

Whereas more than 70 percent of young people in the United States envision starting a business or pursuing an entrepreneurial endeavor as adults;

Whereas positive outcomes for youth who participate in entrepreneurship education programs include improved academic performance, increased critical thinking skills, and heightened occupational aspirations;

Whereas to maintain the position of the United States as a world economic leader, government, entrepreneurs, institutions of higher education, and businesses of all sizes must be united in a comprehensive effort to welcome and cultivate entrepreneurial activities in the United States;

Whereas entrepreneurs face significant barriers that the Federal Government must work to reduce so that all entrepreneurs in the United States have a chance at success;

Whereas entrepreneurship is the best offense for economic progress and the finest defense against the status quo for the United States; and

Whereas the third Tuesday of November would be an appropriate date to designate as “National Entrepreneurs Day”: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the designation of “National Entrepreneurs Day”;

(2) recognizes the considerable contributions of entrepreneurs to the United States; and

(3) honors those entrepreneurs who ignite innovation and inspire the next generation.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3942. Mr. SCOTT 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 3943. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3944. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3945. Mr. DONNELLY (for himself, Mr. CRUZ, Mr. MANCHIN, Mr. MORAN, Mr. SCHATZ, Mr. MENENDEZ, Ms. HEITKAMP, Mr. BENNET, Mr. PRYOR, Mr. JOHANNIS, Mr. BEGICH, Mr. BLUNT, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3946. Mrs. BOXER (for herself, Mr. MENENDEZ, Ms. COLLINS, Mr. KIRK, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3947. Mr. WYDEN (for himself, Mr. PAUL, Mr. UDALL of Colorado, Ms. BALDWIN, Mr. BROWN, Mr. HARKIN, Mr. HEINRICH, Mr. MERKLEY, Mr. SANDERS, Mr. TESTER, Mr. UDALL of New Mexico, Mr. WALSH, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2685, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table.

SA 3948. Mr. CHAMBLISS (for himself, Mr. MCCONNELL, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2685, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 3942. Mr. SCOTT 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 D of title XXVIII, add the following:

##### SEC. 2835. CONVEYANCE, JOINT BASE CHARLESTON, SOUTH CAROLINA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey to the City of Hanahan (in this section referred to as the “City”) all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 53 total acres at Joint Base Charleston, South Carolina, for the purpose of accommodating the City’s recreation needs.

(b) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance under subsection (a), the City shall provide the United States with consideration in an amount that is acceptable to the Secretary, whether by cash payment, in-kind consideration as described under paragraph (2), or a combination thereof.

(2) IN-KIND CONSIDERATION.—In-kind consideration provided by the City under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facilities or infrastructure relating to the needs of Joint Base Charleston, South Carolina, that the Secretary considers acceptable.

(3) PUBLIC BENEFIT CONVEYANCE.—A public benefit conveyance may also be used to transfer the property under subsection (a) to the City for public use. The property use must benefit the community as a whole, including use for parks and recreation.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Air Force may require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property

to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Air Force.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Air Force may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SA 3943. Mr. SCOTT 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 B of title XXVIII, add the following:

##### SEC. 2813. LEASING OF NON-EXCESS PROPERTY OF MILITARY DEPARTMENTS AND DEFENSE AGENCIES; TREATMENT OF VALUE PROVIDED BY LOCAL EDUCATION AGENCIES AND ELEMENTARY AND SECONDARY SCHOOLS.

Section 2667 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(k) LEASES FOR EDUCATION.—In the case of a lease under this section to a local education agency or an elementary or secondary school (as those terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)), consideration may be at or below fair market value or for no consideration.”

SA 3944. Mr. VITTER 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. NATIONAL SECURITY CONCERNS INVOLVING HISTORIC PRESERVATION.

Section 101(a) of the National Historic Preservation Act (16 U.S.C. 470a(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (E), by striking “and” after the semicolon at the end;

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

(C) by adding at the end the following:

“(G) if the property is owned or managed by the Federal Government, notifying the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives if the property is being considered for inclusion on the National Register, for designation as a National Historic Landmark, or for nomination to the World Heritage List.”;

(2) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively; and

(3) by inserting after paragraph (6) the following:

“(7) NATIONAL SECURITY.—If the head of an agency that owns or manages Federal property that is being considered for inclusion on the National Register, for designation as a National Historic Landmark, or for nomination to the World Heritage List objects to inclusion or designation for reasons of national

security (including any impact the inclusion or designation would have on use of the property for military training or readiness purposes), the Federal property shall not be included on the National Register of Historic Places, designated as a National Historic Landmark, or nominated to the World Heritage List until the objection is withdrawn.”.

**SA 3945.** Mr. DONNELLY (for himself, Mr. CRUZ, Mr. MANCHIN, Mr. MORAN, Mr. SCHATZ, Mr. MENENDEZ, Ms. HEITKAMP, Mr. BENNET, Mr. PRYOR, Mr. JOHANNIS, Mr. BEGICH, Mr. BLUNT, and Mr. CHAMBLISS) 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 title XI, add the following:

**SEC. 1105. TIERED PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.**

(a) **SHORT TITLE.**—This section may be cited as the “Military Reserve Jobs Act of 2014”.

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

(1) in paragraph (3)—

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

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

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

“(I) a qualified reservist;”;

(2) in paragraph (4), by striking “and” at the end;

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

(4) by adding at the end the following:

“(6) ‘qualified reservist’ means an individual who is a member of a reserve component of the Armed Forces on the date of the applicable determination—

“(A) who—

“(i) has completed at least 6 years of service in a reserve component of the Armed Forces; and

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

“(B) who—

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

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

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

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

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

(2) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(3) a preference eligible described in section 2108(6)(B)—3 points; and

“(4) a preference eligible described in section 2108(6)(A)—2 points.”.

(d) **GAO REVIEW.**—Not later than 3 years after the date of enactment of this Act, the

Comptroller General of the United States shall submit to Congress a report that—

(1) assesses Federal employment opportunities for members of a reserve component of the Armed Forces;

(2) evaluates the impact of the amendments made by this section on the hiring of reservists and veterans by the Federal Government; and

(3) provides recommendations, if any, for strengthening Federal employment opportunities for members of a reserve component of the Armed Forces.

**SA 3946.** Mrs. BOXER (for herself, Mr. MENENDEZ, Ms. COLLINS, Mr. KIRK, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her 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 title X, add the following:

**Subtitle I—International Prevention of Violence Against Women and Girls**

**SEC. 1091. STATEMENT OF POLICY.**

It is the policy of the United States—

(1) to take effective action to prevent and respond to violence against women and girls around the world, as a matter of basic human rights as well as to promote gender equality, economic growth, and improved public health;

(2) to systematically integrate and coordinate efforts to prevent and respond to violence against women and girls internationally into United States foreign policy and foreign assistance programs, including peacebuilding efforts and humanitarian relief and recovery;

(3) to support and build local capacity in developing countries, including of governments at all levels and nongovernmental organizations, especially women-led organizations, to prevent and respond to violence against women and girls;

(4) to consult, cooperate, coordinate, and collaborate with a wide variety of nongovernmental partners with demonstrated experience in preventing and responding to violence against women and girls, including faith-based organizations and women-led organizations;

(5) to employ a multisectoral approach to preventing and responding to violence against women and girls internationally, including activities in the economic, education, health, nutrition, legal, and judicial sectors;

(6) to work at all levels, from the individual to the family, community, local, national and international levels, to prevent and respond to violence against women and girls around the globe;

(7) to enhance training by United States personnel of professional foreign military and police forces and judicial officials to include specific and thorough instruction on preventing and responding to violence against women and girls around the world;

(8) to engage men and boys as partners, as an essential element of making sustained reductions in violence against women and girls;

(9) to include the prevention of early and forced marriage as an important part of United States Government efforts to prevent violence against girls and promote gender equality and global health;

(10) to require that all United States contractors and grantees establish appropriate

policies and take effective measures to prevent violence against women and girls and sexual exploitation and abuse within their workforce;

(11) to exert sustained international leadership to prevent and respond to violence against women and girls, including in bilateral and multilateral fora;

(12) to implement the United States Strategy to Prevent and Respond to Gender-based Violence Globally; and

(13) to implement the United States National Action Plan on Women, Peace, and Security.

**PART I—OFFICIAL DESIGNATIONS AND INSTITUTIONAL CHANGES**

**SEC. 1093. OFFICE OF GLOBAL WOMEN'S ISSUES.**

(a) **ESTABLISHMENT.**—The Secretary of State shall establish in the Office of the Secretary of the Department of State an Office of Global Women's Issues (in this section referred to as the “Office”). The Office shall be headed by an Ambassador-at-Large for Global Women's Issues, who shall be appointed by the President, by and with the advice and consent of the Senate. The Ambassador-at-Large shall report directly to the Secretary and shall have the rank and status of Ambassador-at-Large.

(b) **PURPOSE.**—In addition to the duties described in subsection (c) and those duties determined by the Secretary of State, the Ambassador-at-Large shall coordinate efforts of the United States Government as directed by the Secretary regarding gender integration and advancing the status of women and girls in United States foreign policy.

(c) **DUTIES.**—

(1) **IN GENERAL.**—The Ambassador-at-Large—

(A) shall direct activities, policies, programs, and funding relating to gender equality and the advancement of women and girls internationally, including those intended to prevent and respond to violence against women and girls, for all bureaus and offices of the Department of State and in the international programs of all other Federal agencies;

(B) shall actively promote and advance the full integration of gender analysis into the programs, structures, processes, and capacities of all bureaus and offices of the Department of State and in the international programs of other Federal agencies;

(C) shall direct, as appropriate, United States Government resources to respond to needs for gender integration and empowerment of women in United States Government foreign policies and international programs, including to prevent and respond to violence against women and girls internationally;

(D) may design, support, and implement activities regarding empowerment of women internationally, including for the prevention of and response to violence against women and girls internationally;

(E) shall conduct regular consultation with civil society organizations working to prevent and respond to violence against women and girls internationally;

(F) shall ensure that programs, projects, and activities designed to prevent and respond to violence against women and girls internationally are subject to rigorous monitoring and evaluation, and that there is a uniform set of indicators and standards for such monitoring and evaluation that is used across all Federal agencies;

(G) shall serve as the principal advisor to the Secretary of State regarding gender equality, women's empowerment, and violence against women and girls as a foreign policy matter; and

(H) is authorized to represent the United States in diplomatic and multilateral fora on matters relevant to the status of women

and girls, including violence against women and girls internationally.

(2) **INFORMATION SHARING AND TRANSPARENCY.**—The Office shall be the central repository of data on all United States programs, projects, and activities that relate to prevention and response to violence against women and girls, and shall produce a full accounting of United States Government spending on such programs, projects, and activities.

**SEC. 1094. SENIOR COORDINATOR FOR GENDER EQUALITY AND WOMEN'S EMPOWERMENT.**

(a) **ESTABLISHMENT.**—There is established in the United States Agency for International Development a Senior Coordinator for Gender Equality and Women's Empowerment, who shall report to the Administrator of the United States Agency for International Development and who shall conduct the activities of the Administrator under this subtitle.

(b) **IN GENERAL.**—The Senior Coordinator for Gender Equality and Women's Empowerment—

(1) shall direct activities, policies, programs, and funding of the United States Agency for International Development relating to gender equality and women's empowerment, including those intended to prevent and respond to violence against women and girls;

(2) shall actively promote and advance the full integration of gender analysis into the programs, structures, processes, and capacities of all bureaus and offices of the Agency as dictated by the USAID Gender Equality and Female Empowerment Policy;

(3) shall direct Agency resources for gender equality and women's empowerment, including to prevent and respond to violence against women and girls internationally;

(4) may design, support, and implement activities led by the Agency regarding gender equality and women's empowerment, including for the prevention and response of violence against women and girls internationally;

(5) shall conduct regular consultation with civil society organizations working to prevent and respond to violence against women and girls internationally;

(6) shall serve as the principal advisor to the Administrator regarding gender equality, women's empowerment, and violence against women and girls; and

(7) shall track and analyze monitoring and evaluation data and findings on international prevention and response programs of the Agency, consistent with Agency-wide monitoring and evaluation activities, and in order to assist in the preparation of the comprehensive strategy developed under section 1097.

**SEC. 1095. BRIEFING.**

Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Ambassador-at-Large and Senior Coordinator shall brief the appropriate congressional committees on international violence against women and girls prevention and response strategies, programming, and associated outcomes, and shall submit to the appropriate congressional committees an assessment of human and financial resources necessary to fulfill the purposes and duties of this subtitle.

**PART II—STRATEGY, POLICY, AND PROGRAMS**

**SEC. 1097. UNITED STATES STRATEGY TO PREVENT AND RESPOND TO GENDER-BASED VIOLENCE GLOBALLY.**

(a) **GLOBAL STRATEGY REQUIREMENT.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for five years, the Ambassador-at-Large, in

consultation with the Senior Coordinator, shall develop or update a United States global strategy to prevent and respond to violence against women and girls. Such strategy shall be transmitted to the appropriate congressional committees and made publicly available on the Internet.

(b) **INITIAL STRATEGY.**—For the purposes of this section, the “United States Strategy to Prevent and Respond to Gender-Based Violence Globally”, issued in August 2012, shall be deemed to fulfill the initial requirement of subsection (a).

(c) **IMPLEMENTATION PLAN.**—Not later than 60 days after submission of the strategy under subsection (a), the Ambassador-at-Large, in consultation with the Senior Coordinator, shall submit to the appropriate congressional committees an implementation plan detailing how the strategy will be implemented in the upcoming five fiscal years, including the budget resources requested, and the specific activities to be supported, by each Executive agency under the strategy.

(d) **COLLABORATION AND COORDINATION.**—In developing the strategy under subsection (a), the Ambassador-at-Large and Senior Coordinator shall consult with—

(1) the heads of relevant Federal agencies;

(2) the Senior Policy Operating Group on Trafficking in Persons; and

(3) representatives of civil society and multi-lateral organizations with demonstrated experience in addressing violence against women and girls or promoting gender equality internationally.

(e) **CONTENT.**—The implementation plan required under subsection (c) shall—

(1) identify eligible low-income and lower-middle income countries with significant levels of violence against women and girls, including within displaced communities, that have the governmental or nongovernmental organizational capacity to manage and implement gender-based violence prevention and response program activities and should, when possible, be geographically, ethnically, and culturally diverse from one another;

(2) select 5 to 20 of the eligible countries identified under paragraph (1) in which to develop comprehensive and holistic individual country plans that incorporate at least two of the program activities listed in section 1098(b);

(3) assess and describe the current or potential capacity of the government of each eligible country selected under paragraph (2) and civil society organizations in each such eligible country to address and respond to violence against women and girls;

(4) identify coordination mechanisms with Federal agencies that—

(A) have existing programs relevant to the strategy;

(B) will be involved in new program activities; and

(C) are engaged in broader United States strategies around development;

(5) describe the monitoring and evaluation mechanisms established for each eligible country, and their intended use in assessing overall progress in prevention and response;

(6) project general levels of resources needed to achieve the stated objectives in each eligible country, including an accounting of—

(A) activities and funding already expended by the Department of State, the United States Agency for International Development, other Federal agencies, other donor country governments, and other multilateral institutions; and

(B) leveraged private sector resources;

(7) integrate gender analysis into the strategy for each country; and

(8) include, as appropriate, strategies designed to accommodate the needs of state-

less, disabled, internally displaced, refugee, or religious or ethnic minority women and girls.

**SEC. 1098. IMPLEMENTATION OF THE UNITED STATES STRATEGY TO PREVENT AND RESPOND TO GENDER-BASED VIOLENCE GLOBALLY.**

(a) **IN GENERAL.**—The Secretary of State and the Administrator of the United States Agency for International Development are authorized to provide assistance to prevent and respond to violence against women and girls internationally.

(b) **PROGRAM ACTIVITIES SUPPORTED.**—Assistance provided to each country selected under subsection 1097(e)(2) should include at least two of the following activities:

(1) Development and implementation of programs that work to change social norms and attitudes so that violence against women and girls is neither condoned nor tolerated.

(2) Promotion of accessible quality educational and literacy opportunities for women and girls.

(3) Promotion of access to economic opportunities, including by increasing distribution, credit, property, and inheritance rights for women and girls.

(4) Development and enforcement of civil and criminal legal and judicial sanctions, protections, trainings, and capacity.

(5) Enhancement of the health sector capacity to detect, prevent, and respond to violence against women and girls.

(c) **BUILDING LOCAL CAPACITY.**—Not less than 10 percent of the amount of assistance provided to an eligible country under this section should be provided to community-based nongovernmental organizations, with priority given to nongovernmental organizations led by women.

**SEC. 1099. MONITORING THE UNITED STATES STRATEGY TO PREVENT AND RESPOND TO GENDER-BASED VIOLENCE GLOBALLY.**

(a) **IN GENERAL.**—In each strategy submitted under section 1097(a), the Ambassador-at-Large and Senior Coordinator shall include an analysis of best practices for preventing and addressing violence against women and girls internationally, which shall include—

(1) a description of successful efforts by foreign governments, multilateral institutions, nongovernmental organizations, educational organizations, and faith-based organizations in preventing and responding to violence against women and girls;

(2) recommendations related to best practices, effective strategies, and improvements to enhance the impact of prevention and response efforts; and

(3) the impact of activities funded by the strategy in preventing and reducing violence against women and girls internationally.

(b) **AMENDMENTS.**—The Foreign Assistance Act of 1961 is amended—

(1) in section 116(d) (22 U.S.C. 2151n(d))—

(A) in paragraph (11)(C), by striking “and” at the end;

(B) in paragraph (12)(C)(ii), by striking the period at the end and inserting “; and”; and

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

“(13) wherever applicable, the nature and extent of violence against women and girls.”; and

(2) in section 502B (22 U.S.C. 2304)—

(A) by redesignating the second subsection designated as subsection (i) as subsection (j); and

(B) by adding at the end the following new subsection:

“(k) **INCLUSION OF INFORMATION RELATING TO VIOLENCE AGAINST WOMEN AND GIRLS.**—The report required by subsection (b) shall include, wherever applicable, the nature and extent of violence against women and girls.”.

(c) MONITORING AND EVALUATION.—In coordination with relevant officials, and consistent with the monitoring and evaluation policies of their respective agencies, the Ambassador-at-Large and the Senior Coordinator shall develop a plan for monitoring and independent evaluation of programs, projects, and activities carried out under this subtitle. The plan shall—

(1) apply rigorous monitoring and evaluation methodologies to focus on learning, accountability, and policymaking, choosing from among a wide variety of qualitative, quantitative, summative, and formative methods common in the field of social scientific inquiry, including impact evaluations; and

(2) be included in the implementation plan required under section 1097(c).

(d) RESEARCH AND DATA COLLECTION.—The Secretary and the Administrator shall—

(1) produce original research or analysis of effective interventions to prevent or respond to violence against women and girls internationally;

(2) collect and analyze new or existing data on the scope and extent of all forms of violence against women and girls internationally, including under-documented forms of violence and violence against marginalized groups;

(3) conduct research on effective interventions to respond to violence against women and girls internationally, including efforts to scale up effective programming; and

(4) support systemic data collection using internationally comparable indicators, norms, and methodologies for measuring the scope, prevalence, and incidence of violence against women and girls internationally.

**SA 3947.** Mr. WYDEN (for himself, Mr. PAUL, Mr. UDALL of Colorado, Ms. BALDWIN, Mr. BROWN, Mr. HARKIN, Mr. HEINRICH, Mr. MERKLEY, Mr. SANDERS, Mr. TESTER, Mr. UDALL of New Mexico, Mr. WALSH, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2685, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS TO CONDUCT WARRANTLESS SEARCHES FOR THE COMMUNICATIONS OF UNITED STATES PERSONS.**

Section 702(b) (50 U.S.C. 1881a(b)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting such subparagraphs, as so redesignated, an additional two ems from the left margin;

(2) by striking “An acquisition” and inserting the following:

“(1) IN GENERAL.—An acquisition”;

(3) by adding at the end the following:

“(2) CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS OF UNITED STATES PERSONS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), no officer or employee of the United States may conduct a search of a collection of communications acquired under this section in an effort to find communica-

tions of a particular United States person (other than a corporation).

“(B) CONCURRENT AUTHORIZATION AND EXCEPTION FOR EMERGENCY SITUATIONS.—Subparagraph (A) shall not apply to a search for communications related to a particular United States person if—

“(i) such United States person is the subject of an order or emergency authorization authorizing electronic surveillance or physical search under section 105, 304, 703, 704, or 705 of this Act, or under title 18, United States Code, for the effective period of that order;

“(ii) the entity carrying out the search has a reasonable belief that the life or safety of such United States person is threatened and the information is sought for the purpose of assisting that person; or

“(iii) such United States person has consented to the search.”.

**SA 3948.** Mr. CHAMBLISS (for himself, Mr. MCCONNELL, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2685, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, 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 “FISA Improvements Act of 2014”.

**SEC. 2. SUPPLEMENTAL PROCEDURES FOR ACQUISITION OF CERTAIN BUSINESS RECORDS FOR COUNTERTERRORISM PURPOSES.**

(a) SUPPLEMENTAL PROCEDURES FOR ACQUISITION OF CERTAIN BUSINESS RECORDS FOR INTERNATIONAL TERRORISM INVESTIGATIONS.—Section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) is amended by adding at the end the following:

“(i) GENERAL PROHIBITION ON BULK COLLECTION OF COMMUNICATION RECORDS.—No order issued pursuant to an application made under subsection (a) may authorize the acquisition in bulk of wire communication or electronic communication records from an entity that provides an electronic communication service to the public if such order does not name or otherwise identify either individuals or facilities, unless such order complies with the supplemental procedures under subsection (j).

“(j) AUTHORIZATION FOR BULK COLLECTION OF NON-CONTENT METADATA.—

“(1) SUPPLEMENTAL PROCEDURES.—Any order directed to the Government under subsection (a) that authorizes the acquisition in bulk of wire communication or electronic communication records, which shall not include the content of such communications, shall be subject to supplemental procedures, which are in addition to any other requirements or procedures imposed by this Act, as follows:

“(A) CONTENT PROHIBITION.—Such an order shall not authorize the acquisition of the content of any communication.

“(B) AUTHORIZATION AND RENEWAL PERIODS.—Such an order—

“(i) shall be effective for a period of not more than 90 days; and

“(ii) may be extended by the court on the same basis as an original order upon an application under this title for an extension

and new findings by the court in accordance with subsection (c).

“(C) SECURITY PROCEDURES FOR ACQUIRED DATA.—Information acquired pursuant to such an order (other than information properly returned in response to a query under subparagraph (D)(iii)) shall be retained by the Government in accordance with security procedures approved by the court in a manner designed to ensure that only authorized personnel will have access to the information in the manner prescribed by this section and the court’s order.

“(D) LIMITED ACCESS TO DATA.—Access to information retained in accordance with the procedures described in subparagraph (C) shall be prohibited, except for access—

“(i) to perform a query using a selector for which a recorded determination has been made that there is a reasonable articulable suspicion that the selector is associated with international terrorism or activities in preparation therefor;

“(ii) to return information as authorized under paragraph (3); or

“(iii) as may be necessary for technical assurance, data management or compliance purposes, or for the purpose of narrowing the results of queries, in which case no information produced pursuant to the order may be accessed, used, or disclosed for any other purpose, unless the information is responsive to a query authorized under paragraph (3).

“(2) RECORD REQUIREMENT.—

“(A) DETERMINATION.—For any determination made pursuant to paragraph (1)(D)(i), a record shall be retained of the selector, the identity of the individual who made the determination, the date and time of the determination, and the information indicating that, at the time of the determination, there was a reasonable articulable suspicion that the selector was associated with international terrorism or activities in preparation therefor.

“(B) QUERY.—For any query performed pursuant to paragraph (1)(D)(i), a record shall be retained of the identity of the individual who made the query, the date and time of the query, and the selector used to perform the query.

“(3) SCOPE OF PERMISSIBLE QUERY RETURN INFORMATION.—For any query performed pursuant to paragraph (1)(D)(i), the query only may return information concerning communications—

“(A) to or from the selector used to perform the query;

“(B) to or from a selector in communication with the selector used to perform the query; or

“(C) to or from any selector reasonably linked to the selector used to perform the query, in accordance with the court approved minimization procedures required under subsection (g).

“(4) LIMITS ON PERSONNEL AUTHORIZED TO MAKE DETERMINATIONS OR PERFORM QUERIES.—A court order issued pursuant to an application made under subsection (a), and subject to the requirements of this subsection, shall impose strict, reasonable limits, consistent with operational needs, on the number of Government personnel authorized to make a determination or perform a query pursuant to paragraph (1)(D)(i). The Director of National Intelligence shall ensure that each such personnel receives comprehensive training on the applicable laws, policies, and procedures governing such determinations and queries prior to exercising such authority.

“(5) AUTOMATED REPORTING.—

“(A) REQUIREMENT FOR AUTOMATED REPORTING.—The Director of the National Intelligence, in consultation with the head of the agency responsible for acquisitions pursuant to orders subject to the requirements of this

subsection, shall establish a technical procedure whereby the aggregate number of queries performed pursuant to this subsection in the previous quarter shall be recorded automatically, and subsequently reported to the appropriate committees of Congress.

“(B) AVAILABILITY UPON REQUEST.—The information reported under subparagraph (A) shall be available to each of the following upon request:

“(i) The Inspector General of the National Security Agency.

“(ii) The Inspector General of the Intelligence Community.

“(iii) The Inspector General of the Department of Justice.

“(iv) Appropriate officials of the Department of Justice.

“(v) Appropriate officials of the National Security Agency.

“(vi) The Privacy and Civil Liberties Oversight Board.

“(6) COURT REVIEW OF RECORDS.—

“(A) REQUIREMENT TO PROVIDE RECORDS.—In accordance with minimization procedures required by subsection (g), and subject to subparagraph (B), a copy of each record for a determination prepared pursuant to paragraph (2)(A) shall be promptly provided to the court established under section 103(a).

“(B) RECORDS ASSOCIATED WITH UNITED STATES PERSONS.—In accordance with minimization procedures required by subsection (g), a copy of each record for a determination prepared pursuant to paragraph (2)(A) that is reasonably believed to be associated with a particular, known United States person shall be promptly provided to the court established under section 103(a), but no more than 7 days after the determination.

“(C) REMEDY FOR IMPROPER DETERMINATIONS.—If the court finds that the record of the determination indicates the determination did not meet the requirements of this section or is otherwise unlawful, the court may order that production of records under the applicable order be terminated or modified, that the information returned in response to queries using the selector identified in the determination be destroyed, or another appropriate remedy.

“(7) RECORD RETENTION AND QUERY RESTRICTIONS.—

“(A) RECORD RETENTION.—All records and information produced pursuant to an order subject to this subsection, other than the results of queries as described in paragraph (3), shall be retained no longer than 5 years from the date of acquisition.

“(B) QUERY RESTRICTIONS.—The Government shall not query any data acquired under this subsection and retained in accordance with the procedures described in paragraph (1)(C) more than 3 years after such data was acquired unless the Attorney General determines that the query meets the standard set forth in paragraph (1)(D)(i).

“(8) CONGRESSIONAL OVERSIGHT.—A copy of each order issued pursuant to an application made under subsection (a), and subject to the requirements of this subsection, shall be provided to the appropriate committees of Congress.

“(9) DEFINITIONS.—In this subsection:

“(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘appropriate committees of Congress’ means—

“(i) the Committee on the Judiciary and the Select Committee on Intelligence of the Senate; and

“(ii) the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives.

“(B) CONTENT.—The term ‘content’, with respect to a communication—

“(i) means any information concerning the substance, purport, or meaning of that communication; and

“(ii) does not include any dialing, routing, addressing, signaling information.

“(C) ELECTRONIC COMMUNICATION.—The term ‘electronic communication’ has the meaning given that term in section 2510 of title 18, United States Code.

“(D) ELECTRONIC COMMUNICATION SERVICE.—The term ‘electronic communication service’ has the meaning given that term in section 2510 of title 18, United States Code.

“(E) SELECTOR.—The term ‘selector’ means an identifier, such as a phone number or electronic account identifier, that is associated with a particular communicant or facility.

“(F) UNITED STATES PERSON.—The term ‘United States person’ has the meaning given that term in section 101 of this Act.

“(G) WIRE COMMUNICATION.—The term ‘wire communication’ has the meaning given that term in section 2510 of title 18, United States Code.”

(b) ANNUAL UNCLASSIFIED REPORT.—Section 502(c)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1862(c)(1)) is amended—

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

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

(3) by adding at the end the following:

“(C) for each order subject to the supplemental procedures under section 501(j)—

“(i) the number of unique selectors for which a recorded determination has been made under section 501(j)(1)(D)(i) that reasonable articulable suspicion exists that the selector is associated with international terrorism or activities in preparation therefor;

“(ii) the aggregate number of queries performed pursuant to such section;

“(iii) the aggregate number of investigative leads developed as a direct result of any query performed pursuant to subsection (j)(1)(D)(i); and

“(iv) the aggregate number of warrants or court orders, based upon a showing of probable cause, issued pursuant to title I or III of this Act or chapter 119, 121, or 205 of title 18, United States Code, in response to applications for such warrants or court orders containing information produced by such queries.”

### SEC. 3. ENHANCED CRIMINAL PENALTIES FOR UNAUTHORIZED ACCESS TO COLLECTED DATA.

Section 1030 of title 18, United States Code, is amended as follows:

(1) Subsection (a) is amended—

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

(B) in paragraph (7)(C), by adding “or” at the end; and

(C) by inserting after paragraph (7)(C) the following:

“(8) accesses a computer without authorization or exceeds authorized access and thereby obtains information from any department or agency of the United States knowing or having reason to know that such computer was operated by or on behalf of the United States and that such information was acquired by the United States pursuant to the Foreign Intelligence Surveillance Act (50 U.S.C. 1801 et seq.) pursuant to an order issued by a court established under section 103 of that Act (50 U.S.C. 1803).”

(2) Subsection (c) is amended—

(A) in paragraph (4)(G)(ii), by striking the period at the end and inserting a semicolon and “or”; and

(B) by adding at the end the following:

“(5) a fine under this title, imprisonment for not more than 10 years, or both, in the case of an offense under subsection (a)(8) of this section.”

### SEC. 4. APPOINTMENT OF AMICUS CURIAE.

Section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803) is amended by adding at the end the following:

“(i) AMICUS CURIAE.—

“(1) AUTHORIZATION.—Notwithstanding any other provision of law, a court established under subsection (a) or (b) is authorized, consistent with the requirement of subsection (c) and any other statutory requirement that the court act expeditiously or within a stated time, to appoint amicus curiae to assist the court in the consideration of a covered matter.

“(2) DEFINITIONS.—In this subsection:

“(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘appropriate committees of Congress’ means—

“(i) the Committee on the Judiciary and the Select Committee on Intelligence of the Senate; and

“(ii) the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives.

“(B) COVERED MATTER.—The term ‘covered matter’ means a matter before a court established under subsection (a) or (b)—

“(i) that, in the opinion of such a court, presents a legal or technical issue regarding which the court’s deliberations would benefit from participation by an amicus curiae; and

“(ii) that pertains to—

“(I) an application for an order under this title, title III, IV, or V of this Act, or section 703 or 704 of this Act;

“(II) a review of a certification or procedures under section 702 of this Act; or

“(III) a notice of non-compliance with any such order, certification, or procedures.

“(3) DESIGNATION.—The courts established by subsection (a) and (b) shall each designate 1 or more individuals who have been determined by appropriate executive branch officials to be eligible for access to classified national security information, including sensitive compartmented information, who may be appointed to serve as amicus curiae. In appointing an amicus curiae pursuant to paragraph (1), the court may choose from among those so designated.

“(4) EXPERTISE.—An individual appointed as an amicus curiae under paragraph (1) may be a special counsel or an expert on privacy and civil liberties, intelligence collection, telecommunications, or any other area that may lend legal or technical expertise to the court.

“(5) DUTIES.—An amicus curiae appointed under paragraph (1) to assist with the consideration of a covered matter shall carry out the duties assigned by the appointing court. That court may authorize, to the extent consistent with the case or controversy requirements of Article III of the Constitution of the United States and the national security of the United States, the amicus curiae to review any application, certification, petition, motion, or other submission that the court determines is relevant to the duties assigned by the court.

“(6) NOTIFICATION.—A court established under subsection (a) or (b) shall notify the Attorney General of each exercise of the authority to appoint an amicus curiae under paragraph (1).

“(7) ASSISTANCE.—A court established under subsection (a) or (b) may request and receive (including on a non-reimbursable basis) the assistance of the executive branch in the implementation of this subsection.

“(8) ADMINISTRATION.—A court established under subsection (a) or (b) may provide for the designation, appointment, removal, training, support, or other administration of an amicus curiae appointed under paragraph (1) in a manner that is not inconsistent with this subsection.

“(9) CONGRESSIONAL OVERSIGHT.—The Attorney General shall submit to the appropriate committees of Congress an annual report on the number of notices described in paragraph (6) received by Attorney General for the preceding 12-month period.”.

**SEC. 5. CONSOLIDATION OF CONGRESSIONAL OVERSIGHT PROVISIONS UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.**

(a) REPEAL OF CONGRESSIONAL OVERSIGHT PROVISIONS.—

(1) REPEAL.—The Foreign Intelligence Surveillance Act of 1978 is amended by striking sections 107, 108, 306, and 406 (50 U.S.C. 1807, 1808, 1826, and 1846).

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 is amended by striking the items relating to sections 107, 108, 306, and 406.

(b) SEMIANNUAL REPORT OF THE ATTORNEY GENERAL.—Section 601 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1871) is amended to read as follows:

**“SEC. 601. SEMIANNUAL REPORT OF THE ATTORNEY GENERAL.**

“(a) IN GENERAL.—

“(1) INFORMATION.—On a semiannual basis, the Attorney General shall submit to the appropriate committees of Congress a report pursuant to paragraph (2) concerning all electronic surveillance, physical searches, and uses of pen registers and trap and trace devices conducted under this Act.

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

“(A) ELECTRONIC SURVEILLANCE.—The total number of—

“(i) applications made for orders approving electronic surveillance under this Act;

“(ii) such orders either granted, modified, or denied;

“(iii) proposed applications for orders for electronic surveillance submitted pursuant to Rule 9(a) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule, that are not formally presented in the form of a final application under Rule 9(b) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule;

“(iv) named United States person targets of electronic surveillance;

“(v) emergency authorizations of electronic surveillance granted under this Act and the total number of subsequent orders approving or denying such electronic surveillance; and

“(vi) new compliance incidents arising from electronic surveillance under this Act.

“(B) PHYSICAL SEARCHES.—The total number of—

“(i) applications made for orders approving physical search under this Act;

“(ii) such orders either granted, modified, or denied;

“(iii) proposed applications for orders for physical searches submitted pursuant to Rule 9(a) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule, that are not formally presented in the form of a final application under Rule 9(b) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule;

“(iv) named United States person targets of physical searches;

“(v) emergency authorizations of physical searches granted under this Act and the total number of subsequent orders approving or denying such physical searches; and

“(vi) new compliance incidents arising from physical searches under this Act.

“(C) PEN REGISTER AND TRAP AND TRACE DEVICES.—The total number of—

“(i) applications made for orders approving the use of pen registers or trap and trace devices under this Act;

“(ii) such orders either granted, modified, or denied;

“(iii) proposed applications for orders for pen registers or trap and trace devices submitted pursuant to Rule 9(a) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule, that are not formally presented in the form of a final application under Rule 9(b) of the Rules of Procedure for the Foreign Intelligence Surveillance Court, or any successor rule;

“(iv) named United States person targets of pen registers or trap and trace devices;

“(v) emergency authorizations of the use of pen registers or trap and trace devices granted under this Act and the total number of subsequent orders approving or denying such use of pen registers or trap and trace devices; and

“(vi) new compliance incidents arising from the use of pen registers or trap and trace devices under this Act.

“(D) COMPLIANCE INCIDENTS.—A summary of each compliance incident reported under subparagraphs (A)(vi), (B)(vi), and (C)(vi).

“(E) SIGNIFICANT LEGAL INTERPRETATIONS.—A summary of significant legal interpretations of this Act involving matters before the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review, including interpretations presented in applications or pleadings filed with the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review.

“(b) SUBMISSIONS OF SIGNIFICANT DECISIONS, ORDERS, AND OPINIONS.—The Attorney General shall submit to the appropriate committees of Congress a copy of any decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review that includes a significant construction or interpretation of any provision of this Act, and any pleadings, applications, or memoranda of law associated with such decision, order, or opinion, not later than 45 days after such decision, order, or opinion is issued.

“(c) PROTECTION OF NATIONAL SECURITY.—The Director of National Intelligence, in consultation with the Attorney General, may authorize redactions of materials described in subsection (b) that are provided to the appropriate committees of Congress if such redactions are necessary to protect properly classified information.

“(d) AVAILABILITY TO MEMBERS OF CONGRESS.—Consistent with the rules and practices of the Senate and the House of Representatives, each report submitted pursuant to subsection (a)(2) and each submission made pursuant to subsection (b) shall be made available to every member of Congress, subject to appropriate procedures for the storage and handling of classified information.

“(e) PUBLIC REPORT.—

“(1) IN GENERAL.—Subject to paragraph (2), the Attorney General, in consultation with the Director of National Intelligence, shall make available to the public an unclassified annual summary of the reports submitted under subsection (a) that, to the maximum extent practicable consistent with the protection of classified information, includes the information contained in the report submitted pursuant to subsection (a)(2).

“(2) MINIMUM REQUIREMENTS.—In each report made available to the public under paragraph (1), the Attorney General shall include, at a minimum, the information required under subparagraphs (A), (B), and (C) of subsection (a)(2), which may be presented as annual totals.

“(f) CONSTRUCTION.—Nothing in this title may be construed to limit the authority and

responsibility of an appropriate committee of Congress to obtain any information required by such committee to carry out its functions and duties.

“(g) DEFINITIONS.—In this section:

“(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘appropriate committees of Congress’ means—

“(A) the Select Committee on Intelligence and the Committee on the Judiciary of the Senate; and

“(B) the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives.

“(2) ELECTRONIC SURVEILLANCE.—The term ‘electronic surveillance’ has the meaning given that term in section 101 of this Act.

“(3) FOREIGN INTELLIGENCE SURVEILLANCE COURT.—The term ‘Foreign Intelligence Surveillance Court’ means the court established under section 103(a) of this Act.

“(4) FOREIGN INTELLIGENCE SURVEILLANCE COURT OF REVIEW.—The term ‘Foreign Intelligence Surveillance Court of Review’ means the court established under section 103(b) of this Act.

“(5) PEN REGISTER.—The term ‘pen register’ has the meaning given that term in section 401 of this Act.

“(6) PHYSICAL SEARCH.—The term ‘physical search’ has the meaning given that term in section 301 of this Act.

“(7) TRAP AND TRACE DEVICE.—The term ‘trap and trace device’ has the meaning given that term in section 401 of this Act.

“(8) UNITED STATES PERSON.—The term ‘United States person’ has the meaning given that term in section 101 of this Act.”.

(c) AVAILABILITY OF REPORTS AND SUBMISSIONS.—

(1) IN GENERAL.—Title VI of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1871) is amended by adding after section 601 the following:

**“SEC. 602. AVAILABILITY OF REPORTS AND SUBMISSIONS.**

“(a) AVAILABILITY TO MEMBERS OF CONGRESS.—Consistent with the rules and practices of the Senate and the House of Representatives, each submission to Congress made pursuant to section 502(b), 702(1)(1), or 707 shall be made available, to every member of Congress, subject to appropriate procedures for the storage and handling of classified information.

“(b) PUBLIC REPORT.—The Attorney General or the Director of National Intelligence, as appropriate, shall make available to the public unclassified reports that, to the maximum extent practicable consistent with the protection of classified information, include the information contained in each submission to Congress made pursuant to section 502(b), 702(1)(1), or 707.”.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 is amended by inserting after the item relating to section 601 the following:

“Sec. 602. Availability of reports and submissions.”.

**SEC. 6. RESTRICTIONS ON QUERYING THE CONTENTS OF CERTAIN COMMUNICATIONS.**

Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) is amended by adding at the end the following:

“(m) QUERIES.—

“(1) LIMITATION ON QUERY TERMS THAT IDENTIFY A UNITED STATES PERSON.—A query of the contents of communications acquired under this section with a selector known to be used by a United States person may be conducted by personnel of elements of the Intelligence Community only if the purpose of the query is to obtain foreign intelligence information or information necessary to understand foreign intelligence information or to assess its importance.

“(2) RECORD.—

“(A) IN GENERAL.—For any query performed pursuant to paragraph (1) a record shall be retained of the identity of the Government personnel who performed the query, the date and time of the query, and the information indicating that the purpose of the query was to obtain foreign intelligence information or information necessary to understand foreign intelligence information or to assess its importance.

“(B) AVAILABILITY.—Each record prepared pursuant to subparagraph (A) shall be made available to the Department of Justice, the Office of the Director of National Intelligence, appropriate Inspectors General, the Foreign Intelligence Surveillance Court, and the appropriate committees of Congress.

“(3) CONSTRUCTION.—Nothing in this subsection may be construed—

“(A) to prohibit access to data collected under this section as may be necessary for technical assurance, data management or compliance purposes, or for the purpose of narrowing the results of queries, in which case no information produced pursuant to the order may be accessed, used, or disclosed other than for such purposes;

“(B) to limit the authority of a law enforcement agency to conduct a query for law enforcement purposes of the contents of communications acquired under this section; or

“(C) to limit the authority of an agency to conduct a query for the purpose of preventing a threat to life or serious bodily harm to any person.

“(4) DEFINITIONS.—In this subsection:

“(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘appropriate committees of Congress’ means—

“(i) the Select Committee on Intelligence and the Committee on the Judiciary of the Senate; and

“(ii) the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives.”

“(B) CONTENT.—The term ‘content’, with respect to a communication—

“(i) means any information concerning the substance, purport, or meaning of that communication; and

“(ii) does not include any dialing, routing, addressing, or signaling information.

“(C) SELECTOR.—The term ‘selector’ means an identifier, such as a phone number or electronic account identifier, that is associated with a particular communicant or facility.”

**SEC. 7. TEMPORARY TARGETING OF PERSONS OTHER THAN UNITED STATES PERSONS TRAVELING INTO THE UNITED STATES.**

(a) IN GENERAL.—Section 105 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805) is amended—

(1) by redesignating subsections (f), (g), (h), and (i) as subsections (g), (h), (i), and (j), respectively; and

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

“(f)(1) Notwithstanding any other provision of this Act, acquisition of foreign intelligence information by targeting a non-United States person reasonably believed to be located outside the United States that was lawfully initiated by an element of the intelligence community may continue for a transitional period not to exceed 72 hours from the time when it is recognized that the non-United States person is reasonably believed to be located inside the United States and that the acquisition is subject to this title or title III of this Act, provided that the head of the element determines that there exists an exigent circumstance and—

“(A) there is reason to believe that the target of the acquisition has communicated or

received or will communicate or receive foreign intelligence information relevant to the exigent circumstance; and

“(B) it is determined that a request for emergency authorization from the Attorney General in accordance with the terms of this Act is impracticable in light of the exigent circumstance.

“(2) The Director of National Intelligence or the head of an element of the intelligence community shall promptly notify the Attorney General of the decision to exercise the authority under this section and shall request emergency authorization from the Attorney General pursuant to this Act as soon as practicable, to the extent such request is warranted by the facts and circumstances.

“(3) Subject to subparagraph (4), the authority under this section to continue acquisition of foreign intelligence information is limited to 72 hours. However, if the Attorney General authorizes an emergency acquisition pursuant to this Act, then acquisition of foreign intelligence information may continue for the period of time that the Attorney General’s emergency authorization or any subsequent court order authorizing the acquisition remains in effect.

“(4) The authority to acquire foreign intelligence information under this subsection shall terminate upon any of the following, whichever occurs first—

“(A) 72 hours have elapsed since the commencement of the transitional period;

“(B) the Attorney General has directed that the acquisition be terminated; or

“(C) the exigent circumstance is no longer reasonably believed to exist.

“(5) If the Attorney General authorizes an emergency authorization during the transitional period, the acquisition of foreign intelligence shall continue during any transition to, and consistent with, the Attorney General emergency authorization or court order.

“(6) Any information of or concerning unconsenting United States persons acquired during the transitional period may only be disseminated during the transitional period if necessary to investigate, prevent, reduce, or eliminate the exigent circumstance or if it indicates a threat of death or serious bodily harm to any person.

“(7) In the event that during the transition period a request for an emergency authorization from the Attorney General pursuant to this Act for continued acquisition of foreign intelligence is not approved or an order from a court is not obtained to continue the acquisition, information obtained during the transitional period shall not be retained, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

“(8) The Attorney General shall assess compliance with the requirements of paragraph (7).”

(b) NOTIFICATION OF EMERGENCY EMPLOYMENT OF ELECTRONIC SURVEILLANCE.—Section 106(j) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1806(j)) is amended by striking “section 105(e)” and inserting “subsection (e) or (f) of section 105”.

**SEC. 8. ANNUAL REPORTS ON VIOLATIONS OF LAW OR EXECUTIVE ORDER.**

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by adding at the end the following:

**“SEC. 503. ANNUAL REPORT ON VIOLATIONS OF LAW OR EXECUTIVE ORDER.**

“(a) ANNUAL REPORTS REQUIRED.—The Director of National Intelligence shall annually submit to the congressional intelligence committees a report on violations of law or executive order relating to intelligence activities by personnel of an element of the intelligence community that were identified during the previous calendar year.

“(b) ELEMENTS.—Each report submitted under subsection (a) shall, consistent with the need to preserve ongoing criminal investigations, include a description of, and any action taken in response to, any violation of law or executive order (including Executive Order No. 12333 (50 U.S.C. 3001 note)) relating to intelligence activities committed by personnel of an element of the intelligence community in the course of the employment of such personnel that, during the previous calendar year, was—

“(1) determined by the director, head, or general counsel of any element of the intelligence community to have occurred;

“(2) referred to the Department of Justice for possible criminal prosecution; or

“(3) substantiated by the inspector general of any element of the intelligence community.”

(b) INITIAL REPORT.—The first report required under section 503 of the National Security Act of 1947, as added by subsection (a), shall be submitted not later than one year after the date of the enactment of this Act.

(c) GUIDELINES.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the head of each element of the intelligence community, shall—

(1) issue guidelines to carry out section 503 of the National Security Act of 1947, as added by subsection (a); and

(2) submit such guidelines to the congressional intelligence committees.

(d) TABLE OF CONTENTS AMENDMENT.—The table of sections in the first section of the National Security Act of 1947 is amended by adding after the item relating to section 502 the following new item:

“Sec. 503. Annual report on violations of law or executive order.”

(e) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to alter any requirement existing on the date of the enactment of this Act to submit a report under any provision of law.

**SEC. 9. PERIODIC REVIEW OF INTELLIGENCE COMMUNITY PROCEDURES FOR THE ACQUISITION, RETENTION, AND DISSEMINATION OF INTELLIGENCE.**

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), as amended by section 8, is further amended by adding at the end the following:

**“SEC. 504. PERIODIC REVIEW OF INTELLIGENCE COMMUNITY PROCEDURES FOR THE ACQUISITION, RETENTION, AND DISSEMINATION OF INTELLIGENCE.**

“(a) HEAD OF AN ELEMENT OF THE INTELLIGENCE COMMUNITY DEFINED.—In this section, the term ‘head of an element of the intelligence community’ means, as appropriate—

“(1) the head of an element of the intelligence community; or

“(2) the head of the department or agency containing such element.

“(b) REVIEW OF PROCEDURES APPROVED BY THE ATTORNEY GENERAL.—

“(1) REQUIREMENT FOR IMMEDIATE REVIEW.—Each head of an element of the intelligence community that has not obtained the approval of the Attorney General for the procedures, in their entirety, required by section 2.3 of Executive Order 12333 (50 U.S.C. 3001 note) within 5 years prior to the date of the enactment of the FISA Improvements Act of 2014, shall initiate, not later than 180 days after such date of enactment, a review of the procedures for such element, in accordance with paragraph (3).

“(2) REQUIREMENT FOR REVIEW.—Not less frequently than once every 5 years, each head of an element of the intelligence community shall conduct a review of the procedures approved by the Attorney General for

such element that are required by section 2.3 of Executive Order 12333 (50 U.S.C. 3001 note), or any successor order, in accordance with paragraph (3).

“(3) REQUIREMENTS FOR REVIEWS.—In coordination with the Director of National Intelligence and the Attorney General, the head of an element of the intelligence community required to perform a review under paragraphs (1) or (2) shall—

“(A) review existing procedures for such element that are required by section 2.3 of Executive Order 12333 (50 U.S.C. 3001 note), or any successor order, to assess whether—

“(i) advances in communications or other technologies since the time the procedures were most recently approved by the Attorney General have affected the privacy protections that the procedures afford to United States persons, to include the protections afforded to United States persons whose non-public communications are incidentally acquired by an element of the intelligence community; or

“(ii) aspects of the existing procedures impair the acquisition, retention, or dissemination of timely, accurate, and insightful information about the activities, capabilities, plans, and intentions of foreign powers, organization, and persons, and their agents; and

“(B) propose any modifications to existing procedures for such element in order to—

“(i) clarify the guidance such procedures afford to officials responsible for the acquisition, retention, and dissemination of intelligence;

“(ii) eliminate unnecessary impediments to the acquisition, retention, and dissemination of intelligence; or

“(iii) ensure appropriate protections for the privacy of United States persons and persons located inside the United States.

“(4) NOTICE.—The Director of National Intelligence and the Attorney General shall notify the congressional intelligence committees following the completion of each review required under this section.

“(5) REQUIREMENT TO PROVIDE PROCEDURES.—Upon the implementation of any modifications to procedures required by section 2.3 of Executive Order 12333 (50 U.S.C. 3001 note), or any successor order, the head of the element of the intelligence community to which the modified procedures apply shall promptly provide a copy of the modified procedures to the congressional intelligence committees.”

(b) CLERICAL AMENDMENT.—The table of sections in the first section of the National Security Act of 1947, as amended by section 8, is further amended by adding after the section relating to section 503 the following:

“Sec. 504. Periodic review of intelligence community procedures for the acquisition, retention, and dissemination of intelligence.”

**SEC. 10. PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD ENHANCEMENTS RELATING TO THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.**

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE OFFICIAL.—The term “appropriate official” means the appropriate official of an agency or department of the United States who is responsible for preparing or submitting a covered application.

(2) BOARD.—The term “Board” means the Privacy and Civil Liberties Oversight Board established in section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee).

(3) COVERED APPLICATION.—The term “covered application” means a submission to a FISA Court—

(A) that—

(i) presents a novel or significant interpretation of the law; and

(ii) relates to efforts to protect the United States from terrorism; and

(B) that is—

(i) a final application for an order under title I, III, IV, or V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) or section 703 or 704 of that Act (50 U.S.C. 1881b and 1881c);

(ii) a review of a certification or procedure under section 702 of that Act (50 U.S.C. 1881a); or

(iii) a notice of non-compliance with such an order, certification, or procedures.

(4) FISA COURT.—The term “FISA Court” means a court established under subsection (a) or (b) of section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803).

(b) NOTICE OF SUBMISSIONS AND ORDERS.—

(1) SUBMISSION TO FISA COURT.—Notwithstanding any provision of section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803), if a covered application is filed with a FISA Court, the appropriate official shall provide such covered application to the Board not later than the date of such filing, provided the provision of such covered application does not delay any filing with a FISA Court.

(2) FISA COURT ORDERS.—Notwithstanding any provision of section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803), the appropriate official shall provide to the Board each order of a FISA Court related to a covered application.

(c) DISCRETIONARY ASSESSMENT OF THE BOARD.—

(1) NOTICE OF DECISION TO CONDUCT ASSESSMENT.—Upon receipt of a covered application under subsection (b)(1), the Board shall—

(A) elect whether to conduct the assessment described in paragraph (3); and

(B) submit to the appropriate official a notice of the Board’s election under subparagraph (A).

(2) TIMELY SUBMISSION.—The Board shall in a timely manner prepare and submit to the appropriate official—

(A) the notice described in paragraph (1)(B); and

(B) the associated assessment, if the Board elects to conduct such an assessment.

(3) CONTENT.—An assessment of a covered application prepared by the Board shall address whether the covered application is balanced with the need to protect privacy and civil liberties, including adequate supervision and guidelines to ensure protection of privacy and civil liberties.

(d) ANNUAL REVIEW.—The Board shall conduct an annual review of the activities of the National Security Agency related to information collection under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(e) PROVISION OF COMMUNICATIONS SERVICES AND OFFICE SPACE TO CERTAIN MEMBERS OF PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.—Section 1061(g) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(g)) is amended by adding at the end the following:

“(5) PROVISION OF COMMUNICATIONS SERVICES AND OFFICE SPACE.—The Director of National Intelligence shall provide to each member of the Board who resides more than 100 miles from the District of Columbia such communications services and office space as may be necessary for the member to access and use classified information. Such services and office space shall be located at an existing secure government or contractor facility located within the vicinity of such member’s place of residence.”

**SEC. 11. EXTENSION OF SUNSETS OF PROVISIONS RELATING TO ACCESS TO BUSINESS RECORDS, INDIVIDUAL TERRORISTS AS AGENTS OF FOREIGN POWERS, AND ROVING WIRETAPS.**

(a) USA PATRIOT IMPROVEMENT AND RE-AUTHORIZATION ACT OF 2005.—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109-177; 50 U.S.C. 1805 note, 50 U.S.C. 1861 note, and 50 U.S.C. 1862 note) is amended by striking “June 1, 2015,” and inserting “December 31, 2017.”

(b) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—Section 6001(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 118 Stat. 3742; 50 U.S.C. 1801 note) is amended by striking “June 1, 2015,” and inserting “December 31, 2017.”

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 18, 2014, at 2:30 p.m.

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

**SELECT COMMITTEE ON INTELLIGENCE**

Mr. CARDIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 18, 2014, at 2:30 p.m.

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

**SUBCOMMITTEE ON TAXATION AND IRS OVERSIGHT**

Mr. CARDIN. Mr. President, I ask unanimous consent that the Subcommittee on Taxation and IRS Oversight of the Committee on Finance be authorized to meet during the session of the Senate on November 18, 2014, at 2:30 p.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Tax Relief after a Disaster: How Individuals, Small Businesses, and Communities Recover.”

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

**PRIVILEGES OF THE FLOOR**

Mr. CARDIN. Mr. President, I ask unanimous consent that floor privileges be granted to Timothy A. Zink, a member of my legislative staff, during Senate consideration of S. 2280, the Keystone XL Pipeline approval bill.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Leela Baggett, Vincent Brown, and Naomi Pitkin, interns with the Senate Health, Education, Labor, and Pensions Committee, be granted floor privileges for the remainder of today’s session.

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