

(3) calls on States, localities, schools, universities, nonprofit organizations, businesses, other entities, and the people of the United States to observe National Save for Retirement Week with appropriate programs and activities, with the goal of increasing the retirement savings and personal financial literacy of all people in the United States.

# SENATE RESOLUTION 543—DESIGNATING NOVEMBER 1, 2014, AS NATIONAL BISON DAY

Mr. ENZI (for himself, Mr. JOHNSON of South Dakota, Mr. PORTMAN, Mr. BENNET, Mr. INHOFE, Mr. MARKEY, Mr. WHITEHOUSE, Mr. ROBERTS, Mr. HATCH, Ms. HEITKAMP, Mr. CORNYN, Mr. WICKER, Mr. DONNELLY, Ms. BALDWIN, and Mr. JOHANNES) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 543

Whereas bison are considered a historical symbol of the United States;

Whereas bison were integrally linked with the economic and spiritual lives of many Indian tribes through trade and sacred ceremonies;

Whereas there are more than 60 Indian tribes participating in the Intertribal Buffalo Council;

Whereas numerous members of Indian tribes are involved in bison restoration on tribal land;

Whereas members of Indian tribes have a combined herd on more than 1,000,000 acres of tribal land;

Whereas the Intertribal Buffalo Council is a tribal organization incorporated pursuant to section 17 of the Act of June 18, 1934 (commonly known as “Indian Reorganization Act”) (25 U.S.C. 477);

Whereas bison can play an important role in improving the types of grasses found in landscapes to the benefit of grasslands;

Whereas a bison has been depicted on the official seal of the Department of the Interior since 1912;

Whereas bison hold significant economic value for private producers and rural communities;

Whereas, as of 2012, the United States Department of Agriculture estimates that 162,110 head of bison were under the stewardship of private producers, creating jobs and contributing to the food security of the United States by providing a sustainable and healthy meat source;

Whereas a bison is portrayed on 2 State flags;

Whereas the bison has been adopted by 3 States as the official mammal or animal of those States;

Whereas the buffalo nickel played an important role in modernizing the currency of the United States;

Whereas several sports teams have the bison as a mascot, which highlights the iconic significance of bison in the United States;

Whereas on December 8, 1905, William Hornaday, Theodore Roosevelt, and others formed the American Bison Society in response to the near extinction of bison in the United States;

Whereas on October 11, 1907, the American Bison Society sent 15 bison to the first big game refuge in the United States, which was known as the “Wichita Reserve Bison Refuge”;

Whereas in 2005, the American Bison Society was reestablished, bringing together bison ranchers, managers from Indian tribes,

Federal and State agencies, conservation organizations, and natural and social scientists from the United States, Canada, and Mexico to create a vision for the North American bison in the 21st century;

Whereas there are bison herds in National Wildlife Refuges and National Parks;

Whereas there are bison in State-managed herds across 11 States;

Whereas there is a growing effort to celebrate and officially recognize the historical, cultural, and economic significance of the North American bison to the heritage of the United States; and

Whereas members of Indian tribes, bison producers, conservationists, sportsmen, educators, and other public and private partners have participated in the annual National Bison Day since 2012 and are committed to continuing this tradition annually on the first Saturday of November: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates November 1, 2014, the first Saturday of November, as National Bison Day; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 3800. Mr. REID proposed an amendment to the bill S. 2199, to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

SA 3801. Mr. REID proposed an amendment to amendment SA 3800 proposed by Mr. REID to the bill S. 2199, supra.

SA 3802. Mr. REID proposed an amendment to the bill S. 2199, supra.

SA 3803. Mr. REID proposed an amendment to amendment SA 3802 proposed by Mr. REID to the bill S. 2199, supra.

SA 3804. Mr. REID proposed an amendment to amendment SA 3803 proposed by Mr. REID to the amendment SA 3802 proposed by Mr. REID to the bill S. 2199, supra.

SA 3805. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 2199, supra; which was ordered to lie on the table.

SA 3806. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2199, supra; which was ordered to lie on the table.

SA 3807. Mr. REED 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.

SA 3808. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 2199, to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; which was ordered to lie on the table.

SA 3809. Mr. REID 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.

## TEXT OF AMENDMENTS

**SA 3800.** Mr. REID proposed an amendment to the bill S. 2199, to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; as follows:

On page 20, line 4, strike “6 months” and insert “7 months”.

**SA 3801.** Mr. REID proposed an amendment to amendment SA 3800 proposed by Mr. REID to the bill S. 2199, to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; as follows:

In the amendment, strike “7” and insert “8”.

**SA 3802.** Mr. REID proposed an amendment to the bill S. 2199, to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; as follows:

On page 20, line 4, strike “6 months after the date of enactment” and insert “7 months after the date of enactment”.

**SA 3803.** Mr. REID proposed an amendment to amendment SA 3802 proposed by Mr. REID to the bill S. 2199, to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; as follows:

In the amendment, strike “7 months” and insert “8 months”.

**SA 3804.** Mr. REID proposed an amendment to amendment SA 3803 proposed by Mr. REID to the amendment SA 3802 proposed by Mr. REID to the bill S. 2199, to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; as follows:

In the amendment, strike “8” and insert “9”.

**SA 3805.** Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 2199, to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; which was ordered to lie on the table; as follows:

On page 11, between lines 3 and 4, insert the following:

### SEC. 3A. NATIONAL RIGHT TO WORK.

(a) AMENDMENTS TO THE NATIONAL LABOR RELATIONS ACT.—

(1) RIGHTS OF EMPLOYEES.—Section 7 of the National Labor Relations Act (29 U.S.C. 157) is amended by striking “except to” and all that follows through “authorized in section 8(a)(3)”.

(2) UNFAIR LABOR PRACTICES.—Section 8 of the National Labor Relations Act (29 U.S.C. 158) is amended—

(A) in subsection (a)(3), by striking “: Provided, That” and all that follows through “retaining membership”;

(B) in subsection (b)—

(i) in paragraph (2), by striking “or to discriminate” and all that follows through “retaining membership”; and

(ii) in paragraph (5), by striking “covered by an agreement authorized under subsection (a)(3) of this section”; and

(C) in subsection (f)—

(i) by striking clause (2); and

(ii) by redesignating clauses (3) and (4) as clauses (2) and (3), respectively.

(b) **AMENDMENT TO THE RAILWAY LABOR ACT.**—Section 2 of the Railway Labor Act (45 U.S.C. 152) is amended by striking paragraph Eleven.

(c) **EFFECTIVE DATE.**—Notwithstanding section 11(a), this section, and the amendments made by this section, shall take effect on the date of enactment of this Act.

**SA 3806.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2199, to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PAYMENT OF HIGHER WAGES.**

Section 9(a) of the National Labor Relations Act (29 U.S.C. 159(a)) is amended—

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

(2) by adding at the end the following:

“(2) Notwithstanding a labor organization’s exclusive representation of employees in a unit, or the terms and conditions of any collective bargaining contract or agreement then in effect, nothing in either—

“(A) section 8(a)(1) or 8(a)(5), or

“(B) a collective bargaining contract or agreement renewed or entered into after the date of enactment of this paragraph,

shall prohibit an employer from paying an employee in the unit greater wages, pay, or other compensation for, or by reason of, his or her services as an employee of such employer, than provided for in such contract or agreement.”.

**SA 3807.** Mr. REED 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:

On page 715, between lines 3 and 4, insert the following:

**SEC. 2842. BLACKSTONE RIVER VALLEY NATIONAL HISTORICAL PARK.**

(a) **DEFINITIONS.**—In this section:

(1) **NATIONAL HERITAGE CORRIDOR.**—The term “National Heritage Corridor” means the John H. Chafee Blackstone River Valley National Heritage Corridor.

(2) **PARK.**—The term “Park” means the Blackstone River Valley National Historical Park established by subsection (b).

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(4) **STATES.**—The term “States” means—

(A) the State of Massachusetts; and

(B) the State of Rhode Island.

(b) **ESTABLISHMENT.**—There is established in the States a unit of the National Park System, to be known as the “Blackstone River Valley National Historical Park”.

(c) **HISTORIC SITES AND DISTRICTS.**—The Park shall include—

(1) Blackstone River State Park; and

(2) the following resources, as described in Management Option 3 of the study entitled “Blackstone River Valley Special Resource Study-Study Report 2011”:

(A) Old Slater Mill National Historic Landmark District.

(B) Slatersville Historic District.

(C) Ashton Historic District.

(D) Whitinsville Historic District.

(E) Hopedale Village Historic District.

(F) Blackstone River and the tributaries of Blackstone River.

(G) Blackstone Canal.

(d) **ACQUISITION OF LAND; PARK BOUNDARY.**—

(1) **LAND ACQUISITION.**—The Secretary may acquire land or interests in land that are considered contributing historic resources in the historic sites and districts described in subsection (c)(2) for inclusion in the Park boundary by donation, purchase from a willing seller with donated or appropriated funds, or exchange.

(2) **PARK BOUNDARY.**—On a determination by the Secretary that a sufficient quantity of land or interests in land has been acquired to constitute a manageable park unit, the Secretary shall establish a boundary for the Park by publishing a boundary map in the Federal Register.

(3) **OTHER RESOURCES.**—The Secretary may include in the Park boundary any resources that are the subject of an agreement with the States or a subdivision of the States entered into under subsection (e)(4).

(4) **BOUNDARY ADJUSTMENT.**—On the acquisition of additional land or interests in land under paragraph (1), or on entering an agreement under paragraph (3), the boundary of the Park shall be adjusted to reflect the acquisition or agreement by publishing a Park boundary map in the Federal Register.

(5) **AVAILABILITY OF MAP.**—The maps referred to in this paragraph shall be available for public inspection in the appropriate offices of the National Park Service.

(6) **ADMINISTRATIVE FACILITIES.**—The Secretary may acquire not more than 10 acres in Woonsocket, Rhode Island for the development of administrative, curatorial, maintenance, or visitor facilities for the Park.

(7) **LIMITATION.**—Land owned by the States or a political subdivision of the States may be acquired under this paragraph only by donation.

(e) **ADMINISTRATION.**—

(1) **IN GENERAL.**—The Secretary shall administer land within the boundary of the Park in accordance with—

(A) this section; and

(B) the laws generally applicable to units of the National Park System, including—

(i) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and

(ii) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(2) **GENERAL MANAGEMENT PLAN.**—

(A) **IN GENERAL.**—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary shall prepare a general management plan for the Park—

(i) in consultation with the States and other interested parties; and

(ii) in accordance with section 12(b) of the National Park System General Authorities Act (16 U.S.C. 1a–7(b)).

(B) **REQUIREMENTS.**—The plan shall consider ways to use preexisting or planned visitor facilities and recreational opportunities developed in the National Heritage Corridor, including—

(i) the Blackstone Valley Visitor Center, Pawtucket, Rhode Island;

(ii) the Captain Wilbur Kelly House, Blackstone River State Park, Lincoln, Rhode Island;

(iii) the Museum of Work and Culture, Woonsocket, Rhode Island;

(iv) the River Bend Farm/Blackstone River and Canal Heritage State Park, Uxbridge, Massachusetts;

(v) the Worcester Blackstone Visitor Center, located at the former Washburn & Moen wire mill facility, Worcester, Massachusetts;

(vi) the Route 295 Visitor Center adjacent to Blackstone River State Park; and

(vii) the Blackstone River Bikeway.

(3) **RELATED SITES.**—The Secretary may provide technical assistance, visitor services, interpretive tours, and educational programs to sites and resources in the National Heritage Corridor that are located outside the boundary of the Park and associated with the purposes for which the Park is established.

(4) **COOPERATIVE AGREEMENTS.**—

(A) **IN GENERAL.**—To further the purposes of this section and notwithstanding chapter 63 of title 31, United States Code, the Secretary may enter into cooperative agreements with the States, political subdivisions of the States, nonprofit organizations (including Blackstone River Valley National Heritage Corridor, Inc.), and other interested parties—

(i) to provide technical assistance, interpretation, and educational programs in the historic sites and districts described in subsection (c)(2); and

(ii) subject to the availability of appropriations and subparagraphs (B) and (C), to provide not more than 50 percent of the cost of any natural, historic, or cultural resource protection project in the Park that is consistent with the general management plan prepared under paragraph (2).

(B) **MATCHING REQUIREMENT.**—As a condition of the receipt of funds under subparagraph (A)(ii), the Secretary shall require that any Federal funds made available under a cooperative agreement entered into under this paragraph are to be matched on a 1-to-1 basis by non-Federal funds.

(C) **REIMBURSEMENT.**—Any payment made by the Secretary under subparagraph (A)(ii) shall be subject to an agreement that the conversion, use, or disposal of the project for purposes that are inconsistent with the purposes of this section, as determined by the Secretary, shall result in a right of the United States to reimbursement of the greater of—

(i) the amount provided by the Secretary to the project under subparagraph (A)(ii); or

(ii) an amount equal to the increase in the value of the project that is attributable to the funds, as determined by the Secretary at the time of the conversion, use, or disposal.

(D) **PUBLIC ACCESS.**—Any cooperative agreement entered into under this subparagraph shall provide for reasonable public access to the resources covered by the cooperative agreement.

(f) **DEDICATION; MEMORIAL.**—

(1) **IN GENERAL.**—Congress dedicates the Park to John H. Chafee, the former United States Senator from Rhode Island, in recognition of—

(A) the role of John H. Chafee in the preservation of the resources of the Blackstone River Valley and the heritage corridor that bears the name of John H. Chafee; and

(B) the decades of the service of John H. Chafee to the people of Rhode Island and the United States.

(2) **MEMORIAL.**—The Secretary shall display a memorial at an appropriate location in the Park that recognizes the role of John H. Chafee in preserving the resources of the Blackstone River Valley for the people of the United States.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

**SEC. 2843. JOHN H. CHAFEE BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR AMENDMENTS.**

Public Law 99-647 (16 U.S.C. 461 note; 100 Stat. 3625) is amended—

(1) in the first sentence of section 2 (110 Stat. 4202), by striking “the map entitled ‘Blackstone River Valley National Heritage Corridor Boundary Map’, numbered BRV-80-80,011, and dated May 2, 1993” and inserting “the map entitled ‘John H. Chafee Blackstone River Valley National Heritage Corridor—Proposed Boundary’, numbered 022/11530, and dated November 10, 2011”;

(2) in section 7 (120 Stat. 1858, 125 Stat. 155)—

(A) in the section heading, by striking “termination of commission” and inserting “termination of commission; designation of local coordinating entity”;

(B) by striking “The Commission” and inserting the following:

“(a) IN GENERAL.—The Commission”; and

(C) by adding at the end the following:

“(b) LOCAL COORDINATING ENTITY.—

“(1) DESIGNATION.—The Blackstone River Valley National Heritage Corridor, Inc., shall be the local coordinating entity for the Corridor (referred to in this section as the ‘local coordinating entity’).

“(2) IMPLEMENTATION OF MANAGEMENT PLAN.—The local coordinating entity shall assume the duties of the Commission for the implementation of the Cultural Heritage and Land Management Plan developed and approved under section 6.

“(c) USE OF FUNDS.—For the purposes of carrying out the management plan, the local coordinating entity may use amounts made available under this Act—

“(1) to make grants to the States of Massachusetts and Rhode Island (referred to in this section as the ‘States’), political subdivisions of the States, nonprofit organizations, and other persons;

“(2) to enter into cooperative agreements with or provide technical assistance to the States, political subdivisions of the s, nonprofit organizations, Federal agencies, and other interested parties;

“(3) to hire and compensate staff, including individuals with expertise in—

“(A) natural, historical, cultural, educational, scenic, and recreational resource conservation;

“(B) economic and community development; or

“(C) heritage planning;

“(4) to obtain funds or services from any source, including funds and services provided under any other Federal law or program;

“(5) to contract for goods or services; and

“(6) to support activities of partners and any other activities that further the purposes of the Corridor and are consistent with the approved management plan.”;

(3) in section 8 (120 Stat. 1858)—

(A) in subsection (b)—

(i) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(ii) by adding at the end the following:

“(2) COOPERATIVE AGREEMENTS.—Notwithstanding chapter 63 of title 31, United States Code, the Secretary may enter into cooperative agreements with the local coordinating entity designated by paragraph (1) and other public or private entities for the purpose of—

“(A) providing technical assistance; or

“(B) implementing the plan under section 6(c).”; and

(B) by striking subsection (d) and inserting the following:

“(d) TRANSITION MEMORANDUM OF UNDERSTANDING.—The Secretary shall enter into a memorandum of understanding with the local coordinating entity to ensure—

“(1) the appropriate transition of management of the Corridor from the Commission to the local coordinating entity; and

“(2) coordination regarding the implementation of the Cultural Heritage and Land Management Plan.”;

(4) in section 10 (104 Stat. 1018, 120 Stat. 1858), by striking subsection (c); and

(5) by adding at the end the following:

**“SEC. 11. REFERENCES TO THE CORRIDOR, INC.**

“For purposes of sections 6, 8 (other than section 8(d)(1)), 9, and 10, a reference to the ‘Commission’ shall be considered to be a reference to the local coordinating entity.”.

**SA 3808.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 2199, to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Ensuring Fairness in Pay Act”.

**SEC. 2. PROHIBITION ON WAGE DISCRIMINATION.**

Section 6(d) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(d)) is amended—

(1) in paragraph (1)—

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

(B) by striking “made pursuant to” and all that follows and inserting the following: “made—

“(i) pursuant to a seniority system;

“(ii) pursuant to a merit or performance-based system;

“(iii) pursuant to a system which measures earnings by quantity or quality of production;

“(iv) on the basis of work-related expertise;

“(v) due to a shift differential, if the shift with the higher wage rate requires more work, or work that is more difficult or dangerous; or

“(vi) on the basis of a demonstrable factor other than sex, such as education, training, or experience.

“(B) An employer who is paying a wage rate differential in violation of this subsection shall not, in order to comply to comply with the provisions of this subsection, reduce the wage rate of any employee.”;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following:

“(4) Every employer, employment agency, and labor organization, as the case may be, shall post and keep posted in conspicuous places upon its premises where notices to employees, applicants for employment, and members are customarily posted, a notice to be prepared or approved by the Equal Employment Opportunity Commission that sets forth excerpts from, or summaries of, the pertinent provisions of this Act (relating to section 6(d)) and of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), and information pertinent to the filing of a complaint.”.

**SEC. 3. NONRETALIATION.**

Section 15 of the Fair Labor Standards Act of 1938 (29 U.S.C. 215) is amended—

(1) in subsection (a)(3), by striking “employee has filed” and all that follows and inserting “employee—

“(A) has made a charge or filed any complaint or instituted or caused to be instituted any investigation, proceeding, hearing, or action under or related to this Act, including an investigation conducted by the employer, or has testified or is planning to testify or has assisted or participated in any manner in any such investigation, proceeding, hearing, or action, or has served or is planning to serve on an industry committee; or

“(B) has inquired about, discussed, or disclosed the wages of the employee or another employee.”; and

(2) by adding at the end the following:

“(c)(1) Subsection (a)(3)(B) shall not apply to instances in which an employee who has access to the wage information of other employees as a part of such employee’s essential job functions discloses the wages of such other employees to an individual who does not otherwise have access to such information, unless such disclosure is in response to a charge or complaint or in furtherance of an investigation, proceeding, hearing, or action under section 6(d), including an investigation conducted by the employer.

“(2) Any employer who requires an employee to sign a contract or waiver that would prohibit the employee from disclosing information about the employee’s pay shall be considered to have committed an unlawful act under subsection (a)(3)(B).

“(3) Nothing in this subsection shall be construed to limit the rights of an employee provided under any other provision of law.”.

**SEC. 4. CIVIL PENALTY.**

Section 16(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 216(e)) is amended—

(1) in paragraph (2)—

(A) by striking “(2)” and inserting “(2)(A)”; and

(B) by adding at the end the following:

“(B) Any person who violates section 6(d) shall be subject to a civil penalty of \$2,500 for each employee affected (less the amount of any penalty the person has paid under State law for the wage differential involved), in addition to any penalty that may apply under subparagraph (A).”; and

(2) in paragraph (3), in the first sentence, by striking “this subsection” and inserting “this subsection (other than paragraph (2)(B)).”.

**SEC. 5. STATUTE OF LIMITATIONS.**

Section 16 of the Fair Labor Standards Act of 1938 (29 U.S.C. 216) is amended by adding at the end the following:

“(f) An action brought under this section, alleging a violation of section 6(d), shall be brought—

“(1) not later than 4 years after the date on which the alleged violation occurred; and

“(2) not later than 3 years after the date on which the employee involved became aware of the wage differential that is the basis for the alleged violation.”.

**SEC. 6. INFORMATION ON WAGE RATE DIFFERENTIALS.**

The Fair Labor Standards Act of 1938 is amended by inserting after section 18C (29 U.S.C. 218c) the following:

**“SEC. 218D. INFORMATION ON WAGE RATE DIFFERENTIALS.**

“(a) IN GENERAL.—Effective July 1, 2015, the Secretary of Labor may reserve a portion of the funds available under section 169 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3224), and use the portion to award grants to States that collect and disseminate information on wage rate differentials in their States.

“(b) APPLICATION.—To be eligible to receive a grant under subsection (a), a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary

may require, including information demonstrating that the State has collected and disseminated on the Web site of the relevant State agency and by any other means the State may determine to be appropriate—

“(1) accurate information, including statistics, on differentials in the State in wage rates on the basis of sex;

“(2) historical analyses of differentials described in paragraph (1);

“(3) an explanation of employee rights related to wage rate differentials;

“(4) instructions for employers on compliance with laws related to wage rate differentials; and

“(5) any other information that will assist the public in understanding such differentials.”.

**SA 3809.** Mr. REID 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 C of title VI, add the following:

**SEC. 626. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR MILITARY RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES.**

(a) RESTATEMENT OF CURRENT CONCURRENT PAYMENT AUTHORITY WITH EXTENSION OF PAYMENT AUTHORITY TO RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES RATED LESS THAN 50 PERCENT DISABLING.—Subsection (a) of section 1414 of title 10, United States Code, is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

“(1) IN GENERAL.—Subject to paragraphs (2), (3), and (4) and subsection (b), a member or former member of the uniformed services who is entitled for any month to retired pay and who is also entitled for that month to veterans' disability compensation for a service-connected disability or combination of service-connected disabilities that is compensable under the laws administered by the Secretary of Veterans Affairs (hereinafter in this section referred to as 'qualified retiree') is entitled to be paid both for that month without regard to sections 5304 and 5305 of title 38.

“(2) ONE-YEAR PHASE-IN FOR QUALIFIED RETIREES WITH TOTAL DISABILITIES.—During the period beginning on January 1, 2004, and ending on December 31, 2004, payment of retired pay to a qualified retiree is subject to subsection (c) if the qualified retiree is any of the following:

“(A) A qualified retiree receiving veterans' disability compensation for a disability rated as 100 percent disabling by the Secretary of Veterans Affairs.

“(B) A qualified retiree receiving veterans' disability compensation at the rate payable for a disability rated as 100 percent disabling by reason of a determination of individual unemployability.

“(3) 10-YEAR PHASE-IN FOR QUALIFIED RETIREES WITH DISABILITIES RATED 50 PERCENT DISABLING OR HIGHER.—During the period beginning on January 1, 2004, and ending on December 31, 2013, payment of retired pay to a qualified retiree is subject to subsection (c) if the qualified retiree is entitled to veterans' disability compensation for a service-connected disability or combination of service-connected disabilities that is rated not

less than 50 percent disabling by the Secretary of Veterans Affairs.

“(4) 10-YEAR PHASE-IN FOR QUALIFIED RETIREES WITH COMPENSABLE DISABILITIES RATED LESS THAN 50 PERCENT DISABLING.—During the period beginning on January 1, 2016, and ending on December 31, 2025, payment of retired pay to a qualified retiree is subject to subsection (d) if the qualified retiree is entitled to veterans' disability compensation for a service-connected disability or combination of service-connected disabilities that is rated less than 50 percent disabling by the Secretary of Veterans Affairs but is compensable under the laws administered by the Secretary of Veterans Affairs.”.

(b) PHASE-IN FOR QUALIFIED RETIREES WITH COMPENSABLE DISABILITIES RATED LESS THAN 50 PERCENT DISABLING.—Such section is further amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) PHASE-IN OF FULL CONCURRENT RECEIPT FOR QUALIFIED RETIREES WITH COMPENSABLE DISABILITIES RATED LESS THAN 50 PERCENT DISABLING.—During the period beginning on January 1, 2016, and ending on December 31, 2025, retired pay payable to a qualified retiree that pursuant to subsection (a)(4) is subject to this subsection shall be determined as follows:

“(1) CALENDAR YEAR 2016.—For a month during 2016, the amount of retired pay payable to a qualified retiree is the amount (if any) of retired pay in excess of the current baseline offset, plus \$100.

“(2) CALENDAR YEAR 2017.—For a month during 2017, the amount of retired pay payable to a qualified retiree is the sum of—

“(A) the amount specified in paragraph (1) for that qualified retiree; and

“(B) 10 percent of the difference between (i) the current baseline offset, and (ii) the amount specified in paragraph (1) for that member's disability.

“(3) CALENDAR YEAR 2018.—For a month during 2018, the amount of retired pay payable to a qualified retiree is the sum of—

“(A) the amount determined under paragraph (2) for that qualified retiree; and

“(B) 20 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (2) for that qualified retiree.

“(4) CALENDAR YEAR 2019.—For a month during 2019, the amount of retired pay payable to a qualified retiree is the sum of—

“(A) the amount determined under paragraph (3) for that qualified retiree; and

“(B) 30 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (3) for that qualified retiree.

“(5) CALENDAR YEAR 2020.—For a month during 2020, the amount of retired pay payable to a qualified retiree is the sum of—

“(A) the amount determined under paragraph (4) for that qualified retiree; and

“(B) 40 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (4) for that qualified retiree.

“(6) CALENDAR YEAR 2021.—For a month during 2021, the amount of retired pay payable to a qualified retiree is the sum of—

“(A) the amount determined under paragraph (5) for that qualified retiree; and

“(B) 50 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (5) for that qualified retiree.

“(7) CALENDAR YEAR 2022.—For a month during 2022, the amount of retired pay payable to a qualified retiree is the sum of—

“(A) the amount determined under paragraph (6) for that qualified retiree; and

“(B) 60 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (6) for that qualified retiree.

“(8) CALENDAR YEAR 2023.—For a month during 2023, the amount of retired pay payable to a qualified retiree is the sum of—

“(A) the amount determined under paragraph (7) for that qualified retiree; and

“(B) 70 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (7) for that qualified retiree.

“(9) CALENDAR YEAR 2024.—For a month during 2024, the amount of retired pay payable to a qualified retiree is the sum of—

“(A) the amount determined under paragraph (8) for that qualified retiree; and

“(B) 80 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (8) for that qualified retiree.

“(10) CALENDAR YEAR 2025.—For a month during 2025, the amount of retired pay payable to a qualified retiree is the sum of—

“(A) the amount determined under paragraph (9) for that qualified retiree; and

“(B) 90 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (9) for that qualified retiree.

“(11) GENERAL LIMITATION.—Retired pay determined under this subsection for a qualified retiree, if greater than the amount of retired pay otherwise applicable to that qualified retiree, shall be reduced to the amount of retired pay otherwise applicable to that qualified retiree.”.

(c) CONFORMING AMENDMENTS TO PHASE-IN FOR QUALIFIED RETIREES WITH DISABILITIES RATED 50 PERCENT DISABLING OR HIGHER.—Subsection (c) of such section is amended—

(1) in the subsection caption, by inserting “FOR QUALIFIED RETIREES WITH DISABILITIES RATED 50 PERCENT DISABLING OR HIGHER” after “FULL CONCURRENT RECEIPT”; and

(2) by striking “the second sentence of subsection (a)(1)” and inserting “subsection (a)(3)”.

(d) CLERICAL AMENDMENTS.—

(1) The heading of such section is amended to read as follows:

**“§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation”.**

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

“1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation.”.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on December 31, 2015, and shall apply to payments for months beginning on or after that date.

**SEC. 627. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.**

(a) AMENDMENT TO STANDARDIZE SIMILAR PROVISIONS.—Paragraph (2) of section 1414(b) of title 10, United States Code, is amended to read as follows:

“(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

“(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

“(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½

percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member."

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on July 1, 2015, and shall apply to payments for months beginning on or after that date.

## 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 on September 16, 2014, at 2:30 p.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled "Ebola in West Africa: A Global Challenge and Public Health Threat."

For further information regarding this meeting, please contact Emily Schlichting of the committee staff on (202) 224-6840.

### 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, September 17, 2014, at 10 a.m. in room SD-430 of the Dirksen Senate Office Building to mark-up S. 2141, The Sunscreen Innovation Act; H.R. 4366, The Strengthening Education through Research Act; S. 2154, Emergency Medical Services for Children Reauthorization Act of 2014; and Sharon Block, of the District of Columbia, to serve as a Member of the National Labor Relations Board; as well as any additional nominations cleared for action.

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

### 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 on September 18, 2014, at 9:30 a.m., in room SD-430 of the Dirksen Senate Office Building, to conduct a hearing entitled "Fulfilling the Promise: Overcoming Persistent Barriers to Economic Self-Sufficiency for People with Disabilities."

For further information regarding this meeting, please contact Zoe Gross of the committee staff on (202) 224-5484.

### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs has scheduled a hearing entitled, "Tax Audits of Large Partnerships." The Subcommittee hearing will examine IRS audits of large partnerships, including trends and audit issues identified in a Government Accountability Office report to be released at the hearing. Wit-

nesses will include representatives of the U.S. Department of the Treasury, the Internal Revenue Service, and U.S. Government Accountability Office. A witness list will be available Tuesday, September 16, 2014.

The Subcommittee hearing has been scheduled for Thursday, September 18, 2014, at 2:30 p.m., in room SD-342 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at (202) 224-9505.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. COONS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on September 11, 2014, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

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

### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. COONS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on September 11, 2014.

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

### COMMITTEE ON FOREIGN RELATIONS

Mr. COONS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 11, 2014, at 3:15 p.m.

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

### COMMITTEE ON THE JUDICIARY

Mr. COONS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on September 11, 2014, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

### SELECT COMMITTEE ON INTELLIGENCE

Mr. COONS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 11, 2014, at 2:30 p.m.

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

## ALL CIRCUIT REVIEW EXTENSION ACT

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 506, H.R. 4197.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4197) to amend title 5, United States Code, to extend the period of certain authority with respect to judicial review of Merit Systems Protection Board decisions relating to whistleblowers, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent that the bill be read the third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (H.R. 4197) was ordered to a third reading, was read the third time, and passed.

## VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2014

Mr. REID. I ask unanimous consent that the Veterans' Affairs Committee be discharged from further consideration of S. 2258 and the Senate proceed to its consideration.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2258) to provide for an increase, effective December 1, 2014, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SANDERS. Madam President, today, as chairman of the Committee on Veterans' Affairs, I applaud my colleagues for their support and Senate passage of S. 2258, the Veterans' Compensation Cost-of-Living Adjustment Act of 2014.

All of my colleagues on the committee, including Ranking Member BURR and Senators ROCKEFELLER, MURRAY, BROWN, TESTER, BLUMENTHAL, HIRONO, ISAKSON, JOHANNES, MORAN, BOOZMAN, and HELLER, joined me in supporting this important legislation, introduced by Senator BEGICH. I look forward to continuing our bipartisan efforts to improve the lives of our Nation's veterans.

This important measure directs the Secretary of Veterans Affairs to increase the rates of veterans' compensation to keep pace with the increasing cost-of-living in this country. The rate adjustment is equal to that provided on an annual basis to Social Security recipients and is based on the Consumer Price Index. Last year's cost-of-living adjustment of 1.5 percent affected so many important benefits, including veterans' disability compensation and dependency and indemnity compensation for surviving spouses and children. VA has projected that more than 4.5