

amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3372. Mr. DURBIN (for himself, Mrs. BOXER, Mr. HARKIN, Mr. REED, Mr. BLUMENTHAL, Mr. MARKEY, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3373. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3374. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 3290.** Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

### TITLE \_\_\_\_\_—BUDGET AND ACCOUNTING TRANSPARENCY

#### SEC. 01. SHORT TITLE.

This title may be cited as the “Budget and Accounting Transparency Act of 2014”.

#### Subtitle A—Fair Value Estimates

#### SEC. 11. CREDIT REFORM.

(a) IN GENERAL.—Title V of the Congressional Budget Act of 1974 is amended to read as follows:

#### “TITLE V—FAIR VALUE

#### “SEC. 500. SHORT TITLE.

“This title may be cited as the ‘Fair Value Accounting Act of 2014’.

#### “SEC. 501. PURPOSES.

“The purposes of this title are to—

“(1) measure more accurately the costs of Federal credit programs by accounting for them on a fair value basis;

“(2) place the cost of credit programs on a budgetary basis equivalent to other Federal spending;

“(3) encourage the delivery of benefits in the form most appropriate to the needs of beneficiaries; and

“(4) improve the allocation of resources among Federal programs.

#### “SEC. 502. DEFINITIONS.

“For purposes of this title:

“(1) The term ‘direct loan’ means a disbursement of funds by the Government to a non-Federal borrower under a contract that requires the repayment of such funds with or without interest. The term includes the purchase of, or participation in, a loan made by another lender and financing arrangements that defer payment for more than 90 days, including the sale of a Government asset on credit terms. The term does not include the acquisition of a federally guaranteed loan in satisfaction of default claims or the price support loans of the Commodity Credit Corporation.

“(2) The term ‘direct loan obligation’ means a binding agreement by a Federal agency to make a direct loan when specified conditions are fulfilled by the borrower.

“(3) The term ‘loan guarantee’ means any guarantee, insurance, or other pledge with respect to the payment of all or a part of the principal or interest on any debt obligation of a non-Federal borrower to a non-Federal lender, but does not include the insurance of deposits, shares, or other withdrawable accounts in financial institutions.

“(4) The term ‘loan guarantee commitment’ means a binding agreement by a Federal agency to make a loan guarantee when specified conditions are fulfilled by the borrower, the lender, or any other party to the guarantee agreement.

“(5)(A) The term ‘cost’ means the sum of the Treasury discounting component and the risk component of a direct loan or loan guarantee, or a modification thereof.

“(B) The Treasury discounting component shall be the estimated long-term cost to the Government of a direct loan or loan guarantee, or modification thereof, calculated on a net present value basis, excluding administrative costs and any incidental effects on governmental receipts or outlays.

“(C) The risk component shall be an amount equal to the difference between—

“(i) the estimated long-term cost to the Government of a direct loan or loan guarantee, or modification thereof, estimated on a fair value basis, applying the guidelines set forth by the Financial Accounting Standards Board in Financial Accounting Standards #157, or a successor thereto, excluding administrative costs and any incidental effects on governmental receipts or outlays; and

“(ii) the Treasury discounting component of such direct loan or loan guarantee, or modification thereof.

“(D) The Treasury discounting component of a direct loan shall be the net present value, at the time when the direct loan is disbursed, of the following estimated cash flows:

“(i) Loan disbursements.

“(ii) Repayments of principal.

“(iii) Essential preservation expenses, payments of interest and other payments by or to the Government over the life of the loan after adjusting for estimated defaults, prepayments, fees, penalties, and other recoveries, including the effects of changes in loan terms resulting from the exercise by the borrower of an option included in the loan contract.

“(E) The Treasury discounting component of a loan guarantee shall be the net present value, at the time when the guaranteed loan is disbursed, of the following estimated cash flows:

“(i) Payments by the Government to cover defaults and delinquencies, interest subsidies, essential preservation expenses, or other payments.

“(ii) Payments to the Government including origination and other fees, penalties, and recoveries, including the effects of changes in loan terms resulting from the exercise by the guaranteed lender of an option included in the loan guarantee contract, or by the borrower of an option included in the guaranteed loan contract.

“(F) The cost of a modification is the sum of—

“(i) the difference between the current estimate of the Treasury discounting component of the remaining cash flows under the terms of a direct loan or loan guarantee and the current estimate of the Treasury discounting component of the remaining cash flows under the terms of the contract, as modified; and

“(ii) the difference between the current estimate of the risk component of the remaining cash flows under the terms of a direct loan or loan guarantee and the current estimate of the risk component of the remaining

cash flows under the terms of the contract as modified.

“(G) In estimating Treasury discounting components, the discount rate shall be the average interest rate on marketable Treasury securities of similar duration to the cash flows of the direct loan or loan guarantee for which the estimate is being made.

“(H) When funds are obligated for a direct loan or loan guarantee, the estimated cost shall be based on the current assumptions, adjusted to incorporate the terms of the loan contract, for the fiscal year in which the funds are obligated.

“(6) The term ‘program account’ means the budget account into which an appropriation to cover the cost of a direct loan or loan guarantee program is made and from which such cost is disbursed to the financing account.

“(7) The term ‘financing account’ means the nonbudget account or accounts associated with each program account which holds balances, receives the cost payment from the program account, and also includes all other cash flows to and from the Government resulting from direct loan obligations or loan guarantee commitments made on or after October 1, 1991.

“(8) The term ‘liquidating account’ means the budget account that includes all cash flows to and from the Government resulting from direct loan obligations or loan guarantee commitments made prior to October 1, 1991. These accounts shall be shown in the budget on a cash basis.

“(9) The term ‘modification’ means any Government action that alters the estimated cost of an outstanding direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) from the current estimate of cash flows. This includes the sale of loan assets, with or without recourse, and the purchase of guaranteed loans (or direct loan obligations) or loan guarantees (or loan guarantee commitments) such as a change in collection procedures.

“(10) The term ‘current’ has the same meaning as in section 250(c)(9) of the Balanced Budget and Emergency Deficit Control Act of 1985.

“(11) The term ‘Director’ means the Director of the Office of Management and Budget.

“(12) The term ‘administrative costs’ means costs related to program management activities, but does not include essential preservation expenses.

“(13) The term ‘essential preservation expenses’ means servicing and other costs that are essential to preserve the value of loan assets or collateral.

#### “SEC. 503. OMB AND CBO ANALYSIS, COORDINATION, AND REVIEW.

“(a) IN GENERAL.—For the executive branch, the Director shall be responsible for coordinating the estimates required by this title. The Director shall consult with the agencies that administer direct loan or loan guarantee programs.

“(b) DELEGATION.—The Director may delegate to agencies authority to make estimates of costs. The delegation of authority shall be based upon written guidelines, regulations, or criteria consistent with the definitions in this title.

“(c) COORDINATION WITH THE CONGRESSIONAL BUDGET OFFICE.—In developing estimation guidelines, regulations, or criteria to be used by Federal agencies, the Director shall consult with the Director of the Congressional Budget Office.

“(d) IMPROVING COST ESTIMATES.—The Director and the Director of the Congressional Budget Office shall coordinate the development of more accurate data on historical performance and prospective risk of direct loan and loan guarantee programs. They shall annually review the performance of

outstanding direct loans and loan guarantees to improve estimates of costs. The Office of Management and Budget and the Congressional Budget Office shall have access to all agency data that may facilitate the development and improvement of estimates of costs.

“(e) HISTORICAL CREDIT PROGRAMS COSTS.—The Director shall review, to the extent possible, historical data and develop the best possible estimates of adjustments that would convert aggregate historical budget data to credit reform accounting.

**“SEC. 504. BUDGETARY TREATMENT.**

“(a) PRESIDENT’S BUDGET.—Beginning with fiscal year 2017, the President’s budget shall reflect the costs of direct loan and loan guarantee programs. The budget shall also include the planned level of new direct loan obligations or loan guarantee commitments associated with each appropriations request. For each fiscal year within the five-fiscal year period beginning with fiscal year 2017, such budget shall include, on an agency-by-agency basis, subsidy estimates and costs of direct loan and loan guarantee programs with and without the risk component.

“(b) APPROPRIATIONS REQUIRED.—Notwithstanding any other provision of law, new direct loan obligations may be incurred and new loan guarantee commitments may be made for fiscal year 2017 and thereafter only to the extent that—

“(1) new budget authority to cover their costs is provided in advance in an appropriation Act;

“(2) a limitation on the use of funds otherwise available for the cost of a direct loan or loan guarantee program has been provided in advance in an appropriation Act; or

“(3) authority is otherwise provided in appropriation Acts.

“(c) EXEMPTION FOR DIRECT SPENDING PROGRAMS.—Subsections (b) and (e) shall not apply to—

“(1) any direct loan or loan guarantee program that constitutes an entitlement (such as the guaranteed student loan program or the veteran’s home loan guaranty program);

“(2) the credit programs of the Commodity Credit Corporation existing on the date of enactment of this title; or

“(3) any direct loan (or direct loan obligation) or loan guarantee (or loan guarantee commitment) made by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation.

“(d) BUDGET ACCOUNTING.—

“(1) The authority to incur new direct loan obligations, make new loan guarantee commitments, or modify outstanding direct loans (or direct loan obligations) or loan guarantees (or loan guarantee commitments) shall constitute new budget authority in an amount equal to the cost of the direct loan or loan guarantee in the fiscal year in which definite authority becomes available or indefinite authority is used. Such budget authority shall constitute an obligation of the program account to pay to the financing account.

“(2) The outlays resulting from new budget authority for the cost of direct loans or loan guarantees described in paragraph (1) shall be paid from the program account into the financing account and recorded in the fiscal year in which the direct loan or the guaranteed loan is disbursed or its costs altered.

“(3) All collections and payments of the financing accounts shall be a means of financing.

“(e) MODIFICATIONS.—An outstanding direct loan (or direct loan obligation) or loan guarantee (or loan guarantee commitment) shall not be modified in a manner that increases its costs unless budget authority for

the additional cost has been provided in advance in an appropriation Act.

“(f) REESTIMATES.—When the estimated cost for a group of direct loans or loan guarantees for a given program made in a single fiscal year is re-estimated in a subsequent year, the difference between the reestimated cost and the previous cost estimate shall be displayed as a distinct and separately identified subaccount in the program account as a change in program costs and a change in net interest. There is hereby provided permanent indefinite authority for these re-estimates.

“(g) ADMINISTRATIVE EXPENSES.—All funding for an agency’s administrative costs associated with a direct loan or loan guarantee program shall be displayed as distinct and separately identified subaccounts within the same budget account as the program’s cost.

**“SEC. 505. AUTHORIZATIONS.**

“(a) AUTHORIZATION FOR FINANCING ACCOUNTS.—In order to implement the accounting required by this title, the President is authorized to establish such non-budgetary accounts as may be appropriate.

“(b) TREASURY TRANSACTIONS WITH THE FINANCING ACCOUNTS.—

“(1) IN GENERAL.—The Secretary of the Treasury shall borrow from, receive from, lend to, or pay to the financing accounts such amounts as may be appropriate. The Secretary of the Treasury may prescribe forms and denominations, maturities, and terms and conditions for the transactions described in the preceding sentence, except that the rate of interest charged by the Secretary on lending to financing accounts (including amounts treated as lending to financing accounts by the Federal Financing Bank (hereinafter in this subsection referred to as the ‘Bank’) pursuant to section 405(b)) and the rate of interest paid to financing accounts on uninvested balances in financing accounts shall be the same as the rate determined pursuant to section 502(5)(G).

“(2) LOANS.—For guaranteed loans financed by the Bank and treated as direct loans by a Federal agency pursuant to section 406(b)(1), any fee or interest surcharge (the amount by which the interest rate charged exceeds the rate determined pursuant to section 502(5)(G)) that the Bank charges to a private borrower pursuant to section 6(c) of the Federal Financing Bank Act of 1973 shall be considered a cash flow to the Government for the purposes of determining the cost of the direct loan pursuant to section 502(5). All such amounts shall be credited to the appropriate financing account.

“(3) REIMBURSEMENT.—The Bank is authorized to require reimbursement from a Federal agency to cover the administrative expenses of the Bank that are attributable to the direct loans financed for that agency. All such payments by an agency shall be considered administrative expenses subject to section 504(g). This subsection shall apply to transactions related to direct loan obligations or loan guarantee commitments made on or after October 1, 1991.

“(4) AUTHORITY.—The authorities provided in this subsection shall not be construed to supersede or override the authority of the head of a Federal agency to administer and operate a direct loan or loan guarantee program.

“(5) TITLE 31.—All of the transactions provided in the subsection shall be subject to the provisions of subchapter II of chapter 15 of title 31, United States Code.

“(6) TREATMENT OF CASH BALANCES.—Cash balances of the financing accounts in excess of current requirements shall be maintained in a form of uninvested funds and the Secretary of the Treasury shall pay interest on

these funds. The Secretary of the Treasury shall charge (or pay if the amount is negative) financing accounts an amount equal to the risk component for a direct loan or loan guarantee, or modification thereof. Such amount received by the Secretary of the Treasury shall be a means of financing and shall not be considered a cash flow of the Government for the purposes of section 502(5).

“(c) AUTHORIZATION FOR LIQUIDATING ACCOUNTS.—(1) Amounts in liquidating accounts shall be available only for payments resulting from direct loan obligations or loan guarantee commitments made prior to October 1, 1991, for—

“(A) interest payments and principal repayments to the Treasury or the Federal Financing Bank for amounts borrowed;

“(B) disbursements of loans;

“(C) default and other guarantee claim payments;

“(D) interest supplement payments;

“(E) payments for the costs of foreclosing, managing, and selling collateral that are capitalized or routinely deducted from the proceeds of sales;

“(F) payments to financing accounts when required for modifications;

“(G) administrative costs and essential preservation expenses, if—

“(i) amounts credited to the liquidating account would have been available for administrative costs and essential preservation expenses under a provision of law in effect prior to October 1, 1991; and

“(ii) no direct loan obligation or loan guarantee commitment has been made, or any modification of a direct loan or loan guarantee has been made, since September 30, 1991; or

“(H) such other payments as are necessary for the liquidation of such direct loan obligations and loan guarantee commitments.

“(2) Amounts credited to liquidating accounts in any year shall be available only for payments required in that year. Any unobligated balances in liquidating accounts at the end of a fiscal year shall be transferred to miscellaneous receipts as soon as practicable after the end of the fiscal year.

“(3) If funds in liquidating accounts are insufficient to satisfy obligations and commitments of such accounts, there is hereby provided permanent, indefinite authority to make any payments required to be made on such obligations and commitments.

“(d) REINSURANCE.—Nothing in this title shall be construed as authorizing or requiring the purchase of insurance or reinsurance on a direct loan or loan guarantee from private insurers. If any such reinsurance for a direct loan or loan guarantee is authorized, the cost of such insurance and any recoveries to the Government shall be included in the calculation of the cost.

“(e) ELIGIBILITY AND ASSISTANCE.—Nothing in this title shall be construed to change the authority or the responsibility of a Federal agency to determine the terms and conditions of eligibility for, or the amount of assistance provided by a direct loan or a loan guarantee.

**“SEC. 506. TREATMENT OF DEPOSIT INSURANCE AND AGENCIES AND OTHER INSURANCE PROGRAMS.**

“This title shall not apply to the credit or insurance activities of the Federal Deposit Insurance Corporation, National Credit Union Administration, Resolution Trust Corporation, Pension Benefit Guaranty Corporation, National Flood Insurance, National Insurance Development Fund, Crop Insurance, or Tennessee Valley Authority.

**SEC. 507. EFFECT ON OTHER LAWS.**

“(a) EFFECT ON OTHER LAWS.—This title shall supersede, modify, or repeal any provision of law enacted prior to the date of enactment of this title to the extent such provision is inconsistent with this title. Nothing in this title shall be construed to establish a credit limitation on any Federal loan or loan guarantee program.

“(b) CREDITING OF COLLECTIONS.—Collections resulting from direct loans obligated or loan guarantees committed prior to October 1, 1991, shall be credited to the liquidating accounts of Federal agencies. Amounts so credited shall be available, to the same extent that they were available prior to the date of enactment of this title, to liquidate obligations arising from such direct loans obligated or loan guarantees committed prior to October 1, 1991, including repayment of any obligations held by the Secretary of the Treasury or the Federal Financing Bank. The unobligated balances of such accounts that are in excess of current needs shall be transferred to the general fund of the Treasury. Such transfers shall be made from time to time but, at least once each year.”

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by striking the items relating to title V and inserting the following:

**“TITLE V—FAIR VALUE**

“Sec. 500. Short title.

“Sec. 501. Purposes.

“Sec. 502. Definitions.

“Sec. 503. OMB and CBO analysis, coordination, and review.

“Sec. 504. Budgetary treatment.

“Sec. 505. Authorizations.

“Sec. 506. Treatment of deposit insurance and agencies and other insurance programs.

“Sec. 507. Effect on other laws.”

**SEC. 12. BUDGETARY ADJUSTMENT.**

(a) IN GENERAL.—Section 251(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following new sentence: “A change in discretionary spending solely as a result of the amendment to title V of the Congressional Budget Act of 1974 made by the Budget and Accounting Transparency Act of 2014 shall be treated as a change of concept under this paragraph.”

(b) REPORT.—Before adjusting the discretionary caps pursuant to the authority provided in subsection (a), the Office of Management and Budget shall report to the Committees on the Budget of the House of Representatives and the Senate on the amount of that adjustment, the methodology used in determining the size of that adjustment, and a program-by-program itemization of the components of that adjustment.

(c) SCHEDULE.—The Office of Management and Budget shall not make an adjustment pursuant to the authority provided in subsection (a) sooner than 60 days after providing the report required in subsection (b).

**SEC. 13. EFFECTIVE DATE.**

The amendments made by section 11 shall take effect beginning with fiscal year 2017.

**Subtitle B—Budgetary Treatment****SEC. 21. CBO AND OMB STUDIES RESPECTING BUDGETING FOR COSTS OF FEDERAL INSURANCE PROGRAMS.**

Not later than 1 year after the date of enactment of this Act, the Directors of the Congressional Budget Office and of the Office of Management and Budget shall each prepare a study and make recommendations to the Committees on the Budget of the House of Representatives and the Senate as to the

feasibility of applying fair value concepts to budgeting for the costs of Federal insurance programs.

**SEC. 22. ON-BUDGET STATUS OF FANNIE MAE AND FREDDIE MAC.**

Notwithstanding any other provision of law, the receipts and disbursements, including the administrative expenses, of the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation shall be counted as new budget authority, outlays, receipts, or deficit or surplus for purposes of—

(1) the budget of the United States Government as submitted by the President;

(2) the congressional budget; and

(3) the Balanced Budget and Emergency Deficit Control Act of 1985.

**SEC. 23. EFFECTIVE DATE.**

Section 22 shall not apply with respect to an enterprise (as such term is defined in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502)) after the date that all of the following have occurred:

(1) The conservatorship for such enterprise under section 1367 of such Act (12 U.S.C. 4617) has been terminated.

(2) The Director of the Federal Housing Finance Agency has certified in writing that such enterprise has repaid to the Federal Government the maximum amount consistent with minimizing total cost to the Federal Government of the financial assistance provided to the enterprise by the Federal Government pursuant to the amendments made by section 1117 of the Housing and Economic Recovery Act of 2008 (Public Law 110-289; 122 Stat. 2683) or otherwise.

(3) The charter for the enterprise has been revoked, annulled, or terminated and the authorizing statute (as such term is defined in such section 1303) with respect to the enterprise has been repealed.

**Subtitle C—Budget Review and Analysis****SEC. 41. CBO AND OMB REVIEW AND RECOMMENDATIONS RESPECTING RECEIPTS AND COLLECTIONS.**

Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget shall prepare a study of the history of offsetting collections against expenditures and the amount of receipts collected annually, the historical application of the budgetary terms “revenue”, “offsetting collections”, and “offsetting receipts”, and review the application of those terms and make recommendations to the Committees on the Budget of the House of Representatives and the Senate of whether such usage should be continued or modified. The Director of the Congressional Budget Office shall review the history and recommendations prepared by the Director of the Office of Management and Budget and shall submit comments and recommendations to such Committees.

**SEC. 42. AGENCY BUDGET JUSTIFICATIONS.**

Section 1108 of title 31, United States Code, is amended by inserting at the end the following new subsections:

“(h)(1) Whenever any agency prepares and submits written budget justification materials for any committee of the House of Representatives or the Senate, such agency shall post such budget justification on the same day of such submission on the ‘open’ page of the public website of the agency, and the Office of Management and Budget shall post such budget justification in a centralized location on its website, in the format developed under paragraph (2). Each agency shall include with its written budget justification the process and methodology the agency is using to comply with the Fair Value Accounting Act of 2014.

“(2) The Office of Management and Budget, in consultation with the Congressional Bud-

get Office and the Government Accountability Office, shall develop and notify each agency of the format in which to post a budget justification under paragraph (1). Such format shall be designed to ensure that posted budget justifications for all agencies—

“(A) are searchable, sortable, and downloadable by the public;

“(B) are consistent with generally accepted standards and practices for machine-discoverability;

“(C) are organized uniformly, in a logical manner that makes clear the contents of a budget justification and relationships between data elements within the budget justification and among similar documents; and

“(D) use uniform identifiers, including for agencies, bureaus, programs, and projects.

“(i)(1) Not later than the day that the Office of Management and Budget issues guidelines, regulations, or criteria to agencies on how to calculate the risk component under the Fair Value Accounting Act of 2014, it shall submit a written report to the Committees on the Budget of the House of Representatives and the Senate containing all such guidelines, regulations, or criteria.

“(2) For fiscal year 2017 and each of the next four fiscal years thereafter, the Comptroller General shall submit an annual report to the Committees on the Budget of the House of Representatives and the Senate reviewing and evaluating the progress of agencies in the implementation of the Fair Value Accounting Act of 2014.

“(3) Such guidelines, regulations, or criteria shall be deemed to be a rule for purposes of section 553 of title 5 and shall be issued after notice and opportunity for public comment in accordance with the procedures under such section.”

**SA 3291.** Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 108, strike lines 8 through 12 and insert the following:

(e) None of the funds made available in this or any other appropriations Act may be used—

(1) for travel and conference activities that are not in compliance with the policies established in Office of Management and Budget Memorandum M-12-12, Promoting Efficient Spending to Support Agency Operations, issued May 11, 2012; or

(2) to establish or implement a policy that discourages or prohibits the selection of a location for travel, an event, a meeting, or a conference because the location is perceived to be a resort or vacation destination before, on, or after the date of enactment of this Act.

**SA 3292.** Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Sec. \_\_\_\_\_. None of the funds made available by this Act or any other Act may be used for—

(1) any action by the Federal Deposit Insurance Corporation to classify the sale or manufacture of a firearm or ammunition as an activity involving risk; or

(2) any action by the Department of Justice to discourage the provision or continuation of credit or the processing of payments by any financial institution to a manufacturer, dealer, or importer of firearms or ammunition, based on the fact that the business is a manufacturer, dealer, or importer of firearms or ammunition.

**SA 3293.** Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

In title I of division A, insert after section 110 the following:

SEC. 111. None of the funds appropriated or otherwise made available under this Act may be used to negotiate any trade agreement or treaty with the People's Republic of China unless the President first certifies to Congress that, in the one-year period preceding the certification, the Government of the People's Republic of China has not engaged in the intervention or manipulation of the exchange rate between the renminbi and the United States dollar for the purposes of—

- (1) preventing the effective balance of payments adjustments; or
- (2) gaining an unfair competitive advantage in international trade.

**SA 3294.** Mrs. SHAHEEN (for herself, Mr. KIRK, Mr. TOOMEY, Mr. MCCAIN, Ms. AYOTTE, Mr. WARNER, Ms. COLLINS, Mr. PORTMAN, Mr. COATS, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

SEC. 7. None of the funds appropriated or otherwise made available by this division shall be used to pay the salaries and expenses of personnel of the Department of Agriculture to make nonrecourse loans available to processors of sugarcane or sugar beets under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) and notwithstanding the provisions of that section, if the gross revenue from sugar of any such processor exceeded \$300,000,000 in the previous fiscal year.

**SA 3295.** Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) SHORT TITLE.—This section may be cited as the “Saving Kids From Dangerous Drugs Act of 2014”.

(b) OFFENSES INVOLVING CONTROLLED SUBSTANCES MARKETED TO MINORS.—Section 401 of the Controlled Substances Act (21 U.S.C. 841) is amended by adding at the end the following:

“(1) OFFENSES INVOLVING CONTROLLED SUBSTANCES MARKETED TO MINORS.—

“(1) UNLAWFUL ACT.—Except as authorized under this title, including paragraph (3), it shall be unlawful for any person at least 18 years of age to—

“(A) knowingly or intentionally manufacture or create a controlled substance listed in schedule I or II that is—

“(i) combined with a beverage or candy product;

“(ii) marketed or packaged to appear similar to a beverage or candy product; or

“(iii) modified by flavoring or coloring; and

“(B) know, or have reasonable cause to believe, that the combined, marketed, packaged, or modified controlled substance will be distributed, dispensed, or sold to a person under 18 years of age.

“(2) PENALTIES.—Except as provided in section 418, 419, or 420, any person who violates paragraph (1) of this subsection shall be subject to—

“(A) an additional term of imprisonment of not more than 10 years for a first offense involving the same controlled substance and schedule; and

“(B) an additional term of imprisonment of not more than 20 years for a second or subsequent offense involving the same controlled substance and schedule.

“(3) EXCEPTIONS.—Paragraph (1) shall not apply to any controlled substance that—

“(A) has been approved by the Secretary under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), if the contents, marketing, and packaging of the controlled substance have not been altered from the form approved by the Secretary; or

“(B) has been altered at the direction of a practitioner who is acting for a legitimate medical purpose in the usual course of professional practice.”.

(c) SENTENCING GUIDELINES.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review its guidelines and policy statements to ensure that the guidelines provide an appropriate additional penalty increase to the sentence otherwise applicable in Part D of the Guidelines Manual if the defendant was convicted of a violation of section 401(i) of the Controlled Substances Act, as added by subsection (b).

**SA 3296.** Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. EXTRATERRITORIAL DRUG TRAFFICKING ACTIVITY.

(a) POSSESSION, MANUFACTURE OR DISTRIBUTION FOR PURPOSES OF UNLAWFUL IMPORTATIONS.—Section 1009 of the Controlled Substances Import and Export Act (21 U.S.C. 959) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) in subsection (a), by striking “It shall” and all that follows and inserting the following: “It shall be unlawful for any person to manufacture or distribute a controlled

substance in schedule I or II or flunitrazepam or a listed chemical intending, knowing, or having reasonable cause to believe that such substance or chemical will be unlawfully imported into the United States or into waters within a distance of 12 miles of the coast of the United States.

“(b) It shall be unlawful for any person to manufacture or distribute a listed chemical—

“(1) intending or knowing that the listed chemical will be used to manufacture a controlled substance; and

“(2) intending, knowing, or having reasonable cause to believe that the controlled substance will be unlawfully imported into the United States.”.

(b) TRAFFICKING IN COUNTERFEIT GOODS OR SERVICES.—Chapter 113 of title 18, United States Code, is amended—

(1) in section 2318(b)(2), by striking “section 2320(e)” and insertion “section 2320(f)”; and

(2) in section 2320—

(A) in subsection (a), by striking paragraph (4) and inserting the following:

“(4) traffics in a drug and knowingly uses a counterfeit mark on or in connection with such drug;”;

(B) in subsection (b)(3), in the matter preceding subparagraph (A), by striking “counterfeit drug” and inserting “drug that uses a counterfeit mark on or in connection with the drug”; and

(C) in subsection (f), by striking paragraph (6) and inserting the following:

“(6) the term ‘drug’ means a drug, as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).”.

**SA 3297.** Mr. TOOMEY (for himself and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 89, line 20, strike “\$775,000,000” and insert “\$1,500,000,000”.

**SA 3298.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division A, insert the following:

SEC. \_\_\_\_\_. (a) Notwithstanding any other provision of this Act—

(1) the total amount made available under the heading “JUVENILE JUSTICE PROGRAMS” under the heading “OFFICE OF JUSTICE PROGRAMS” under the heading “DEPARTMENT OF JUSTICE” under title II of this division shall be \$259,250,000; and

(2) the amount made available for missing and exploited children programs under paragraph (6) under the heading “JUVENILE JUSTICE PROGRAMS” under the heading “OFFICE OF JUSTICE PROGRAMS” under the heading “DEPARTMENT OF JUSTICE” under title II of this division shall be \$69,750,000: *Provided*, That not less than \$27,500,000 shall be used for grants to the National Center for Missing and Exploited Children and not less than \$30,000,000 shall be used for task force

grants, training, and technical assistance, research and statistics, and administrative costs for the Internet Crimes Against Children Task Force program, of which not less than \$1,000,000 shall be used for Internet Crimes Against Children training and technical assistance programs.

(b) Notwithstanding any other provision of this Act, the amount made available under the heading "PERIODIC CENSUSES AND PROGRAMS" under the heading "BUREAU OF THE CENSUS" under the heading "DEPARTMENT OF COMMERCE" in title I of this division shall be \$893,244,000.

**SA 3299.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Not later than 90 days after the date of enactment of this Act, each agency that is appropriated funds under this Act shall submit to the Committee on Appropriations and Committee on the Budget of the Senate and the Committee on Appropriations and Committee on the Budget of the House of Representatives a report on—

(1) the total amount of funds the agency spends on advertising on television, radio, Internet websites, blogs, social media, newspapers, magazines, billboards, posters, and brochures;

(2) the amount of funds the agency spends on each form of advertising described in paragraph (1); and

(3) of the amount described in paragraph (1), the amount spent on advertisements to attract job applicants and the amount spent for other advertisement purposes.

**SA 3300.** Mr. TOOMEY (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. None of the funds made available under this Act may be used by the Federal Housing Administration, the Government National Mortgage Association, or the Department of Housing and Urban Development to insure, securitize, or guarantee—

(1) any mortgage that refinances or otherwise replaces a mortgage that a State, municipality, or any other political subdivision of a State seized, took, or otherwise obtained by the exercise of the power of eminent domain; or

(2) any mortgage-backed security collateralized by a mortgage or pool of mortgages described under paragraph (1).

**SA 3301.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7\_\_\_\_\_. Notwithstanding any other provision of this Act, in the matter under the heading "AGRICULTURAL PROGRAMS" of title I—

(1) the amount made available under the heading "OFFICE OF THE SECRETARY" shall be reduced by \$1,250,000, and not more than \$24,061,000 shall be available for Departmental Administration;

(2) the amount made available under the heading "OFFICE OF THE GENERAL COUNSEL" shall be reduced by \$3,182,500;

(3) the amount made available under the heading "ECONOMIC RESEARCH SERVICE" shall be reduced by \$3,657,500;

(4) the amount made available under the heading "NATIONAL AGRICULTURAL STATISTICS SERVICE" shall be reduced by \$8,474,000;

(5) the amount made available under the heading "SALARIES AND EXPENSES" under the heading "AGRICULTURAL RESEARCH SERVICE" shall be reduced by \$8,595,500; and

(6) the amount made available under the heading "RESEARCH AND EDUCATION ACTIVITIES" under the heading "NATIONAL INSTITUTE OF FOOD AND AGRICULTURE" shall be reduced by \$35,542,000, and no funds shall be used for—

(A) supplemental and alternative crops;

(B) aquaculture renters;

(C) sustainable agriculture research and education;

(D) the alfalfa forage and research program;

(E) special research grants for potato research;

(F) special research grants for aquaculture research; or

(G) the organic transition program.

**SA 3302.** Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

SEC. 7\_\_\_\_\_. Notwithstanding any other provision of this division—

(1) the amount made available under the heading "FOOD FOR PEACE TITLE II GRANTS" under the heading "FOREIGN AGRICULTURAL SERVICE" under the heading "FOREIGN ASSISTANCE AND RELATED PROGRAMS" in title V shall be \$1,225,900,000;

(2) the amount made available under section 738 for the Emergency Watershed Protection Program shall be \$234,528,000; and

(3) the amount made available under section 738 for the Emergency Conservation Program shall be \$136,255,000.

**SA 3303.** Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

SEC. 7\_\_\_\_\_. None of the funds made available by this division may be used to pay the

salaries and expenses of any officers or employees of the Department of Agriculture to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any individual that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the Federal agency responsible for collecting the tax liability, if the officers or employees of the Department of Agriculture are aware of the unpaid tax liability, unless a Federal agency has considered suspension or debarment of the individual and has made a determination that suspension or debarment of the individual is not necessary to protect the interests of the United States.

**SA 3304.** Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

SEC. 7\_\_\_\_\_. None of the funds made available by this Act may be used to pay the salaries and expenses of any officers or employees of the Department of Agriculture to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any individual that was convicted of a felony criminal violation under any Federal law during the 2-year period ending on the date of enactment of this Act, if the officers or employees of the Department of Agriculture are aware of the conviction, unless the officers or employees of the Department of Agriculture have considered suspension or debarment of the individual and made a determination that the prohibition of funds under this section is not necessary to protect the interests of the United States.

**SA 3305.** Mr. LEE (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement, administer, or enforce the proposed rule entitled "Affirmatively Furthering Fair Housing", published by the Department of Housing and Urban Development in the Federal Register on July 19, 2013 (78 Fed. Reg. 43710; Docket No. FR-5173-P-01).

**SA 3306.** Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes;

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

On page 387, after line 23, add the following:

SEC. 7 \_\_\_\_\_. Notwithstanding any other provision of this division—

(1) the amount made available under the heading “OFFICE OF THE SECRETARY” under the heading “PRODUCTION, PROCESSING AND MARKETING” under the heading “AGRICULTURAL PROGRAMS” in title I shall be \$31,466,000, of which reduction—

(A) \$1,800,000 shall be derived from funds made available for the immediate Office of the Secretary;

(B) \$9,000,000 shall be derived from funds made available for Departmental Administration;

(C) \$1,400,000 shall be derived from funds made available for the Office of the Assistant Secretary for Congressional Relations; and

(D) \$2,800,000 shall be derived from funds made available for the Office of Communications;

(2) the amount made available under the heading “OFFICE OF THE GENERAL COUNSEL” under the heading “AGRICULTURAL PROGRAMS” in title I shall be \$32,567,000; and

(3) the amount made available under the heading “CHILD NUTRITION PROGRAMS” under the heading “FOOD AND NUTRITION SERVICE” under the heading “DOMESTIC FOOD PROGRAMS” in title IV shall be \$20,527,000,000, of which \$30,000,000 shall remain available until expended to carry out section 749(g) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (Public Law 111–80; 123 Stat. 2132).

**SA 3307.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Sec. \_\_\_\_\_. Of the funds made available under title VI of division C the heading “SALARIES AND EXPENSES” under the heading “FOOD AND DRUG ADMINISTRATION” under the heading “DEPARTMENT OF HEALTH AND HUMAN SERVICES”, \$20,000,000 shall not be available for obligation until the Commissioner of Food and Drugs: (1) finalizes the draft guidance entitled “Guidance for Industry: Abuse-Deterrent Opioids—Evaluation and Labeling”, issued in January 2013; (2) provides to Congress a report detailing the methodology used by the Food and Drug Administration for postmarket tracking of Zohydro and findings as of the date of enactment of this Act; and (3) produces documents responsive to Senator Manchin’s letter to the Commissioner of Food and Drugs dated October 9, 2013, relating to conferences of the Initiative on Methods, Measurement, and Pain Assessment in Clinical Trials and Analgesic, Anesthetic, and Addiction Clinical Trial Translations, Innovations, Opportunities, and Networks: *Provided*, That if the Food and Drug Administration fails to meet such conditions by June 30, 2015, such funds shall be made available for obligation to the Food and Drug Administration’s Office of Criminal Investigation for the purpose of assisting Federal, State, and local agencies to combat the diversion and illegal sales of controlled substances.

**SA 3308.** Mr. MURPHY submitted an amendment intended to be proposed to

amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 220, line 18, strike “\$135,000,000, to remain available until September 30, 2018: *Provided*” and insert “\$160,000,000, to remain available until September 30, 2018: *Provided*, That of the amounts made available under this heading, all such amounts in excess of \$135,000,000 shall be used only for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act: *Provided further*”.

On page 230, line 24, strike “\$250,000,000” and insert “\$225,000,000”.

**SA 3309.** Mr. HARKIN submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 118, between lines 19 and 20, insert the following:

SEC. 105. Not later than one year after the date of the enactment of this Act, the Secretary of Transportation shall promulgate a final rule for all air carriers subject to section 41705 of title 49, United States Code, that requires that, to the maximum extent possible and at the earliest possible date, any visually displayed entertainment programming and information available to passengers on a flight be accessible to individuals with disabilities, including by making available or providing open captioning, closed captioning, and video description, and that any devices delivering individual programming must be capable of being independently operated by individuals with disabilities.

**SA 3310.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 212, line 5, strike “\$950,000,000” and insert “\$700,000,000”.

**SA 3311.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 111, line 20, strike “\$550,000,000” and insert “\$100,000,000”.

**SA 3312.** Mr. FLAKE submitted an amendment intended to be proposed to

amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 109, line 14, strike “\$108,000,000” and insert “\$107,000,000”.

**SA 3313.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 161, line 5, strike “\$110,500,000” and insert “\$105,933,000”.

**SA 3314.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 232, strike line 9 and all that follows through page 233, line 23.

**SA 3315.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 157, line 24, strike “\$1,390,000,000” and insert “\$1,190,000,000”.

**SA 3316.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 160, after line 22, add the following:

SEC. 154. No Federal funds may be used by the National Railroad Passenger Corporation to subsidize food, beverage, or first class services.

**SA 3317.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related

Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 160, after line 22, add the following:

**SEC. 154. NO FEDERAL FUNDS MAY BE USED BY THE NATIONAL RAILROAD PASSENGER CORPORATION TO SUBSIDIZE AMTRAK ROUTES THAT OFFER FREE RIDERSHIP, INCLUDING THE AMTRAK RESIDENCY PROGRAM.**

**SA 3318.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 207, strike line 17 and all that follows through page 208, line 2.

**SA 3319.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 227, line 10, strike “\$46,000,000” and insert “\$40,000,000”.

**SA 3320.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 325, line 25, strike “\$900,000,000” and insert “\$360,000,000”.

On page 326, line 12, strike “\$66,420,000” and insert “\$9,792,000”.

**SA 3321.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 371, strike lines 14 through 16.

**SA 3322.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes;

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

On page 336, beginning on line 19, strike “groups;” and all that follows through line 23, and insert “groups.”

**SA 3323.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

**SEC. 7.** None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out the Quality Samples Program of the Foreign Agricultural Service of the Department of Agriculture.

**SA 3324.** Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII of division \_\_\_\_, add the following:

**SEC. \_\_\_\_.** None of the funds made available by this Act may be used to pay the salaries and expenses of any officers or employees of the Department of Agriculture or the Federal Crop Insurance Corporation to carry out section 522(b) of the Federal Crop Insurance Act (7 U.S.C. 1522(b)).

**SA 3325.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

**SEC. 7.** Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) is amended by adding at the end the following:

“(9) LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.—

“(A) DEFINITION OF AVERAGE ADJUSTED GROSS INCOME.—In this paragraph, the term ‘average adjusted gross income’ has the meaning given the term in section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(a)).

“(B) LIMITATION.—Notwithstanding any other provision of this subtitle and beginning with the 2015 reinsurance year, in the case of any producer that is a person or legal entity that has an average adjusted gross income in excess of \$750,000 based on the most recent data available from the Farm Service Agency as of the beginning of the reinsurance year, the total amount of premium subsidy provided with respect to additional coverage under subsection (c), section 508B, or section 508C issued on behalf of the producer for a reinsurance year shall be 15 percentage points less than the premium subsidy pro-

vided in accordance with this subsection that would otherwise be available for the applicable policy, plan of insurance, and coverage level selected by the producer.

“(C) APPLICATION.—

“(i) STUDY.—Not later than 1 year after the date of enactment of this paragraph, the Secretary, in consultation with the Government Accountability Office, shall carry out a study to determine the effects of the limitation described in subparagraph (B) on—

“(I) the overall operations of the Federal crop insurance program;

“(II) the number of producers participating in the Federal crop insurance program;

“(III) the level of coverage purchased by participating producers;

“(IV) the amount of premiums paid by participating producers and the Federal Government;

“(V) any potential liability for participating producers, approved insurance providers, and the Federal Government;

“(VI) different crops or growing regions;

“(VII) program rating structures;

“(VIII) creation of schemes or devices to evade the impact of the limitation; and

“(IX) administrative and operating expenses paid to approved insurance providers and underwriting gains and loss for the Federal government and approved insurance providers.

“(ii) EFFECTIVENESS.—The limitation described in subparagraph (B) shall not take effect unless the Secretary determines, through the study described in clause (i), that the limitation would not—

“(I) significantly increase the premium amount paid by producers with an average adjusted gross income of less than \$750,000;

“(II) result in a decline in the crop insurance coverage available to producers; and

“(III) increase the total cost of the Federal crop insurance program.”.

**SA 3326.** Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** None of the funds made available by this division may be used to carry out section 209 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1627a).

**SA 3327.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

**SEC. 7.** None of the funds made available by this Act may be used for the construction, funding, installation, or operation of ethanol blender pumps.

**SA 3328.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce

and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

SEC. 7. None of the funds made available by this Act may be used to carry out the revenue assurance harvest price option program administered by the Secretary of Agriculture.

**SA 3329.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 321, line 24, before the period at the end insert “: *Provided*, That the Federal Crop Insurance Corporation may only make premium payments on behalf of producers whose names are made publically available”.

**SA 3330.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 67, between lines 15 and 16, insert the following:

SEC. 221. (a) In this section, the term “Crime Victims Fund amounts” means the sums described in section 1402(d)(3) of chapter XIV of title II of Public Law 98-473 (42 U.S.C. 10601(d)(3)) that are available for obligation under section 510 of title V of this division.

(b) The Crime Victims Fund amounts—

(1) shall be available for—

(A) the United States Attorneys Offices and the Federal Bureau of Investigation to provide and improve services for the benefit of crime victims in the Federal criminal justice system (as described in 3771 of title 18, United States Code, and section 503 of the Victims’ Rights and Restitution Act of 1990 (42 U.S.C. 10607)) through victim coordinators, victims’ specialists, and advocates, including for the administrative support of victim coordinators and advocates providing such services; and

(B) a Victim Notification System; and

(2) may not be used for any purpose that is not specific in subparagraph (A) or (B) of paragraph (1).

**SA 3331.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 10, beginning on line 13, strike “from” and all that follows through “That” on line 16.

On page 12, line 7, strike “not to exceed” and all that follows through “That” on line 9.

On page 26, line 1, strike “of the” and all that follows through “That” on line 4.

On page 27, line 24, strike “of the” and all that follows through “That” on page 28, line 2.

On page 30, line 18, strike “\$6,000” and all that follows through line 19 and insert “\$15,000,000 shall”.

On page 33, strike lines 7 through 9 and insert “until expended.”.

On page 34, line 6, strike “expended and not to” and all that follows through line 8 and insert “expended.”.

On page 34, line 20, strike “\$36,000” and all that follows through line 21 and insert “\$1,000,000 shall be”.

On page 36, line 6, strike “\$5,400” and all that follows through “exceed” on line 8.

On page 59, strike lines 19 through 24.

On page 108, between lines 12 and 13, insert the following:

SEC. 540. Notwithstanding any other provision of this Act, none of the funds made available under this division may be used for official reception or representation expenses.

**SA 3332.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, line 15, strike “\$5,000,000” and all that follows through “decision-making” on line 16.

**SA 3333.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, line 20, strike “\$12,972,000” and insert “\$12,000,000”.

**SA 3334.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 51, strike lines 15 and 16.

**SA 3335.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 8 and 9, insert the following:

SEC. 111. (a) No amount appropriated or otherwise made available by this title under the heading “NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY” may be used to develop or deploy laboratory-to-market strategies that accelerate collaboration and commercialization of Federal technologies.

(b) The amount appropriated or otherwise made available by this title under each heading under the heading “NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY” is reduced on a pro rata basis in a manner such that the aggregate amount of such reduction is \$6,000,000.

**SA 3336.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 8 and 9, insert the following:

SEC. 111. (a) None of the funds appropriated or otherwise made available by this title may be obligated or expended to carry out activities of the SelectUSA program of the International Trade Administration.

(b) The amount appropriated or otherwise made available by this title under the heading “OPERATIONS AND ADMINISTRATION” under the heading “INTERNATIONAL TRADE ADMINISTRATION” is hereby decreased by \$15,000,000.

**SA 3337.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 5, strike line 6 and all that follows through page 6, line 16.

**SA 3338.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Notwithstanding any other provision of this Act—

(1) no funds shall be made available under the heading “SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE” under the heading “LEGAL ACTIVITIES” under the heading “DEPARTMENT OF JUSTICE” under title II of division A of this Act; and

(2) of the amounts made available under the heading “STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE” under the heading “STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES” under the heading “DEPARTMENT OF JUSTICE” under title II of division A of this Act—

(A) the total amount made available for grants, contracts, cooperative agreements,

and other assistance authorized under provisions of law described under such heading shall be \$1,162,472,000;

(B) the amount made available for the Edward Byrne Memorial Justice Assistance Grant program shall be \$388,972,000; and

(C) the amount made available for a Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative (VALOR) shall be \$27,297,000.

**SA 3339.** Mr. HELLER (for himself, Mrs. McCASKILL, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. GRASSLEY, Mr. RUBIO, Ms. AYOTTE, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, line 15, insert “including to provide training for campus officials, victim advocates, or campus law enforcement officials who are the initial point of contact for victims of sexual assault,” after “campus.”

**SA 3340.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . SAFE COMMUNITIES.**

(a) **SHORT TITLE.**—This section may be cited as the “Keep Our Communities Safe Act of 2014”.

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

(1) Constitutional rights should be upheld and protected;

(2) Congress intends to uphold the Constitutional principle of due process; and

(3) due process of the law is a right afforded to everyone in the United States.

(c) **DETENTION OF DANGEROUS ALIENS DURING REMOVAL PROCEEDINGS.**—Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended—

(1) by striking “Attorney General” each place such term appears (except in the second place it appears in subsection (a)) and inserting “Secretary of Homeland Security”;

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “the Secretary of Homeland Security or” before “the Attorney General—”; and

(B) in paragraph (2)(B), by striking “conditional parole” and inserting “recognizance”;

(3) in subsection (b)—

(A) in the subsection heading, by striking “PAROLE” and inserting “RECOGNIZANCE”; and

(B) by striking “parole” and inserting “recognizance”;

(4) in subsection (c)(1), by striking the undesignated matter following subparagraph (D) and inserting the following:

“any time after the alien is released, without regard to whether an alien is released related to any activity, offense, or conviction described in this paragraph; to whether the alien is released on parole, supervised release, or probation; or to whether the alien

may be arrested or imprisoned again for the same offense. If the activity described in this paragraph does not result in the alien being taken into custody by any person other than the Secretary, then when the alien is brought to the attention of the Secretary or when the Secretary determines it is practical to take such alien into custody, the Secretary shall take such alien into custody.”;

(5) in subsection (e), by striking “Attorney General’s” and inserting “Secretary of Homeland Security’s”; and

(6) by adding at the end the following:

“(g) **LENGTH OF DETENTION.**—

“(1) Notwithstanding any other provision of this section, an alien may be detained under this section for any period, without limitation, except as provided in subsection (i), until the alien is subject to a final order of removal.

“(2) The length of detention under this section shall not affect a detention under section 241.

“(h) **ADMINISTRATIVE REVIEW.**—

“(1) **LIMITATION.**—The Attorney General’s review of the Secretary’s custody determinations under subsection (a) shall be limited to whether the alien may be detained, released on bond (of at least \$1,500 with security approved by the Secretary), or released with no bond. Any review involving an alien described in paragraph (2)(D) shall be limited to a determination of whether the alien is properly included in such category.

“(2) **CLASSES OF ALIENS.**—The Attorney General’s shall review the Secretary’s custody determinations for the following classes of aliens:

“(A) Aliens in exclusion proceedings.

“(B) Aliens described in sections 212(a)(3) and 237(a)(4).

“(C) Aliens described in subsection (c).

“(D) Aliens in deportation proceedings subject to section 242(a)(2) (as in effect between April 24, 1996 and April 1, 1997).

“(i) **RELEASE ON BOND.**—

“(1) **IN GENERAL.**—An alien detained under subsection (a) may seek release on bond. No bond may be granted except to an alien who establishes by clear and convincing evidence that the alien is not a flight risk or a risk to another person or the community.

“(2) **CERTAIN ALIENS INELIGIBLE.**—No alien detained under subsection (c) may seek release on bond.”.

(d) **ALIENS ORDERED REMOVED.**—Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—

(1) by striking “Attorney General” each place it appears, except for the first place it appears in paragraph (4)(B)(i), and inserting “Secretary of Homeland Security”;

(2) in paragraph (1)—

(A) by amending subparagraphs (B) and (C) to read as follows:

“(B) **BEGINNING OF PERIOD.**—The removal period begins on the latest of—

“(i) the date on which the order of removal becomes administratively final;

“(ii) the date on which the alien is taken into such custody if the alien is not in the custody of the Secretary on the date on which the order of removal becomes administratively final; and

“(iii) the date on which the alien is taken into the custody of the Secretary after the alien is released from detention or confinement if the alien is detained or confined (except for an immigration process) on the date on which the order of removal becomes administratively final.

“(C) **SUSPENSION OF PERIOD.**—

“(i) **EXTENSION.**—The removal period shall be extended beyond a period of 90 days and the Secretary may, in the Secretary’s sole discretion, keep the alien in detention during such extended period, if—

“(I) the alien fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary’s efforts to establish the alien’s identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien’s departure or conspires or acts to prevent the alien’s removal that is subject to an order of removal;

“(II) a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to an administratively final order of removal;

“(III) the Secretary transfers custody of the alien pursuant to law to another Federal agency or a State or local government agency in connection with the official duties of such agency; or

“(IV) a court or the Board of Immigration Appeals orders a remand to an immigration judge or the Board of Immigration Appeals, during the time period when the case is pending a decision on remand (with the removal period beginning anew on the date that the alien is ordered removed on remand).

“(ii) **RENEWAL.**—If the removal period has been extended under clause (i), a new removal period shall be deemed to have begun on the date on which—

“(I) the alien makes all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary’s efforts to establish the alien’s identity and carry out the removal order;

“(II) the stay of removal is no longer in effect; or

“(III) the alien is returned to the custody of the Secretary.

(iii) **MANDATORY DETENTION FOR CERTAIN ALIENS.**—The Secretary shall keep an alien described in subparagraphs (A) through (D) of section 236(c)(1) in detention during the extended period described in clause (i).

(iv) **SOLE FORM OF RELIEF.**—An alien may only seek relief from detention under this subparagraph by filing an application for a writ of habeas corpus in accordance with chapter 153 of title 28, United States Code. No alien whose period of detention is extended under this subparagraph shall have the right to seek release on bond.”;

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by inserting “or is not detained pursuant to paragraph (6)” after “the removal period”; and

(B) by amending subparagraph (D) to read as follows:

“(D) to obey reasonable restrictions on the alien’s conduct or activities that the Secretary prescribes for the alien—

“(i) to prevent the alien from absconding;

“(ii) for the protection of the community; or

“(iii) for other purposes related to the enforcement of Federal immigration laws.”;

(4) in paragraph (4)(A), by striking “paragraph (2)” and inserting “subparagraph (B)”; and

(5) by amending paragraph (6) to read as follows:

“(6) **ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS.**—

“(A) **DETENTION REVIEW PROCESS FOR COOPERATIVE ALIENS ESTABLISHED.**—

“(i) **IN GENERAL.**—The Secretary shall establish an administrative review process to determine whether an alien who is not otherwise subject to mandatory detention, who has made all reasonable efforts to comply with a removal order and to cooperate fully with the Secretary of Homeland Security’s efforts to establish the alien’s identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the

alien's departure, and who has not conspired or acted to prevent removal should be detained or released on conditions.

“(ii) DETERMINATION.—The Secretary shall make a determination whether to release an alien after the removal period in accordance with subparagraph (B), which—

“(I) shall include consideration of any evidence submitted by the alien; and

“(II) may include consideration of any other evidence, including—

“(aa) any information or assistance provided by the Secretary of State or other Federal official; and

“(bb) any other information available to the Secretary of Homeland Security pertaining to the ability to remove the alien.

“(B) AUTHORITY TO DETAIN BEYOND REMOVAL PERIOD.—

“(i) IN GENERAL.—The Secretary of Homeland Security may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period under paragraph 1)(C)). An alien whose detention is extended under this subparagraph shall not have the right to seek release on bond.

“(ii) SPECIFIC CIRCUMSTANCES.—The Secretary of Homeland Security may continue to detain an alien beyond the 90 days authorized under clause (i)—

“(I) until the alien is removed, if the Secretary determines that there is a significant likelihood that the alien—

“(aa) will be removed in the reasonably foreseeable future;

“(bb) would be removed in the reasonably foreseeable future; or

“(cc) would have been removed if the alien had not—

“(AA) failed or refused to make all reasonable efforts to comply with the removal order;

“(BB) failed or refused to cooperate fully with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure; or

“(CC) conspired or acted to prevent removal;

“(II) until the alien is removed, if the Secretary of Homeland Security certifies in writing—

“(aa) in consultation with the Secretary of Health and Human Services, that the alien has a highly contagious disease that poses a threat to public safety;

“(bb) after receipt of a written recommendation from the Secretary of State, that release of the alien is likely to have serious adverse foreign policy consequences for the United States;

“(cc) based on information available to the Secretary of Homeland Security (including classified, sensitive, or national security information, and without regard to the grounds upon which the alien was ordered removed), that there is reason to believe that the release of the alien would threaten the national security of the United States; or

“(dd) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or of any person; and

“(AA) the alien has been convicted of 1 or more aggravated felonies (as defined in section 101(a)(43)(A)) or of 1 or more crimes identified by the Secretary of Homeland Security by regulation, or of 1 or more attempts or conspiracies to commit any such aggravated felonies or such identified crimes, if the aggregate term of imprisonment for such attempts or conspiracies is at least 5 years; or

“(BB) the alien has committed 1 or more crimes of violence (as defined in section 16 of

title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder and behavior associated with that condition or disorder, the alien is likely to engage in acts of violence in the future; or

“(III) pending a certification under subsection (II), if the Secretary of Homeland Security has initiated the administrative review process not later than 30 days after the expiration of the removal period (including any extension of the removal period under paragraph 1)(C)).

“(iii) NO RIGHT TO BOND HEARING.—An alien whose detention is extended under this subparagraph shall not have a right to seek release on bond, including by reason of a certification under clause (ii)(II).

“(C) RENEWAL AND DELEGATION OF CERTIFICATION.—

“(i) RENEWAL.—The Secretary of Homeland Security may renew a certification under subparagraph (B)(ii)(II) every 6 months after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew a certification, the Secretary may not continue to detain the alien under subparagraph (B)(ii)(II).

“(ii) DELEGATION.—Notwithstanding section 103, the Secretary of Homeland Security may not delegate the authority to make or renew a certification described in item (bb), (cc), or (dd) of subparagraph (B)(ii)(II) below the level of the Assistant Secretary for Immigration and Customs Enforcement.

“(iii) HEARING.—The Secretary of Homeland Security may request that the Attorney General or the Attorney General's designee provide for a hearing to make the determination described in subparagraph (B)(ii)(II)(dd)(BB).

“(D) RELEASE ON CONDITIONS.—If it is determined that an alien should be released from detention by a Federal court, the Board of Immigration Appeals, or if an immigration judge orders a stay of removal, the Secretary of Homeland Security may impose conditions on release as provided under paragraph (3).

“(E) REDETENTION.—

“(i) IN GENERAL.—The Secretary of Homeland Security, without any limitations other than those specified in this section, may detain any alien subject to a final removal order who is released from custody if—

“(I) removal becomes likely in the reasonably foreseeable future;

“(II) the alien fails to comply with the conditions of release or to continue to satisfy the conditions described in subparagraph (A); or

“(III) upon reconsideration, the Secretary determines that the alien can be detained under subparagraph (B).

“(ii) APPLICABILITY.—This section shall apply to any alien returned to custody pursuant to this subparagraph as if the removal period terminated on the day of the redetention.

“(F) REVIEW OF DETERMINATIONS BY SECRETARY.—A determination by the Secretary under this paragraph shall not be subject to review by any other agency.”

(e) SEVERABILITY.—If any of the provisions of this section, any amendment made by this section, or the application of any such provision to any person or circumstance, is held to be invalid for any reason, the remainder of this section, the amendments made by this section, and the application of the provisions and amendments made by this section to any other person or circumstance shall not be affected by such holding.

(f) EFFECTIVE DATES.—

(1) APPREHENSION AND DETENTION OF ALIENS.—The amendments made by sub-

section (c) shall take effect on the date of the enactment of this Act. Section 236 of the Immigration and Nationality Act, as amended by subsection (c), shall apply to any alien in detention under the provisions of such section on or after such date of enactment.

(2) ALIENS ORDERED REMOVED.—The amendments made by subsection (d) shall take effect on the date of the enactment of this Act. Section 241 of the Immigration and Nationality Act, as amended by subsection (d), shall apply to—

(A) all aliens subject to a final administrative removal, deportation, or exclusion order that was issued before, on, or after the date of the enactment of this Act; and

(B) acts and conditions occurring or existing before, on, or after such date of enactment.

**SA 3341.** Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, line 19, insert before the period the following: “, and \$5,000,000 shall be used by the Attorney General to investigate the release of 36,007 criminal aliens by the Secretary of Homeland Security pending their removal and the 68,000 criminal aliens that United States Immigration and Customs Enforcement encountered, primarily in jails, and chose not to proceed against for removal in 2013”.

**SA 3342.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. No funds made available under this Act under the heading “COMMUNITY ORIENTED POLICING SERVICES” may be used by a government entity in violation of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

**SA 3343.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) Congress makes the following findings:

(1) The text of the United States Constitution clearly confers upon an individual the right to bear arms.

(2) The United Nations Arms Trade Treaty establishes a separate category of small arms and light weapons to which all Treaty provisions must apply, which could subject firearms lawfully owned by law-abiding United States citizens to international regulation.

(3) The Treaty urges recordkeeping of weapons transferred or sold within the United States, which could result in the creation of a de-facto registry of law-abiding United States citizens who lawfully own firearms.

(b) None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 or any fiscal year thereafter for the Department of Justice may be obligated or expended to implement the Arms Trade Treaty, or to make any change to existing programs, projects, or activities as approved by Congress in furtherance of, pursuant to, or otherwise to implement the Arms Trade Treaty, unless the Arms Trade Treaty has been signed by the President, received the advice and consent of the Senate, and has been the subject of implementing legislation by Congress.

**SA 3344.** Mrs. FISCHER (for herself and Mr. RUBIO) submitted an amendment intended to be proposed by her to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PREVENTING REGULATORY OVERREACH TO ENHANCE CARE TECHNOLOGY.**

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds as follows:

(A) The mobile health and mobile application economy was created in the United States and is now being exported globally, with the market expected to exceed \$26,000,000,000 by 2017.

(B) The United States mobile application economy is responsible for nearly 500,000 new jobs in the United States.

(C) Consumer health information technologies, including smart phones and tablets, have the potential to transform health care delivery through reduced systemic costs, improved patient safety, and better clinical outcomes.

(D) Clinical and health software innovation cycles evolve and move faster than the existing regulatory approval processes.

(E) Consumers and innovators need a new risk-based framework for the oversight of clinical and health software that improves on the framework of the Food and Drug Administration.

(F) A working group convened jointly by the Food and Drug Administration, the Federal Communications Commission, and the Office of the National Coordinator for Health Information Technology identified in a report that there are several major barriers to the effective regulation of health information technology that cannot be alleviated without changes to existing law.

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

(A) the President and Congress must intervene to facilitate interagency coordination across regulators that focuses agency efforts on fostering health information technology and mobile health innovation while better protecting patient safety, improving health care, and creating jobs in the United States;

(B) the President and the Congress should work together to develop and enact legislation that establishes a risk-based regulatory framework for such clinical software and health software that reduces regulatory burdens, fosters innovation, and, most importantly, improves patient safety;

(C) The National Institute of Standards and Technology should be the Federal agen-

cy that has oversight over technical standards used by clinical software; and

(D) The National Institute of Standards and Technology, in collaboration with the Federal Communications Commission, the National Patient Safety Foundation, and the Office of the National Coordinator for Health Information Technology, should work on next steps, beyond current oversight efforts, regarding health information technology, such as collaborating with nongovernmental entities to develop certification processes and to promote best practice standards.

**(b) CLINICAL SOFTWARE AND HEALTH SOFTWARE.—**

(1) DEFINITIONS.—Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by adding at the end the following:

“(ss)(1) The term ‘clinical software’ means clinical decision support software or other software (including any associated hardware and process dependencies) intended for human or animal use that—

“(A) captures, analyzes, changes, or presents patient or population clinical data or information and may recommend courses of clinical action, but does not directly change the structure or any function of the body of man or other animals; and

“(B) is intended to be marketed for use only by a health care provider in a health care setting.

“(2) The term ‘health software’ means software (including any associated hardware and process dependencies) that is not clinical software and—

“(A) that captures, analyzes, changes, or presents patient or population clinical data or information;

“(B) that supports administrative or operational aspects of health care and is not used in the direct delivery of patient care; or

“(C) whose primary purpose is to act as a platform for a secondary software, to run or act as a mechanism for connectivity, or to store data.

“(3) The terms ‘clinical software’ and ‘health software’ do not include software—

“(A) that is intended to interpret patient-specific device data and directly diagnose a patient or user without the intervention of a health care provider;

“(B) that conducts analysis of radiological or imaging data in order to provide patient-specific diagnostic and treatment advice to a health care provider;

“(C) whose primary purpose is integral to the function of a drug or device; or

“(D) that is a component of a device.”.

(2) PROHIBITION.—Subchapter A of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by adding at the end the following:

**“SEC. 524B. CLINICAL SOFTWARE AND HEALTH SOFTWARE.**

“Clinical software and health software shall not be subject to regulation under this Act.”.

(c) EXCLUSION FROM DEFINITION OF DEVICE.—Section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h)) is amended by adding at the end “The term ‘device’ does not include clinical software or health software.”.

**SA 3345.** Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**INTERNET GOVERNANCE AND DOMAIN NAME SYSTEM OVERSIGHT**

SEC. \_\_\_\_ . None of the amounts made available under this Act may be used by the National Telecommunications and Information Administration to plan for or implement any change to—

(1) the contract between the United States Government and the Internet Corporation for Assigned Names and Numbers to carry out the Internet Assigned Numbers Authority functions; or

(2) the Cooperative Agreement between the United States Government and VeriSign to perform root zone management functions.

**SA 3346.** Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division A, insert the following:

SEC. \_\_\_\_ . The Department of Justice may not use any funds to bring suit based on disparate impact against a State or local school choice program, including a charter school program, or a school voucher, tax credit, or scholarship program that involves students who attend a private elementary school or secondary school.

**SA 3347.** Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . IRS SPECIAL PROSECUTOR.**

(a) APPROPRIATION FOR SPECIAL PROSECUTOR.—There are appropriated to the Attorney General out of any money in the Treasury not otherwise appropriated, \$800,000 for the appointment of a special prosecutor, who shall be a United States attorney, to investigate (and prosecute if warranted) actions by the Internal Revenue Service, its officers and employees, and other individuals involved in the targeting of groups that applied for tax exempt status, including the targeting of groups the names of which include the terms “Tea Party” or “Patriot”. Amounts appropriated under this subsection may be used to pay salaries and expenses for employees and consultants, including forensic experts to obtain electronic evidence, including recovery of allegedly lost e-mails.

(b) OFFSET.—Notwithstanding any other provision of this Act, the amount appropriated for necessary expenses for information sharing technology, including planning, development, deployment and departmental direction under the heading “JUSTICE INFORMATION SHARING TECHNOLOGY” under the heading “GENERAL ADMINISTRATION” under the heading “DEPARTMENT OF JUSTICE” under title II of division A of this Act shall be \$25,042,000.

**SA 3348.** Ms. CANTWELL (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other

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

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

SEC. 7 \_\_\_\_\_. Notwithstanding any other provision of this Act, the amount made available for fiscal year 2015 to carry out section 4213 of the Agricultural Act of 2014 (42 U.S.C. 1755b) shall be \$2,000,000, and the amount made available under the heading "AGRICULTURE BUILDINGS AND FACILITIES (INCLUDING TRANSFERS OF FUNDS)" of title I shall be \$62,844,000.

**SA 3349.** Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 298, line 17, after "Secretary:", insert the following: "not to exceed \$3,000,000 may be available for the cost of loans under the rural energy savings program authorized by section 6407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107a) and, if the Secretary of Agriculture elects to so use the funds, the Secretary shall promulgate a proposed rule to implement the program not later than 90 days after the date of enactment of this Act;"

**SA 3350.** Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 324, line 17, before the period at the end insert ": *Provided further*, That of the amounts made available for the Natural Resources Conservation Service, the Risk Management Agency, and the Farm Service Agency, the Secretary of Agriculture shall use such amounts as are necessary to continue the Interagency Task Force to Harmonize Policies on Cover Crops during fiscal year 2015 to maintain reasonable and effective guidance regarding cover crops and crop insurance that align with evolving cover crop practices"

**SA 3351.** Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 307, line 20, before the period at the end, insert ": *Provided further*, That the Secretary of Agriculture, acting through the Director of the National Institute of Food and Agriculture, shall use such sums as are necessary of funds made available for the National Institute of Food and Agriculture to coordinate research efforts to collect information regarding cover crop practices, adoption rates, and effects on soil health and crop

yields, and to provide effective and widespread dissemination of the results of the research to agricultural producers through extension and outreach activities"

**SA 3352.** Mr. FLAKE (for himself, Mr. RISCH, Mr. MORAN, Mr. ROBERTS, and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) The Senate finds the following:

(1) On May 14, 2013, the Treasury Inspector General for Tax Administration released the audit report, "Inappropriate Criteria Were Used to Identify Tax-Exempt Applications for Review," detailing the inappropriate targeting of social welfare organizations by the Internal Revenue Service (referred to in this section as the "IRS").

(2) There are on-going Congressional investigations of the inappropriate targeting by the IRS of social welfare organizations that necessitate the prompt sharing of all requested documents.

(3) On June 13, 2014, the IRS disclosed that a computer failure reportedly resulted in a loss of emails sent or received by former IRS Exempt Organizations Director Lois Lerner for the period between January 1, 2009, and April 2011.

(4) On June 16, 2014, it was exposed that the emails of 6 other IRS employees involved in the inappropriate targeting were also reportedly unrecoverable.

(5) A thorough investigation of the inappropriate targeting of social welfare organizations by the IRS is essential to ensure future confidence in the integrity of the United States tax administration.

(b) It is the sense of the Senate that—

(1) the Commissioner of the IRS and other Administration officials involved in the investigation of the inappropriate targeting by the IRS of social welfare organizations should provide full cooperation to the investigation; and

(2) the on-going bipartisan Senate Finance Committee investigation should be encouraged to include efforts to uncover details related to the loss of emails and the subsequent discovery and reporting of such loss.

**SA 3353.** Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

SEC. 7 \_\_\_\_\_. None of the funds made available under this division for the Agricultural Research Service may be used to continue to carry out extramural research projects, or to operate research laboratories, that have been identified for termination by the Secretary of Agriculture.

**SA 3354.** Mr. MCCAIN submitted an amendment intended to be proposed to

amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 357, strike line 16 and all that follows through page 359, line 12, and insert the following:

SEC. 702. Notwithstanding any other provision of this division, the Secretary of Agriculture shall transfer unobligated balances of discretionary funds appropriated under this division or any other available unobligated discretionary balances of the Department of Agriculture to the general fund of the Treasury for the purpose of debt reduction.

**SA 3355.** Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 156, between lines 19 and 20, insert the following:

SEC. 1 \_\_\_\_\_. None of the funds made available by this division shall be used to administer the National Roadside Safety Administration.

**SA 3356.** Mr. COBURN (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

After section 110 of title I of division A, insert the following:

SEC. 111. No amount appropriated or otherwise made available by this Act may be used to purchase or pay for any good or service offered by the National Technical Information Service that is otherwise available for free or at a lower cost from a different source.

**SA 3357.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 301. (a) None of the funds made available by this Act may be used to carry out the functions of the Political Science Program in the Division of Social and Economic Sciences of the Directorate for Social, Behavioral, and Economic Sciences of the National Science Foundation, except for research projects that the Director of the National Science Foundation certifies as promoting national security or the economic interests of the United States.

(b) The Director of the National Science Foundation shall publish a statement of the reason for each certification made pursuant to subsection (a) on the public website of the National Science Foundation.

(c) Any unobligated balances for the Political Science Program described in subsection (a) may be provided for other scientific research and studies that do not duplicate those being funded by other Federal agencies.

**SA 3358.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ . None of the funds made available for specialty crop block grants under section 101 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465), the provision of value-added agricultural product market development grants to producers under section 231(b) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a(b)), and the market access program established under section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) may be used—

- (1) to sponsor field days at, or attend, amusement parks or festivals;
- (2) to support pageants or tours by pageant winners;
- (3) for the production of television shows;
- (4) for animal spa products;
- (5) for cat or dog food or other pet food;
- (6) for wine tastings, beer festivals or beer award contests, beer tasting or beer school seminars, and tastings or seminars for alcohol of any kind (including whiskeys and distilled spirits); and
- (7) for award shows and contests.

**SA 3359.** Mr. PAUL (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ . Before applying the provisions for awarding discretionary grants for capital investments in surface transportation infrastructure set forth under the heading "NATIONAL INFRASTRUCTURE INVESTMENTS", the Secretary of Transportation, shall prioritize the distribution of such funding by ranking the projects for which such grants are sought, in descending order, based upon the following criteria:

- (1) The extent of the positive impact the project will have on 1 or more interstate highways.
- (2) The project will repair or replace a road or bridge that—
  - (A) has been determined to be structurally or functionally obsolete; and
  - (B) poses a risk to public safety.
- (3) The extent of the positive impact of the project on interstate commerce, as evidenced by an examination of economic indicators, including—
  - (A) the impact of the project on shipping and trucking commerce;

(B) the project's nexus to other States; and  
(C) the availability of alternative routes.

(4) The difference between—  
(A) the estimated volume of traffic that will utilize the road or bridge after the project is completed; and

(B) the volume of traffic that the existing road or bridge was designed to accommodate.

(5) The national significance of the project, rather than the regional significance of the project.

(6) The ability of the State or local government to provide additional funding for the project.

**SA 3360.** Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 317, line 22, strike "": *Provided further,*" and all that follows through "on Appropriations" on page 318, line 3.

**SA 3361.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, line 19, insert "": *Provided, That \$38,333,333 of the amount appropriated under this heading may not be expended until after the Attorney General produces and disseminates, through appropriate channels in the United States, El Salvador, Guatemala, and Honduras, a public service announcement video that features the President of the United States explaining that current and recent illicit border crossers, including unaccompanied alien children, are not covered by, and will not receive consideration of, deferred action for childhood arrivals, and any legislative remedy Congress approves to deal with aliens who entered the United States illegally as children will likely require the alien to have resided in the United States for an extended period" before the period at the end.*

**SA 3362.** Mr. CASEY submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 346, line 4, insert before the period at the end the following: "*Provided further, That of the funds made available under this heading, \$1,000,000 may be used to provide necessary expenses of the Administrator of the Food and Nutrition Service to allow a veteran to be considered disabled for purposes of benefits under the supplemental nutrition assistance program during any period in which the veteran has filed a claim for*

disability compensation with the Secretary of Veterans Affairs and the claim has not yet been adjudicated by the Secretary".

**SA 3363.** Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . UNUSED EARMARKS.**

(a) **SHORT TITLE.**—This section may be cited as the "Orphan Earmarks Act".

(b) **DEFINITIONS.**—In this section—

(1) the term "agency" has the meaning given the term "Executive agency" under section 105 of title 5, United States Code;

(2) the term "earmark" means—  
(A) a congressionally directed spending item, as defined in rule XLIV of the Standing Rules of the Senate; and

(B) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives; and

(3) the term "unused DOT earmark" means an earmark of funds provided for the Department of Transportation as to which more than 90 percent of the dollar amount of the earmark of funds remains available for obligation at the end of the 9th fiscal year following the fiscal year during which the earmark was made available.

(c) **RESCISSIONS.**—

(1) **FEDERAL RAILROAD ADMINISTRATION.**—

(A) **SAFETY AND OPERATIONS ACCOUNT.**—Of the unobligated balances available in the Federal Railroad Administration's Safety and Operations Account, \$6,000,000 is hereby rescinded.

(B) **RAILROAD RESEARCH AND DEVELOPMENT ACCOUNT.**—Of the unobligated balances available in the Federal Railroad Administration's Railroad Research and Development Account, \$7,765,000 is hereby rescinded.

(2) **RESCISSIONS OF UNUSED DOT EARMARKS.**—Except as provided in paragraph (3), effective on October 1 of the 10th fiscal year after funds under an unused DOT earmark are made available, all unobligated amounts made available under the unused DOT earmark are rescinded.

(3) **EXCEPTION.**—The Secretary of Transportation may delay the rescission of amounts made available under an unused DOT earmark for 1 year if the Secretary determines that an additional obligation of the earmark is likely to occur during the 10th fiscal year after funds under the unused DOT earmark are made available.

(d) **GRANTS AUTHORIZED.**—

(1) **IN GENERAL.**—The Secretary of Transportation is authorized to award grants, on a competitive basis, to local governments for the purpose of establishing quiet zones in accordance with appendix C to part 222 of title 49, Code of Federal Regulations.

(2) **FUNDING.**—Of the funds made available as a result of the rescissions under subsection (c), \$38,765,000 shall be made available to carry out the grant program authorized under paragraph (1).

(e) **DEFICIT REDUCTION.**—Other than the amount set aside for the grant program under subsection (d), all of the amounts made available as a result of the rescissions under subsection (c) shall be dedicated for the sole purpose of deficit reduction.

(f) **AGENCY-WIDE IDENTIFICATION AND REPORT.**—

(1) **AGENCY IDENTIFICATION.**—Each agency shall identify and submit to the Director of

the Office of Management and Budget an annual report regarding every project of the agency for which—

(A) amounts are made available under an earmark; and

(B) as of the end of a fiscal year, unobligated balances remain available.

(2) ANNUAL REPORT.—The Director of the Office of Management and Budget shall submit to Congress and publically post on the website of the Office of Management and Budget an annual report that includes—

(A) a listing and accounting for earmarks for which unobligated balances remain available, summarized by agency, which shall include, for each earmark—

(i) the amount of funds made available under the original earmark;

(ii) the amount of the unobligated balances that remain available;

(iii) the fiscal year through which the funds are made available, if applicable; and

(iv) recommendations and justifications for whether the earmark should be rescinded or retained in the next fiscal year;

(B) the number of rescissions resulting from this section and the annual savings resulting from this section for the previous fiscal year; and

(C) a listing and accounting for earmarks provided for the Department of Transportation scheduled to be rescinded under subsection (c)(2) at the end of the fiscal year during which the report is submitted.

**SA 3364.** Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 278, line 17, strike “\$103,981,000” and insert “\$108,000,000”.

**SA 3365.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military 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. \_\_\_\_\_ . 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 450 days 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 3366.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military 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. 1087. DEPARTMENT OF VETERANS AFFAIRS STUDY ON MATTERS RELATING TO CLAIMING AND INTERRING UNCLAIMED REMAINS OF VETERANS.**

(a) STUDY AND REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) complete a study on matters relating to the identification, claiming, and interring of unclaimed remains of veterans; and

(2) submit to Congress a report on the findings of the Secretary with respect to the study required under paragraph (1).

(b) MATTERS STUDIED.—The matters studied under subsection (a)(1) shall include the following:

(1) Determining the scope of issues relating to unclaimed remains of veterans, including an estimate of the number of unclaimed remains of veterans on the day before the date of the enactment of this Act.

(2) Assessing the effectiveness of the procedures of the Department of Veterans Affairs for claiming and interring unclaimed remains of veterans.

(3) Identifying and assessing State and local laws that affect the ability of the Secretary to identify, claim, and inter unclaimed remains of veterans.

(4) Developing recommendations for such legislative or administrative action as the Secretary considers appropriate

**SA 3367.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military 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. 1213. 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.

**SA 3368.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military 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. 1213. SENSE OF CONGRESS ON SUPPORT TO ISRAEL TO ADDRESS IRANIAN THREAT.**

It is the sense of Congress that the United States should ensure that Israel, as a critical United States ally, is able to adequately address an existential Iranian nuclear threat, and the Secretary of Defense should seek related opportunities for defense cooperation and partnership on military capabilities where appropriate.

**SA 3369.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military 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. 1087. CORPORAL MICHAEL J. CRESCENZ DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER.**

(a) DESIGNATION.—The medical center of the Department of Veterans Affairs located at 3900 Woodland Avenue in Philadelphia, Pennsylvania, shall after the date of the enactment of this Act be known and designated as the “Corporal Michael J. Crescenz Department of Veterans Affairs Medical Center”.

(b) REFERENCES.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the medical center referred to in subsection (a) shall be considered to be a reference to the Corporal Michael J. Crescenz Department of Veterans Affairs Medical Center.

**SA 3370.** Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 111, line 24, insert “Indian tribe,” after “local government.”

**SA 3371.** Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 114, line 7, before the period insert the following: “: *Provided further*, That of the funds made available under this heading, not less than 3 percent shall be for grants awarded to Indian tribes (as that term is defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)) for projects located on or providing access to Indian lands (as that term is defined in section 3 of the Native American Business Development, Trade Promotion, and Tourism Act of 2000 (25 U.S.C. 4302)).”

**SA 3372.** Mr. DURBIN (for himself, Mrs. BOXER, Mr. HARKIN, Mr. REED, Mr. BLUMENTHAL, Mr. MARKEY, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 118, between lines 19 and 20, insert the following:

SEC. 105. Not later than 90 days after the date of the enactment of this Act, the Secretary of Transportation shall issue a final rule pursuant to the notice of proposed rulemaking relating to the use of electronic cigarettes on aircraft published in the Federal Register on September 15, 2011 (76 Fed. Reg. 57,008).

**SA 3373.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, line 19, insert “: *Provided*, That \$38,333,333 of the amount appropriated under this heading may not be expended until after a public service announcement video is produced by the Federal Government, is disseminated through appropriate channels in the United States, El Salvador, Guatemala, and Honduras, and features the President of the United States explaining that current and recent illicit border crossers, including unaccompanied alien children, are not covered by, and will not receive consideration of, deferred action for childhood arrivals, and any legislation Congress may adopt to provide immigration benefits to aliens who entered the United States illegally as children will likely require the alien to have resided in the United States for an extended period” before the period at the end.

**SA 3374.** Mr. RUBIO submitted an amendment intended to be proposed to

amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 118, between lines 19 and 20, insert the following:

SEC. \_\_\_\_\_. (a)(1) Beginning in fiscal year 2015 and for each subsequent fiscal year, not later than 30 days after the date on which the Secretary of Transportation (referred to in this section as the “Secretary”) selects a project for funding under the heading “NATIONAL INFRASTRUCTURE INVESTMENTS”, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the reasons for selecting the project, based on the criteria set forth in the document entitled “Notice of Funding Availability for the Department of Transportation’s National Infrastructure Investments Under the Consolidated and Further Continuing Appropriations Act, 2013” and published at 78 Fed. Reg. 24786 (April 26, 2013).

(2) The report submitted under paragraph (1) shall specify each criteria established by the Secretary under subsection (a) that the project meets.

(3) The Secretary shall make available on the website of the Department of Transportation the report submitted under paragraph (1).

(4) This subsection applies to all projects funded under the heading “NATIONAL INFRASTRUCTURE INVESTMENTS” that the Secretary selects after January 1, 2014.

(b) Beginning in fiscal year 2015 and for each subsequent fiscal year, not later than 1 year after the date on which the Secretary selects projects for funding under the heading “NATIONAL INFRASTRUCTURE INVESTMENTS”, the Inspector General of the Department of Transportation shall—

(1) conduct an assessment of the establishment, solicitation, selection, and justification process with respect to the funding of projects under the heading “NATIONAL INFRASTRUCTURE INVESTMENTS”; and

(2) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a final report that describes the findings of the Inspector General of the Department of Transportation with respect to the assessment conducted under paragraph (1).

#### NOTICES OF HEARINGS

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

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, June 25, 2014, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building to mark-up S. 2449, Autism Collaboration, Accountability, Research, Education and Support Act, Autism CARES Act, of 2014; S. \_\_\_\_\_, a bill to amend the Employee Retirement Income Security Act of 1974; the nomination of William D. Adams, of Maine, to serve as Chairperson of the National Endowment for the Humanities; and the nomination of Robert M.

Gordon, of the District of Columbia, to serve as Assistant Secretary for the Office of Planning, Evaluation, and Policy Development, Department of Education; as well as any additional nominations cleared for action.

For further information regarding this meeting, please contact the Committee at (202) 224-5375.

##### SUBCOMMITTEE ON WATER AND POWER

Ms. LANDRIEU. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The hearing will be held on Wednesday, June 25, 2014, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing will be to hear testimony on the following measure:

S. 1971, to establish an interagency coordination committee or subcommittee with the leadership of the Department of Energy and the Department of the Interior, focused on the nexus between energy and water production, use, and efficiency, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to John\_Assini@energy.senate.gov.

For further information, please contact Sara Tucker at (202) 224-6224 or John Assini at (202) 224-9313.

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

Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet on June 26, 2014, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building, to conduct a hearing entitled “Sexual Assault on Campus: Working to Ensure Student Safety.”

For further information regarding this meeting, please contact Aissa Canchola of the committee staff on (202) 224-2009.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 19, 2014, at 9:30 a.m.

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

##### COMMITTEE ON ARMED SERVICES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 19, 2014, at 2:30 p.m.

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