayer is lead.''.

SA 2317. Mr. VITTER 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. NOTIFICATION OF MODIFICATION OF ARMY FORCE STRUCTURE.

(a) CERTIFICATION OF ENVIRONMENTAL COMPLIANCE.—The Secretary of the Army shall certify to the congressional defense committees that Army force structure modifications, reductions, and additions authorized as of the date of the enactment of this Act that will utilize funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of the Army are compliant with the provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) NOTIFICATION OF NECESSARY ASSESSMENTS OR STUDIES.—The Secretary of the Army, when making congressional notifications in accordance with section 993 of title 10, United States Code, shall include the Secretary's assessment whether or not such changes require an Environmental Assessment or Environmental Impact Statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and, if such an assessment or study is required, the plan for conducting such assessment or study.

SA 2318. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1237. INTELLIGENCE ASSESSMENT AND REPORT ON AL-SHABAAB.

(a) INTELLIGENCE ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a classified intelligence assessment of the terrorist organization known as Al-Shabaab. Such assessment shall include the following:

(1) A description of organizational structure, operational objectives, and funding sources for Al-Shabaab.

(2) An assessment of the extent to which Al-Shabaab threatens security and stability within Somalia and surrounding countries.

(3) An assessment of the extent to which Al-Shabaab threatens the security of United States citizens or the national security or interests of the United States.

(4) The description of the relationship between Al-Shabaab and Al-Qaeda and Al-Qaeda affiliates.

(5) An assessment of the capacity of the Government of Somalia to counter the threat posed by Al-Shabaab.

(6) An assessment of the capacity of regional countries and organizations, including the African Union, to counter the threat posed by Al-Shabaab.

(b) SECRETARY OF STATE AND SECRETARY OF DEFENSE JOINT REPORT.—Not later than 90 days after the date on which the intelligence assessment required by subsection (a) is submitted, the Secretary of State and the Secretary of Defense, jointly, shall submit to the appropriate committees of Congress a report describing the strategy of the United States to counter the threat posed by Al-Shabaab.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

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

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

SA 2319. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXEMPTION FROM SEQUESTRATION FOR FISCAL YEAR 2014.

Section 251A(5) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(5)) is amended—

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

(2) by inserting before subparagraph (B), as redesignated, the following:

''(A) MODIFICATION OF DEFENSE FUNCTION REDUCTIONS.—Notwithstanding any other provision of this Act, for discretionary appropriations and direct spending accounts within function 050 (defense function)—

''(i) for fiscal year 2014, OMB shall decrease the otherwise applicable amount of the reduction to such discretionary appropriations and direct spending accounts by $25,000,000,000;

''(ii) for fiscal year 2015, OMB shall decrease the otherwise applicable amount of the reduction to such discretionary appropriations and direct spending accounts by $17,000,000,000;

''(iii) for fiscal year 2016, OMB shall decrease the otherwise applicable amount of the reduction to such discretionary appropriations and direct spending accounts by $12,000,000,000;

''(iv) for fiscal year 2017, OMB shall decrease the otherwise applicable amount of the reduction to such discretionary appropriations and direct spending accounts by $4,000,000,000;

''(v) for fiscal year 2018, OMB shall increase the otherwise applicable amount of the reduction to such discretionary appropriations and direct spending accounts by $3,000,000,000;

''(vi) for fiscal year 2019, OMB shall increase the otherwise applicable amount of the reduction to such discretionary appropriations and direct spending accounts by $10,000,000,000;

''(vii) for fiscal year 2020, OMB shall increase the otherwise applicable amount of the reduction to such discretionary appropriations and direct spending accounts by $18,000,000,000;

''(viii) for fiscal year 2021, OMB shall increase the otherwise applicable amount of the reduction to such discretionary appropriations and direct spending accounts by $27,000,000,000; and

''(ix) for each of fiscal years 2014 through 2021, OMB shall calculate the amount of the respective reductions to discretionary appropriations and direct spending (as adjusted under this subparagraph) in accordance with subparagraphs (B) and (C).'';

(3) in subparagraph (B)(i), as redesignated, by inserting ''as adjusted, if adjusted, in accordance with subparagraph (A)'' after ''paragraph (4)''; and

(4) in subparagraph (C), as redesignated—

(A) by inserting ''as adjusted, if adjusted, in accordance with subparagraph (A)'' after ''paragraph (4)''; and

(B) by striking ''subparagraph (A)'' and inserting ''subparagraph (B)''.

SA 2320. Mr. SANDERS 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 VIII, add the following:

SEC. 843. MINIMUM WAGE FOR WORK UNDER CONTRACTS BY THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Notwithstanding section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206), any entity awarded a contract by the Department of Defense for services performed in the United States, or property manufactured in the United States, shall pay each individual performing such services or manufacturing such property a wage not less than $14.00 an hour while such individual performs such services or manufactures such property.

(b) APPLICABILITY TO SUBCONTRACTORS.—Subsection (a) shall apply to an entity awarded a subcontract under a contract for services or property described in such subsection, in the same manner as such subsection applies to the entity awarded such contract.

(c) EFFECTIVE DATE.—Subsection (a) shall apply with respect to contracts awarded by the Department of Defense after the date of enactment of this Act for fiscal year 2014 and each fiscal year thereafter.

SA 2321. Mr. SANDERS 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. ENHANCED PRIVACY PROTECTIONS UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) LIMITING OVERBROAD SURVEILLANCE REQUESTS.—Section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) is amended—

(1) in subsection (a)(1), by striking ''to protect against international terrorism or clandestine intelligence activities,'' and inserting ''for an investigation concerning international terrorism which investigation is being conducted by the Federal Bureau of Investigation,'';

(2) in subsection (b)(2)(A)—

(A) in the matter preceding clause (i)—

(i) by striking ''a statement of facts showing that there are reasonable grounds'' and inserting ''specific and articulable facts giving reason'';

(ii) by inserting ''each of'' before ''the tangible things'';

(iii) by striking ''are'' and inserting ''is''; and

(iv) by striking ''to protect against international terrorism or clandestine intelligence activities,'' and inserting ''an investigation concerning international terrorism which investigation is being conducted by the Federal Bureau of Investigation,'';

(B) in clause (i), by adding ''or'' at the end;

(C) in clause (ii), by striking ''or'' and inserting ''and''; and

(D) by striking clause (iii); and

(3) in subsection (c)(1), after ''the release of tangible things.'' by inserting ''For each tangible thing to be released, the judge shall enter a finding that the Director of the Federal Bureau of Investigation or the Director's designee has presented specific and articulable facts giving reason to believe that the thing is relevant to an authorized investigation (other than a threat assessment) conducted in accordance with subsection (a)(2) of this section to obtain foreign intelligence information not concerning a United States person or an investigation concerning international terrorism which investigation is being conducted by the Federal Bureau of Investigation.''.

(b) EXPANSION OF REPORTING REQUIREMENTS UNDER FISA.—Section 502 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1862) is amended by striking subsections (a), (b), and (c) and inserting the following:

''(a) On a semiannual basis, the Attorney General shall fully inform Congress concerning all requests for the production of tangible things under section 501, including with respect to the preceding 6-month period—

''(1) the total number of applications made for orders approving requests for the production of tangible things under section 501; and

''(2) the total number of such orders either granted, modified, or denied.

''(b) In informing Congress under subsection (a), the Attorney General shall include the following:

''(1) A description with respect to each application for an order requiring the production of any tangible things for the specific purpose for such production.

''(2) An analysis of the effectiveness of each application that was granted or modified in protecting citizens of the United States against terrorism.

''(c) In a manner consistent with the protection of the national security of the United States, the Attorney General shall make available to the public the information provided to Congress under subsection (a).''.

SA 2322. Mr. SANDERS 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. ANNUAL REPORT ON DEPARTMENT OF DEFENSE GREENHOUSE GAS EMISSIONS.

Not later than June 30, 2014, and annually thereafter, the Secretary of Defense shall submit to Congress a report on greenhouse gas emissions of the Department of Defense during the previous calendar year. The report shall include a review and description of greenhouse gas emissions by military department, Defense Agency, and type of activity, including electricity consumption, transportation, and heating.

SA 2323. Mr. SANDERS 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 XXIV, add the following:

SEC. 2404. INCREASED FUNDING FOR ENERGY CONSERVATION PROJECTS.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) ADDITIONAL AMOUNT FOR ENERGY CONSERVATION INVESTMENT PROGRAM.—The amount authorized to be appropriated for fiscal year 2014 by section 2403(6) and available for the Energy Conservation Investment Program as specified in the funding table in section 4601 is hereby increased by $279,000,000, with the amount of the increase to be available for projects that improve energy efficiency at military installations (including retrofitting existing buildings and enabling new construction to meet higher energy efficiency standards) or allow for the inclusion or addition of renewable energy generation at military installations.

(2) RENEWABLE ENERGY GENERATION DEFINED.—In this subsection, the term ''renewable energy generation'' includes—

(A) solar, wind, biomass, landfill gas, ocean, and geothermal; and

(B) energy storage systems designed to store energy produced by a renewable energy system for later use or for frequency regulation.

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2014 by section 1504 and available for the Afghanistan Infrastructure Fund as specified in the funding table in section 4302 is hereby reduced by $279,000,000.

SA 2324. Mr. LEVIN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 949. REPORTING ON PENETRATIONS INTO NETWORKS AND INFORMATION SYSTEMS OF OPERATIONALLY CRITICAL CONTRACTORS.

(a) PROCEDURES FOR REPORTING PENETRATIONS.—The Secretary of Defense shall establish procedures that require an operationally critical contractor to report to a component of the Department of Defense designated by the Secretary for purposes of such procedures when a network or information system of such operationally critical contractor is successfully penetrated.

(b) PROCEDURE REQUIREMENTS.—

(1) RAPID REPORTING.—The procedures established pursuant to subsection (a) shall require each operationally critical contractor to rapidly report to the component of the Department designated pursuant to subsection (a) on each successful penetration of any network or information systems of such contractor. Each such report shall include the following:

(A) The technique or method used in such penetration.

(B) A sample of any malicious software, if discovered and isolated by the contractor, involved in such penetration.

(2) DEPARTMENT ASSISTANCE AND ACCESS TO EQUIPMENT AND INFORMATION BY DEPARTMENT PERSONNEL.—The procedures established pursuant to subsection (a) shall include mechanisms for Department personnel to—

(A) assist operationally critical contractors in detecting and mitigating penetrations; and

(B) upon request, obtain access to equipment or information of an operationally critical contractor necessary to conduct forensic analysis in addition to any analysis conducted by such contractor.

(3) PROTECTION OF TRADE SECRETS AND OTHER INFORMATION.—The procedures established pursuant to subsection (a) shall provide for the reasonable protection of trade secrets, commercial or financial information, and information that can be used to identify a specific person.

(c) ISSUANCE OF PROCEDURES.—The Secretary shall establish the procedures required by subsection (a) by not later than 90 days after the date of the enactment of this Act. The procedures shall take effect on the date of establishment.

(d) ASSESSMENT OF DEPARTMENT POLICIES AND SYSTEMS FOR SHARING INFORMATION ON PENETRATIONS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of the Act, the Secretary shall conduct an assessment of Department policies and systems for sharing information on successful penetrations into networks or information systems of operationally critical contractors.

(2) ACTIONS FOLLOWING ASSESSMENT.—Upon completion of the assessment required by paragraph (1), the Secretary shall issue or revise guidance applicable to Department components to ensure the rapid sharing of information relating to successful penetrations into networks or information systems of operationally critical contractors.

(e) DEFINITIONS.—In this section:

(1) The term ''operationally critical contractor'' means a contractor designated by the Secretary for purposes of this section as a critical source of supply for a service or capability that is essential to the mobilization, deployment, or sustainment of the Armed Forces in a contingency operation.

(2) The term ''contingency operation'' has the meaning given that term in section 101(a)(13) of title 10, United States Code.

SA 2325. Mr. REED (for himself, Mr. ROCKEFELLER, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A add the following:

TITLE XVI—ENHANCEMENT AND IMPROVEMENT OF SCRA

SEC. 1600. SHORT TITLE.

This title may be cited as the ''SCRA Enhancement and Improvement Act of 2013''.

Subtitle A—Enhancement of Rights Under Servicemembers Civil Relief Act

SEC. 1601. EXTENDED PERIOD OF PROTECTION UNDER INSTALLMENT CONTRACTS FOR PURCHASE OR LEASE.

Section 302(a)(1) of the Servicemembers Civil Relief Act (50 U.S.C. App. 532(a)(1)) is amended, in the matter following subparagraph (B), by striking ''or during that person's military service'' and inserting '', during, or within one year after such servicemember's period of military service''.

SEC. 1602. MODIFICATION OF PERIOD DETERMINING WHICH ACTIONS ARE COVERED UNDER STAY OF PROCEEDINGS AND ADJUSTMENT OF OBLIGATION PROTECTIONS CONCERNING MORTGAGES AND TRUST DEEDS OF MEMBERS OF UNIFORMED SERVICES.

(a) IN GENERAL.—Section 303(b) of the Servicemembers Civil Relief Act (50 U.S.C. App. 533(b)) is amended by striking ''filed'' and inserting ''pending''.

(b) CONFORMING AMENDMENTS.—Section 710(d) of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112–154; 126 Stat. 1208) is amended—

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

''(1) SUNSET AND REVIVAL.—

''(A) IN GENERAL.—Subsections (b) and (c) of section 303 of the Servicemembers Civil Relief Act (50 U.S.C. App. 533), as amended by subsections (a) and (b) of this section, are amended by striking 'within one year' each place it appears and inserting 'within 90 days'.

''(B) EFFECTIVE DATE.—The amendments made by subparagraph (A) shall take effect on January 1, 2015.''; and

(2) by striking paragraph (3).

SEC. 1603. PROHIBITION ON COLLECTION OF PENALTIES FOR EARLY PREPAYMENT OF MORTGAGE.

Section 203 of the Servicemembers Civil Relief Act (50 U.S.C. App. 523) is amended by adding at the end the following new subsection:

''(c) PROHIBITION ON PREPAYMENT PENALTIES FOR CERTAIN MORTGAGES.—

''(1) IN GENERAL.—When a servicemember discharges an obligation arising under a mortgage contract and would otherwise thereby incur a prepayment penalty, such penalty shall not accrue if—

''(A) the servicemember is in military service at the time the prepayment penalty is incurred; and

''(B) the reason the servicemember discharges the obligation, thereby incurring the penalty, is materially affected by such military service.

''(2) MATERIALLY AFFECTING MILITARY SERVICE.—For purposes of paragraph (1)(B), the requirement that the reason a servicemember discharged a mortgage obligation, thereby incurring a prepayment penalty, be materially affected by military services requires—

''(A) that the mortgage be secured by the servicemember's primary residence; and

''(B) that the servicemember receive permanent change of station orders.

''(3) RELIEF, COSTS, AND ATTORNEY FEES.—An assessment of a penalty in violation of this subsection shall be considered a violation of this Act for purposes of title VIII.''.

SEC. 1604. PROTECTIONS FOR MEMBERS OF UNIFORMED SERVICES REGARDING PROFESSIONAL LICENSES.

(a) IN GENERAL.—Title VII of the Servicemembers Civil Relief Act (50 U.S.C. App. 701 et seq.) is amended by adding at the end the following new section:

''SEC. 707. PROFESSIONAL LICENSES.

''(a) EXPIRATION DURING PERIOD IN WHICH SERVICEMEMBERS ARE ELIGIBLE FOR HOSTILE FIRE OR IMMINENT DANGER SPECIAL PAY.—If a license issued by a State or local licensing authority to a servicemember would otherwise expire during a period in which such servicemember is eligible for hostile fire or imminent danger special pay under section 310 of title 37, United States Code, such State or local licensing authority shall delay the expiration of such license until not earlier than the date that is 180 days after the date on which such period of eligibility ends.

''(b) CONTINUING EDUCATION REQUIREMENTS DURING PERIOD IN WHICH SERVICEMEMBERS ARE ELIGIBLE FOR HOSTILE FIRE OR IMMINENT DANGER SPECIAL PAY.—If a State or local licensing authority otherwise requires a servicemember to meet any continuing education requirements to maintain a license for a trade or profession during a period in which such servicemember is eligible for hostile fire or imminent danger special pay under section 310 of title 37, United States Code, such State or local licensing authority shall delay such continuing education requirement until not earlier than the date that is 180 days after the date on which such period of eligibility ends.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act (50 U.S.C. App. 501(b)) is amended by inserting after the item relating to section 706 the following new item:

''Sec. 707. Professional licenses and certifications.''.

SEC. 1605. EXPANSION OF PROTECTIONS FOR MEMBERS OF UNIFORMED SERVICES REGARDING TAXES RESPECTING REAL PROPERTY OCCUPIED BY BUSINESSES OWNED BY SUCH MEMBERS.

(a) IN GENERAL.—Subsection (a)(2) of section 501 of the Servicemembers Civil Relief Act (50 U.S.C. App. 561) is amended by striking the matter before subparagraph (A) and inserting the following:

''(2) real property occupied for dwelling, professional, trade, business, or agricultural purposes by a servicemember, the servicemember's dependents or employees, or a business which (without regard to the form in which such profession, trade, business, or agricultural operation is organized or carried out) is owned entirely by a servicemember or by a servicemember and the spouse of the servicemember—''.

(b) NOTICE.—Such section is further amended by adding at the end the following new subsection:

''(f) WRITTEN NOTICE TO TAXING AUTHORITIES.—In order for real property owned by a business which is owned entirely by a servicemember or by a servicemember and the spouse of the servicemember to be subject to the protections provided in this section, the servicemember shall provide to the applicable taxing authority written notice and a copy of the military orders calling the servicemember to military service and any orders further extending military service, not later than 180 days after the date of the servicemember's termination or release from military service.''.

SEC. 1606. PROHIBITION ON DENIAL OF CREDIT BECAUSE OF ELIGIBILITY FOR PROTECTION.

Section 108 of the Servicemembers Civil Relief Act (50 U.S.C. App. 518) is amended—

(1) by striking ''Application by'' and inserting the following:

''(a) APPLICATION OR RECEIPT.—Application by''; and

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

''(b) ELIGIBILITY.—

''(1) IN GENERAL.—In addition to the protections under subsection (a), an individual who is entitled to any right or protection provided under this Act may not be denied or refused credit or be subject to any other action described under paragraphs (1) through (6) of subsection (a) solely by reason of such entitlement.

''(2) CONSTRUCTION.—Nothing in this subsection shall be construed to prohibit a lender from considering all relevant factors, other than the entitlement of an individual to a right or protection provided under this Act, in making a determination as to whether it is appropriate to extend credit.''.

SEC. 1607. INTEREST RATE LIMITATION ON DEBT ENTERED INTO DURING MILITARY SERVICE TO CONSOLIDATE OR REFINANCE STUDENT LOANS INCURRED BEFORE MILITARY SERVICE.

(a) IN GENERAL.—Subsection (a) of section 207 of the Servicemembers Civil Relief Act (50 U.S.C. App. 527) is amended—

(1) in paragraph (1), by inserting ''ON DEBT INCURRED BEFORE SERVICE'' after ''LIMITATION TO 6 PERCENT'';

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following new paragraph (2):

''(2) LIMITATION TO 6 PERCENT ON DEBT INCURRED DURING SERVICE TO CONSOLIDATE OR REFINANCE STUDENT LOANS INCURRED BEFORE SERVICE.—An obligation or liability bearing interest at a rate in excess of 6 percent per year that is incurred by a servicemember, or the servicemember and the servicemember's spouse jointly, during military service to consolidate or refinance one or more student loans incurred by the servicemember before such military service shall not bear an interest at a rate in excess of 6 percent during the period of military service.'';

(4) in paragraph (3), as redesignated by paragraph (2) of this subsection, by inserting ''or (2)'' after ''paragraph (1)''; and

(5) in paragraph (4), as so redesignated, by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

(b) IMPLEMENTATION OF LIMITATION.—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking ''the interest rate limitation in subsection (a)'' and inserting ''an interest rate limitation in paragraph (1) or (2) of subsection (a)''; and

(2) in paragraph (2)—

(A) in the paragraph heading, by striking ''AS OF DATE OF ORDER TO ACTIVE DUTY''; and

(B) by inserting before the period at the end the following: ''in the case of an obligation or liability covered by subsection (a)(1), or as of the date the servicemember (or servicemember and spouse jointly) incurs the obligation or liability concerned under subsection (a)(2)''.

(c) STUDENT LOAN DEFINED.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

''(3) STUDENT LOAN.—The term 'student loan' means the following:

''(A) A Federal student loan made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

''(B) A private student loan as that term is defined in section 140(a) of the Truth in Lending Act (15 U.S.C. 1650(a)).''.

SEC. 1608. TERMINATION OF RESIDENTIAL LEASES AFTER ASSIGNMENT OR RELOCATION TO QUARTERS OF UNITED STATES OR HOUSING FACILITY UNDER JURISDICTION OF UNIFORMED SERVICE.

(a) TERMINATION OF RESIDENTIAL LEASES.—

(1) IN GENERAL.—Section 305 of the Servicemembers Civil Relief Act (50 U.S.C. App. 535) is amended—

(A) in subsection (a)(1)—

(i) in subparagraph (A), by striking ''or'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following new subparagraph:

''(C) in the case of a lease described in subsection (b)(1) and subparagraph (C) of such subsection, the date the lessee is assigned to or otherwise relocates to quarters or a housing facility as described in such subparagraph.''; and

(B) in subsection (b)(1)—

(i) in subparagraph (A), by striking ''or'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following new subparagraph:

''(C) the lease is executed by or on behalf of a person who thereafter and during the term of the lease is assigned to or otherwise relocates to quarters of the United States or a housing facility under the jurisdiction of a uniformed service (as defined in section 101 of title 37, United States Code), including housing provided under the Military Housing Privatization Initiative.''.

(2) MANNER OF TERMINATION.—Subsection (c)(1) of such section is amended—

(A) in subparagraph (A)—

(i) by inserting ''in the case of a lease described in subsection (b)(1) and subparagraph (A) or (B) of such subsection,'' before ''by delivery''; and

(ii) by striking ''and'' at the end;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) in the case of a lease described in subsection (b)(1) and subparagraph (C) of such subsection, by delivery by the lessee of written notice of such termination, and a letter from the servicemember's commanding officer indicating that the servicemember has been assigned to or is otherwise relocating to quarters of the United States or a housing facility under the jurisdiction of a uniformed service (as defined in section 101 of title 37, United States Code), to the lessor (or the lessor's grantee), or to the lessor's agent (or the agent's grantee); and''.

(b) DEFINITION OF MILITARY ORDERS AND CONTINENTAL UNITED STATES FOR PURPOSES OF ACT.—

(1) TRANSFER OF DEFINITIONS.—Such Act is further amended by transferring paragraphs (1) and (2) of section 305(i) (50 U.S.C. App. 535(i)) to the end of section 101 (50 U.S.C. App. 511) and redesignating such paragraphs, as so transferred, as paragraphs (10) and (11).

(2) CONFORMING AMENDMENTS.—Such Act is further amended—

(A) in section 305 (50 U.S.C. App. 535), as amended by paragraph (1), by striking subsection (i); and

(B) in section 705 (50 U.S.C. App. 595), by striking ''or naval'' both places it appears.

SEC. 1609. PROTECTION OF SURVIVING SPOUSE WITH RESPECT TO MORTGAGE FORECLOSURE.

(a) IN GENERAL.—Title III of the Servicemembers Civil Relief Act (50 U.S.C. App. 531 et seq.) is amended by inserting after section 303 (50 U.S.C. App. 533) the following new section:

''SEC. 303A. PROTECTION OF SURVIVING SPOUSE WITH RESPECT TO MORTGAGE FORECLOSURE.

''(a) IN GENERAL.—Subject to subsection (b), with respect to a servicemember who dies while in military service and who has a surviving spouse who is the servicemember's successor in interest to property covered under section 303(a), section 303 shall apply to the surviving spouse with respect to that property during the one-year period beginning on the date of such death in the same manner as if the servicemember had not died.

''(b) NOTICE REQUIRED.—

''(1) IN GENERAL.—To be covered under this section with respect to property, a surviving spouse shall submit written notice that such surviving spouse is so covered to the mortgagee, trustee, or other creditor of the mortgage, trust deed, or other security in the nature of a mortgage with which the property is secured.

''(2) TIME.—Notice provided under paragraph (1) shall be provided with respect to a surviving spouse anytime during the one-year period beginning on the date of death of the servicemember with respect to whom the

surviving spouse is to receive coverage under this section.

''(3) ADDRESS.—Notice provided under paragraph (1) with respect to property shall be provided via e-mail, facsimile, standard post, or express mail to facsimile numbers and addresses, as the case may be, designated by the servicer of the mortgage, trust deed, or other security in the nature of a mortgage with which the property is secured.

''(4) MANNER.—Notice provided under paragraph (1) shall be provided in writing by using a form designed under paragraph (5) or submitting a copy of a Department of Defense or Department of Veterans Affairs document evidencing the military service-related death of a spouse while in military service.

''(5) OFFICIAL FORMS.—The Secretary of Defense shall design and distribute an official Department of Defense form that can be used by an individual to give notice under paragraph (1).''.

(b) EFFECTIVE DATE.—Section 303A of such Act, as added by subsection (a), shall apply with respect to deaths that occur on or after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act (50 U.S.C. App. 501) is amended by inserting after the item relating to section 303 the following new item:

''Sec. 303A. Protection of surviving spouse with respect to mortgage foreclosure.''.

Subtitle B—Improvements to Servicemembers Civil Relief Act

SEC. 1611. IMPROVED PROTECTION OF MEMBERS OF UNIFORMED SERVICES AGAINST DEFAULT JUDGMENTS.

(a) MODIFICATION OF PLAINTIFF AFFIDAVIT FILING REQUIREMENT.—

(1) IN GENERAL.—Paragraph (1) of section 201(b) of the Servicemembers Civil Relief Act (50 U.S.C. App. 521(b)) is amended—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting such clauses two ems to the right;

(B) in the matter before clause (i), as redesignated by subparagraph (A), by striking ''In any'' and inserting the following:

''(A) IN GENERAL.—In any''; and

(C) by adding at the end the following new subparagraph (B):

''(B) DUE DILIGENCE.—Before filing the affidavit, the plaintiff shall conduct a diligent and reasonable investigation to determine whether or not the defendant is in military service, including a search of available records of the Department of Defense and any other information reasonably available to the plaintiff. The affidavit shall set forth all steps taken to determine the defendant's military status and shall have attached copies of the records on which the plaintiff relied in drafting the affidavit.''.

(2) APPLICABILITY.—Paragraph (1)(B) of such section, as added by paragraph (1), shall apply with respect to actions and proceedings filed on or after the date of the enactment of this Act.

(b) APPOINTMENT OF ATTORNEY TO REPRESENT DEFENDANT IN MILITARY SERVICE.—Paragraph (2) of such section (50 U.S.C. App. 521(b)) is amended—

(1) by striking ''If in an action'' and inserting the following:

''(A) IN GENERAL.—If in an action'';

(2) in subparagraph (A), as designated by paragraph (1), by striking ''If an attorney'' and inserting the following:

''(C) LIMITATIONS ON APPOINTED ATTORNEY.—If an attorney'';

(3) by inserting after subparagraph (A), as designated by paragraph (1), the following new subparagraph:

''(B) DUE DILIGENCE.—If the court appoints an attorney to represent the defendant—

''(i) the attorney shall conduct a diligent and reasonable investigation to determine whether or not the defendant is in military service, including a search of available records of the Department of Defense and any other information reasonably available to the attorney; and

''(ii) the plaintiff shall submit to the attorney such information as the plaintiff may have concerning the whereabouts or identity of the defendant.''; and

(4) by adding at the end the following new subparagraph:

''(D) TREATMENT OF ATTORNEYS FEES.—The reasonable fees of an attorney appointed to represent a servicemember shall be treated as costs of court for court cost purposes, unless the creditor seeks relief from such charges from the court.''.

SEC. 1612. MODIFICATION OF PERIOD IN WHICH A WAIVER OF A RIGHT PURSUANT TO A WRITTEN AGREEMENT MAY BE MADE UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

Section 107(a) of the Servicemembers Civil Relief Act (50 U.S.C. App. 517) is amended in the third sentence by striking ''during or after the servicemember's period of military service'' and inserting ''after the occurrence of the event that gave rise to the rights or protections to be waived''.

SEC. 1613. CLARIFICATION REGARDING APPLICATION OF ENFORCEMENT AUTHORITY OF ATTORNEY GENERAL AND PRIVATE RIGHT OF ACTION UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

Sections 801 and 802 of the Servicemembers Civil Relief Act (50 U.S.C. App. 597 and 597a) shall apply as if such sections were included in the enactment of the Soldiers' and Sailors' Civil Relief Act of 1940 (54 Stat. 1178, chapter 888) and included in the restatement of such Act in Public Law 108–189.

SEC. 1614. EXPANSION OF PROTECTIONS RELATING TO MORTGAGES TO INCLUDE OBLIGATIONS ON REAL OR PERSONAL PROPERTY FOR WHICH A SERVICEMEMBER IS PERSONALLY LIABLE AS A GUARANTOR OR CO-MAKER.

Section 303(a) of the Servicemembers Civil Relief Act (50 U.S.C. App. 533) is amended, in the matter before paragraph (1), by inserting ''or an obligation on real or personal property for which a servicemember is personally liable as a guarantor or co-maker'' after ''by a servicemember''.

Subtitle C—Enforcement of Rights Under Servicemembers Civil Relief Act

SEC. 1621. ELECTION OF ARBITRATION TO RESOLVE CONTROVERSIES UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

(a) IN GENERAL.—Section 102 of the Servicemembers Civil Relief Act (50 U.S.C. App. 512) is amended by adding at the end the following new subsection:

''(d) ELECTION OF ARBITRATION.—

''(1) CONSENT REQUIRED.—Notwithstanding any other provision of law, whenever a contract with a servicemember provides for the use of arbitration to resolve a controversy subject to a provision of this Act and arising out of or relating to such contract, arbitration may be used to settle such controversy only if, after such controversy arises, all parties to such controversy consent in writing to use arbitration to settle such controversy.

''(2) EXPLANATION REQUIRED.—Notwithstanding any other provision of law, whenever arbitration is elected to settle a dispute pursuant to paragraph (1), the arbitrator shall provide the parties to such contract with a written explanation of the factual and legal basis for any decision made by the arbitrator in the course of such arbitration.''.

(b) APPLICABILITY.—Subsection (d) of such section, as added by subsection (a), shall apply with respect to contracts entered into, amended, altered, modified, renewed, or extended after the date of the enactment of this Act.

SEC. 1622. ISSUANCE AND SERVICE OF CIVIL INVESTIGATIVE DEMANDS BY ATTORNEY GENERAL UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

(a) IN GENERAL.—Section 801 of the Servicemembers Civil Relief Act (50 U.S.C. App. 597) is amended by adding at the end the following:

''(d) ISSUANCE AND SERVICE OF CIVIL INVESTIGATIVE DEMANDS.—

''(1) IN GENERAL.—Whenever the Attorney General has reason to believe that any person may be in possession, custody, or control of any documentary material relevant to an investigation under this Act, the Attorney General may, before commencing a civil action under subsection (a), issue in writing and serve upon such person, a civil investigative demand requiring—

''(A) the production of such documentary material for inspection and copying;

''(B) that the custodian of such documentary material answer in writing written questions with respect to such documentary material; or

''(C) the production of any combination of such documentary material or answers.

''(2) FALSE CLAIMS.—The provisions of section 3733 of title 31, United States Code, governing the authority to issue, use, and enforce civil investigative demands shall apply with respect to the authority to issue, use, and enforce civil investigative demands under this section, except that, for purposes of applying such section 3733—

''(A) references to false claims law investigators or investigations shall be considered references to investigators or investigations under this Act;

''(B) references to interrogatories shall be considered references to written questions, and answers to such need not be under oath;

''(C) the definitions relating to 'false claims law' shall not apply; and

''(D) provisions relating to qui tam relators shall not apply.

''(3) ANNUAL REPORT.—

''(A) IN GENERAL.—Not later than one year after the date of the enactment of the SCRA Enhancement and Improvement Act of 2013 and not less frequently than once each year thereafter, the Attorney General shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the issuance of civil investigative demands under this subsection during the previous one-year period.

''(B) ELEMENTS.—Each report submitted under subparagraph (A) shall include the following for the year covered by the report:

''(i) The number of times that a civil investigative demand was issued under this subsection.

''(ii) For each civil investigative demand issued under this subsection with respect to an investigation, whether such investigation resulted in a settlement or conviction.''.

(b) EFFECTIVE DATE.—Subsection (d) of such section, as added by subsection (a), shall take effect on the date of the enactment of this Act and shall apply with respect to all violations of the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.), regardless of when the violations are alleged to have occurred.

SEC. 1623. INCREASE IN CIVIL PENALTIES FOR VIOLATION OF SERVICEMEMBERS CIVIL RELIEF ACT.

(a) IN GENERAL.—Section 801(b)(3) of the Servicemembers Civil Relief Act (50 U.S.C. App. 597(b)(3)) is amended—

(1) in subparagraph (A), by striking ''$55,000'' and inserting ''$110,000''; and

(2) in subparagraph (B), by striking ''$110,000'' and inserting ''$220,000''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act and shall apply with respect to violations of the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) that occur on or after such date.

Subtitle D—Other Matters

SEC. 1631. CLERICAL AMENDMENTS.

(a) IN GENERAL.—The heading for section 305 of the Servicemembers Civil Relief Act (50 U.S.C. App. 535) is amended by striking ''**RESIDENTIAL OR MOTOR VEHICLE LEASES**'' and inserting ''**LEASES OF PREMISES OCCUPIED AND MOTOR VEHICLES USED**''.

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of such Act (50 U.S.C. App. 501(b)) is amended by striking the item relating to section 305 and inserting the following new item:

''Sec. 305. Termination of leases of premises occupied and motor vehicles used.''.

SA 2326. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVI—MILITARY VOTING

SEC. 1601. SHORT TITLE.

This title may be cited as the ''Protect Military and Overseas Voters Act''.

Subtitle A—Absent Uniformed Services Voters and Overseas Voters

SEC. 1611. SHORT TITLE.

This subtitle may be cited as the ''Absent Uniformed Services Voters and Overseas Voters Act''.

SEC. 1612. EXTENDING GUARANTEE OF RESIDENCY FOR VOTING PURPOSES TO DEPENDENTS OF ABSENT MILITARY PERSONNEL.

(a) IN GENERAL.—Section 705 of the Servicemembers Civil Relief Act (50 U.S.C. App. 595) is amended—

(1) in the heading, by inserting ''**AND DEPENDENTS**'' after ''**SPOUSES**''; and

(2) by amending subsection (b) to read as follows:

''(b) SPOUSES AND DEPENDENTS.—For the purposes of voting for any Federal office (as defined in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431)) or any State or local office, a dependent of a person who is absent from a State in compliance with military or naval orders shall not, solely by reason of that person's absence and without regard to whether or not such dependent is accompanying that person—

''(1) be deemed to have lost a residence or domicile in that State, without regard to whether or not the person intends to return to that State;

''(2) be deemed to have acquired a residence or domicile in any other State; or

''(3) be deemed to have become a resident in or a resident of any other State.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to absences from States described in section 705(b) of the Servicemembers Civil Relief Act (50 U.S.C. App. 595(b)), as amended by subsection (a), after the date of the enactment of this Act, regardless of the date of the military or naval order concerned.

SEC. 1613. PRE-ELECTION REPORTS ON AVAILABILITY AND TRANSMISSION OF ABSENTEE BALLOTS.

Section 102(c) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1(c)) is amended to read as follows:

''(c) REPORTS ON AVAILABILITY, TRANSMISSION, AND RECEIPT OF ABSENTEE BALLOTS.—

''(1) PRE-ELECTION REPORT ON ABSENTEE BALLOT AVAILABILITY.—Not later than 55 days before any regularly scheduled general election for Federal office, each State shall submit a report to the Attorney General, the Election Assistance Commission (hereafter in this subsection referred to as the 'Commission'), and the Presidential Designee, and make that report publicly available that same day, certifying that absentee ballots for the election are or will be available for transmission to absent uniformed services voters and overseas voters by not later than 46 days before the election. The report shall be in a form prescribed by the Attorney General, in consultation with the Commission, and shall require the State to certify specific information about ballot availability from each unit of local government which will administer the election.

''(2) PRE-ELECTION REPORT ON ABSENTEE BALLOT TRANSMISSION.—Not later than 43 days before any regularly scheduled general election for Federal office, each State shall submit a report to the Attorney General, the Commission, and the Presidential Designee, and make that report publicly available that same day, certifying whether all absentee ballots have been transmitted by not later than 46 days before the election to all qualified absent uniformed services and overseas voters whose requests were received at least 46 days before the election. The report shall be in a form prescribed by the Attorney General, , in consultation with the Commission, and shall require the State to certify specific information about ballot transmission, including the total numbers of ballot requests received and ballots transmitted, from each unit of local government which will administer the election.

''(3) POST-ELECTION REPORT ON NUMBER OF ABSENTEE BALLOTS TRANSMITTED AND RECEIVED.—Not later than 90 days after the date of each regularly scheduled general election for Federal office, each State and unit of local government which administered the election shall (through the State, in the case of a unit of local government) submit a report to the Attorney General, the Commission, and the Presidential Designee on the combined number of absentee ballots transmitted to absent uniformed services voters and overseas voters for the election and the combined number of such ballots which were returned by such voters and cast in the election, and shall make such report available to the general public that same day.''.

SEC. 1614. ENFORCEMENT.

(a) AVAILABILITY OF CIVIL PENALTIES AND PRIVATE RIGHTS OF ACTION.—Section 105 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff—4) is amended to read as follows:

''SEC. 105. ENFORCEMENT.

''(a) ACTION BY ATTORNEY GENERAL.—

''(1) IN GENERAL.—The Attorney General may bring civil action in an appropriate district court for such declaratory or injunctive relief as may be necessary to carry out this title.

''(2) PENALTY.—In a civil action brought under paragraph (1), if the court finds that the State violated any provision of this title, it may, to vindicate the public interest, assess a civil penalty against the State—

''(A) in an amount not to exceed $110,000 for each such violation, in the case of a first violation; or

''(B) in an amount not to exceed $220,000 for each such violation, for any subsequent violation.

''(3) REPORT TO CONGRESS.—Not later than December 31 of each year, the Attorney General shall submit to Congress an annual report on any civil action brought under paragraph (1) during the preceding year.

''(b) PRIVATE RIGHT OF ACTION.—A person who is aggrieved by a State's violation of this title may bring a civil action in an appropriate district court for such declaratory or injunctive relief as may be necessary to carry out this title.

''(c) STATE AS ONLY NECESSARY DEFENDANT.—In any action brought under this section, the only necessary party defendant is the State, and it shall not be a defense to any such action that a local election official or a unit of local government is not named as a defendant, notwithstanding that a State has exercised the authority described in section 576 of the Military and Overseas Voter Empowerment Act to delegate to another jurisdiction in the State any duty or responsibility which is the subject of an action brought under this section.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations alleged to have occurred on or after the date of the enactment of this Act.

SEC. 1615. REVISIONS TO 45-DAY ABSENTEE BALLOT TRANSMISSION RULE.

(a) REPEAL OF WAIVER AUTHORITY.—

(1) IN GENERAL.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff—1) is amended by striking subsection (g).

(2) CONFORMING AMENDMENT.—Section 102(a)(8)(A) of such Act (42 U.S.C. 1973ff—1(a)(8)(A)) is amended by striking ''except as provided in subsection (g),''.

(b) MODIFICATION OF TIME-PERIOD TO AVOID WEEKEND DEADLINES.—Section 102(a)(8) of such Act (42 U.S.C. 1973ff—1(a)(8)(A)) is amended by striking ''45 days'' each place it appears and inserting ''46 days''.

(c) REQUIRING USE OF EXPRESS DELIVERY IN CASE OF FAILURE TO MEET REQUIREMENT.—Section 102 of such Act (42 U.S.C. 1973ff—1), as amended by subsection (a), is amended by inserting after subsection (f) the following new subsection:

''(g) REQUIRING USE OF EXPRESS DELIVERY IN CASE OF FAILURE TO TRANSMIT BALLOTS WITHIN DEADLINES.—

''(1) TRANSMISSION OF BALLOT BY EXPRESS DELIVERY.—If a State fails to meet the requirement of subsection (a)(8)(A) to transmit a validly requested absentee ballot to an absent uniformed services voter or overseas voter not later than 46 days before the election (in the case in which the request is received at least 46 days before the election)—

''(A) the State shall transmit the ballot to the voter by express delivery; or

''(B) in the case of a voter who has designated that absentee ballots be transmitted electronically in accordance with subsection (f)(1), the State shall transmit the ballot to the voter electronically.

''(2) SPECIAL RULE FOR TRANSMISSION FEWER THAN 40 DAYS BEFORE THE ELECTION.—If, in carrying out paragraph (1), a State transmits an absentee ballot to an absent uniformed services voter or overseas voter fewer than 40 days before the election, the State shall enable the ballot to be returned by the voter by express delivery, except that in the case of an absentee ballot of an absent uniformed services voter for a regularly scheduled general election for Federal office, the State may satisfy the requirement of this paragraph by notifying the voter of the procedures for the collection and delivery of such ballots under section 103A.''.

SEC. 1616. USE OF SINGLE ABSENTEE BALLOT APPLICATION FOR SUBSEQUENT ELECTIONS.

(a) IN GENERAL.—Section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-3) is amended to read as follows:

''SEC. 104. USE OF SINGLE APPLICATION FOR SUBSEQUENT ELECTIONS.

''(a) IN GENERAL.—If a State accepts and processes a request for an absentee ballot by an absent uniformed services voter or overseas voter and the voter requests that the application be considered an application for an absentee ballot for each subsequent election for Federal office held in the State through the next regularly scheduled general election for Federal office (including any runoff elections which may occur as a result of the outcome of such general election), the State shall provide an absentee ballot to the voter for each such subsequent election.

''(b) EXCEPTION FOR VOTERS CHANGING REGISTRATION.—Subsection (a) shall not apply with respect to a voter registered to vote in a State for any election held after the voter notifies the State that the voter no longer wishes to be registered to vote in the State or after the State determines that the voter has registered to vote in another State or is otherwise no longer eligible to vote in the State.

''(c) PROHIBITION OF REFUSAL OF APPLICATION ON GROUNDS OF EARLY SUBMISSION.—A State may not refuse to accept or to process, with respect to any election for Federal office, any otherwise valid voter registration application or absentee ballot application (including the postcard form prescribed under section 101) submitted by an absent uniformed services voter or overseas voter on the grounds that the voter submitted the application before the first date on which the State otherwise accepts or processes such applications for that election which are submitted by absentee voters who are not members of the uniformed services or overseas citizens.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to voter registration and absentee ballot applications which are submitted to a State or local election official on or after the date of the enactment of this Act.

SEC. 1617. APPLICABILITY TO COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

Paragraph (6) and (8) of section 107 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–6(6)) are each amended by striking ''and American Samoa'' and inserting ''American Samoa, and the Commonwealth of the Northern Mariana Islands''.

SEC. 1618. EFFECTIVE DATE.

Except as otherwise provided in this subtitle, the amendments made by this subtitle shall apply with respect to elections occurring on or after January 1, 2014.

Subtitle B—Voter Registration Modernization

SEC. 1621. SHORT TITLE.

This subtitle may be cited as the ''Voter Registration Modernization Act''.

SEC. 1622. REQUIRING AVAILABILITY OF INTERNET FOR VOTER REGISTRATION.

(a) REQUIRING AVAILABILITY OF INTERNET FOR REGISTRATION.—The National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.) is amended by inserting after section 6 the following new section:

''SEC. 6A. INTERNET REGISTRATION.

''(a) REQUIRING AVAILABILITY OF INTERNET FOR ONLINE REGISTRATION.—

''(1) AVAILABILITY OF ONLINE REGISTRATION.—Each State, acting through the chief State election official, shall ensure that the following services are available to the public at any time on the official public websites of the appropriate State and local election officials in the State, in the same manner and subject to the same terms and conditions as the services provided by voter registration agencies under section 7(a):

''(A) Online application for voter registration.

''(B) Online assistance to applicants in applying to register to vote.

''(C) Online completion and submission by applicants of the mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2), including assistance with providing a signature in electronic form as required under subsection (c).

''(D) Online receipt of completed voter registration applications.

''(b) ACCEPTANCE OF COMPLETED APPLICATIONS.—A State shall accept an online voter registration application provided by an individual under this section, and ensure that the individual is registered to vote in the State, if—

''(1) the individual meets the same voter registration requirements applicable to individuals who register to vote by mail in accordance with section 6(a)(1) using the mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2); and

''(2) the individual provides a signature in electronic form in accordance with subsection (c) (but only in the case of applications submitted during or after the second year in which this section is in effect in the State).

''(c) SIGNATURES IN ELECTRONIC FORM.—For purposes of this section, an individual provides a signature in electronic form by—

''(1) electronically signing the document in the manner required by the State for purposes of submitting online applications for voter registration before the date of the enactment of this section;

''(2) executing a computerized mark in the signature field on an online voter registration application; or

''(3) submitting with the application an electronic copy of the individual's handwritten signature through electronic means.

''(d) CONFIRMATION AND DISPOSITION.—

''(1) CONFIRMATION OF RECEIPT.—Upon the online submission of a completed voter registration application by an individual under this section, the appropriate State or local election official shall send the individual a notice confirming the State's receipt of the application and providing instructions on how the individual may check the status of the application.

''(2) NOTICE OF DISPOSITION.—As soon as the appropriate State or local election official has approved or rejected an application submitted by an individual under this section, the official shall send the individual a notice of the disposition of the application.

''(3) METHOD OF NOTIFICATION.—The appropriate State or local election official shall send the notices required under this subsection by regular mail, and, in the case of an individual who has requested that the State provide voter registration and voting information through electronic mail, by both electronic mail and regular mail.

''(e) PROVISION OF SERVICES IN NONPARTISAN MANNER.—The services made available under subsection (a) shall be provided in a manner that ensures that, consistent with section 7(a)(5)—

''(1) the online application does not seek to influence an applicant's political preference or party registration; and

''(2) there is no display on the website promoting any political preference or party allegiance, except that nothing in this paragraph may be construed to prohibit an applicant from registering to vote as a member of a political party.

''(f) PROTECTION OF SECURITY OF INFORMATION.—In meeting the requirements of this section, the State shall establish appropriate technological security measures to prevent to the greatest extent practicable any unauthorized access to information provided by individuals using the services made available under subsection (a).

''(g) USE OF ADDITIONAL TELEPHONE-BASED SYSTEM.—A State shall make the services made available online under subsection (a) available through the use of an automated telephone-based system, subject to the same terms and conditions applicable under this section to the services made available online, in addition to making the services available online in accordance with the requirements of this section.

''(h) NONDISCRIMINATION AMONG REGISTERED VOTERS USING MAIL AND ONLINE REGISTRATION.—In carrying out this Act, the Help America Vote Act of 2002, or any other Federal, State, or local law governing the treatment of registered voters in the State or the administration of elections for public office in the State, a State shall treat a registered voter who registered to vote online in accordance with this section in the same manner as the State treats a registered voter who registered to vote by mail.''.

(b) TREATMENT AS INDIVIDUALS REGISTERING TO VOTE BY MAIL FOR PURPOSES OF FIRST-TIME VOTER IDENTIFICATION REQUIREMENTS.—Section 303(b)(1)(A) of the Help America Vote Act of 2002 (42 U.S.C. 15483(b)(1)(A)) is amended by striking ''by mail'' and inserting ''by mail or online under section 6A of the National Voter Registration Act of 1993''.

(c) CONFORMING AMENDMENTS.—

(1) TIMING OF REGISTRATION.—Section 8(a)(1) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6(a)(1)) is amended—

(A) by striking ''and'' at the end of subparagraph (C);

(B) by redesignating subparagraph (D) as subparagraph (E); and

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

''(D) in the case of online registration through the official public website of an election official under section 6A, if the valid voter registration application is submitted online not later than the lesser of 30 days, or the period provided by State law, before the date of the election (as determined by treating the date on which the application is sent electronically as the date on which it is submitted); and''.

(2) INFORMING APPLICANTS OF ELIGIBILITY REQUIREMENTS AND PENALTIES.—Section 8(a)(5) of such Act (42 U.S.C. 1973gg–6(a)(5)) is amended by striking ''and 7'' and inserting ''6A, and 7''.

SEC. 1623. USE OF INTERNET TO UPDATE REGISTRATION INFORMATION.

(a) IN GENERAL.—

(1) UPDATES TO INFORMATION CONTAINED ON COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST.—Section 303(a) of the Help America Vote Act of 2002 (42 U.S.C. 15483(a)) is amended by adding at the end the following new paragraph:

''(6) USE OF INTERNET BY REGISTERED VOTERS TO UPDATE INFORMATION.—

''(A) IN GENERAL.—The appropriate State or local election official shall ensure that any registered voter on the computerized list may at any time update the voter's registration information, including the voter's address and electronic mail address, online through the official public website of the election official responsible for the maintenance of the list, so long as the voter attests to the contents of the update by providing a

signature in electronic form in the same manner required under section 6A(c) of the National Voter Registration Act of 1993.

''(B) PROCESSING OF UPDATED INFORMATION BY ELECTION OFFICIALS.—If a registered voter updates registration information under subparagraph (A), the appropriate State or local election official shall—

''(i) revise any information on the computerized list to reflect the update made by the voter; and

''(ii) if the updated registration information affects the voter's eligibility to vote in an election for Federal office, ensure that the information is processed with respect to the election if the voter updates the information not later than the lesser of 7 days, or the period provided by State law, before the date of the election.

''(C) CONFIRMATION AND DISPOSITION.—

''(i) CONFIRMATION OF RECEIPT.—Upon the online submission of updated registration information by an individual under this paragraph, the appropriate State or local election official shall send the individual a notice confirming the State's receipt of the updated information and providing instructions on how the individual may check the status of the update.

''(ii) NOTICE OF DISPOSITION.—As soon as the appropriate State or local election official has accepted or rejected updated information submitted by an individual under this paragraph, the official shall send the individual a notice of the disposition of the update.

''(iii) METHOD OF NOTIFICATION.—The appropriate State or local election official shall send the notices required under this subparagraph by regular mail, and, in the case of an individual who has requested that the State provide voter registration and voting information through electronic mail, by both electronic mail and regular mail.''.

(2) CONFORMING AMENDMENT RELATING TO EFFECTIVE DATE.—Section 303(d)(1)(A) of such Act (42 U.S.C. 15483(d)(1)(A)) is amended by striking ''subparagraph (B)'' and inserting ''subparagraph (B) and subsection (a)(6)''.

(b) ABILITY OF REGISTRANT TO USE ONLINE UPDATE TO PROVIDE INFORMATION ON RESIDENCE.—Section 8(d)(2)(A) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6(d)(2)(A)) is amended—

(1) in the first sentence, by inserting after ''return the card'' the following: ''or update the registrant's information on the computerized Statewide voter registration list using the online method provided under section 303(a)(6) of the Help America Vote Act of 2002''; and

(2) in the second sentence, by striking ''returned,'' and inserting the following: ''returned or if the registrant does not update the registrant's information on the computerized Statewide voter registration list using such online method,''.

SEC. 1624. STUDY ON BEST PRACTICES FOR INTERNET REGISTRATION.

(a) IN GENERAL.—The Director of the National Institute of Standards and Technology shall conduct an ongoing study on best practices for implementing the requirements for Internet registration under section 6A of the National Voter Registration Act of 1993 (as added by section 1622) and the requirement to permit voters to update voter registration information online under section 303(a)(6) of the Help America Vote Act of 2002 (as added by section 1623).

(b) REPORT.—

(1) IN GENERAL.—Not later than 4 months after the date of the enactment of this Act, the Director of the National Institute of Standards and Technology shall make publicly available a report on the study conducted under subsection (a).

(2) QUADRENNIAL UPDATE.—The Director of the National Institute of Standards and Technology shall review and update the report made under paragraph (1).

(c) USE OF BEST PRACTICES IN EAC VOLUNTARY GUIDANCE.—Subsection (a) of section 311 of the Help America Vote Act of 2002 (42 U.S.C. 15501(a)) is amended by adding at the end the following new sentence: ''Such voluntary guidance shall utilize the best practices developed by the Director of the National Institute of Standards and Technology under section 1624 of the Voter Registration Modernization Act for the use of the Internet in voter registration.''.

SEC. 1625. PROVISION OF ELECTION INFORMATION BY ELECTRONIC MAIL TO INDIVIDUALS REGISTERED TO VOTE.

(a) INCLUDING OPTION ON VOTER REGISTRATION APPLICATION TO PROVIDE E-MAIL ADDRESS AND RECEIVE INFORMATION.—

(1) IN GENERAL.—Section 9(b) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–7(b)) is amended—

(A) by striking ''and'' at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting ''; and''; and

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

''(5) shall include a space for the applicant to provide (at the applicant's option) an electronic mail address, together with a statement that, if the applicant so requests, instead of using regular mail the appropriate State and local election officials shall provide to the applicant, through electronic mail sent to that address, the same voting information (as defined in section 302(b)(2) of the Help America Vote Act of 2002) which the officials would provide to the applicant through regular mail.''.

(2) PROHIBITING USE FOR PURPOSES UNRELATED TO OFFICIAL DUTIES OF ELECTION OFFICIALS.—Section 9 of such Act (42 U.S.C. 1973gg–7) is amended by adding at the end the following new subsection:

''(c) PROHIBITING USE OF ELECTRONIC MAIL ADDRESSES FOR OTHER THAN OFFICIAL PURPOSES.—The chief State election official shall ensure that any electronic mail address provided by an applicant under subsection (b)(5) is used only for purposes of carrying out official duties of election officials and is not transmitted by any State or local election official (or any agent of such an official, including a contractor) to any person who does not require the address to carry out such official duties and who is not under the direct supervision and control of a State or local election official.''.

(b) REQUIRING PROVISION OF INFORMATION BY ELECTION OFFICIALS.—Section 302(b) of the Help America Vote Act of 2002 (42 U.S.C. 15482(b)) is amended by adding at the end the following new paragraph:

''(3) PROVISION OF OTHER INFORMATION BY ELECTRONIC MAIL.—If an individual who is a registered voter has provided the State or local election official with an electronic mail address for the purpose of receiving voting information (as described in section 9(b)(5) of the National Voter Registration Act of 1993), the appropriate State or local election official, through electronic mail transmitted not later than 7 days before the date of the election involved, shall provide the individual with information on how to obtain the following information by electronic means:

''(A) The name and address of the polling place at which the individual is assigned to vote in the election.

''(B) The hours of operation for the polling place.

''(C) A description of any identification or other information the individual may be required to present at the polling place.''.

SEC. 1626. CLARIFICATION OF REQUIREMENT REGARDING NECESSARY INFORMATION TO SHOW ELIGIBILITY TO VOTE.

Section 8 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6) is amended—

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting after subsection (i) the following new subsection:

''(j) REQUIREMENT FOR STATE TO REGISTER APPLICANTS PROVIDING NECESSARY INFORMATION TO SHOW ELIGIBILITY TO VOTE.—For purposes meeting the requirement of subsection (a)(1) that an eligible applicant is registered to vote in an election for Federal office within the deadlines required under such subsection, the State shall consider an applicant to have provided a 'valid voter registration form' if—

''(1) the applicant has accurately completed the application form and attested to the statement required by section 9(b)(2); and

''(2) in the case of an applicant who registers to vote online in accordance with section 6A, the applicant provides a signature in accordance with subsection (c) of such section.''.

SEC. 1627. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this subtitle (other than the amendments made by section 1625) shall take effect January 1, 2016.

(b) WAIVER.—Subject to the approval of the Election Assistance Commission, if a State certifies to the Election Assistance Commission that the State will not meet the deadline referred to in subsection (a) because of extraordinary circumstances and includes in the certification the reasons for the failure to meet the deadline, subsection (a) shall apply to the State as if the reference in such subsection to ''January 1, 2016'' were a reference to ''January 1, 2018''.

SA 2327. Mr. MANCHIN (for himself, Mr. KIRK, 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. CONSOLIDATED AND COORDINATED FEDERAL GOVERNMENT INTERNET PORTAL TO CONNECT CURRENT AND FORMER MEMBERS OF THE ARMED FORCES WITH EMPLOYERS SEEKING EMPLOYEES WITH SKILLS AND EXPERIENCE DEVELOPED THROUGH MILITARY SERVICE.

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

(1) Although significant progress has been made, unemployment among veterans remains stubbornly high.

(2) The unemployment rate among younger veterans, ages 18 to 24, remains well above the national average.

(3) This problem impacts the Department of Defense budget. Over the past 10 years, the Federal Government has expended more than $9,600,000,000 on unemployment compensation benefits for former members of the Armed Forces.

(4) The Department makes significant investments in members of the Armed Forces including specialized technical training in skills that are easily transferrable to civilian career fields.

(5) Beyond specific technical training, veterans gain unique leadership, organizational, and other skills that make them valued employees in the private sector.

(6) Government agencies, private sector entities, and nonprofit organizations are responding to the issue of unemployment among veterans.

(7) There are now so many programs to assist veterans in finding employment, many within the Government, that veterans may not know where to seek assistance in finding employment. While these programs are well intentioned, many are duplicative in nature, and compete for scarce resources.

(8) The Department of Labor, the Department of Veterans Affairs, the Department Defense, and the Office of Personnel Management are currently working to consolidate the veterans employment initiatives of the Government into a single, consolidated Internet portal with the goal of connecting veterans who are seeking employment with employers who want to employ them.

(9) The consolidated portal will prevent Federal Government agencies from competing with each other to accomplish the same goal, and will save the Federal Government money while providing a comprehensive, coordinated tool for employers and veterans seeking employment.

(10) The Federal Government can accomplish this by leveraging the best practices of current programs.

(11) While progress has been made, there is no statutory requirement to streamline these Government programs and coordinate the resources that are all intended to achieve the same goal.

(b) CONSOLIDATED INTERNET PORTAL REQUIRED.—Commencing not later than one year after the date of the enactment of this Act, the Secretary of Labor shall, in conjunction with the Secretary of Defense, the Secretary of Veterans Affairs, and organizations concerned with veterans resources, consolidate Internet portals of the Federal Government on employment for current and former members of the Armed Forces into a comprehensive consolidated Internet portal within a single existing platform or system for the purposes of connecting current and former members of the Armed Forces who are seeking employment with employers who want to employ them.

(c) ELEMENTS.—

(1) IN GENERAL.—The consolidated Internet portal under subsection (b) should include the following:

(A) A means through which current and former members of the Armed Forces may connect for employment purposes with employers seeking the experience and skills developed during service in the Armed Forces, including a means of presenting a profile of each member or former member to employers that includes, at a minimum—

(i) the skills obtained by such member or former member during service in the Armed Forces and additional skills such member or former member is interested in pursuing; and

(ii) the current or intended residence of such member or former member (including an option for members or former members who are willing to reside in various locations).

(B) A means of permitting qualified prospective employers to post employment openings and seek contact with members or former members based on their profile for the purposes of requesting the initiation of arrangements or negotiations concerning potential employment.

(C) A means of presenting other employment resources, including resume preparation, to members or former members seeking employment.

(2) MATTERS CONSIDERED.—In developing the consolidated Internet portal, the Secretaries referred to in subsection (b) should consider, at a minimum, the following:

(A) Public and private sector resources on matters relating to the portal.

(B) Opportunities to incorporate local employment networks into the portal.

(C) Methodologies to determine the most effective employment resources and programs to be incorporated into the portal.

(D) Means for streamlining processes through the portal for employers to find and employ former members of the Armed Forces.

(d) MEMBER PARTICIPATION.—

(1) IN GENERAL.—Participation in the consolidated Internet portal under subsection (b) shall be limited to members of the National Guard and Reseves, members of the Armed Forces on active duty who are transitioning from military service to civilian life, former members of the Armed Forces, and veterans.

(2) VOLUNTARY.—Participation by a member or former member of the Armed Forces described in paragraph (1) in the consolidated Internet portal shall be voluntary. A member or former member participating in the portal may cease participation in the portal at any time.

(e) REPORTS BY IMPLEMENTING SECRETARIES.—

(1) PRELIMINARY REPORT.—Not later than six months after the date of the enactment of this Act, the Secretaries shall submit to the appropriate committees of Congress a report on the consolidated Internet portal under subsection (b). The report shall include the following:

(A) A list of the Internet portals of the Federal Government that are redundant to, or duplicative of, the consolidated Internet portal.

(B) An estimate of the cost-savings to be achieved by the Federal Government through the consolidated Internet portal, including through the elimination or consolidation into the consolidated Internet portal of the Internet portals listed under subparagraph (A).

(2) REPORT FOLLOWING IMPLEMENTATION OF PORTAL.—Not later than one year after the date of the implementation of the consolidated Internet portal under subsection (b), the Secretaries shall submit to the appropriate committees of Congress a report on the portal.

(3) ELEMENTS.—Each report under this subsection shall include a description of the consolidated Internet portal and such other information on the portal as the Secretaries consider appropriate.

(f) COMPTROLLER GENERAL REPORT.—

(1) IN GENERAL.—Not later than 540 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the elimination by Federal agencies of Internet portals that are redundant to, or duplicative of, the consolidated Internet portal under subsection (b).

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

(A) The list of the internet portals of the Federal Government at the time of the implementation of the consolidated Internet portal that are determined by the Comptroller General to have been redundant to, or duplicative of, the consolidated Internet portal.

(B) An assessment whether the list of internet portals under subsection (f)(1)(A) encompassed all the Internet portals of the Federal Government that were redundant to, or duplicative of, the consolidated Internet portal.

(C) An assessment of the actions taken by Federal agencies to eliminate Internet portals that were redundant to, or duplicative of, the consolidated Internet portal.

(D) A list of Internet portals of the Federal Government determined to be redundant to, or duplicative of the consolidated Internet portal that have yet to be eliminated by Federal agencies as of the date of the report.

(g) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Health, Education, Labor, and Pensions, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Education and the Workforce, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

SA 2328. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle E of title V, add the following:

SEC. 547. SEXUAL ASSAULT FORENSIC EXAMINERS.

(a) PERSONNEL ELIGIBLE FOR ASSIGNMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the only individuals who may be assigned to duty as a sexual assault forensic examiner (SAFE) for the Armed Forces, and for any dependents of members of the Armed Forces or civilian employees of the Department of Defense who are eligible for sexual assault forensic examinations through the Department of Defense, shall be members of the Armed Forces and civilian personnel of the Department of Defense or Department of Homeland Security who are as follows:

(A) Physicians.

(B) Nurse practitioners.

(C) Nurse midwives.

(D) Physician assistants.

(E) Registered nurses.

(2) INDEPENDENT DUTY CORPSMEN.—An independent duty corpsman or equivalent may be assigned to duty as a sexual assault forensic examiner for individuals described in paragraph (1) if no individual provided for in that paragraph is otherwise available for assignment to such duty.

(b) AVAILABILITY OF EXAMINERS.—

(1) IN GENERAL.—The Secretary concerned shall ensure the availability of an adequate number of sexual assault forensic examiners for individuals described in subsection (a)(1) through the following:

(A) Assignment of at least one sexual assault forensic examiner at each military medical treatment facility under the jurisdiction of such Secretary, whether in the United States or overseas.

(B) If assignment as described in subparagraph (A) is infeasible or impracticable, entry into agreements with local licensed and accredited medical facilities, whether Governmental or otherwise, with the resources for the provision of sexual assault forensic examinations for such individuals.

(2) NAVAL VESSELS.—The Secretary concerned shall ensure the availability of an adequate number of sexual assault forensic

examiners for naval vessels through the assignment of at least one sexual assault forensic examiner for each naval vessel having a regular complement of more than 100 personnel.

(c) TRAINING AND CERTIFICATION.—

(1) IN GENERAL.—Commencing not later than one year after the date of the enactment of this Act, the Secretary concerned shall ensure that all sexual assault forensic examiners under the jurisdiction of such Secretary have completed the requirements of the training program specified in subparagraphs (A) and (B) of paragraphs (2), and shall establish a mechanism to ensure compliance with the ongoing training requirements in subparagraphs (C) and (D) of that paragraph. The requirements shall apply uniformly to all sexual assault forensic examiners under the jurisdiction of the Secretaries.

(2) ELEMENTS.—Each training program under this subsection shall include the following:

(A) Training in sexual assault forensic examinations by qualified personnel who—

(i) is a certified sexual assault forensic examiner; or

(ii) possesses training and clinical or forensic experience in sexual assault forensic examinations similar to that of a certified sexual assault forensic examiner.

(B) A minimum of 40 hours of coursework for participants in sexual assault forensic examinations of adults and adolescents.

(C) Clinical mentoring to ensure continuing competency.

(D) Guidelines for continuing education.

(3) NATURE OF TRAINING.—The Secretary concerned shall ensure that the training provided incorporates and reflects best practices and standards on sexual assault forensic examinations.

(4) SENSE OF CONGRESS ON CERTIFICATION.—It is the sense of Congress that each participant who successfully completes all training required under the training program should obtain a sexual assault forensic examiner certification by not later than five years after completion of such training.

(5) EXAMINERS UNDER AGREEMENTS.—Any individual providing sexual assault forensic examinations for the Armed Forces under an agreement under subsection (b)(1)(B) shall, to the extent practicable, possess the training and experience required for certification under the training program.

(d) SECRETARY CONCERNED DEFINED.—In this section, the term ''Secretary concerned'' means—

(1) the Secretary of Defense with respect to matters concerning the Department of Defense; and

(2) the Secretary of Homeland Security with respect to matters concerned the Coast Guard when it is not operating as a service in the Navy.

SA 2329. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1208. SUPPORT FOR INTERNATIONAL CRIMINAL TRIBUNAL PROSECUTION OF GENOCIDE, CRIMES AGAINST HUMANITY, AND WAR CRIMES.

Section 705 of the Foreign Relations Authorization Act, Fiscal Years 2001 (22 U.S.C. 7401) is amended—

(1) by striking subsection (b); and

(2) by inserting after subsection (a) the following new subsection:

''(b) LIMITATION.—

''(1) IN GENERAL.—Funds authorized to be appropriated by this or any other Act may be made available for training and technical assistance for, and professional and in-kind support of, international and hybrid criminal tribunals in their investigations, apprehensions, and prosecutions of Joseph Kony, Omar al-Bashir, Bashar al-Assad, and other high-profile, non-allied foreign nationals who are accused of genocide, crimes against humanity, or war crimes.

''(2) CONSULTATION.—The Secretary of State shall consult with the appropriate congressional committees on the specific types of assistance and support to be provided under paragraph (1).''.

SA 2330. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. EX GRATIA PAYMENTS TO LOCAL MILITARY COMMANDERS.

(a) IN GENERAL.—The Secretary of Defense may, under such regulations as the Secretary may prescribe, make available amounts to local military commanders appointed by the Secretary, or by an officer or employee designated by the Secretary, to provide at their discretion ex gratia payments in amounts consistent with subsection (d) for damage, personal injury, or death that is incident to combat operations of the Armed Forces in a foreign country.

(b) CONDITIONS.—An ex gratia payment under this section may be provided only if—

(1) the prospective foreign civilian recipient is determined by the local military commander to be friendly to the United States;

(2) a claim for damages would not be compensable under chapter 163 of title 10, United States Code (commonly known as the ''Foreign Claims Act''); and

(3) the property damage, personal injury, or death was not caused by action by an enemy.

(c) NATURE OF PAYMENTS.—Any payments provided under a program under subsection (a) shall not be considered an admission or acknowledgment of any legal obligation to compensate for any damage, personal injury, or death.

(d) AMOUNT OF PAYMENTS.—If the Secretary of Defense determines a program under subsection (a) to be appropriate in a particular setting, the amounts of payments, if any, to be provided to civilians determined to have suffered harm incident to combat operations of the Armed Forces under the program should be determined pursuant to regulations prescribed by the Secretary and based on an assessment, which should include such factors as cultural appropriateness and prevailing economic conditions.

(e) LEGAL ADVICE.—Local military commanders shall receive legal advice before making ex gratia payments under this subsection. The legal advisor, under regulations of the Department of Defense, shall advise on whether an ex gratia payment is proper under this section and applicable Department of Defense regulations.

(f) WRITTEN RECORD.—A written record of any ex gratia payment offered or denied shall be kept by the local commander and on a timely basis submitted to the appropriate office in the Department of Defense as determined by the Secretary of Defense.

(g) REPORT.—The Secretary of Defense shall report to the congressional defense committees on an annual basis the efficacy of the ex gratia payment program including the number of types of cases considered, amounts offered, the response from ex gratia payment recipients, and any recommended modifications to the program.

SA 2331. Mr. MENENDEZ (for himself and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVI—EMBASSY SECURITY

SEC. 1601. SHORT TITLE.

This title may be cited as the ''Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty Embassy Security, Threat Mitigation, and Personnel Protection Act of 2013''.

SEC. 1602. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) FACILITIES.—The term ''facilities'' encompasses embassies, consulates, expeditionary diplomatic facilities, and any other diplomatic facilities, not in the United States, including those that are intended for temporary use.

Subtitle A—Funding Authorization and Transfer Authority

SEC. 1611. CAPITAL SECURITY COST SHARING PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2014 for the Department of State $1,383,000,000, to be available until expended, for the Capital Security Cost Sharing Program, authorized by section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; 113 Stat. 1501A–453; 22 U.S.C. 4865 note).

(b) SENSE OF CONGRESS ON THE CAPITAL SECURITY COST SHARING PROGRAM.—It is the sense of Congress that—

(1) the Capital Security Cost Sharing Program should prioritize the construction of new facilities and the maintenance of existing facilities in high threat, high risk areas in addition to addressing immediate threat mitigation as set forth in section 1612, and should take into consideration the priorities of other government agencies that are contributing to the Capital Security Cost Sharing Program when replacing or upgrading diplomatic facilities; and

(2) all United States Government agencies are required to pay into the Capital Security

Cost Sharing Program a percentage of total costs determined by interagency agreements, in order to address immediate threat mitigation needs and increase funds for the Capital Security Cost Sharing Program for fiscal year 2014, including to address inflation and increased construction costs.

(c) RESTRICTION ON CONSTRUCTION OF OFFICE SPACE.—Section 604(e)(2) of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; 113 Stat. 1501A–453; 22 U.S.C. 4865 note) is amended by adding at the end the following: ''A project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by paragraph (1), except that such project may include office space or other accommodations for members of the United States Marine Corps.''.

SEC. 1612. IMMEDIATE THREAT MITIGATION.

(a) ALLOCATION OF AUTHORIZED APPROPRIATIONS.—In addition to any funds otherwise made available for such purposes, the Department of State shall, notwithstanding any other provision of law except as provided in subsection (d), use $300,000,000 of the funding provided in section 1611 for immediate threat mitigation projects, with priority given to facilities determined to be ''high threat, high risk'' pursuant to section 1642.

(b) ALLOCATION OF FUNDING.—In allocating funding for threat mitigation projects, the Secretary of State shall prioritize funding for—

(1) the construction of safeguards that provide immediate security benefits;

(2) the purchasing of additional security equipment, including additional defensive weaponry;

(3) the paying of expenses of additional security forces, with an emphasis on funding United States security forces where practicable; and

(4) any other purposes necessary to mitigate immediate threats to United States personnel serving overseas.

(c) TRANSFER.—The Secretary may transfer and merge funds authorized under subsection (a) to any appropriation account of the Department of State for the purpose of carrying out the threat mitigation projects described in subsection (b).

(d) USE OF FUNDS FOR OTHER PURPOSES.—Notwithstanding the allocation requirement under subsection (a), funds subject to such requirement may be used for other authorized purposes of the Capital Security Cost Sharing Program if, not later than 15 days prior to such use, the Secretary certifies in writing to the appropriate congressional committees that—

(1) high threat, high risk facilities are being secured to the best of the United States Government's ability; and

(2) the Secretary of State will make funds available from the Capital Security Cost Sharing Program or other sources to address any changed security threats or risks, or new or emergent security needs, including immediate threat mitigation.

SEC. 1613. LANGUAGE TRAINING.

(a) IN GENERAL.—Title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851 et seq.) is amended by adding at the end the following new section:

''SEC. 416. LANGUAGE REQUIREMENTS FOR DIPLOMATIC SECURITY PERSONNEL ASSIGNED TO HIGH THREAT, HIGH RISK POSTS.

''(a) IN GENERAL.—Diplomatic security personnel assigned permanently to, or who are serving in, long-term temporary duty status as designated by the Secretary of State at a high threat, high risk post should receive language training described in subsection (b) in order to prepare such personnel for duty requirements at such post.

''(b) LANGUAGE TRAINING DESCRIBED.—Language training referred to in subsection (a) should prepare personnel described in such subsection—

''(1) to speak the language at issue with sufficient structural accuracy and vocabulary to participate effectively in most formal and informal conversations on subjects germane to security; and

''(2) to read within an adequate range of speed and with almost complete comprehension on subjects germane to security.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 annually for fiscal years 2014 and 2015 to carry out this section.

(c) INSPECTOR GENERAL REVIEW.—The Inspector General of the Department of State and Broadcasting Board of Governors shall, at the end of fiscal years 2014 and 2015, review the language training conducted pursuant to this section and make the results of such reviews available to the Secretary of State and the appropriate congressional committees.

SEC. 1614. FOREIGN AFFAIRS SECURITY TRAINING.

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

(1) Department of State employees and their families deserve improved and efficient programs and facilities for high threat training and training on risk management decision processes;

(2) improved and efficient high threat, high risk training is consistent with the Benghazi Accountability Review Board (ARB) recommendation number 17;

(3) improved and efficient security training should take advantage of training synergies that already exist, like training with, or in close proximity to, Fleet Antiterrorism Security Teams (FAST), special operations forces, or other appropriate military and security assets; and

(4) the Secretary of State should undertake temporary measures, including leveraging the availability of existing government and private sector training facilities, to the extent appropriate to meet the critical security training requirements of the Department of State.

(b) AUTHORIZATION OF APPROPRIATIONS FOR IMMEDIATE SECURITY TRAINING FOR HIGH THREAT, HIGH RISK ENVIRONMENTS.—There is authorized to be appropriated for the Department of State $100,000,000 for improved immediate security training for high threat, high risk security environments, including through the utilization of government or private sector facilities to meet critical security training requirements.

(c) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS FOR LONG-TERM SECURITY TRAINING FOR HIGH THREAT, HIGH RISK ENVIRONMENTS.—

(1) IN GENERAL.—There is authorized to be appropriated $350,000,000 for the acquisition, construction, and operation of a new Foreign Affairs Security Training Center or expanding existing government training facilities, subject to the certification requirement in paragraph (2).

(2) REQUIRED CERTIFICATION.—Not later than 15 days prior to the obligation or expenditure of any funds authorized to be appropriated pursuant to paragraph (1), the President shall certify to the appropriate congressional committees that the acquisition, construction, and operation of a new Foreign Affairs Security Training Center, or the expansion of existing government training facilities, is necessary to meet long-term security training requirements for high threat, high risk environments.

(3) EFFECT OF CERTIFICATION.—If the certification in paragraph (2) is made—

(A) up to $100,000,000 of the funds authorized to be appropriated under subsection (b) shall also be authorized for the purposes set forth in paragraph (1); or

(B) up to $100,000,000 of funds available for the acquisition, construction, or operation of Department of State facilities may be transferred and used for the purposes set forth in paragraph (1).

(d) USE OF FUNDS APPROPRIATED UNDER THE AMERICAN REINVESTMENT AND RECOVERY ACT OF 2009.—Of the funds appropriated to the Department of State under title XI of the American Reinvestment and Recovery Act of 2009 (Public Law 111–5), $54,545,177 is to remain available until September 30, 2016, for activities consistent with subsections (b) and (c).

SEC. 1615. TRANSFER AUTHORITY.

Section 4 of the Foreign Service Buildings Act of 1926 (22 U.S.C. 295) is amended by adding at the end the following new subsections:

''(j)(1) In addition to exercising any other transfer authority available to the Secretary of State, and subject to subsection (k), the Secretary may transfer to, and merge with, any appropriation for embassy security, construction, and maintenance such amounts appropriated for any other purpose related to diplomatic and consular programs on or after October 1, 2013, as the Secretary determines are necessary to provide for the security of sites and buildings in foreign countries under the jurisdiction and control of the Secretary.

''(2) Any funds transferred under the authority provided in paragraph (1) shall be merged with funds in the heading to which transferred, and shall be available subject to the same terms and conditions as the funds with which merged.

''(k) Not later than 15 days before any transfer of funds under subsection (j), the Secretary shall notify the Committees on Foreign Relations and Appropriations of the Senate and the Committees on Foreign Affairs and Appropriations of the House of Representatives.''.

Subtitle B—Contracting and Other Matters

SEC. 1621. LOCAL GUARD CONTRACTS ABROAD UNDER DIPLOMATIC SECURITY PROGRAM.

(a) IN GENERAL.—Section 136(c)(3) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864(c)(3)) is amended to read as follows:

''(3) in evaluating proposals for such contracts, award contracts to technically acceptable firms offering the lowest evaluated price, except that—

''(A) the Secretary may award contracts on the basis of best value (as determined by a cost-technical tradeoff analysis); and

''(B) proposals received from United States persons and qualified United States joint venture persons shall be evaluated by reducing the bid price by 10 percent;''.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes—

(1) an explanation of the implementation of paragraph (3) of section 136(c) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, as amended by subsection (a); and

(2) for each instance in which an award is made pursuant to subparagraph (A) of such paragraph, as so amended, a written justification and approval, providing the basis

for such award and an explanation of the inability to satisfy the needs of the Department of State by technically acceptable, lowest price evaluation award.

SEC. 1622. DISCIPLINARY ACTION RESULTING FROM UNSATISFACTORY LEADERSHIP IN RELATION TO A SECURITY INCIDENT.

Section 304(c) of the Diplomatic Security Act (22 U.S.C. 4834 (c)) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the right;

(2) by striking ''RECOMMENDATIONS'' and inserting the following: ''RECOMMENDATIONS.—

''(1) IN GENERAL.—Whenever''; and

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

''(2) CERTAIN SECURITY INCIDENTS.—Unsatisfactory leadership by a senior official with respect to a security incident involving loss of life, serious injury, or significant destruction of property at or related to a United States Government mission abroad may be grounds for disciplinary action. If a Board finds reasonable cause to believe that a senior official provided such unsatisfactory leadership, the Board may recommend disciplinary action subject to the procedures in paragraph (1).''.

SEC. 1623. MANAGEMENT AND STAFF ACCOUNTABILITY.

(a) AUTHORITY OF SECRETARY OF STATE.—Nothing in this title or any other provision of law shall be construed to prevent the Secretary of State from using all authorities invested in the office of Secretary to take personnel action against any employee or official of the Department of State that the Secretary determines has breached the duty of that individual or has engaged in misconduct or unsatisfactorily performed the duties of employment of that individual, and such misconduct or unsatisfactory performance has significantly contributed to the serious injury, loss of life, or significant destruction of property, or a serious breach of security, even if such action is the subject of an Accountability Review Board's examination under section 304(a) of the Diplomatic Security Act (22 U.S.C. 4834(a)).

(b) ACCOUNTABILITY.—Section 304 of the Diplomatic Security Act (22 U.S.C. 4834) is amended—

(1) in subsection (c), by inserting after ''breached the duty of that individual'' the following: ''or has engaged in misconduct or unsatisfactorily performed the duties of employment of that individual, and such misconduct or unsatisfactory performance has significantly contributed to the serious injury, loss of life, or significant destruction of property, or the serious breach of security that is the subject of the Board's examination as described in subsection (a),'';

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following new subsection:

''(d) MANAGEMENT ACCOUNTABILITY.—Whenever a Board determines that an individual has engaged in any conduct addressed in subsection (c), the Board shall evaluate the level and effectiveness of management and oversight conducted by employees or officials in the management chain of such individual.''.

SEC. 1624. SECURITY ENHANCEMENTS FOR SOFT TARGETS.

Section 29 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2701) is amended in the third sentence by inserting ''physical security enhancements and'' after ''Such assistance may include''.

SEC. 1625. REEMPLOYMENT OF ANNUITANTS.

Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is amended—

(1) in paragraph (1)(B), by striking ''to facilitate the'' and all that follows through ''Afghanistan, if'' and inserting ''to facilitate the assignment of persons to high threat, high risk posts or to posts vacated by members of the Service assigned to high threat, high risk posts, if'';

(2) by amending paragraph (2) to read as follows:

''(2) The Secretary shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the incurred costs over the prior fiscal year of the total compensation and benefit payments to annuitants reemployed by the Department pursuant to this section.''; and

(3) by adding after paragraph (3) the following paragraphs:

''(4) In the event that an annuitant qualified for compensation or payments pursuant to this subsection subsequently transfers to a position for which the annuitant would not qualify for a waiver under this subsection, the Secretary may no longer waive the application of subsections (a) through (d) with respect to such annuitant.

''(5) The authority of the Secretary to waive the application of subsections (a) through (d) for an annuitant pursuant to this subsection shall terminate on October 1, 2019.''.

Subtitle C—Expansion of the Marine Corps Security Guard Detachment Program

SEC. 1631. MARINE CORPS SECURITY GUARD PROGRAM.

(a) IN GENERAL.—Pursuant to the responsibility of the Secretary of State for diplomatic security under section 103 of the Diplomatic Security Act (22 U.S.C. 4802), the Secretary of State, in consultation with the Secretary of Defense, shall—

(1) develop and implement a plan to incorporate the additional Marine Corps Security Guard personnel authorized pursuant to section 404 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 5983 note) at United States embassies, consulates, and other facilities; and

(2) conduct an annual review of the Marine Corps Security Guard Program, including—

(A) an evaluation of whether the size and composition of the Marine Corps Security Guard Program is adequate to meet global diplomatic security requirements;

(B) an assessment of whether Marine Corps security guards are appropriately deployed among facilities to respond to evolving security developments and potential threats to United States interests abroad; and

(C) an assessment of the mission objectives of the Marine Corps Security Guard Program and the procedural rules of engagement to protect diplomatic personnel under the Program.

(b) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for three years, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees an unclassified report, with a classified annex as necessary, that addresses the requirements set forth in subsection (a)(2).

Subtitle D—Reporting on the Implementation of the Accountability Review Board Recommendations

SEC. 1641. DEPARTMENT OF STATE IMPLEMENTATION OF THE RECOMMENDATIONS PROVIDED BY THE ACCOUNTABILITY REVIEW BOARD CONVENED AFTER THE SEPTEMBER 11–12, 2012, ATTACKS ON UNITED STATES GOVERNMENT PERSONNEL IN BENGHAZI, LIBYA.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees an unclassified report, with a classified annex, on the implementation by the Department of State of the recommendations of the Accountability Review Board convened pursuant to title III of the Omnibus Diplomatic and Antiterrorism Act of 1986 (22 U.S.C. 4831 et seq.) to examine the facts and circumstances surrounding the September 11–12, 2012, killings of four United States Government personnel in Benghazi, Libya.

(b) CONTENT.—The report required under subsection (a) shall include the following elements:

(1) An assessment of the overall state of the Department of State's diplomatic security to respond to the evolving global threat environment, and the broader steps the Department of State is taking to improve the security of United States diplomatic personnel in the aftermath of the Accountability Review Board Report.

(2) A description of the specific steps taken by the Department of State to address each of the 29 recommendations contained in the Accountability Review Board Report, including—

(A) an assessment of whether implementation of each recommendation is ''complete'' or is still ''in progress''; and

(B) if the Secretary of State determines not to fully implement any of the 29 recommendations in the Accountability Review Board Report, a thorough explanation as to why such a decision was made.

(3) An enumeration and assessment of any significant challenges that have slowed or interfered with the Department of State's implementation of the Accountability Review Board recommendations, including—

(A) a lack of funding or resources made available to the Department of State;

(B) restrictions imposed by current law that in the Secretary of State's judgment should be amended; and

(C) difficulties caused by a lack of coordination between the Department of State and other United States Government agencies.

SEC. 1642. DESIGNATION AND REPORTING FOR HIGH THREAT, HIGH RISK FACILITIES.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Director of National Intelligence and the Secretary of Defense, shall submit to the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Armed Services of the Senate and the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Armed Services of the House of Representatives a classified report, with an unclassified summary, evaluating Department of State facilities that the Secretary of State determines to be ''high threat, high risk'' in accordance with subsection (c).

(b) CONTENT.—For each facility determined to be ''high threat, high risk'' pursuant to subsection (a), the report submitted under such subsection shall also include—

(1) a narrative assessment describing the security threats and risks facing posts overseas and the overall threat level to United States personnel under chief of mission authority;

(2) the number of diplomatic security personnel, Marine Corps security guards, and other Department of State personnel dedicated to providing security for United States personnel, information, and facilities;

(3) an assessment of host nation willingness and capability to provide protection in the event of a security threat or incident, pursuant to the obligations of the United States under the Vienna Convention on Consular Relations, done at Vienna April 24,

1963, and the 1961 Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961;

(4) an assessment of the quality and experience level of the team of United States senior security personnel assigned to the facility, considering collectively the assignment durations and lengths of government experience;

(5) the number of Foreign Service Officers who have received Foreign Affairs Counter Threat training;

(6) a summary of the requests made during the previous calendar year for additional resources, equipment, or personnel related to the security of the facility and the status of such requests;

(7) an assessment of the ability of United States personnel to respond to and survive a fire attack, including—

(A) whether the facility has adequate fire safety and security equipment for safehavens and safe areas; and

(B) whether the employees working at the facility have been adequately trained on the equipment available;

(8) for each new facility that is opened, a detailed description of the steps taken to provide security for the new facility, including whether a dedicated support cell was established in the Department of State to ensure proper and timely resourcing of security; and

(9) a listing of any ''high-threat, high-risk'' facilities where the Department of State and other government agencies' facilities are not collocated including—

(A) a rationale for the lack of collocation; and

(B) a description of what steps, if any, are being taken to mitigate potential security vulnerabilities associated with the lack of collocation.

(c) DETERMINATION OF HIGH THREAT, HIGH RISK FACILITY.—In determining what facilities constitute ''high threat, high risk facilities'' under this section, the Secretary shall take into account with respect to each facility whether there are—

(1) high to critical levels of political violence or terrorism;

(2) national or local governments with inadequate capacity or political will to provide appropriate protection; and

(3) in locations where there are high to critical levels of political violence or terrorism or national or local governments lack the capacity or political will to provide appropriate protection—

(A) mission physical security platforms that fall well below the Department of State's established standards; or

(B) security personnel levels that are insufficient for the circumstances.

(d) INSPECTOR GENERAL REVIEW AND REPORT.—The Inspector General for the Department of State and the Broadcasting Board of Governors shall, on an annual basis—

(1) review the determinations of the Department of State with respect to high threat, high risk facilities, including the basis for making such determinations;

(2) review contingency planning for high threat, high risk facilities and evaluate the measures in place to respond to attacks on such facilities;

(3) review the risk mitigation measures in place at high threat, high risk facilities to determine how the Department of State evaluates risk and whether the measures put in place sufficiently address the relevant risks;

(4) review early warning systems in place at high threat, high risk facilities and evaluate the measures being taken to preempt and disrupt threats to such facilities; and

(5) provide to the appropriate congressional committees an assessment of the determinations of the Department of State with respect to high threat, high risk facilities, including recommendations for additions or changes to the list of such facilities, and a report regarding the reviews and evaluations undertaken pursuant to paragraphs (1) through (4) and this paragraph.

SEC. 1643. DESIGNATION AND REPORTING FOR HIGH-RISK COUNTERINTELLIGENCE THREAT POSTS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in conjunction with appropriate officials in the intelligence community and the Secretary of Defense, shall submit to the appropriate committees of Congress a report assessing the counterintelligence threat to United States diplomatic facilities in Priority 1 Counterintelligence Threat Nations, including—

(1) an assessment of the use of locally employed staff and guard forces and a listing of diplomatic facilities in Priority 1 Counterintelligence Threat Nations without controlled access areas; and

(2) recommendations for mitigating any counterintelligence threats and for any necessary facility upgrades, including costs assessment of any recommended mitigation or upgrades so recommended.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

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

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

(2) PRIORITY 1 COUNTERINTELLIGENCE THREAT NATION.—The term ''Priority 1 Counterintelligence Threat Nation'' means a country designated as such by the October 2012 National Intelligence Priorities Framework (NIPF).

SEC. 1644. COMPTROLLER GENERAL REPORT ON IMPLEMENTATION OF BENGHAZI ACCOUNTABILITY REVIEW BOARD RECOMMENDATIONS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the progress of the Department of State in implementing the recommendations of the Benghazi Accountability Review Board.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) an assessment of the progress the Department of State has made in implementing each specific recommendation of the Accountability Review Board; and

(2) a description of any impediments to recommended reforms, such as budget constraints, bureaucratic obstacles within the Department or in the broader interagency community, or limitations under current law.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

SEC. 1645. SECURITY ENVIRONMENT THREAT LIST BRIEFINGS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and upon each subsequent update of the Security Environment Threat List (SETL), the Bureau of Diplomatic Security shall provide classified briefings to the appropriate congressional committees on the SETL.

(b) CONTENT.—The briefings required under subsection (a) shall include—

(1) an overview of the SETL; and

(2) a summary assessment of the security posture of those facilities where the SETL assesses the threat environment to be most acute, including factors that informed such assessment.

Subtitle E—Accountability Review Boards

SEC. 1651. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the Accountability Review Board mechanism as outlined in section 302 of the Omnibus Diplomatic Security and Antiterrorism Act (22 U.S.C. 4832) is an effective tool to collect information about and evaluate adverse incidents that occur in a world that is increasingly complex and dangerous for United States diplomatic personnel; and

(2) the Accountability Review Board should provide information and analysis that will assist the Secretary, the President, and Congress in determining what contributed to an adverse incident as well as what new measures are necessary in order to prevent the recurrence of such incidents.

SEC. 1652. PROVISION OF COPIES OF ACCOUNTABILITY REVIEW BOARD REPORTS TO CONGRESS.

Not later than 2 days after an Accountability Review Board provides its report to the Secretary of State in accordance with title III of the Omnibus Diplomatic and Antiterrorism Act of 1986 (22 U.S.C. 4831 et seq.), the Secretary shall provide copies of the report to the appropriate congressional committees for retention and review by those committees.

SEC. 1653. CHANGES TO EXISTING LAW.

(a) MEMBERSHIP.—Section 302(a) of the Omnibus Diplomatic Security and Antiterrorism Act (22 U.S.C. 4832(a)) is amended by inserting ''one of which shall be the Inspector General of the Department of State and the Broadcasting Board of Governors,'' after ''4 appointed by the Secretary of State,''.

(b) STAFF.—Section 302(b)(2) of the Omnibus Diplomatic Security and Antiterrorism Act (22 U.S.C. 4832(b)(2)) is amended by adding at the end the following: ''Such persons shall be drawn from bureaus or other agency sub-units that are not impacted by the incident that is the subject of the Board's review.''.

Subtitle F—Other Matters

SEC. 1661. ENHANCED QUALIFICATIONS FOR DEPUTY ASSISTANT SECRETARY OF STATE FOR HIGH THREAT, HIGH RISK POSTS.

The Omnibus Diplomatic Security and Antiterrorism Act of 1986 is amended by inserting after section 206 (22 U.S.C. 4824) the following new section:

''SEC. 207. DEPUTY ASSISTANT SECRETARY OF STATE FOR HIGH THREAT, HIGH RISK POSTS.

''The individual serving as Deputy Assistant Secretary of State for High Threat, High Risk Posts shall have one or more of the following qualifications:

''(1) Service during the last six years at one or more posts designated as High Threat, High Risk by the Department of State at the time of service.

''(2) Previous service as the office director or deputy director of one or more of the following Department of State offices or successor entities carrying out substantively equivalent functions:

''(A) The Office of Mobile Security Deployments.

''(B) The Office of Special Programs and Coordination.

''(C) The Office of Overseas Protective Operations.

''(D) The Office of Physical Security Programs.

''(E) The Office of Intelligence and Threat Analysis.

''(3) Previous service as the Regional Security Officer at two or more overseas posts.

''(4) Other government or private sector experience substantially equivalent to service in the positions listed in paragraphs (1) through (3).''.

SA 2332. Mr. CASEY (for himself, Mr. BROWN, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 864. EXCHANGE STORE SYSTEM PARTICIPATION IN THE ACCORD ON FIRE AND BUILDING SAFETY IN BANGLADESH.

(a) SPECIAL PROCUREMENT GUIDANCE FOR GARMENTS MANUFACTURED IN BANGLADESH.—The senior official of the Department of Defense designated pursuant to section 2481(c) of title 10, United States Code, to oversee the defense commissary system and the exchange store system shall require, consistent with applicable international agreements, that the exchange store system—

(1) for the purchase of garments manufactured in Bangladesh for the private label brands of the exchange store system, either becomes a signatory of, or otherwise abides by the applicable requirements and terms set forth in, the Accord on Fire and Building Safety in Bangladesh without becoming a signatory;

(2) for the purchase of licensed apparel manufactured in Bangladesh, gives a preference to licensees that are signatories to the Accord on Fire and Building Safety in Bangladesh; and

(3) for the purchase of garments manufactured in Bangladesh from retail suppliers, gives a preference to retail suppliers that are signatories to the Accord on Fire and Building Safety in Bangladesh.

(b) NOTICE OF EXCEPTIONS.—If garments manufactured in Bangladesh are purchased from suppliers that are not signatories to the Accord on Fire and Building Safety in Bangladesh, the Department of Defense official referred to in subsection (a) shall notify Congress of the purchase and the reasons therefor.

(c) EFFECTIVE DATE.—The requirements imposed by this section shall take effect 90 days after the date of the enactment of this Act or as soon after that date as the Secretary of Defense determines to be practicable so as to avoid disruption in garment supplies for the exchange store system.

SA 2333. Mr. PRYOR (for himself and Mr. DURBIN) 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 V, add the following:

SEC. 593. TREATMENT OF CIVILIAN EMPLOYEES PAID FROM WORKING CAPITAL FUND ACCOUNTS.

(a) IN GENERAL.—Section 251(a)(3) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(a)(3)) is amended by adding at the end the following: ''For purposes of this paragraph, a working capital fund account established pursuant to section 2208 of title 10, United States Code, or subaccount or portion of such an account, that is used to pay 1 or more civilian employees of the Department of Defense shall be included as a military personnel account.''.

(b) APPLICATION OF AMENDMENT.—The amendment made by subsection (a) shall apply to any order of the President to exempt military personnel accounts from sequestration issued under section 255(f)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905(f)(1)) after January 1, 2014.

SA 2334. Mr. PRYOR (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1082. ADJUSTMENTS TO RATES OF BASIC PAY OF PREVAILING RATE EMPLOYEES.

(a) LIMITATION ON ADJUSTMENTS.—

(1) PREVAILING RATE EMPLOYEES OF AGENCIES.—Notwithstanding any other provision of law, and except as otherwise provided in this section, a prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code, may not be paid—

(A) during the period beginning on January 1, 2014 and ending on the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2014, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(B) during the period beginning on the day after the end of the period described in subparagraph (A) and ending on September 30, 2014, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under subparagraph (A) by more than the sum of—

(i) the percentage adjustment taking effect in fiscal year 2014 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(ii) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2014 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(2) OTHER PREVAILING RATE EMPLOYEES.—Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which paragraph (1) is in effect at a rate that exceeds the rates that would be payable under paragraph (1) were paragraph (1) applicable to such employee.

(3) EMPLOYEES PAID FROM NEW SCHEDULES.—For the purposes of this subsection, the rates payable to an employee who is covered by this subsection and who is paid from a schedule not in existence on September 30, 2013, shall be determined under regulations prescribed by the Office of Personnel Management.

(4) RATES OF PREMIUM PAY.—Notwithstanding any other provision of law, rates of premium pay for employees subject to this subsection may not be changed from the rates in effect on September 30, 2013, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this subsection.

(5) PERIOD COVERED.—This subsection shall apply with respect to pay for service performed on or after the first day of the first applicable pay period beginning after December 31, 2013.

(6) TREATMENT UNDER OTHER LAWS.—For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this subsection shall be treated as the rate of salary or basic pay.

(7) LIMITATIONS.—Nothing in this subsection shall be considered to permit or require the payment to any employee covered by this subsection at a rate in excess of the rate that would be payable were this subsection not in effect.

(8) EXCEPTIONS.—The Office of Personnel Management may provide for exceptions to the limitations imposed by this subsection if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

(b) COMPARABILITY OF ADJUSTMENTS.—

(1) IN GENERAL.—Notwithstanding subsection (a), effective as of the first day of the first applicable pay period beginning after December 31, 2013, the percentage increase in rates of basic pay for the statutory pay systems under section 5344 and 5348 of title 5, United States Code, that takes place in fiscal year 2014 shall be not less than the percentage increase received by employees in the same pay locality whose rates of basic pay are adjusted under sections 5303 and 5304 of title 5, United States Code.

(2) PAY LOCALITIES.—For the purposes of this subsection, prevailing rate employees in localities where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5, United States Code, and prevailing rate employees described in section 5343(a)(5) of title 5, United States Code, shall be considered to be located in the pay locality designated as ''Rest of United States'' under section 5304 of title 5, United States Code.

SA 2335. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 804. INCLUSION OF SHOES AND RELATED MATERIALS UNDER DOMESTIC SOURCE REQUIREMENTS.

(a) IN GENERAL.—Subsection (b)(1) of section 2533a of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(2) by inserting after subparagraph (C) the following new subparagraph (D):

''(D) shoes, and the materials and components thereof, shoe findings, and soling materials;''.

(b) CONFORMING AMENDMENT.—Subsection (k) of such section is amended by striking ''or (E)'' and inserting ''(E), or (F)''.

SA 2336. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 843. JUSTIFICATION AND APPROVAL OF SOLE SOURCE CONTRACTS.

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

(1) Section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2405) included a requirement for a written justification and approval (J&A) when awarding applicable Federal sole source contracts in excess of $20,000,000.

(2) Ensuring competition in the Federal acquisition process is of vital importance to United States taxpayers.

(3) Section 811 was intended to further this objective.

(4) Government contracting officers may inadvertently be deterred from awarding contracts over $20,000,000 under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) as a result of confusion over the proper interpretation of section 811.

(5) Section 811 of the National Defense Authorization Act for Fiscal Year 2010 should be repealed and replaced in order to ensure that the objective of the section is properly implemented and not misconstrued to prohibit or limit the award of sole source contracts of over $20,000,000 to those businesses which qualify for such awards under the small business 8(a) program.

(b) MODIFIED JUSTIFICATION AND APPROVAL REQUIREMENTS RELATED TO SOLE SOURCE CONTRACTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall modify the Department of Defense Supplement to the Federal Acquisition Regulation to provide that the head of an agency (as that term is defined in section 2302(1) of title 10, United States Code) may not award a sole-source contract for an amount exceeding $20,000,000 unless—

(A) the contracting officer for the contract justifies the use of a sole-source contract in writing; and

(B) the justification is approved by an official designated in section 2304(f)(1)(B) of title 10, United States Code, to approve contract awards for dollar amounts that are comparable to the amount of the sole-source contract.

(2) ELEMENTS OF JUSTIFICATION.—The justification of a sole-source contract required pursuant to subsection (a) shall include the following:

(A) A description of the needs of the agency concerned for the matters covered by the contract.

(B) A specification of the statutory provision providing the exception from the requirement to use competitive procedures in entering into the contract.

(C) A determination that the use of a sole source contract is in the best interest of the Department of Defense.

(D) A determination that the anticipated cost of the contract will be fair and reasonable.

(E) Such other matters as the official referenced in paragraph (1)(B) shall specify for purposes of this subsection.

(3) TREATMENT OF OTHER JUSTIFICATION AND APPROVAL ACTIONS.—In the case of any contract for which a justification and approval is required under section 2304(f) of title 10, United States Code, a justification and approval meeting the requirements of such section may be treated as meeting the requirements of this section for purposes of the award of a sole-source contract.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as—

(A) prohibiting or limiting a contract exceeding $20,000,000 in compliance with paragraphs (1) and (2) from being awarded for a procurement described in section 2304(f)(2)(D)(ii) of title 10, United States Code; or

(B) eliminating, reducing, or otherwise modifying obligations of the Department of Defense under section 15(g)(1) of the Small Business Act (15 U.S.C. 644(g)(1)).

(c) REPEAL OF SUPERSEDED PROVISION.—Section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2405) is hereby repealed.

(d) REGULATIONS.—The Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to implement this section and the repeal of section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2405).

SA 2337. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle D—Human Rights Sanctions

SEC. 1241. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Homeland Security, and the Committee on the Judiciary of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate.

(2) FINANCIAL INSTITUTION.—The term ''financial institution'' has the meaning given that term in section 5312 of title 31, United States Code.

(3) FOREIGN PERSON.—The term ''foreign person'' means a person that is not a United States person.

(4) PERSON.—The term ''person'' means an individual or entity.

(5) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 1242. IDENTIFICATION OF FOREIGN PERSONS RESPONSIBLE FOR GROSS VIOLATIONS OF HUMAN RIGHTS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of each foreign person that the President determines, based on credible information—

(1) is responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights committed against individuals in any foreign country seeking—

(A) to expose illegal activity carried out by government officials; or

(B) to obtain, exercise, defend, or promote internationally recognized human rights and freedoms, such as the freedoms of religion, expression, association, and assembly, and the rights to a fair trial and democratic elections; or

(2) acted as an agent of or on behalf of a foreign person in a matter relating to an activity described in paragraph (1).

(b) UPDATES.—The President shall submit to the appropriate congressional committees an update of the list required by subsection (a) as new information becomes available.

(c) FORM.—

(1) IN GENERAL.—The list required by subsection (a) shall be submitted in unclassified form.

(2) EXCEPTION.—The name of a foreign person to be included in the list required by subsection (a) may be submitted in a classified annex only if the President—

(A) determines that it is vital for the national security interests of the United States to do so;

(B) uses the annex in a manner consistent with congressional intent and the purposes of this subtitle; and

(C) not later than 15 days before submitting the name in a classified annex, provides to the appropriate congressional committees notice of, and a justification for, including or continuing to include each person in the classified annex despite any publicly available credible information indicating that the person engaged in an activity described in paragraph (1) or (2) of subsection (a).

(3) CONSIDERATION OF CERTAIN INFORMATION.—In preparing the list required by subsection (a), the President shall consider—

(A) information provided by the chairperson and ranking member of each of the appropriate congressional committees; and

(B) credible information obtained by other countries and nongovernmental organizations that monitor violations of human rights.

(4) PUBLIC AVAILABILITY.—The unclassified portion of the list required by subsection (a) shall be made available to the public and published in the Federal Register.

(d) REMOVAL FROM LIST.—A foreign person may be removed from the list required by subsection (a) if the President determines and reports to the appropriate congressional committees not later than 15 days before the removal of the person from the list that—

(1) credible information exists that the person did not engage in the activity for which the person was added to the list;

(2) the person has been prosecuted appropriately for the activity in which the person engaged; or

(3) the person has credibly demonstrated a significant change in behavior, has paid an appropriate consequence for the activities in which the person engaged, and has credibly

committed to not engage in an activity described in paragraph (1) or (2) of subsection (a).

(e) REQUESTS BY CHAIRPERSON AND RANKING MEMBER OF APPROPRIATE CONGRESSIONAL COMMITTEES.—

(1) IN GENERAL.—Not later than 120 days after receiving a written request from the chairperson and ranking member of one of the appropriate congressional committees with respect to whether a foreign person meets the criteria for being added to the list required by subsection (a), the President shall submit a response to that chairperson and ranking member of the committee with respect to the status of the person.

(2) FORM.—The President may submit a response required by paragraph (1) in classified form if the President determines that it is necessary for the national security interests of the United States to do so.

(3) REMOVAL.—

(A) IN GENERAL.—If the President removes from the list required by subsection (a) a foreign person that has been placed on the list at the request of the chairperson and ranking member of one of the appropriate congressional committees, the President shall provide the chairperson and ranking member with any information that contributed to the removal decision.

(B) FORM OF INFORMATION.—The President may submit the information requested by subparagraph (A) in classified form if the President determines that it is necessary to the national security interests of the United States to do so.

(f) NONAPPLICABILITY OF CONFIDENTIALITY REQUIREMENT WITH RESPECT TO VISA RECORDS.—The President shall publish the list required by subsection (a) without regard to the requirements of section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)) with respect to confidentiality of records pertaining to the issuance or refusal of visas or permits to enter the United States.

SEC. 1243. INADMISSIBILITY OF CERTAIN INDIVIDUALS.

(a) INELIGIBILITY FOR VISAS.—An individual who is a foreign person on the list required by section 1242(a) is ineligible to receive a visa to enter the United States and ineligible to be admitted to the United States.

(b) CURRENT VISAS REVOKED.—The Secretary of State shall revoke, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), the visa or other documentation of an individual who would be ineligible to receive such a visa or documentation under subsection (a).

(c) WAIVER FOR NATIONAL SECURITY INTERESTS.—

(1) IN GENERAL.—The Secretary of State may waive the application of subsection (a) or (b) in the case of an individual if—

(A) the Secretary determines that such a waiver—

(i) is necessary to permit the United States to comply with the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force November 21, 1947, or other applicable international obligations of the United States; or

(ii) is in the national security interests of the United States; and

(B) before granting the waiver, the Secretary provides to the appropriate congressional committees notice of, and a justification for, the waiver.

(2) TIMING FOR NOTICE OF CERTAIN WAIVERS.—In the case of a waiver under subparagraph (A)(ii) of paragraph (1), the Secretary shall submit the notice required by subparagraph (B) of that paragraph not later than 15 days before granting the waiver.

(d) REGULATORY AUTHORITY.—The Secretary of State shall prescribe such regulations as are necessary to carry out this section.

SEC. 1244. FINANCIAL MEASURES.

(a) FREEZING OF ASSETS.—

(1) IN GENERAL.—The President shall exercise all powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (except that the requirements of section 202 of such Act (50 U.S.C. 1701) shall not apply) to the extent necessary to freeze and prohibit all transactions in all property and interests in property of a foreign person on the list required by section 1242(a) of this Act if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) EXCEPTION.—Paragraph (1) shall not apply to foreign persons included on the classified annex under section 1242(c)(2) if the President determines that such an exception is vital to the national security interests of the United States.

(b) WAIVER FOR NATIONAL SECURITY INTERESTS.—The Secretary of the Treasury may waive the application of subsection (a) if the Secretary—

(1) determines that such a waiver is in the national security interests of the United States; and

(2) not later than 15 days before granting the waiver, provides to the appropriate congressional committees notice of, and a justification for, the waiver.

(c) ENFORCEMENT.—

(1) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(2) REQUIREMENTS FOR FINANCIAL INSTITUTIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations requiring each financial institution that is a United States person and has within its possession or control assets that are property or interests in property of a foreign person on the list required by section 1242(a) to certify to the Secretary that, to the best of the knowledge of the financial institution, the financial institution has frozen all assets within the possession or control of the financial institution that are required to be frozen pursuant to subsection (a).

(d) REGULATORY AUTHORITY.—The Secretary of the Treasury shall issue such regulations, licenses, and orders as are necessary to carry out this section.

SEC. 1245. REPORT TO CONGRESS.

Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of State and the Secretary of the Treasury shall each submit to the appropriate congressional committees a report on—

(1) the actions taken to carry out this subtitle, including—

(A) the number of foreign persons added to or removed from the list required by section 1242(a) during the year preceding the report, the dates on which those persons were added or removed, and the reasons for adding or removing those persons; and

(B) if few or no persons have been added to that list during that year, the reasons for not adding more persons to the list; and

(2) efforts by the executive branch to encourage the governments of other countries to impose sanctions that are similar to the sanctions imposed under this subtitle.

SA 2338. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1046. SENSE OF CONGRESS ON B61-12 LIFE EXTENSION PROGRAM.

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

(1) During the debate in the Senate on the ratification of the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011, between the United States and the Russian Federation (commonly known as the ''New START Treaty''), leaders in both Congress and the executive branch acknowledged the critical linkage between the modernization of the nuclear arsenal and the ability to safely reduce the number of warheads in the nuclear stockpile of the United States.

(2) As proposed by the President, successfully executing the B61-12 life extension program would generate an 53 percent reduction in the total number of air-delivered gravity weapons in the active and inactive nuclear stockpile of the United States and an 87 percent reduction in the total amount of nuclear material utilized by air-delivered gravity weapons in the nuclear stockpile of the United States.

(3) The B61-12 life extension program has already been delayed by fluctuating appropriations and further delays in appropriations threaten the viability and credibility of the nuclear deterrent of the United States and the nuclear assurances provided to allies of the United States in the North Atlantic Treaty Organization and in the Pacific region.

(4) Alternative proposals to refurbish B61 nuclear weapons do not meet the military requirements of the United States Strategic Command and fail to address all of the concerns relating to aging faced by the existing B61 series of air-delivered gravity weapons.

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

(1) further delays to the B61-12 life extension program would have unacceptable effects on the reliability and credibility of the nuclear deterrent of the United States; and

(2) it is critical that the United States ensure that there are no further delays in successfully executing the ongoing B61-12 life extension program, development of the associated tail-kit assembly, and development of a nuclear-capable F-35 Block 4 aircraft.

SA 2339. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1046. SENSE OF CONGRESS ON B61-12 LIFE EXTENSION PROGRAM.

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

(1) During the debate in the Senate on the ratification of the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011, between the United States and the Russian Federation (commonly known as the ''New START Treaty''), leaders in both Congress and the executive branch acknowledged the critical linkage between the modernization of the nuclear arsenal and the ability to safely reduce the number of warheads in the nuclear stockpile of the United States.

(2) As proposed by the President, successfully executing the B61-12 life extension program would generate an 53 percent reduction in the total number of air-delivered gravity weapons in the active and inactive nuclear stockpile of the United States and an 87 percent reduction in the total amount of nuclear material utilized by air-delivered gravity weapons in the nuclear stockpile of the United States.

(3) The B61-12 life extension program has already been delayed by fluctuating appropriations and further delays in appropriations threaten the viability and credibility of the nuclear deterrent of the United States and the nuclear assurances provided to allies of the United States in the North Atlantic Treaty Organization and in the Pacific region.

(4) Alternative proposals to refurbish B61 nuclear weapons do not meet the military requirements of the United States Strategic Command and fail to address all of the concerns relating to aging faced by the existing B61 series of air-delivered gravity weapons.

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

(1) further delays to the B61-12 life extension program would have unacceptable effects on the reliability and credibility of the nuclear deterrent of the United States; and

(2) it is critical that the United States ensure that there are no further delays in successfully executing the ongoing B61-12 life extension program, development of the associated tail-kit assembly, and development of a nuclear-capable F-35 Block 4 aircraft.

SA 2340. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 125. SENSE OF SENATE ON THE LITTORAL COMBAT SHIP PROGRAM.

(a) FINDINGS.—The Senate makes the following findings:

(1) Despite early problems with the Littoral Combat Ship (LCS) program, the Navy has made substantial progress in getting production on schedule and costs under control. As a result, the Navy is now purchasing LCS below the congressionally mandated cost cap. According to congressional testimony provided by Assistant Secretary of the Navy (Research, Development and Acquisition) Sean Stackley on July 25, 2013 before the Subcommittee on Seapower and Projection Forces of the House Armed Services Committee, ''The average cost of both LCS variants—including basic construction, government-furnished equipment (GFE), and change orders—across the 10-seaframe procurement over the five year period falls under the Congressionally-mandated cost cap of $480 million per seaframe (FY 2009 dollars)''. This testimony is consistent with the findings in the Congressional Budget Office's October 2013 report entitled ''An Analysis of the Navy's Fiscal Year 2014 Shipbuilding Plan'' which states: ''In the 2014 Future Years Defense Program, the Navy estimated the average cost of the LCS at about $420 million per ship over the next five years, including the 6 ships (2 per year) to be bought in 2016 through 2018, after the end of the two 10-ship contracts. That figure is well below the Congressionally mandated cost cap for the LCS program of $515 million per ship (adjusted for inflation). Overall, the Navy estimated that the 36 LCSs to be purchased by 2026 would cost about $446 million per ship, on average''. Finally, according to the Department of the Navy, LCS is ''the only shipbuilding program wherein the unit cost in production is on a marked steady decline''.

(2) LCS is vital to the Navy and our national security. According to Secretary of the Navy, Ray Mabus, it is ''the future of the Navy and the future of how we fight''. Similarly, Assistant Secretary of the Navy Stackley, in his written testimony for Congress observed: ''[T]he LCS program is of critical importance to our Navy. With its great speed and interchangeable modules, the ship will provide unprecedented warfighting flexibility. LCS is one of the cornerstones of the future Navy, and provides critical capability to the fleet. This fast, agile, focused-mission platform is designed for operation in near-shore environments, yet is capable of open-ocean operation''.

(3) The LCS program is an essential element of the Navy's long-term shipbuilding strategy which directly supports warfighting and presence requirements articulated by the combatant commanders. The planned buy of 52 LCS supports strategic and operational requirements validated in the Navy's 2012 Force Structure Assessment (FSA) pursuant to the January 2012 defense strategic guidance document entitled ''Sustaining U.S. Global Leadership: Priorities for 21st Century Defense''. According to the Department of the Navy, ''LCS and associated mission modules replace the capabilities of frigates (FFGs), mine countermeasure (MCM) ships, and patrol craft (PCs) which are reaching [the end of their] expected service life''. Additionally, according to the Navy, ''delaying procurement of these ships would slow both the delivery of this critical capability to the fleet [and] progress toward the 300-ship target in FY 2019 and the ultimate goal of meeting a 306 ship force structure required to support validated . . . warfighting and presence requirements''. Similarly, as noted in congressional testimony provided by Ronald O'Rourke of the Congressional Research Service (CRS), ''If the LCS program were truncated to 24 ships or some other number well short of 52, a potential key issue [for Congress] would be the operational implications for the Navy of potentially not having sufficient capacity to fully perform the LCS's three core missions of countering mines, small boats, and diesel submarines, particularly in littoral waters''.

(4) The cost for all LCS seaframes under contract (FY 10–13 ships) will increase if the current block buy contracts are disrupted. According to the Department of the Navy, costs will increase ''due to the impact of lost workload, inefficiencies, and breakage to the vendor base''. Additionally, negotiated ship construction prices will be lost for FY 14 and FY 15 ships. Moreover, FY 15 competitive prices will be required to be renegotiated in a sole source environment which will likely result in significant increases to FY 15 ship pricing. Slowing or pausing the program will also likely result in additional costs to future ships as a result of lost learning in the shipyards, increased overhead, vendor pricing, and concerns about contract stability. Finally, disrupting the current block buy contracts could potentially cause extreme damage to the shipbuilding industrial base.

(5) Many first-of-class ships experience unanticipated challenges, setbacks, and, as a result, intense scrutiny and sometimes harsh criticism. According to the Secretary of the Navy, Ray Mabus, ''the first of every single class in our Navy has faced similar issues and has been strengthened by dealing with them''. Similarly, according to congressional testimony provided on October 23, 2013 by CRS analyst Ronald O'Rourke, ''In the midst of criticisms of certain Navy surface ship acquisition programs in the 30-year shipbuilding plan, [such as the LCS program], on issues such as cost growth, ship capabilities, construction-quality, and testing of combat system equipment, it can be helpful to recall, as a matter of providing some historical context, that a number of earlier Navy surface combatant acquisition programs—including some, like the DDG–51 program, that are today considered acquisition success stories—were themselves criticized on one or more of these grounds''. For example, in January 1990, the Government Accountability Office (GAO) criticized the DDG–51 Arleigh Burke destroyer program in their report to the Secretary of Defense, ''Navy Shipbuilding: Cost and Schedule Problems on the DDG–51 AEGIS Destroyer Program'', noting that the shipyard had originally ''encountered problems in designing and constructing the lead ship. The contract costs have increased substantially, and the ship will be about 17 months late. Since the lead ship is only 50 percent complete, additional problems could surface and delay the follow ships.'' Additionally, the GAO recommended ''that the Secretary of Defense ensure sufficient information exists to justify the award of contracts for follow ships beyond the seven now under contract''. Nevertheless, the Navy went on to successfully build a total of 62 of these destroyers since the program's inception with an additional 13 ships planned (under construction, on contract, or covered by awarded contracts).

(6) The Government Accountability Office's July 2013 report, ''Navy Shipbuilding: Significant Investments in the Littoral Combat Ship Continue Amid Substantial Unknowns about Capabilities, Use, and Cost'', overstates the significance of design changes to follow-on ships. As noted by Assistant Navy Secretary Stackley in his July 2013 testimony before Congress, ''No changes to LCS seaframe requirements are envisioned in the near term as both LCS classes meet Navy requirements''. Further, as the Department of the Navy has stated, ''The issues and corrective efforts discussed [in the GAO report] are consistent with all lead ships of any new class of surface combatants, or any lead ship of a new class. Other 'new, potentially significant seaframe design changes' mentioned [in the GAO report] as under consideration by the Navy would—if accepted by the Navy—be incorporated into the next procurement (LCS 25 and follow), as is standard practice in all shipbuilding programs''.

(7) The GAO's concern with concurrency in the development and fielding of LCS mission modules is misplaced. As Assistant Navy Secretary Stackley has explained in his congressional testimony before the House Armed Services Committee, ''The modular strategy for mission packages is a breakthrough concept for delivering cost effective

capability by employing mature technologies to meet today's warfighting requirements while also providing tremendous flexibility to rapidly employ developing technologies to counter emerging threats or otherwise close gaps today, and in the future. . . In order to deliver these capabilities in the capacity needed, and with an eye on controlling cost and risk, the Navy is employing an incremental fielding strategy wherein the first increment leverages mature technologies and existing programs of record to provide a level of performance exceeding that available in the fleet today''. Moreover, Assistant Secretary Stackley made clear that ''[t]his incremental approach minimizes concurrency risk while allowing the flexibility which the modular concept provides. . . This time-phased fielding of capability is fundamental as it allows the Navy to rapidly field systems as they are matured instead of waiting for the final capability delivery. The major systems that comprise mission packages are already established as individual programs, with their own Acquisition Program Baselines (APBs) including cost, schedule and performance objectives and thresholds''.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) chief among the mandates of the Navy is forward presence;

(2) operating forward overseas is critical to United States national security and the preservation of United States national interests;

(3) to achieve this forward presence, the size of the Navy fleet matters;

(4) the Littoral Combat Ship (LCS) will be a critical component of the overall size of the Navy fleet and, without it, the Navy will not be able to provide the capabilities or capacity that operational commanders require;

(5) the capabilities of the Littoral Combat Ship remain essential to operational commanders;

(6) Littoral Combat Ship vessels, together with their mission modules, form a key part of the long-range shipbuilding strategy of the Navy to meet force structure requirements in support of the January 2012 defense strategic guidance document entitled ''Sustaining U.S. Global Leadership: Priorities for 21st Century Defense'';

(7) the Navy should continue to plan on procuring 52 Littoral Combat Ship seaframes in accordance with its most recent long-range shipbuilding plan, while balancing available funding with achieving the lowest possible pricing to the Government;

(8) the progress of the Navy in answering the concerns of the July 2013 report of the Government Accountability Office, entitled ''Navy Shipbuilding: Significant Investments in the Littoral Combat Ship Continue Amid Substantial Unknowns about Capabilities, Use, and Cost'', has been noteworthy and adequate;

(9) the report on the Littoral Combat Ship referred to in paragraph (8), while detailed and substantive, contains recommendations that do not reflect a full and thorough understanding of the Littoral Combat Ship program;

(10) the Navy should be applauded for its decision to deploy U.S.S. Freedom (LCS 1), a research and development funded platform, early and with a surface warfare (SUW) mission package to gather helpful information and lessons learned in order to better inform the development of operational, manning, maintenance, and logistics support concepts;

(11) the Navy should be commended for the ongoing and rigorous testing of the mine countereasures (MCM) mission module being conducted by U.S.S. Independence (LCS 2)—another research and development funded platform—and the recent successful completion of the second phase of developmental testing of the SUW mission package by U.S.S. Fort Worth (LCS 3);

(12) the Navy must continue to endeavor to drive overall Littoral Combat Ship program costs down;

(13) the Navy must inform the future procurement strategy with thorough assessments, which are based on validated requirements and independent cost estimates and which include program thresholds and objectives for cost, schedule, and performance;

(14) future acquisition decisions on the Littoral Combat Ship should be informed with an up-to-date service cost position and ''should cost'' assessment;

(15) the Defense Acquisition Executive should determine whether a new Office of the Secretary of Defense (OSD) Cost Analysis and Program Evaluation (CAPE) independent cost estimate (ICE) will be needed to inform future Littoral Combat Ship program decisions; and

(16) the Navy, along with the Joint Staff, should conduct a requirements assessment study to serve as a revalidation of the Littoral Combat Ship capabilities definition document.

SA 2341. Mr. SESSIONS 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 DEFENSE COOPERATION WITH GEORGIA.

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

(1) Georgia is a highly valued partner of the United States and has repeatedly demonstrated its commitment to advancing the mutual interests of both countries, including through the deployment of Georgian forces as part of the NATO-led International Security Assistance Force in Afghanistan, currently serving as the largest non-NATO contributor and without caveats in Helmand Province, and as part of the Multi-National Force in Iraq.

(2) Contrary to international law and the 2008 ceasefire agreement between Russia and Georgia, Russian forces have constructed barriers, including barbed wire and fences, along the administrative boundary line for the South Ossetia region of Georgia. This ''borderization'' is inconsistent with Russia's international commitments under the August 2008 ceasefire agreement, is contrary to Georgia's sovereignty and territorial integrity, creates hardship and significant negative impacts for populations on both sides of these barriers, and is detrimental to long-term conflict resolution.

(3) The peaceful transfer of power as the result of the October 2012 parliamentary elections in Georgia represents a major accomplishment toward the Georgian people's creation of a free society and full democracy.

(4) The presidential election of October 2013 marks another major step in this transition to a free and open democracy. International election observers from the Organization for Security and Co-operation in Europe (OSCE) concluded that the election ''was efficiently administered, transparent and took place in an amicable and constructive environment [. . .]. Fundamental freedoms of expression, movement and assembly were respected, and candidates were able to campaign without restriction. [. . .] A wide range of views and information was made available to voters through the media, providing candidates with a platform to present their programmes and opinions freely.'' This is consistent with significant progress toward a mature and free democracy.

(b) SENSE OF CONGRESS.—Congress—

(1) declares that the United States supports Georgia's sovereignty, independence, territorial integrity, and the inviolability of its internationally recognized borders and expresses concerns over the continued occupation of the Georgian regions of Abkhazia and South Ossetia by the Russian Federation;

(2) encourages the President to enhance defense cooperation efforts with Georgia and supports the efforts of the Government of Georgia to provide for the defense of its government, people, and sovereignty and territorial integrity within its internationally recognized borders;

(3) reaffirms its support for Georgia's NATO membership aspirations and congratulates Georgia on the steps it has taken to further its integration with NATO;

(4) remains committed to assisting the people of Georgia in establishing a free and democratic society in their country; and

(5) congratulates the Government and people of Georgia on the presidential election of October 27, 2013, and commends the Government and people of Georgia on a peaceful and democratic transfer of power and its continued movement toward a free and democratic society.

SA 2342. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1220. REPORTING ON DEVELOPMENT AND INFRASTRUCTURE PROJECTS IN AFGHANISTAN.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in cooperation with the Secretary of State and the Administrator of the United States Agency for International Development, shall develop and submit to the appropriate congressional committees a plan to enter into the Afghanistan development assistance database of the United States Agency for International Development relevant information related to development and infrastructure projects in Afghanistan planned or implemented under the Commanders Emergency Response Program, Afghanistan Infrastructure Fund, and the Task Force for Business and Stability Operations.

(b) CONTENT.—

(1) IN GENERAL.—The plan developed under subsection (a) shall include the following:

(A) Appropriate thresholds and timeframes for Department of Defense development or infrastructure projects to be included in the database so as to maximize the usefulness of the database for the monitoring and assessment of prior, ongoing, and future United States Government assistance to Afghanistan.

(B) Rationales for the establishment of such thresholds and timetables as well as an estimated cost and timeframe required to complete the data entry process.

(C) Measures to protect from public disclosure information that if released would potentially threaten the lives or livelihoods of United States citizens, third-country nationals, or citizens of Afghanistan associated with United States Government development projects.

(2) DIRECT SUPPORT FOR ANSF EXCLUDED.—The information included in the development assistance database pursuant to the plan shall not include projects designed to directly support the Afghan National Security Forces (ANSF).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

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

SA 2343. Mr. MERKLEY (for himself, Mr. PAUL, Mr. LEE, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1220. COMPLETION OF ACCELERATED TRANSITION OF UNITED STATES COMBAT AND MILITARY AND SECURITY OPERATIONS TO THE GOVERNMENT OF AFGHANISTAN.

(a) FINDING.—Congress finds that, in June 2013, the Government of Afghanistan assumed the lead for combat operations in all regions of Afghanistan consistent with the schedule agreed to by President Barack Obama and President of Afghanistan Hamid Karzai.

(b) STATEMENT OF POLICY.—It is the policy of the United States—

(1) that, in coordination with the Government of Afghanistan, North Atlantic Treaty Organization (NATO) member countries, and other allies in Afghanistan, the President shall complete the accelerated transition of United States military and security operations to the Government of Afghanistan and redeploy United States Armed Forces from Afghanistan (including operations involving military and security-related contractors) by not later than December 31, 2014; and

(2) to pursue diplomatic efforts leading to a political settlement and reconciliation of the internal conflict in Afghanistan.

(c) SENSE OF CONGRESS.—It is the sense of Congress that, should the President determine the necessity to maintain United States troops in Afghanistan to carry out missions after December 31, 2014, any such presence and missions should be authorized by a separate vote of Congress not later than June 1, 2014.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting or prohibiting any authority of the President to—

(1) modify the military strategy, tactics, and operations of United States Armed Forces as such Armed Forces redeploy from Afghanistan;

(2) attack al Qaeda forces wherever such forces are located;

(3) provide financial support and equipment to the Government of Afghanistan for the training and supply of Afghanistan military and security forces;

(4) gather, provide, and share intelligence with United States allies operating in Afghanistan and Pakistan; or

(5) provide security after December 31, 2014, to United States facilities or diplomatic personnel located in Afghanistan.

SA 2344. Mr. DONNELLY (for Mr. BROWN) proposed an amendment to the bill S. 381, to award a Congressional Gold Medal to the World War II members of the ''Doolittle Tokyo Raiders'', for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo; as follows:

On page 3, strike lines 16 and 17, and insert the following:

(a) PRESENTATION AUTHORIZED.—The President pro tempore

On page 4, line 1, strike ''(2)'' and insert ''(b)'', and move the margin 2 ems to the left.

On page 4, line 2, strike ''paragraph (1)'' and insert ''subsection (a)''.

On page 4, strike lines 6 through 13, and insert the following:

(c) FOLLOWING AWARD OF MEDALS.—

(1) IN GENERAL.—Following the award of the gold medals referred to in subsection (a), 5 of the gold medals shall be given to the 5 surviving members of the mission as of February 2013 or their next of kin, with a sixth

On page 4, line, 19, strike ''(B)'' and insert ''(2)'', and move the margin 2 ems to the left.

On page 4, line 22, strike ''this paragraph'' and insert ''paragraph (1)''.

On page 5, line 1, strike ''(b) DUPLICATE MEDALS.'' and insert ''**SEC. 3. DUPLICATE MEDALS.**'', and move the margin 2 ems to the left.

On page 5, between lines 6 and 7, insert the following:

SEC. 4. STATUS OF MEDALS.

On page 5, line 7, strike ''(c)'' and insert ''(a)''.

On page 5, between lines 9 and 10, insert the following:

(b) NUMISMATIC MEDALS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all medals struck under this Act are numismatic items.

On page 5, strike lines 10 through 20.

SA 2345. Mr. DONNELLY (for Mr. LEVIN) proposed an amendment to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; as follows:

On page 2, line 3, strike ''**AND REQUEST**''.

On page 2, line 11, strike ''AND REQUESTED''.

On page 3, line 1, strike ''**AND REQUEST**''.

On page 3, line 9, strike ''AND REQUESTED''.

SA 2346. Mr. DONNELLY (for Mr. LEVIN) proposed an amendment to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; as follows:

Amend the title so as to read ''An Act to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor.''.

SA 2347. Mrs. FISCHER (for herself and Mr. HOEVEN) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1046. BUDGET TREATMENT AND PLAN ON IMPLEMENTATION OF REDUCTIONS IN NUCLEAR FORCES IN CONNECTION WITH THE NEW START TREATY.

(a) BUDGET TREATMENT OF REDUCTIONS PURSUANT TO NEW START TREATY.—The Secretary of Defense shall ensure that activities relating to the dismantlement or conversion of nuclear weapons in connection with the implementation of the New START Treaty are assigned separate, dedicated program elements in the budget materials submitted to the President by the Secretary in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2015 and each fiscal year thereafter in which reductions to the nuclear forces of the United States are made in connection with the implementation the New START Treaty.

(b) SUBMISSION OF PLAN ON NEW START TREATY.—Not later than the date on which the President submits the budget of the President to Congress under section 1105 of title 31, United States Code, for fiscal year 2015, the Secretary of Defense shall submit to the appropriate congressional committees the plan required by section 1042(a) of the National Defense Authorization Act of Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1575).

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the following:

(A) The congressional defense committees.

(B) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) NEW START TREATY.—The term ''New START Treaty'' means the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011, between the United States and the Russian Federation.

SA 2348. Mr. JOHANNS (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 D of title IX, add the following:

SEC. 949. BRIEFINGS FOR CONGRESS ON THE STATUS OF THE UNITED STATES CYBER COMMAND.

(a) QUARTERLY BRIEFINGS REQUIRED.—Commencing 30 days after the date of the enactment of this Act, and every 120 days thereafter, the Secretary of Defense shall provide the congressional defense committees, and any other Member of Congress requesting such a briefing, a briefing on the status of the United States Cyber Command.

(b) ELEMENTS.—Each briefing under subsection (a) shall include the following:

(1) An update on the status of any proposal to elevate the United States Cyber Command to the status of a unified combatant command.

(2) A current summary assessment of the specific advantages and disadvantages for the national security of the United States of elevating the United State Cyber Command to the status of a unified combatant command.

(3) A current estimate of the cost of elevating the United States Cyber Command to the status of a unified combatant command, and a current justification for that cost.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 19, 2013, at 3:30 p.m.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on November 19, 2013, at 10 a.m. in room SR–418 of the Russell Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. REED. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 19, 2013, at 2:30 p.m.

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

SUBCOMMITTEE ON EAST ASIA AND PACIFIC AFFAIRS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 19, 2013, at 10:30 a.m., to hold an East Asia and Pacific Affairs subcommittee hearing entitled, ''Assessing the Response to Typhoon Yolanda/Haiyan.''

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

SUBCOMMITTEE ON THE EFFICIENCY AND EFFECTIVENESS OF FEDERAL PROGRAMS AND THE FEDERAL WORKFORCE

Mr. REED. Mr. President, I ask unanimous consent that the Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 19, 2013, at 2:30 p.m., to conduct a hearing entitled, ''Strengthening Government Oversight: Examining the Roles and Effectiveness of Oversight Positions Within the Federal Workforce.''

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

SUBCOMMITTEE ON NATIONAL SECURITY AND INTERNATIONAL TRADE AND FINANCE AND THE SUBCOMMITTEE ON ECONOMIC POLICY

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on National Security and International Trade and Finance and the Subcommittee on Economic Policy be authorized to meet during the session of the Senate on November 19, 2013, at 3:30 p.m., to conduct a hearing entitled, ''The Present and Future Impact of Virtual Currency.''

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

PRIVILEGES OF THE FLOOR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that MAJ Casey Williams, a U.S. Army officer who is serving as a military fellow in my office, be granted the privilege of the floor for the remainder of the first session of the 113th Congress.

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

Mr. INHOFE. Mr. President, I ask unanimous consent to extend floor privileges to MAJ Richard Anderson, our Army fellow, for the remainder of this calendar year.

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

Mr. NELSON. Mr. President, I ask unanimous consent that Col. B.B. Lange, a defense fellow assigned to our office, be granted privileges of the floor for the purpose of the Defense bill.

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

Mr. MANCHIN. Mr. President, I ask unanimous consent that Dan Gilbert, my Department of Defense Fellow, and Erica Miller, my State Department Fellow, be granted floor privileges for the duration of the National Defense Authorization Act, through final passage.

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

Mr. LEVIN. Mr. President, I ask unanimous consent that Alec Johnson, a legislative fellow detailed to the Committee on Appropriations, be granted floor privileges for the duration of the consideration of the National Defense Authorization Act for Fiscal Year 2014.

I ask unanimous consent that CDR Tasya Y. Lacy, a U.S. Naval officer, who is currently serving as Senator SHAHEEN's defense legislative fellow this year, be granted floor privileges during the duration of S. 1197, the National Defense Authorization Act for 2014. I also ask unanimous consent that floor privileges be granted to Maj. Nate Somers, a U.S. Air Force officer who is serving as a defense legislative fellow in Senator CARDIN's office, for the duration of consideration of S. 1197.

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

UNANIMOUS CONSENT AGREEMENT—S. 1197

Mr. DONNELLY. I ask unanimous consent that when the Senate resumes consideration of S. 1197 on Wednesday, November 20, there be up to 6 hours of debate only on the issue of sexual assault, with Senator GILLIBRAND or designee controlling 3 hours, Senators MCCASKILL and AYOTTE or designees each controlling 75 minutes, the ranking member or designee controlling 20 minutes, and the chairman or designee controlling 10 minutes.

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

DOOLITTLE TOKYO RAIDERS CONGRESSIONAL GOLD MEDAL

Mr. DONNELLY. I ask unanimous consent the Banking, Housing and Urban Affairs Committee be discharged from further consideration of S. 381 and the Senate proceed to its consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 381) to award a Congressional Gold Medal to the World War II members of the ''Doolittle Tokyo Raiders,'' for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

There being no objection, the Senate proceeded to consider the bill.

Mr. DONNELLY. I ask unanimous consent the Brown amendment, which is at the desk, be agreed to, the bill, as amended, be read three times and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The amendment (No. 2344) was agreed to.

(The text of the amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill (S. 381), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 381

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds that—

(1) on April 18, 1942, the brave men of the 17th Bombardment Group (Medium) became known as the ''Doolittle Tokyo Raiders'' for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo;

(2) 80 brave American aircraft crewmen, led by Lieutenant Colonel James Doolittle, volunteered for an ''extremely hazardous mission'', without knowing the target, location,