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SA 4090. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 4091. Mr. SCHATZ (for himself, Mr. MURPHY, Ms. BALDWIN, Mr. BOOKER, Mrs. GILLIBRAND, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 3996.** Mrs. FEINSTEIN (for herself, Mr. LEE, Mr. PAUL, Mr. UDALL of New Mexico, Mr. CRUZ, Mr. WHITEHOUSE, Ms. COLLINS, Mr. COONS, Mr. ROBERTS, Mr. FRANKEN, Mr. ENZI, Mr. HEINRICH, Mr. KIRK, Mr. ROCKEFELLER, Ms. KLOBUCHAR, Mr. MARKEY, Mr. NELSON, and Mr. MERKLEY) submitted an amendment intended to be proposed by her to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

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

#### **SEC. 1034. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.**

Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following new subsection (a):

“(a) No citizen or lawful permanent resident of the United States shall be imprisoned

or otherwise detained by the United States except consistent with the Constitution and pursuant to an act of Congress that expressly authorizes such imprisonment or detention.”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

“(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015.

“(3) This section shall not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.”.

**SA 3997.** Mrs. BOXER (for Mr. ROCKEFELLER (for himself and Mr. THUNE)) proposed an amendment to the bill S. 2444, to authorize appropriations for the Coast Guard for fiscal year 2015, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Howard Coble Coast Guard and Maritime Transportation Act of 2014”.

#### **SEC. 2. TABLE OF CONTENTS.**

The table of contents for this Act is the following:

Sec. 1. Short title.

Sec. 2. Table of contents.

#### **TITLE I—AUTHORIZATION**

Sec. 101. Authorization of appropriations.

Sec. 102. Authorized levels of military strength and training.

#### **TITLE II—COAST GUARD**

Sec. 201. Commissioned officers.

Sec. 202. Commandant; appointment.

Sec. 203. Prevention and response workforces.

Sec. 204. Centers of expertise.

Sec. 205. Penalties.

Sec. 206. Agreements.

Sec. 207. Tuition assistance program coverage of textbooks and other educational materials.

Sec. 208. Coast Guard housing.

Sec. 209. Lease authority.

Sec. 210. Notification of certain determinations.

Sec. 211. Annual Board of Visitors.

Sec. 212. Flag officers.

Sec. 213. Repeal of limitation on medals of honor.

Sec. 214. Coast Guard family support and child care.

Sec. 215. Mission need statement.

Sec. 216. Transmission of annual Coast Guard authorization request.

Sec. 217. Inventory of real property.

Sec. 218. Retired service members and dependents serving on advisory committees.

Sec. 219. Active duty for emergency augmentation of regular forces.

Sec. 220. Acquisition workforce expedited hiring authority.

Sec. 221. Coast Guard administrative savings.

Sec. 222. Technical corrections to title 14.

Sec. 223. Multiyear procurement authority for Offshore Patrol Cutters.

Sec. 224. Maintaining Medium Endurance Cutter mission capability.

Sec. 225. Aviation capability.

Sec. 226. Gaps in writings on Coast Guard history.

Sec. 227. Officer evaluation reports.

Sec. 228. Improved safety information for vessels.

Sec. 229. E-LORAN.

Sec. 230. Analysis of resource deficiencies with respect to maritime border security.

Sec. 231. Modernization of National Distress and Response System.

Sec. 232. Report reconciling maintenance and operational priorities on the Missouri River.

Sec. 233. Maritime Search and Rescue Assistance Policy assessment.

#### **TITLE III—SHIPPING AND NAVIGATION**

Sec. 301. Repeal.

Sec. 302. Donation of historical property.

Sec. 303. Small shipyards.

Sec. 304. Drug testing reporting.

Sec. 305. Opportunities for sea service veterans.

Sec. 306. Clarification of high-risk waters.

Sec. 307. Technical corrections.

Sec. 308. Report.

Sec. 309. Fishing safety grant programs.

Sec. 310. Establishment of Merchant Marine Personnel Advisory Committee.

Sec. 311. Travel and subsistence.

Sec. 312. Prompt intergovernmental notice of marine casualties.

Sec. 313. Area Contingency Plans.

Sec. 314. International ice patrol reform.

Sec. 315. Offshore supply vessel third-party inspection.

Sec. 316. Watches.

Sec. 317. Coast Guard response plan requirements.

Sec. 318. Regional Citizens' Advisory Council.

Sec. 319. Uninspected passenger vessels in the United States Virgin Islands.

Sec. 320. Treatment of abandoned seafarers.

Sec. 321. Website.

Sec. 322. Coast Guard regulations.

#### **TITLE IV—FEDERAL MARITIME COMMISSION**

Sec. 401. Authorization of appropriations.

Sec. 402. Award of reparations.

Sec. 403. Terms of Commissioners.

#### **TITLE V—ARCTIC MARITIME TRANSPORTATION**

Sec. 501. Arctic maritime transportation.

Sec. 502. Arctic maritime domain awareness.

Sec. 503. IMO Polar Code negotiations.

Sec. 504. Forward operating facilities.

Sec. 505. Icebreakers.

Sec. 506. Icebreaking in polar regions.

#### **TITLE VI—MISCELLANEOUS**

Sec. 601. Distant water tuna fleet.

Sec. 602. Extension of moratorium.

Sec. 603. National maritime strategy.

Sec. 604. Waivers.

Sec. 605. Competition by United States flag vessels.

Sec. 606. Vessel requirements for notices of arrival and departure and automatic identification system.

Sec. 607. Conveyance of Coast Guard property in Rochester, New York.

Sec. 608. Conveyance of certain property in Gig Harbor, Washington.

Sec. 609. Vessel determination.

Sec. 610. Safe vessel operation in Thunder Bay.

Sec. 611. Parking facilities.

#### **TITLE I—AUTHORIZATION**

#### **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

Funds are authorized to be appropriated for fiscal year 2015 for necessary expenses of the Coast Guard as follows:

(1) For the operation and maintenance of the Coast Guard, \$6,981,036,000.

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft, including equipment related thereto, \$1,546,448,000, to remain available until expended.

(3) For the Coast Guard Reserve program, including personnel and training costs, equipment, and services, \$140,016,000.

(4) For environmental compliance and restoration of Coast Guard vessels, aircraft, and facilities (other than parts and equipment associated with operation and maintenance), \$16,701,000, to remain available until expended.

(5) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard's mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, \$19,890,000.

(6) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Alteration of Bridges Program, \$16,000,000.

#### **SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.**

(a) **ACTIVE DUTY STRENGTH.**—The Coast Guard is authorized an end-of-year strength for active duty personnel of 43,000 for fiscal year 2015.

(b) **MILITARY TRAINING STUDENT LOADS.**—The Coast Guard is authorized average military training student loads for fiscal year 2015 as follows:

(1) For recruit and special training, 2,500 student years.

(2) For flight training, 165 student years.

(3) For professional training in military and civilian institutions, 350 student years.

(4) For officer acquisition, 1,200 student years.

#### **TITLE II—COAST GUARD**

##### **SEC. 201. COMMISSIONED OFFICERS.**

Section 42(a) of title 14, United States Code, is amended by striking “7,200” and inserting “6,900”.

##### **SEC. 202. COMMANDANT; APPOINTMENT.**

Section 44 of title 14, United States Code, is amended by inserting after the first sentence the following: “The term of an appointment, and any reappointment, shall begin on June 1 of the appropriate year and end on May 31 of the appropriate year, except that, in the event of death, retirement, resignation, or reassignment, or when the needs of the Service demand, the Secretary may alter the date on which a term begins or ends if the alteration does not result in the term exceeding a period of 4 years.”.

##### **SEC. 203. PREVENTION AND RESPONSE WORKFORCES.**

Section 57 of title 14, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2) by striking “or” at the end;

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

(C) by adding at the end the following:

“(4) waterways operations manager shall have knowledge, skill, and practical experience with respect to marine transportation system management; or

“(5) port and facility safety and security specialist shall have knowledge, skill, and practical experience with respect to the safety, security, and environmental protection responsibilities associated with maritime ports and facilities.”;

(2) in subsection (c) by striking “or marine safety engineer” and inserting “marine safety engineer, waterways operations manager, or port and facility safety and security specialist”; and

(3) in subsection (f)(2) by striking “investigator or marine safety engineer.” and inserting “investigator, marine safety engineer, waterways operations manager, or port and facility safety and security specialist.”.

##### **SEC. 204. CENTERS OF EXPERTISE.**

Section 58(b) of title 14, United States Code, is amended to read as follows:

“(b) **MISSIONS.**—Any center established under subsection (a) shall—

“(1) promote, facilitate, and conduct—

“(A) education;

“(B) training; and

“(C) activities authorized under section 93(a)(4);

“(2) be a repository of information on operations, practices, and resources related to the mission for which the center was established; and

“(3) perform and support the mission for which the center was established.”.

##### **SEC. 205. PENALTIES.**

(a) **AIDS TO NAVIGATION AND FALSE DISTRESS MESSAGES.**—Chapter 5 of title 14, United States Code, is amended—

(1) in section 83 by striking “\$100” and inserting “\$1,500”;

(2) in section 84 by striking “\$500” and inserting “\$1,500”;

(3) in section 85 by striking “\$100” and inserting “\$1,500”; and

(4) in section 88(c)(2) by striking “\$5,000” and inserting “\$10,000”.

(b) **UNAUTHORIZED USE OF WORDS “COAST GUARD”.**—Section 639 of title 14, United States Code, is amended by striking “\$1,000” and inserting “\$10,000”.

##### **SEC. 206. AGREEMENTS.**

(a) **IN GENERAL.**—Section 93(a)(4) of title 14, United States Code, is amended—

(1) by striking “, investigate” and inserting “and investigate”; and

(2) by striking “, and cooperate and coordinate such activities with other Government agencies and with private agencies”.

(b) **AUTHORITY.**—Chapter 5 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

##### **“§ 102. Agreements**

“(a) **IN GENERAL.**—In carrying out section 93(a)(4), the Commandant may—

“(1) enter into cooperative agreements, contracts, and other agreements with—

“(A) Federal entities;

“(B) other public or private entities in the United States, including academic entities; and

“(C) foreign governments with the concurrence of the Secretary of State; and

“(2) impose on and collect from an entity subject to an agreement or contract under paragraph (1) a fee to assist with expenses incurred in carrying out such section.

“(b) **DEPOSIT AND USE OF FEES.**—Fees collected under this section shall be deposited in the general fund of the Treasury as offsetting receipts. The fees may be used, to the extent provided in advance in an appropriation law, only to carry out activities under section 93(a)(4).”.

(c) **CLERICAL AMENDMENT.**—The analysis for such chapter is amended by adding at the end the following:

“102. Agreements.”.

##### **SEC. 207. TUITION ASSISTANCE PROGRAM COVERAGE OF TEXTBOOKS AND OTHER EDUCATIONAL MATERIALS.**

Section 93(a)(7) of title 14, United States Code, is amended by inserting “and the textbooks, manuals, and other materials re-

quired as part of such training or course of instruction” after “correspondence courses”.

##### **SEC. 208. COAST GUARD HOUSING.**

(a) **COMMANDANT; GENERAL POWERS.**—Section 93(a)(13) of title 14, United States Code, is amended by striking “the Treasury” and inserting “the fund established under section 687”.

(b) **LIGHTHOUSE PROPERTY.**—Section 672a(b) of title 14, United States Code, is amended by striking “the Treasury” and inserting “the fund established under section 687”.

(c) **CONFORMING AMENDMENT.**—Section 687(b) of title 14, United States Code, is amended by adding at the end the following:

“(4) Monies received under section 93(a)(13).

“(5) Amounts received under section 672a(b).”.

##### **SEC. 209. LEASE AUTHORITY.**

Section 93 of title 14, United States Code, is amended by adding at the end the following:

“(f) **LEASING OF TIDELANDS AND SUBMERGED LANDS.**—

“(1) **AUTHORITY.**—The Commandant may lease under subsection (a)(13) submerged lands and tidelands under the control of the Coast Guard without regard to the limitation under that subsection with respect to lease duration.

“(2) **LIMITATION.**—The Commandant may lease submerged lands and tidelands under paragraph (1) only if—

“(A) lease payments are—

“(i) received exclusively in the form of cash;

“(ii) equal to the fair market value of the use of the leased submerged lands or tidelands for the period during which such lands are leased, as determined by the Commandant; and

“(iii) deposited in the fund established under section 687; and

“(B) the lease does not provide authority to or commit the Coast Guard to use or support any improvements to such submerged lands or tidelands, or obtain goods or services from the lessee.”.

##### **SEC. 210. NOTIFICATION OF CERTAIN DETERMINATIONS.**

(a) **IN GENERAL.**—Chapter 5 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

##### **“§ 103. Notification of certain determinations**

“(a) **IN GENERAL.**—At least 90 days prior to making a final determination that a waterway, or a portion thereof, is navigable for purposes of the jurisdiction of the Coast Guard, the Commandant shall provide notification regarding the proposed determination to—

“(1) the Governor of each State in which such waterway, or portion thereof, is located;

“(2) the public; and

“(3) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

“(b) **CONTENT REQUIREMENT.**—Each notification provided under subsection (a) to an entity specified in paragraph (3) of that subsection shall include—

“(1) an analysis of whether vessels operating on the waterway, or portion thereof, subject to the proposed determination are subject to inspection or similar regulation by State or local officials;

“(2) an analysis of whether operators of commercial vessels on such waterway, or portion thereof, are subject to licensing or similar regulation by State or local officials; and

“(3) an estimate of the annual costs that the Coast Guard may incur in conducting operations on such waterway, or portion thereof.”

(b) CLERICAL AMENDMENT.—The analysis for such chapter, as amended by this Act, is further amended by adding at the end the following:

“103. Notification of certain determinations.”

#### SEC. 211. ANNUAL BOARD OF VISITORS.

Section 194 of title 14, United States Code, is amended to read as follows:

##### “§ 194. Annual Board of Visitors

“(a) IN GENERAL.—A Board of Visitors to the Coast Guard Academy is established to review and make recommendations on the operation of the Academy.

“(b) MEMBERSHIP.—

“(1) IN GENERAL.—The membership of the Board shall consist of the following:

“(A) The chairman of the Committee on Commerce, Science, and Transportation of the Senate, or the chairman’s designee.

“(B) The chairman of the Committee on Transportation and Infrastructure of the House of Representatives, or the chairman’s designee.

“(C) 3 Members of the Senate designated by the Vice President.

“(D) 4 Members of the House of Representatives designated by the Speaker of the House of Representatives.

“(E) 6 individuals designated by the President.

“(2) LENGTH OF SERVICE.—

“(A) MEMBERS OF CONGRESS.—A Member of Congress designated under subparagraph (C) or (D) of paragraph (1) as a member of the Board shall be designated as a member in the First Session of a Congress and serve for the duration of that Congress.

“(B) INDIVIDUALS DESIGNATED BY THE PRESIDENT.—Each individual designated by the President under subparagraph (E) of paragraph (1) shall serve as a member of the Board for 3 years, except that any such member whose term of office has expired shall continue to serve until a successor is appointed.

“(3) DEATH OR RESIGNATION OF A MEMBER.—If a member of the Board dies or resigns, a successor shall be designated for any unexpired portion of the term of the member by the official who designated the member.

“(c) ACADEMY VISITS.—

“(1) ANNUAL VISIT.—The Board shall visit the Academy annually to review the operation of the Academy.

“(2) ADDITIONAL VISITS.—With the approval of the Secretary, the Board or individual members of the Board may make other visits to the Academy in connection with the duties of the Board or to consult with the Superintendent of the Academy.

“(d) SCOPE OF REVIEW.—The Board shall review, with respect to the Academy—

“(1) the state of morale and discipline;

“(2) the curriculum;

“(3) instruction;

“(4) physical equipment;

“(5) fiscal affairs; and

“(6) other matters relating to the Academy that the Board determines appropriate.

“(e) REPORT.—Not later than 60 days after the date of an annual visit of the Board under subsection (c)(1), the Board shall submit to the Secretary, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report on the actions of the Board during such visit and the recommendations of the Board pertaining to the Academy.

“(f) ADVISORS.—If approved by the Secretary, the Board may consult with advisors in carrying out this section.

“(g) REIMBURSEMENT.—Each member of the Board and each adviser consulted by the Board under subsection (f) shall be reimbursed, to the extent permitted by law, by the Coast Guard for actual expenses incurred while engaged in duties as a member or adviser.”

#### SEC. 212. FLAG OFFICERS.

(a) IN GENERAL.—Title 14, United States Code, is amended by inserting after section 295 the following:

##### “§ 296. Flag officers

“During any period in which the Coast Guard is not operating as a service in the Navy, section 1216(d) of title 10 does not apply with respect to flag officers of the Coast Guard.”

(b) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 14, United States Code, is amended by inserting after the item relating to section 295 the following:

“296. Flag officers.”

#### SEC. 213. REPEAL OF LIMITATION ON MEDALS OF HONOR.

Section 494 of title 14, United States Code, is amended by striking “medal of honor,” each place it appears.

#### SEC. 214. COAST GUARD FAMILY SUPPORT AND CHILD CARE.

(a) IN GENERAL.—Title 14, United States Code, as amended by this Act, is further amended by inserting after chapter 13 the following:

##### “CHAPTER 14—COAST GUARD FAMILY SUPPORT AND CHILD CARE

###### “SUBCHAPTER I—GENERAL PROVISIONS

“Sec.

“531. Work-life policies and programs.

“532. Surveys of Coast Guard families.

###### “SUBCHAPTER II—COAST GUARD FAMILY SUPPORT

“542. Education and training opportunities for Coast Guard spouses.

“543. Youth sponsorship initiatives.

###### “SUBCHAPTER III—COAST GUARD CHILD CARE

“551. Definitions.

“553. Child development center standards and inspections.

“554. Child development center employees.

“555. Parent partnerships with child development centers.

###### “SUBCHAPTER I—GENERAL PROVISIONS

##### “§ 531. Work-life policies and programs

“The Commandant is authorized—

“(1) to establish an office for the purpose of developing, promulgating, and coordinating policies, programs, and activities related to the families of Coast Guard members;

“(2) to implement and oversee policies, programs, and activities described in paragraph (1) as the Commandant considers necessary; and

“(3) to perform such other duties as the Commandant considers necessary.

##### “§ 532. Surveys of Coast Guard families

“(a) AUTHORITY.—The Commandant, in order to determine the effectiveness of Federal policies, programs, and activities related to the families of Coast Guard members, may survey—

“(1) any Coast Guard member;

“(2) any retired Coast Guard member;

“(3) the immediate family of any Coast Guard member or retired Coast Guard member; and

“(4) any survivor of a deceased Coast Guard member.

“(b) VOLUNTARY PARTICIPATION.—Participation in any survey conducted under subsection (a) shall be voluntary.

“(c) FEDERAL RECORDKEEPING.—Each person surveyed under subsection (a) shall be considered an employee of the United States for purposes of section 3502(3)(A)(i) of title 44.

#### “SUBCHAPTER II—COAST GUARD FAMILY SUPPORT

##### “§ 542. Education and training opportunities for Coast Guard spouses

“(a) TUITION ASSISTANCE.—The Commandant may provide, subject to the availability of appropriations, tuition assistance to an eligible spouse to facilitate the acquisition of—

“(1) education and training required for a degree or credential at an accredited college, university, or technical school in the United States that expands employment and portable career opportunities for the spouse; or

“(2) education prerequisites and a professional license or credential required, by a government or government-sanctioned licensing body, for an occupation that expands employment and portable career opportunities for the spouse.

“(b) DEFINITIONS.—In this section, the following definitions apply:

“(1) ELIGIBLE SPOUSE.—

“(A) IN GENERAL.—The term ‘eligible spouse’ means the spouse of a member of the Coast Guard who is serving on active duty and includes a spouse who receives transitional compensation under section 1059 of title 10.

“(B) EXCLUSION.—The term ‘eligible spouse’ does not include a person who—

“(i) is married to, but legally separated from, a member of the Coast Guard under a court order or statute of any State or territorial possession of the United States; or

“(ii) is eligible for tuition assistance as a member of the Armed Forces.

“(2) PORTABLE CAREER.—The term ‘portable career’ includes an occupation that requires education, training, or both that results in a credential that is recognized by an industry, profession, or specific type of business.

##### “§ 543. Youth sponsorship initiatives

“(a) IN GENERAL.—The Commandant is authorized to establish, within any Coast Guard unit, an initiative to help integrate into new surroundings the dependent children of members of the Coast Guard who received permanent change of station orders.

“(b) DESCRIPTION OF INITIATIVE.—An initiative established under subsection (a) shall—

“(1) provide for the involvement of a dependent child of a member of the Coast Guard in the dependent child’s new Coast Guard community; and

“(2) primarily focus on preteen and teen-aged children.

“(c) AUTHORITY.—In carrying out an initiative under subsection (a), the Commandant may—

“(1) provide to a dependent child of a member of the Coast Guard information on youth programs and activities available in the dependent child’s new Coast Guard community; and

“(2) enter into agreements with nonprofit entities to provide youth programs and activities to such child.

#### “SUBCHAPTER III—COAST GUARD CHILD CARE

##### “§ 551. Definitions

“In this subchapter, the following definitions apply:

“(1) CHILD ABUSE AND NEGLECT.—The term ‘child abuse and neglect’ has the meaning given that term in section 3 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 note).

“(2) CHILD DEVELOPMENT CENTER EMPLOYEE.—The term ‘child development center employee’ means a civilian employee of the Coast Guard who is employed to work in a Coast Guard child development center without regard to whether the employee is paid from appropriated or nonappropriated funds.

“(3) COAST GUARD CHILD DEVELOPMENT CENTER.—The term ‘Coast Guard child development center’ means a facility on Coast Guard property or on property under the jurisdiction of the commander of a Coast Guard unit at which child care services are provided for members of the Coast Guard.

“(4) COMPETITIVE SERVICE POSITION.—The term ‘competitive service position’ means a position in the competitive service (as defined in section 2102 of title 5).

“(5) FAMILY HOME DAYCARE.—The term ‘family home daycare’ means home-based child care services provided for a member of the Coast Guard by an individual who—

“(A) is certified by the Commandant as qualified to provide home-based child care services; and

“(B) provides home-based child care services on a regular basis in exchange for monetary compensation.

#### **“§ 553. Child development center standards and inspections**

“(a) STANDARDS.—The Commandant shall require each Coast Guard child development center to meet standards that the Commandant considers appropriate to ensure the health, safety, and welfare of the children and employees at the center.

“(b) INSPECTIONS.—The Commandant shall provide for regular and unannounced inspections of each Coast Guard child development center to ensure compliance with this section.

“(c) NATIONAL REPORTING.—

“(1) IN GENERAL.—The Commandant shall maintain and publicize a means by which an individual can report, with respect to a Coast Guard child development center or a family home daycare—

“(A) any suspected violation of—

“(i) standards established under subsection (a); or

“(ii) any other applicable law or standard;

“(B) suspected child abuse or neglect; or

“(C) any other deficiency.

“(2) ANONYMOUS REPORTING.—The Commandant shall ensure that an individual making a report pursuant to paragraph (1) may do so anonymously if so desired by the individual.

“(3) PROCEDURES.—The Commandant shall establish procedures for investigating reports made pursuant to paragraph (1).

#### **“§ 554. Child development center employees**

“(a) TRAINING.—

“(1) IN GENERAL.—The Commandant shall establish a training program for Coast Guard child development center employees and satisfactory completion of the training program shall be a condition of employment for each employee of a Coast Guard child development center.

“(2) TIMING FOR NEW HIRES.—The Commandant shall require each employee of a Coast Guard child development center to complete the training program established under paragraph (1) not later than 6 months after the date on which the employee is hired.

“(3) MINIMUM REQUIREMENTS.—The training program established under paragraph (1) shall include, at a minimum, instruction with respect to—

“(A) early childhood development;

“(B) activities and disciplinary techniques appropriate to children of different ages;

“(C) child abuse and neglect prevention and detection; and

“(D) cardiopulmonary resuscitation and other emergency medical procedures.

“(4) USE OF DEPARTMENT OF DEFENSE PROGRAMS.—The Commandant may use Department of Defense training programs, on a reimbursable or nonreimbursable basis, for purposes of this subsection.

“(b) TRAINING AND CURRICULUM SPECIALISTS.—

“(1) SPECIALIST REQUIRED.—The Commandant shall require that at least 1 employee at each Coast Guard child development center be a specialist in training and curriculum development with appropriate credentials and experience.

“(2) DUTIES.—The duties of the specialist described in paragraph (1) shall include—

“(A) special teaching activities;

“(B) daily oversight and instruction of other child care employees;

“(C) daily assistance in the preparation of lesson plans;

“(D) assisting with child abuse and neglect prevention and detection; and

“(E) advising the director of the center on the performance of the other child care employees.

“(3) COMPETITIVE SERVICE.—Each specialist described in paragraph (1) shall be an employee in a competitive service position.

#### **“§ 555. Parent partnerships with child development centers**

“(a) PARENT BOARDS.—

“(1) FORMATION.—The Commandant shall require that there be formed at each Coast Guard child development center a board of parents, to be composed of parents of children attending the center.

“(2) FUNCTIONS.—Each board of parents formed under paragraph (1) shall—

“(A) meet periodically with the staff of the center at which the board is formed and the commander of the unit served by the center, for the purpose of discussing problems and concerns; and

“(B) be responsible, together with the staff of the center, for coordinating any parent participation initiative established under subsection (b).

“(3) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to a board of parents formed under paragraph (1).

“(b) PARENT PARTICIPATION INITIATIVE.—The Commandant is authorized to establish a parent participation initiative at each Coast Guard child development center to encourage and facilitate parent participation in educational and related activities at the center.”

“(b) TRANSFER OF PROVISIONS.—

“(1) IN GENERAL.—

(A) REIMBURSEMENT FOR ADOPTION EXPENSES.—Section 514 of title 14, United States Code, is redesignated as section 541 and transferred to appear before section 542 of such title, as added by subsection (a) of this section.

(B) CHILD DEVELOPMENT SERVICES.—Section 515 of title 14, United States Code—

(i) is redesignated as section 552 and transferred to appear after section 551 of such title, as added by subsection (a) of this section; and

(ii) is amended—

(I) in subsection (b)(2)(B) by inserting “and whether a family is participating in an initiative established under section 555(b)” after “family income”; and

(II) by striking subsections (c) and (e); and

(III) by redesignating subsection (d) as subsection (c).

(C) DEPENDENT SCHOOL CHILDREN.—Section 657 of title 14, United States Code—

(i) is redesignated as section 544 and transferred to appear after section 543 of such title, as added by subsection (a) of this section; and

(ii) is amended in subsection (a) by striking “Except as otherwise” and all that follows through “The Secretary may” and inserting “The Secretary may”.

(2) CONFORMING AMENDMENTS.—

(A) PART I.—The analysis for part I of title 14, United States Code, is amended by inserting after the item relating to chapter 13 the following:

“14. Coast Guard Family Support and Child Care ..... 531”.

(B) CHAPTER 13.—The analysis for chapter 13 of title 14, United States Code, is amended—

(i) by striking the item relating to section 514; and

(ii) by striking the item relating to section 515.

(C) CHAPTER 14.—The analysis for chapter 14 of title 14, United States Code, as added by subsection (a) of this section, is amended by inserting—

(i) before the item relating to section 542 the following:

“541. Reimbursement for adoption expenses.”;

(ii) after the item relating to section 551 the following:

“552. Child development services.”; and

(iii) after the item relating to section 543 the following:

“544. Dependent school children.”.

(D) CHAPTER 17.—The analysis for chapter 17 of title 14, United States Code, is amended by striking the item relating to section 657.

(c) COMMANDANT; GENERAL POWERS.—Section 93(a)(7) of title 14, United States Code, as amended by this Act, is further amended by inserting “, and to eligible spouses as defined under section 542,” after “Coast Guard”.

(d) SENSE OF CONGRESS.—

(1) IN GENERAL.—It is the sense of Congress that the amount of funds appropriated for a fiscal year for operating expenses related to Coast Guard child development services should not be less than the amount of the child development center fee receipts estimated to be collected by the Coast Guard during that fiscal year.

(2) CHILD DEVELOPMENT CENTER FEE RECEIPTS DEFINED.—In this subsection, the term “child development center fee receipts” means fees paid by members of the Coast Guard for child care services provided at Coast Guard child development centers.

#### **SEC. 215. MISSION NEED STATEMENT.**

(a) IN GENERAL.—Section 569 of title 14, United States Code, is amended to read as follows:

##### **“§ 569. Mission need statement**

“(a) IN GENERAL.—On the date on which the President submits to Congress a budget for fiscal year 2016 under section 1105 of title 31, on the date on which the President submits to Congress a budget for fiscal year 2019 under such section, and every 4 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an integrated major acquisition mission need statement.

“(b) DEFINITIONS.—In this section, the following definitions apply:

“(1) INTEGRATED MAJOR ACQUISITION MISSION NEED STATEMENT.—The term ‘integrated major acquisition mission need statement’ means a document that—

“(A) identifies current and projected gaps in Coast Guard mission capabilities using mission hour targets;

“(B) explains how each major acquisition program addresses gaps identified under subparagraph (A) if funded at the levels provided for such program in the most recently submitted capital investment plan; and

“(C) describes the missions the Coast Guard will not be able to achieve, by fiscal year, for each gap identified under subparagraph (A).

“(2) MAJOR ACQUISITION PROGRAM.—The term ‘major acquisition program’ has the meaning given that term in section 569a(e).

“(3) CAPITAL INVESTMENT PLAN.—The term ‘capital investment plan’ means the plan required under section 663(a)(1).”

(b) CLERICAL AMENDMENT.—The analysis for chapter 15 of title 14, United States Code, is amended by striking the item relating to section 569 and inserting the following:

“569. Mission need statement.”

**SEC. 216. TRANSMISSION OF ANNUAL COAST GUARD AUTHORIZATION REQUEST.**

(a) IN GENERAL.—Title 14, United States Code, as amended by this Act, is further amended by inserting after section 662 the following:

**“§ 662a. Transmission of annual Coast Guard authorization request**

“(a) IN GENERAL.—Not later than 30 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105 of title 31, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a Coast Guard authorization request with respect to such fiscal year.

“(b) COAST GUARD AUTHORIZATION REQUEST DEFINED.—In this section, the term ‘Coast Guard authorization request’ means a proposal for legislation that, with respect to the Coast Guard for the relevant fiscal year—

“(1) recommends end strengths for personnel for that fiscal year, as described in section 661;

“(2) recommends authorizations of appropriations for that fiscal year, including with respect to matters described in section 662; and

“(3) addresses any other matter that the Secretary determines is appropriate for inclusion in a Coast Guard authorization bill.”

(b) CLERICAL AMENDMENT.—The analysis for chapter 17 of title 14, United States Code, as amended by this Act, is further amended by inserting after the item relating to section 662 the following:

“662a. Transmission of annual Coast Guard authorization request.”

**SEC. 217. INVENTORY OF REAL PROPERTY.**

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by adding at the end the following:

**“§ 679. Inventory of real property**

“(a) IN GENERAL.—Not later than September 30, 2015, the Commandant shall establish an inventory of all real property, including submerged lands, under the control of the Coast Guard, which shall include—

“(1) the size, the location, and any other appropriate description of each unit of such property;

“(2) an assessment of the physical condition of each unit of such property, excluding lands;

“(3) a determination of whether each unit of such property should be—

“(A) retained to fulfill a current or projected Coast Guard mission requirement; or

“(B) subject to divestiture; and

“(4) other information the Commandant considers appropriate.

“(b) INVENTORY MAINTENANCE.—The Commandant shall—

“(1) maintain the inventory required under subsection (a) on an ongoing basis; and

“(2) update information on each unit of real property included in such inventory not later than 30 days after any change relating to the control of such property.

“(c) RECOMMENDATIONS TO CONGRESS.—Not later than March 30, 2016, and every 5 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science,

and Transportation of the Senate a report that includes—

“(1) a list of all real property under the control of the Coast Guard and the location of such property by property type;

“(2) recommendations for divestiture with respect to any units of such property; and

“(3) recommendations for consolidating any units of such property, including—

“(A) an estimate of the costs or savings associated with each recommended consolidation; and

“(B) a discussion of the impact that such consolidation would have on Coast Guard mission effectiveness.”

(b) CLERICAL AMENDMENT.—The analysis for such chapter, as amended by this Act, is further amended by adding at the end the following:

“679. Inventory of real property.”

**SEC. 218. RETIRED SERVICE MEMBERS AND DEPENDENTS SERVING ON ADVISORY COMMITTEES.**

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

**“§ 680. Retired service members and dependents serving on advisory committees**

“A committee that—

“(1) advises or assists the Coast Guard with respect to a function that affects a member of the Coast Guard or a dependent of such a member; and

“(2) includes in its membership a retired Coast Guard member or a dependent of such a retired member;

shall not be considered an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.) solely because of such membership.”

(b) CLERICAL AMENDMENT.—The analysis for such chapter, as amended by this Act, is further amended by inserting after the item relating to section 679 the following:

“680. Retired service members and dependents serving on advisory committees.”

**SEC. 219. ACTIVE DUTY FOR EMERGENCY AUGMENTATION OF REGULAR FORCES.**

Section 712(a) of title 14, United States Code, is amended by striking “not more than 60 days in any 4-month period and”

**SEC. 220. ACQUISITION WORKFORCE EXPEDITED HIRING AUTHORITY.**

Section 404(b) of the Coast Guard Authorization Act of 2010 (Public Law 111-281; 124 Stat. 2951) is amended by striking “2015” and inserting “2017”.

**SEC. 221. COAST GUARD ADMINISTRATIVE SAVINGS.**

(a) ELIMINATION OF OUTDATED AND DUPLICATIVE REPORTS.—

(1) MARINE INDUSTRY TRAINING.—Section 59 of title 14, United States Code, is amended—

(A) by striking “(a) IN GENERAL.—The Commandant” and inserting “The Commandant”; and

(B) by striking subsection (b).

(2) OPERATIONS AND EXPENDITURES.—Section 651 of title 14, United States Code, and the item relating to such section in the analysis for chapter 17 of such title, are repealed.

(3) DRUG INTERDICTION.—Section 103 of the Coast Guard Authorization Act of 1996 (14 U.S.C. 89 note), and the item relating to that section in the table of contents in section 2 of that Act, are repealed.

(4) NATIONAL DEFENSE.—Section 426 of the Maritime Transportation Security Act of 2002 (14 U.S.C. 2 note), and the item relating to that section in the table of contents in section 1(b) of that Act, are repealed.

(5) LIVING MARINE RESOURCES.—Section 4(b) of the Cruise Vessel Security and Safety Act of 2010 (16 U.S.C. 1828 note) is amended by

adding at the end the following: “No report shall be required under this subsection, including that no report shall be required under section 224 of the Coast Guard and Maritime Transportation Act of 2004 or section 804 of the Coast Guard and Maritime Transportation Act of 2006, for fiscal years beginning after fiscal year 2014.”

(b) CONSOLIDATION AND REFORM OF REPORTING REQUIREMENTS.—

(1) MARINE SAFETY.—

(A) IN GENERAL.—Section 2116(d)(2)(B) of title 46, United States Code, is amended to read as follows:

“(B) on the program’s mission performance in achieving numerical measurable goals established under subsection (b), including—

“(i) the number of civilian and military Coast Guard personnel assigned to marine safety positions; and

“(ii) an identification of marine safety positions that are understaffed to meet the workload required to accomplish each activity included in the strategy and plans under subsection (a); and”

(B) CONFORMING AMENDMENT.—Section 57 of title 14, United States Code, as amended by this Act, is further amended—

(i) by striking subsection (e); and

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

(2) MINOR CONSTRUCTION.—Section 656(d)(2) of title 14, United States Code, is amended to read as follows:

“(2) REPORT.—Not later than the date on which the President submits to Congress a budget under section 1105 of title 31 each year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing each project carried out under paragraph (1), in the most recently concluded fiscal year, for which the amount expended under such paragraph for such project was more than \$1,000,000. If no such project was carried out during a fiscal year, no report under this paragraph shall be required with respect to that fiscal year.”

**SEC. 222. TECHNICAL CORRECTIONS TO TITLE 14.**

Title 14, United States Code, as amended by this Act, is further amended—

(1) in section 93(b)(1) by striking “Notwithstanding subsection (a)(14)” and inserting “Notwithstanding subsection (a)(13)”; and

(2) in section 197(b) by striking “of Homeland Security”.

**SEC. 223. MULTIYEAR PROCUREMENT AUTHORITY FOR OFFSHORE PATROL CUTTERS.**

In fiscal year 2015 and each fiscal year thereafter, the Secretary of the department in which the Coast Guard is operating may enter into, in accordance with section 2306b of title 10, United States Code, multiyear contracts for the procurement of Offshore Patrol Cutters and associated equipment.

**SEC. 224. MAINTAINING MEDIUM ENDURANCE CUTTER MISSION CAPABILITY.**

Not later than 120 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

(1) a schedule and plan for decommissioning, not later than September 30, 2029, each of the 210-foot, Reliance-Class Cutters operated by the Coast Guard on the date of enactment of this Act;

(2) a schedule and plan for enhancing the maintenance or extending the service life of each of the 270-foot, Famous-Class Cutters

operated by the Coast Guard on the date of enactment of this Act—

(A) to maintain the capability of the Coast Guard to carry out sea-going missions with respect to such Cutters at the level of capability existing on September 30, 2013; and

(B) for the period beginning on the date of enactment of this Act and ending on the date on which the final Offshore Patrol Cutter is scheduled to be commissioned under paragraph (4);

(3) an identification of the number of Offshore Patrol Cutters capable of sea state 5 operations that, if 8 National Security Cutters are commissioned, are necessary to return the sea state 5 operating capability of the Coast Guard to the level of capability that existed prior to the decommissioning of the first High Endurance Cutter in fiscal year 2011;

(4) a schedule and plan for commissioning the number of Offshore Patrol Cutters identified under paragraph (3); and

(5) a schedule and plan for commissioning, not later than September 30, 2034, a number of Offshore Patrol Cutters not capable of sea state 5 operations that is equal to—

(A) 25; less

(B) the number of Offshore Patrol Cutters identified under paragraph (3).

#### SEC. 225. AVIATION CAPABILITY.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may—

(1) request and accept through a direct military-to-military transfer under section 2571 of title 10, United States Code, such H-60 helicopters as may be necessary to establish a year-round operational capability in the Coast Guard's Ninth District; and

(2) use funds provided under section 101 of this Act to convert such helicopters to Coast Guard MH-60T configuration.

(b) PROHIBITION.—

(1) IN GENERAL.—The Coast Guard may not—

(A) close a Coast Guard air facility that was in operation on November 30, 2014; or

(B) retire, transfer, relocate, or deploy an aviation asset from an air facility described in subparagraph (A) for the purpose of closing such facility.

(2) SUNSET.—This subsection is repealed effective January 1, 2016.

#### SEC. 226. GAPS IN WRITINGS ON COAST GUARD HISTORY.

Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on any gaps that exist in writings on the history of the Coast Guard. The report shall address, at a minimum, operations, broad topics, and biographies with respect to the Coast Guard.

#### SEC. 227. OFFICER EVALUATION REPORTS.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written assessment of the Coast Guard's officer evaluation reporting system.

(b) CONTENTS OF ASSESSMENT.—The assessment required under subsection (a) shall include, at a minimum, an analysis of—

(1) the extent to which the Coast Guard's officer evaluation reports differ in length, form, and content from the officer fitness reports used by the Navy and other branches of the Armed Forces;

(2) the extent to which differences determined pursuant to paragraph (1) are the result of inherent differences between—

(A) the Coast Guard and the Navy; and

(B) the Coast Guard and other branches of the Armed Forces;

(3) the feasibility of more closely aligning and conforming the Coast Guard's officer evaluation reports with the officer fitness reports of the Navy and other branches of the Armed Forces; and

(4) the costs and benefits of the alignment and conformity described in paragraph (3), including with respect to—

(A) Coast Guard administrative efficiency; (B) fairness and equity for Coast Guard officers; and

(C) carrying out the Coast Guard's statutory mission of defense readiness, including when operating as a service in the Navy.

#### SEC. 228. IMPROVED SAFETY INFORMATION FOR VESSELS.

Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish a process that allows an operator of a marine exchange or other non-Federal vessel traffic information service to use the automatic identification system to transmit weather, ice, and other important navigation safety information to vessels.

#### SEC. 229. E-LORAN.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may not carry out activities related to the dismantling or disposal of infrastructure that supported the former LORAN system until the later of—

(1) the date that is 1 year after the date of enactment of this Act; or

(2) the date on which the Secretary provides to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate notice of a determination by the Secretary that such infrastructure is not required to provide a positioning, navigation, and timing system to provide redundant capability in the event GPS signals are disrupted.

(b) EXCEPTION.—Subsection (a) does not apply to activities necessary for the safety of human life.

(c) AGREEMENTS.—The Secretary may enter into cooperative agreements, contracts, and other agreements with Federal entities and other public or private entities, including academic entities, to develop a positioning, navigation, and timing system, including an enhanced LORAN system, to provide redundant capability in the event GPS signals are disrupted.

#### SEC. 230. ANALYSIS OF RESOURCE DEFICIENCIES WITH RESPECT TO MARITIME BORDER SECURITY.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Commandant of the Coast Guard shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing any Coast Guard resource deficiencies related to—

(1) securing maritime borders with respect to the Great Lakes and the coastal areas of the Southeastern and Southwestern United States, including with respect to Florida, California, Puerto Rico, and the United States Virgin Islands;

(2) patrolling and monitoring maritime approaches to the areas described in paragraph (1); and

(3) patrolling and monitoring relevant portions of the Western Hemisphere Drug Transit Zone.

(b) SCOPE.—In preparing the report under subsection (a), the Commandant shall consider, at a minimum—

(1) the Coast Guard's statutory missions with respect to migrant interdiction, drug interdiction, defense readiness, living marine resources, and ports, waterways, and coastal security;

(2) whether Coast Guard missions are being executed to meet national performance targets set under the National Drug Control Strategy;

(3) the number and types of cutters and other vessels required to effectively execute Coast Guard missions;

(4) the number and types of aircraft, including unmanned aircraft, required to effectively execute Coast Guard missions;

(5) the number of assets that require upgraded sensor and communications systems to effectively execute Coast Guard missions;

(6) the Deployable Specialized Forces required to effectively execute Coast Guard missions; and

(7) whether additional shoreside facilities are required to accommodate Coast Guard personnel and assets in support of Coast Guard missions.

#### SEC. 231. MODERNIZATION OF NATIONAL DISTRESS AND RESPONSE SYSTEM.

(a) REPORT.—Not later than 60 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the implementation of the Rescue 21 project in Alaska and in Coast Guard sectors Upper Mississippi River, Lower Mississippi River, and Ohio River Valley.

(b) CONTENTS.—The report required under subsection (a) shall—

(1) describe what improvements are being made to the distress response system in the areas specified in subsection (a), including information on which areas will receive digital selective calling and direction finding capability;

(2) describe the impediments to installing digital selective calling and direction finding capability in areas where such technology will not be installed;

(3) identify locations in the areas specified in subsection (a) where communication gaps will continue to present a risk to mariners after completion of the Rescue 21 project;

(4) include a list of all reported marine accidents, casualties, and fatalities occurring in the locations identified under paragraph (3) since 1990; and

(5) provide an estimate of the costs associated with installing the technology necessary to close communication gaps in the locations identified under paragraph (3).

#### SEC. 232. REPORT RECONCILING MAINTENANCE AND OPERATIONAL PRIORITIES ON THE MISSOURI RIVER.

Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that outlines a course of action to reconcile general maintenance priorities for cutters with operational priorities on the Missouri River.

#### SEC. 233. MARITIME SEARCH AND RESCUE ASSISTANCE POLICY ASSESSMENT.

(a) IN GENERAL.—The Commandant of the Coast Guard shall assess the Maritime Search and Rescue Assistance Policy as it relates to State and local responders.

(b) SCOPE.—The assessment under subsection (a) shall consider, at a minimum—



(1) the extent to which Coast Guard search and rescue coordinators have entered into domestic search and rescue agreements with State and local responders under the National Search and Rescue Plan;

(2) whether the domestic search and rescue agreements include the Maritime Search and Rescue Assistance Policy; and

(3) the extent to which Coast Guard sectors coordinate with 911 emergency centers, including ensuring the dissemination of appropriate maritime distress check-sheets.

(c) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit a report on the assessment under subsection (a) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

### TITLE III—SHIPPING AND NAVIGATION

#### SEC. 301. REPEAL.

Chapter 555 of title 46, United States Code, is amended—

(1) by repealing section 55501;

(2) by redesignating section 55502 as section 55501; and

(3) in the analysis by striking the items relating to sections 55501 and 55502 and inserting the following:

“55501. United States Committee on the Marine Transportation System.”

#### SEC. 302. DONATION OF HISTORICAL PROPERTY.

Section 51103 of title 46, United States Code, is amended by adding at the end the following:

“(e) **DONATION FOR HISTORICAL PURPOSES.**—

“(1) **IN GENERAL.**—The Secretary may convey the right, title, and interest of the United States Government in any property administered by the Maritime Administration, except real estate or vessels, if—

“(A) the Secretary determines that such property is not needed by the Maritime Administration; and

“(B) the recipient—

“(i) is a nonprofit organization, a State, or a political subdivision of a State;

“(ii) agrees to hold the Government harmless for any claims arising from exposure to hazardous materials, including asbestos, polychlorinated biphenyls, or lead paint, after conveyance of the property;

“(iii) provides a description and explanation of the intended use of the property to the Secretary for approval;

“(iv) has provided to the Secretary proof, as determined by the Secretary, of resources sufficient to accomplish the intended use provided under clause (iii) and to maintain the property;

“(v) agrees that when the recipient no longer requires the property, the recipient shall—

“(I) return the property to the Secretary, at the recipient's expense and in the same condition as received except for ordinary wear and tear; or

“(II) subject to the approval of the Secretary, retain, sell, or otherwise dispose of the property in a manner consistent with applicable law; and

“(vi) agrees to any additional terms the Secretary considers appropriate.

“(2) **REVERSION.**—The Secretary shall include in any conveyance under this subsection terms under which all right, title, and interest conveyed by the Secretary shall revert to the Government if the Secretary determines the property has been used other than as approved by the Secretary under paragraph (1)(B)(iii).”

#### SEC. 303. SMALL SHIPYARDS.

Section 54101(i) of title 46, United States Code, is amended by striking “2009 through 2013” and inserting “2015 through 2017”.

#### SEC. 304. DRUG TESTING REPORTING.

Section 7706 of title 46, United States Code, is amended—

(1) in subsection (a), by inserting “an applicant for employment by a Federal agency,” after “Federal agency.”; and

(2) in subsection (c), by—

(A) inserting “or an applicant for employment by a Federal agency” after “an employee”; and

(B) striking “the employee.” and inserting “the employee or the applicant.”

#### SEC. 305. OPPORTUNITIES FOR SEA SERVICE VETERANS.

(a) **ENDORSEMENTS FOR VETERANS.**—Section 7101 of title 46, United States Code, is amended by adding at the end the following:

“(j) The Secretary may issue a license under this section in a class under subsection (c) to an applicant that—

“(1) has at least 3 months of qualifying service on vessels of the uniformed services (as that term is defined in section 101(a) of title 10) of appropriate tonnage or horsepower within the 7-year period immediately preceding the date of application; and

“(2) satisfies all other requirements for such a license.”

(b) **SEA SERVICE LETTERS.**—

(1) **IN GENERAL.**—Title 14, United States Code, is amended by inserting after section 427 the following:

#### “§ 428. Sea service letters

“(a) **IN GENERAL.**—The Secretary shall provide a sea service letter to a member or former member of the Coast Guard who—

“(1) accumulated sea service on a vessel of the armed forces (as such term is defined in section 101(a) of title 10); and

“(2) requests such letter.

“(b) **DEADLINE.**—Not later than 30 days after receiving a request for a sea service letter from a member or former member of the Coast Guard under subsection (a), the Secretary shall provide such letter to such member or former member if such member or former member satisfies the requirement under subsection (a)(1).”

(2) **CLERICAL AMENDMENT.**—The analysis for chapter 11 of title 14, United States Code, is amended by inserting after the item relating to section 427 the following:

“428. Sea service letters.”

(c) **CREDITING OF UNITED STATES ARMED FORCES SERVICE, TRAINING, AND QUALIFICATIONS.**—

(1) **MAXIMIZING CREDITABILITY.**—The Secretary of the department in which the Coast Guard is operating, in implementing United States merchant mariner license, certification, and document laws and the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, shall maximize the extent to which United States Armed Forces service, training, and qualifications are creditable toward meeting the requirements of such laws and such Convention.

(2) **NOTIFICATION.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the steps taken to implement this subsection.

(d) **MERCHANT MARINE POST-SERVICE CAREER OPPORTUNITIES.**—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall take steps to promote better awareness, on an ongoing basis, among Coast Guard personnel regarding post-service use of Coast Guard training, education, and practical experience in satisfaction of requirements for merchant mariner credentials under section 11.213 of title 46, Code of Federal Regulations.

#### SEC. 306. CLARIFICATION OF HIGH-RISK WATERS.

Section 55305(e) of title 46, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “provide armed personnel aboard” and inserting “reimburse, subject to the availability of appropriations, the owners or operators of”; and

(B) by inserting “for the cost of providing armed personnel aboard such vessels” before “if”; and

(2) by striking paragraphs (2) and (3) and inserting the following:

“(2) In this subsection, the term ‘high-risk waters’ means waters so designated by the Commandant of the Coast Guard in the maritime security directive issued by the Commandant and in effect on the date on which an applicable voyage begins, if the Secretary of Transportation—

“(A) determines that an act of piracy occurred in the 12-month period preceding the date the voyage begins; or

“(B) in such period, issued an advisory warning that an act of piracy is possible in such waters.”

#### SEC. 307. TECHNICAL CORRECTIONS.

(a) **TITLE 46.**—Section 2116(b)(1)(D) of title 46, United States Code, is amended by striking “section 93(c)” and inserting “section 93(c) of title 14”.

(b) **COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2006.**—Section 304(a) of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109-241; 33 U.S.C. 1503 note) is amended by inserting “and from” before “the United States”.

(c) **DEEPWATER PORT ACT OF 1974.**—Section 4(i) of the Deepwater Port Act of 1974 (33 U.S.C. 1503(i)) is amended by inserting “or that will supply” after “be supplied with”.

#### SEC. 308. REPORT.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the number of jobs, including vessel construction and vessel operating jobs, that would be created in the United States maritime industry each year in 2015 through 2025 if liquefied natural gas exported from the United States were required to be carried—

(1) before December 31, 2018, on vessels documented under the laws of the United States; and

(2) on and after such date, on vessels documented under the laws of the United States and constructed in the United States.

#### SEC. 309. FISHING SAFETY GRANT PROGRAMS.

(a) **FISHING SAFETY TRAINING GRANT PROGRAM.**—Section 4502(i)(4) of title 46, United States Code, is amended by striking “2010 through 2014” and inserting “2015 through 2017”.

(b) **FISHING SAFETY RESEARCH GRANT PROGRAM.**—Section 4502(j)(4) of title 46, United States Code, is amended by striking “2010 through 2014” and inserting “2015 through 2017”.

#### SEC. 310. ESTABLISHMENT OF MERCHANT MARINE PERSONNEL ADVISORY COMMITTEE.

(a) **ESTABLISHMENT.**—Chapter 81 of title 46, United States Code, is amended by adding at the end the following:

#### “§ 8108. Merchant Marine Personnel Advisory Committee

“(a) **ESTABLISHMENT.**—The Secretary shall establish a Merchant Marine Personnel Advisory Committee (in this section referred to as ‘the Committee’). The Committee—

“(1) shall act solely in an advisory capacity to the Secretary through the Commandant of the Coast Guard on matters relating to personnel in the United States merchant marine, including training, qualifications, certification, documentation, and fitness standards, and other matters as assigned by the Commandant;

“(2) shall review and comment on proposed Coast Guard regulations and policies relating to personnel in the United States merchant marine, including training, qualifications, certification, documentation, and fitness standards;

“(3) may be given special assignments by the Secretary and may conduct studies, inquiries, workshops, and fact finding in consultation with individuals and groups in the private sector and with State or local governments;

“(4) shall advise, consult with, and make recommendations reflecting its independent judgment to the Secretary;

“(5) shall meet not less than twice each year; and

“(6) may make available to Congress recommendations that the Committee makes to the Secretary.

“(b) MEMBERSHIP.—

“(1) IN GENERAL.—The Committee shall consist of not more than 19 members who are appointed by and serve terms of a duration determined by the Secretary. Before filling a position on the Committee, the Secretary shall publish a notice in the Federal Register soliciting nominations for membership on the Committee.

“(2) REQUIRED MEMBERS.—Subject to paragraph (3), the Secretary shall appoint as members of the Committee—

“(A) 9 United States citizens with active licenses or certificates issued under chapter 71 or merchant mariner documents issued under chapter 73, including—

“(i) 3 deck officers who represent the viewpoint of merchant marine deck officers, of whom—

“(I) 2 shall be licensed for oceans any gross tons;

“(II) 1 shall be licensed for inland river route with a limited or unlimited tonnage;

“(III) 2 shall have a master's license or a master of towing vessels license;

“(IV) 1 shall have significant tanker experience; and

“(V) to the extent practicable—

“(aa) 1 shall represent the viewpoint of labor; and

“(bb) another shall represent a management perspective;

“(ii) 3 engineering officers who represent the viewpoint of merchant marine engineering officers, of whom—

“(I) 2 shall be licensed as chief engineer any horsepower;

“(II) 1 shall be licensed as either a limited chief engineer or a designated duty engineer; and

“(III) to the extent practicable—

“(aa) 1 shall represent a labor viewpoint; and

“(bb) another shall represent a management perspective;

“(iii) 2 unlicensed seamen, of whom—

“(I) 1 shall represent the viewpoint of able-bodied seamen; and

“(II) another shall represent the viewpoint of qualified members of the engine department; and

“(iv) 1 pilot who represents the viewpoint of merchant marine pilots;

“(B) 6 marine educators, including—

“(i) 3 marine educators who represent the viewpoint of maritime academies, including—

“(I) 2 who represent the viewpoint of State maritime academies and are jointly rec-

ommended by such State maritime academies; and

“(II) 1 who represents either the viewpoint of the State maritime academies or the United States Merchant Marine Academy; and

“(ii) 3 marine educators who represent the viewpoint of other maritime training institutions, 1 of whom shall represent the viewpoint of the small vessel industry;

“(C) 2 individuals who represent the viewpoint of shipping companies employed in ship operation management; and

“(D) 2 members who are appointed from the general public.

“(3) CONSULTATION.—The Secretary shall consult with the Secretary of Transportation in making an appointment under paragraph (2)(B)(i)(II).

“(c) CHAIRMAN AND VICE CHAIRMAN.—The Secretary shall designate one member of the Committee as the Chairman and one member of the Committee as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence or incapacity of the Chairman, or in the event of a vacancy in the office of the Chairman.

“(d) SUBCOMMITTEES.—The Committee may establish and disestablish subcommittees and working groups for any purpose consistent with this section, subject to conditions imposed by the Committee. Members of the Committee and additional persons drawn from the general public may be assigned to such subcommittees and working groups. Only Committee members may chair subcommittee or working groups.

“(e) TERMINATION.—The Committee shall terminate on September 30, 2020.”

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

“§108. Merchant Marine Personnel Advisory Committee.”

#### SEC. 311. TRAVEL AND SUBSISTENCE.

(a) TITLE 46, UNITED STATES CODE.—Section 2110 of title 46, United States Code, is amended—

(1) by amending subsection (b) to read as follows:

“(b)(1) In addition to the collection of fees and charges established under subsection (a), in providing a service or thing of value under this subtitle the Secretary may accept in-kind transportation, travel, and subsistence.

“(2) The value of in-kind transportation, travel, and subsistence accepted under this paragraph may not exceed applicable per diem rates set forth in regulations prescribed under section 464 of title 37.”; and

(2) in subsection (c), by striking “subsections (a) and (b),” and inserting “subsection (a).”

(b) TITLE 14, UNITED STATES CODE.—Section 664 of title 14, United States Code, is amended by redesignating subsections (e) through (g) as subsections (f) through (h), respectively, and by inserting after subsection (d) the following:

“(e)(1) In addition to the collection of fees and charges established under this section, in the provision of a service or thing of value by the Coast Guard the Secretary may accept in-kind transportation, travel, and subsistence.

“(2) The value of in-kind transportation, travel, and subsistence accepted under this paragraph may not exceed applicable per diem rates set forth in regulations prescribed under section 464 of title 37.”

(c) LIMITATION.—The Secretary of the Department in which the Coast Guard is operating may not accept in-kind transportation, travel, or subsistence under section 664(e) of title 14, United States Code, or section 2110(d)(4) of title 46, United States Code, as amended by this section, until the Commandant of the Coast Guard—

(1) amends the Standards of Ethical Conduct for members and employees of the Coast Guard to include regulations governing the acceptance of in-kind reimbursements; and

(2) notifies the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the amendments made under paragraph (1).

#### SEC. 312. PROMPT INTERGOVERNMENTAL NOTICE OF MARINE CASUALTIES.

Section 6101 of title 46, United States Code, is amended—

(1) by inserting after subsection (b) the following:

“(c) NOTICE TO STATE AND TRIBAL GOVERNMENTS.—Not later than 24 hours after receiving a notice of a major marine casualty under this section, the Secretary shall notify each State or federally recognized Indian tribe that is, or may reasonably be expected to be, affected by such marine casualty.”;

(2) in subsection (h)—

(A) by striking “(1)”;

(B) by redesignating subsection (h)(2) as subsection (i) of section 6101, and in such subsection—

(i) by striking “paragraph,” and inserting “section,”; and

(ii) by redesignating subparagraphs (A) through (D) as paragraphs (1) through (4); and

(3) by redesignating the last subsection as subsection (j).

#### SEC. 313. AREA CONTINGENCY PLANS.

Section 311(j)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(4)) is amended—

(1) in subparagraph (A), by striking “qualified personnel of Federal, State, and local agencies.” and inserting “qualified—

“(i) personnel of Federal, State, and local agencies; and

“(ii) members of federally recognized Indian tribes, where applicable.”;

(2) in subparagraph (B)(ii)—

(A) by striking “and local” and inserting “, local, and tribal”; and

(B) by striking “wildlife,” and inserting “wildlife, including advance planning with respect to the closing and reopening of fishing areas following a discharge.”;

(3) in subparagraph (B)(iii), by striking “and local” and inserting “, local, and tribal”; and

(4) in subparagraph (C)—

(A) in clause (iv), by striking “and Federal, State, and local agencies” and inserting “, Federal, State, and local agencies, and tribal governments”; and

(B) by redesignating clauses (vii) and (viii) as clauses (viii) and (ix), respectively; and

(C) by inserting after clause (vi) the following:

“(vii) include a framework for advance planning and decisionmaking with respect to the closing and reopening of fishing areas following a discharge, including protocols and standards for the closing and reopening of fishing areas.”

#### SEC. 314. INTERNATIONAL ICE PATROL REFORM.

(a) IN GENERAL.—Chapter 803 of title 46, United States Code, is amended—

(1) in section 80301, by adding at the end the following:

“(c) PAYMENTS.—Payments received pursuant to subsection (b)(1) shall be credited to the appropriation for operating expenses of the Coast Guard.”;

(2) in section 80302—

(A) in subsection (b), by striking “An ice patrol vessel” and inserting “The ice patrol”;

(B) in subsection (c)(1), by striking “An ice patrol vessel” and inserting “The ice patrol”; and



(C) in the first sentence of subsection (d), by striking “vessels” and inserting “aircraft”; and

(3) by adding at the end the following:

**“§ 80304. Limitation on ice patrol data**

“Notwithstanding sections 80301 and 80302, data collected by an ice patrol conducted by the Coast Guard under this chapter may not be disseminated to a vessel unless such vessel is—

“(1) documented under the laws of the United States; or

“(2) documented under the laws of a foreign country that made the payment or contribution required under section 80301(b) for the year preceding the year in which the data is collected.”.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

“80304. Limitation on ice patrol data.”.

(c) EFFECTIVE DATE.—This section shall take effect on January 1, 2017.

**SEC. 315. OFFSHORE SUPPLY VESSEL THIRD-PARTY INSPECTION.**

Section 3316 of title 46, United States Code, is amended by redesignating subsection (f) as subsection (g), and by inserting after subsection (e) the following:

“(f)(1) Upon request of an owner or operator of an offshore supply vessel, the Secretary shall delegate the authorities set forth in paragraph (1) of subsection (b) with respect to such vessel to a classification society to which a delegation is authorized under that paragraph. A delegation by the Secretary under this subsection shall be used for any vessel inspection and examination function carried out by the Secretary, including the issuance of certificates of inspection and all other related documents.

“(2) If the Secretary determines that a certificate of inspection or related document issued under authority delegated under paragraph (1) of this subsection with respect to a vessel has reduced the operational safety of that vessel, the Secretary may terminate the certificate or document, respectively.

“(3) Not later than 2 years after the date of the enactment of the Howard Coble Coast Guard and Maritime Transportation Act of 2014, and for each year of the subsequent 2-year period, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing—

“(A) the number of vessels for which a delegation was made under paragraph (1);

“(B) any savings in personnel and operational costs incurred by the Coast Guard that resulted from the delegations; and

“(C) based on measurable marine casualty and other data, any impacts of the delegations on the operational safety of vessels for which the delegations were made, and on the crew on those vessels.”.

**SEC. 316. WATCHES.**

Section 8104 of title 46, United States Code, is amended—

(1) in subsection (d), by striking “coal passers, firemen, oilers, and water tenders” and inserting “and oilers”; and

(2) in subsection (g)(1), by striking “(except the coal passers, firemen, oilers, and water tenders)”.

**SEC. 317. COAST GUARD RESPONSE PLAN REQUIREMENTS.**

(a) VESSEL RESPONSE PLAN CONTENTS.—The Secretary of the department in which the Coast Guard is operating shall require that each vessel response plan prepared for a mobile offshore drilling unit includes information from the facility response plan prepared for the mobile offshore drilling unit regard-

ing the planned response to a worst case discharge, and to a threat of such a discharge.

(b) DEFINITIONS.—In this section:

(1) MOBILE OFFSHORE DRILLING UNIT.—The term “mobile offshore drilling unit” has the meaning given that term in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701).

(2) RESPONSE PLAN.—The term “response plan” means a response plan prepared under section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

(3) WORST CASE DISCHARGE.—The term “worst case discharge” has the meaning given that term under section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)).

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Coast Guard to review or approve a facility response plan for a mobile offshore drilling unit.

**SEC. 318. REGIONAL CITIZENS' ADVISORY COUNCIL.**

Section 5002(k)(3) of the Oil Pollution Act of 1990 (33 U.S.C. 2732(k)(3)) is amended by striking “not more than \$1,000,000” and inserting “not less than \$1,400,000”.

**SEC. 319. UNINSPECTED PASSENGER VESSELS IN THE UNITED STATES VIRGIN ISLANDS.**

(a) IN GENERAL.—Section 4105 of title 46, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

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

“(b)(1) In applying this title with respect to an uninspected vessel of less than 24 meters overall in length that carries passengers to or from a port in the United States Virgin Islands, the Secretary shall substitute ‘12 passengers’ for ‘6 passengers’ each place it appears in section 2101(42) if the Secretary determines that the vessel complies with, as applicable to the vessel—

“(A) the Code of Practice for the Safety of Small Commercial Motor Vessels (commonly referred to as the ‘Yellow Code’), as published by the U.K. Maritime and Coastguard Agency and in effect on January 1, 2014; or

“(B) the Code of Practice for the Safety of Small Commercial Sailing Vessels (commonly referred to as the ‘Blue Code’), as published by such agency and in effect on such date.

“(2) If the Secretary establishes standards to carry out this subsection—

“(A) such standards shall be identical to those established in the Codes of Practice referred to in paragraph (1); and

“(B) on any dates before the date on which such standards are in effect, the Codes of Practice referred to in paragraph (1) shall apply with respect to the vessels referred to in paragraph (1).”.

(b) TECHNICAL CORRECTION.—Section 4105(c) of title 46, United States Code, as redesignated by subsection (a)(1) of this section, is amended by striking “Within twenty-four months of the date of enactment of this subsection, the” and inserting “The”.

**SEC. 320. TREATMENT OF ABANDONED SEAFARERS.**

(a) IN GENERAL.—Chapter 111 of title 46, United States Code, is amended by adding at the end the following:

**“§ 11113. Treatment of abandoned seafarers**

“(a) ABANDONED SEAFARERS FUND.—

“(1) ESTABLISHMENT.—There is established in the Treasury a separate account to be known as the Abandoned Seafarers Fund.

“(2) AUTHORIZED USES.—Amounts in the Fund may be appropriated to the Secretary for use—

“(A) to pay necessary support of a seafarer—

“(i) who—

“(I) was paroled into the United States under section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)), or for whom the Secretary has requested parole under such section; and

“(II) is involved in an investigation, reporting, documentation, or adjudication of any matter that is related to the administration or enforcement of law by the Coast Guard; or

“(ii) who—

“(I) is physically present in the United States;

“(II) the Secretary determines was abandoned in the United States; and

“(III) has not applied for asylum under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.); and

“(B) to reimburse a vessel owner or operator for the costs of necessary support of a seafarer who has been paroled into the United States to facilitate an investigation, reporting, documentation, or adjudication of any matter that is related to the administration or enforcement of law by the Coast Guard, if—

“(i) the vessel owner or operator is not convicted of a criminal offense related to such matter; or

“(ii) the Secretary determines that reimbursement is appropriate.

“(3) CREDITING OF AMOUNTS TO FUND.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), there shall be credited to the Fund the following:

“(i) Penalties deposited in the Fund under section 9 of the Act to Prevent Pollution from Ships (33 U.S.C. 1908).

“(ii) Amounts reimbursed or recovered under subsection (c).

“(B) LIMITATION.—Amounts may be credited to the Fund under subparagraph (A) only if the unobligated balance of the Fund is less than \$5,000,000.

“(4) REPORT REQUIRED.—On the date on which the President submits each budget for a fiscal year pursuant to section 1105 of title 31, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that describes—

“(A) the amounts credited to the Fund under paragraph (2) for the preceding fiscal year; and

“(B) amounts in the Fund that were expended for the preceding fiscal year.

“(b) LIMITATION.—Nothing in this section shall be construed—

“(1) to create a private right of action or any other right, benefit, or entitlement to necessary support for any person; or

“(2) to compel the Secretary to pay or reimburse the cost of necessary support.

“(c) REIMBURSEMENT; RECOVERY.—

“(1) IN GENERAL.—A vessel owner or operator shall reimburse the Fund an amount equal to the total amount paid from the Fund for necessary support of a seafarer, if—

“(A) the vessel owner or operator—

“(i) during the course of an investigation, reporting, documentation, or adjudication of any matter under this Act that the Coast Guard referred to a United States attorney or the Attorney General, fails to provide necessary support of a seafarer who was paroled into the United States to facilitate the investigation, reporting, documentation, or adjudication; and

“(ii) subsequently is—

“(I) convicted of a criminal offense related to such matter; or

“(II) required to reimburse the Fund pursuant to a court order or negotiated settlement related to such matter; or

“(B) the vessel owner or operator abandons a seafarer in the United States, as determined by the Secretary based on substantial evidence.

“(2) ENFORCEMENT.—If a vessel owner or operator fails to reimburse the Fund under paragraph (1) within 60 days after receiving a written, itemized description of reimbursable expenses and a demand for payment, the Secretary may—

“(A) proceed in rem against the vessel on which the seafarer served in the Federal district court for the district in which the vessel is found; and

“(B) withhold or revoke the clearance required under section 60105 for the vessel and any other vessel operated by the same operator (as that term is defined in section 2(9)(a) of the Act to Prevent Pollution from Ships (33 U.S.C. 1901(9)(a)) as the vessel on which the seafarer served.

“(3) OBTAINING CLEARANCE.—A vessel may obtain clearance from the Secretary after it is withheld or revoked under paragraph (2)(B) if the vessel owner or operator—

“(A) reimburses the Fund the amount required under paragraph (1); or

“(B) provides a bond, or other evidence of financial responsibility, sufficient to meet the amount required to be reimbursed under paragraph (1).

“(4) NOTIFICATION REQUIRED.—The Secretary shall notify the vessel at least 72 hours before taking any action under paragraph (2)(B).

“(d) DEFINITIONS.—In this section:

“(1) ABANDONS; ABANDONED.—Each of the terms ‘abandons’ and ‘abandoned’ means—

“(A) a vessel owner’s or operator’s unilateral severance of ties with a seafarer; or

“(B) a vessel owner’s or operator’s failure to provide necessary support of a seafarer.

“(2) FUND.—The term ‘Fund’ means the Abandoned Seafarers Fund established under this section.

“(3) NECESSARY SUPPORT.—The term ‘necessary support’ means normal wages and expenses the Secretary considers reasonable for lodging, subsistence, clothing, medical care (including hospitalization), repatriation, and any other support the Secretary considers to be appropriate.

“(4) SEAFARER.—The term ‘seafarer’ means an alien crew member who is employed or engaged in any capacity on board a vessel subject to the jurisdiction of the United States.

“(5) VESSEL SUBJECT TO THE JURISDICTION OF THE UNITED STATES.—The term ‘vessel subject to the jurisdiction of the United States’ has the meaning given that term in section 70502(c), except that it does not include a vessel that is—

“(A) owned, or operated under a bareboat charter, by the United States, a State or political subdivision thereof, or a foreign nation; and

“(B) not engaged in commerce.”.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

“1113. Treatment of abandoned seafarers.”.

(c) CONFORMING AMENDMENT.—Section 9 of the Act to Prevent Pollution from Ships (33 U.S.C. 1908) is amended by adding at the end the following:

“(g) Any penalty collected under subsection (a) or (b) that is not paid under that subsection to the person giving information leading to the conviction or assessment of such penalties shall be deposited in the Abandoned Seafarers Fund established under section 1113 of title 46, United States Code.”.

#### SEC. 321. WEBSITE.

(a) REPORTS TO SECRETARY OF TRANSPORTATION; INCIDENTS AND DETAILS.—Section

3507(g)(3)(A) of title 46, United States Code, is amended—

(1) in clause (ii) by striking “the incident to an Internet based portal maintained by the Secretary” and inserting “each incident specified in clause (i) to the Internet website maintained by the Secretary of Transportation under paragraph (4)(A)”;

(2) in clause (iii) by striking “based portal maintained by the Secretary” and inserting “website maintained by the Secretary of Transportation under paragraph (4)(A)”.

(b) AVAILABILITY OF INCIDENT DATA ON INTERNET.—Section 3507(g)(4) of title 46, United States Code, is amended—

(1) by striking subparagraph (A) and inserting the following:

“(A) WEBSITE.—

“(i) IN GENERAL.—The Secretary of Transportation shall maintain a statistical compilation of all incidents on board a cruise vessel specified in paragraph (3)(A)(i) on an Internet website that provides a numerical accounting of the missing persons and alleged crimes reported under that paragraph without regard to the investigative status of the incident.

“(ii) UPDATES AND OTHER REQUIREMENTS.—The compilation under clause (i) shall—

“(I) be updated not less frequently than quarterly;

“(II) be able to be sorted by cruise line;

“(III) identify each cruise line by name;

“(IV) identify each crime or alleged crime committed or allegedly committed by a passenger or crewmember;

“(V) identify the number of individuals alleged overboard; and

“(VI) include the approximate number of passengers and crew carried by each cruise line during each quarterly reporting period.

“(iii) USER-FRIENDLY FORMAT.—The Secretary of Transportation shall ensure that the compilation, data, and any other information provided on the Internet website maintained under this subparagraph are in a user-friendly format. The Secretary shall, to the greatest extent practicable, use existing commercial off the shelf technology to transfer and establish the website, and shall not independently develop software, or acquire new hardware in operating the site.”;

and

(2) in subparagraph (B) by striking “Secretary” and inserting “Secretary of Transportation”.

#### SEC. 322. COAST GUARD REGULATIONS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an analysis of the Coast Guard’s proposed promulgation of safety and environmental management system requirements for vessels engaged in Outer Continental Shelf activities. The analysis shall include—

(1) a discussion of any new operational, management, design and construction, financial, and other mandates that would be imposed on vessel owners and operators;

(2) an estimate of all associated direct and indirect operational, management, personnel, training, vessel design and construction, record keeping, and other costs;

(3) an identification and justification of any of such proposed requirements that exceed those in international conventions applicable to the design, construction, operation, and management of vessels engaging in United States Outer Continental Shelf activities; and

(4) an identification of exemptions to the proposed requirements, that are based upon

vessel classification, tonnage, offshore activity or function, alternative certifications, or any other appropriate criteria.

(b) LIMITATION.—The Secretary may not issue proposed regulations relating to safety and environmental management system requirements for vessels on the United States Outer Continental Shelf for which noticed was published on September 10, 2013 (78 Fed. Reg. 55230) earlier than 6 months after the submittal of the analysis required by subsection (a).

### TITLE IV—FEDERAL MARITIME COMMISSION

#### SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Federal Maritime Commission \$24,700,000 for fiscal year 2015.

#### SEC. 402. AWARD OF REPARATIONS.

Section 41305 of title 46, United States Code, is amended—

(1) in subsection (b), by striking “, plus reasonable attorney fees”; and

(2) by adding at the end the following:

“(e) ATTORNEY FEES.—In any action brought under section 41301, the prevailing party may be awarded reasonable attorney fees.”.

#### SEC. 403. TERMS OF COMMISSIONERS.

(a) IN GENERAL.—Section 301(b) of title 46, United States Code, is amended—

(1) by amending paragraph (2) to read as follows:

“(2) TERMS.—The term of each Commissioner is 5 years. When the term of a Commissioner ends, the Commissioner may continue to serve until a successor is appointed and qualified, but for a period not to exceed one year. Except as provided in paragraph (3), no individual may serve more than 2 terms.”; and

(2) by redesignating paragraph (3) as paragraph (5), and inserting after paragraph (2) the following:

“(3) VACANCIES.—A vacancy shall be filled in the same manner as the original appointment. An individual appointed to fill a vacancy is appointed only for the unexpired term of the individual being succeeded. An individual appointed to fill a vacancy may serve 2 terms in addition to the remainder of the term for which the predecessor of that individual was appointed.

“(4) CONFLICTS OF INTEREST.—

“(A) LIMITATION ON RELATIONSHIPS WITH REGULATED ENTITIES.—A Commissioner may not have a pecuniary interest in, hold an official relation to, or own stocks or bonds of any entity the Commission regulates under chapter 401 of this title.

“(B) LIMITATION ON OTHER ACTIVITIES.—A Commissioner may not engage in another business, vocation, or employment.”.

(b) APPLICABILITY.—The amendment made by subsection (a)(1) does not apply with respect to a Commissioner of the Federal Maritime Commission appointed and confirmed by the Senate before the date of the enactment of this Act.

### TITLE V—ARCTIC MARITIME TRANSPORTATION

#### SEC. 501. ARCTIC MARITIME TRANSPORTATION.

(a) ARCTIC MARITIME TRANSPORTATION.—Chapter 5 of title 14, United States Code, is amended by inserting after section 89 the following:

##### “§ 90. Arctic maritime transportation

“(a) PURPOSE.—The purpose of this section is to ensure safe and secure maritime shipping in the Arctic including the availability of aids to navigation, vessel escorts, spill response capability, and maritime search and rescue in the Arctic.

“(b) INTERNATIONAL MARITIME ORGANIZATION AGREEMENTS.—To carry out the purpose

of this section, the Secretary is encouraged to enter into negotiations through the International Maritime Organization to conclude and execute agreements to promote coordinated action among the United States, Russia, Canada, Iceland, Norway, and Denmark and other seafaring and Arctic nations to ensure, in the Arctic—

“(1) placement and maintenance of aids to navigation;

“(2) appropriate marine safety, tug, and salvage capabilities;

“(3) oil spill prevention and response capability;

“(4) maritime domain awareness, including long-range vessel tracking; and

“(5) search and rescue.

“(c) COORDINATION BY COMMITTEE ON THE MARITIME TRANSPORTATION SYSTEM.—The Committee on the Maritime Transportation System established under section 55501 of title 46, United States Code, shall coordinate the establishment of domestic transportation policies in the Arctic necessary to carry out the purpose of this section.

“(d) AGREEMENTS AND CONTRACTS.—The Secretary may, subject to the availability of appropriations, enter into cooperative agreements, contracts, or other agreements with, or make grants to, individuals and governments to carry out the purpose of this section or any agreements established under subsection (b).

“(e) ICEBREAKING.—The Secretary shall promote safe maritime navigation by means of icebreaking where necessary, feasible, and effective to carry out the purposes of this section.

“(f) ARCTIC DEFINITION.—In this section, the term ‘Arctic’ has the meaning given such term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).”

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 89 the following:

“90. Arctic maritime transportation”.

(c) CONFORMING AMENDMENT.—Section 307 of the Coast Guard Authorization Act of 2010 (Public Law 111-281; 14 U.S.C. 92 note) is repealed.

#### SEC. 502. ARCTIC MARITIME DOMAIN AWARENESS.

(a) IN GENERAL.—Chapter 7 of title 14, United States Code, is amended by adding at the end the following:

##### “§ 154. Arctic maritime domain awareness

“(a) IN GENERAL.—The Commandant shall improve maritime domain awareness in the Arctic—

“(1) by promoting interagency cooperation and coordination;

“(2) by employing joint, interagency, and international capabilities; and

“(3) by facilitating the sharing of information, intelligence, and data related to the Arctic maritime domain between the Coast Guard and departments and agencies listed in subsection (b).

“(b) COORDINATION.—The Commandant shall seek to coordinate the collection, sharing, and use of information, intelligence, and data related to the Arctic maritime domain between the Coast Guard and the following:

“(1) The Department of Homeland Security.

“(2) The Department of Defense.

“(3) The Department of Transportation.

“(4) The Department of State.

“(5) The Department of the Interior.

“(6) The National Aeronautics and Space Administration.

“(7) The National Oceanic and Atmospheric Administration.

“(8) The Environmental Protection Agency.

“(9) The National Science Foundation.

“(10) The Arctic Research Commission.

“(11) Any Federal agency or commission or State the Commandant determines is appropriate.

“(c) COOPERATION.—The Commandant and the head of a department or agency listed in subsection (b) may by agreement, on a reimbursable basis or otherwise, share personnel, services, equipment, and facilities to carry out the requirements of this section.

“(d) 5-YEAR STRATEGIC PLAN.—Not later than January 1, 2016 and every 5 years thereafter, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a 5-year strategic plan to guide interagency and international intergovernmental cooperation and coordination for the purpose of improving maritime domain awareness in the Arctic

“(e) DEFINITIONS.—In this section the term ‘Arctic’ has the meaning given that term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).”

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 153 the following:

“154. Arctic maritime domain awareness.”.

#### SEC. 503. IMO POLAR CODE NEGOTIATIONS.

Not later than 30 days after the date of the enactment of this Act, and thereafter with the submission of the budget proposal submitted for each of fiscal years 2016, 2017, and 2018 under section 1105 of title 31, United States Code, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report on—

(1) the status of the negotiations at the International Maritime Organization regarding the establishment of a draft international code of safety for ships operating in polar waters, popularly known as the Polar Code, and any amendments proposed by such a code to be made to the International Convention for the Safety of Life at Sea and the International Convention for the Prevention of Pollution from Ships;

(2) the coming into effect of such a code and such amendments for nations that are parties to those conventions;

(3) impacts, for coastal communities located in the Arctic (as that term is defined in the section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111)) of such a code or such amendments, on—

(A) the costs of delivering fuel and freight; and

(B) the safety of maritime transportation; and

(4) actions the Secretary must take to implement the requirements of such a code and such amendments.

#### SEC. 504. FORWARD OPERATING FACILITIES.

The Secretary of the department in which the Coast Guard is operating may construct facilities in the Arctic (as that term is defined in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111)). The facilities shall—

(1) support aircraft maintenance, including exhaust ventilation, heat, an engine wash system, fuel, ground support services, and electrical power;

(2) provide shelter for both current helicopter assets and those projected to be located at Air Station Kodiak, Alaska, for at least 20 years; and

(3) include accommodations for personnel.

#### SEC. 505. ICEBREAKERS.

(a) COAST GUARD POLAR ICEBREAKERS.—Section 222 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112-213; 126 Stat. 1560) is amended—

(1) in subsection (d)(2)—

(A) in the paragraph heading by striking “; BRIDGING STRATEGY”; and

(B) by striking “Commandant of the Coast Guard” and all that follows through the period at the end and inserting “Commandant of the Coast Guard may decommission the Polar Sea.”;

(2) by adding at the end of subsection (d) the following:

“(3) RESULT OF NO DETERMINATION.—If in the analysis submitted under this section the Secretary does not make a determination under subsection (a)(5) regarding whether it is cost effective to reactivate the Polar Sea, then—

“(A) the Commandant of the Coast Guard may decommission the Polar Sea; or

“(B) the Secretary may make such determination, not later than 90 days after the date of the enactment of Howard Coble Coast Guard and Maritime Transportation Act of 2014, and take actions in accordance with this subsection as though such determination was made in the analysis previously submitted.”;

(3) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(4) by inserting after subsection (d) the following:

“(e) STRATEGIES.—

“(1) IN GENERAL.—Not later than 180 days after the date on which the analysis required under subsection (a) is submitted, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

“(A) unless the Secretary makes a determination under this section that it is cost effective to reactivate the Polar Sea, a bridging strategy for maintaining the Coast Guard’s polar icebreaking services until at least September 30, 2024;

“(B) a strategy to meet the Coast Guard’s Arctic ice operations needs through September 30, 2050; and

“(C) a strategy to meet the Coast Guard’s Antarctic ice operations needs through September 30, 2050

“(2) REQUIREMENT.—The strategies required under paragraph (1) shall include a business case analysis comparing the leasing and purchasing of icebreakers to maintain the needs and services described in that paragraph.”.

(b) CUTTER “POLAR SEA”.—Upon the submission of a service life extension plan in accordance with section 222(d)(1)(C) of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112-213; 126 Stat. 1560), the Secretary of the department in which the Coast Guard is operating may use funds authorized under section 101 of this Act to conduct a service life extension of 7 to 10 years for the Coast Guard Cutter *Polar Sea* (WAGB 11) in accordance with such plan.

(c) LIMITATION.—

(1) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may not expend amounts appropriated for the Coast Guard for any of fiscal years 2015 through 2024, for—

(A) design activities related to a capability of a Polar-Class Icebreaker that is based solely on an operational requirement of another Federal department or agency, except for amounts appropriated for design activities for a fiscal year before fiscal year 2016; or

(B) long-lead-time materials, production, or post-delivery activities related to such a capability.

(2) **OTHER AMOUNTS.**—Amounts made available to the Secretary under an agreement with another Federal department or agency and expended on a capability of a Polar-Class Icebreaker that is based solely on an operational requirement of that or another Federal department or agency shall not be treated as amounts expended by the Secretary for purposes of the limitation established under paragraph (1).

#### SEC. 506. ICEBREAKING IN POLAR REGIONS.

(a) **IN GENERAL.**—Chapter 5 of title 14, United States Code, is amended by inserting after section 86 the following:

##### “§ 87. Icebreaking in polar regions

“The President shall facilitate planning for the design, procurement, maintenance, deployment, and operation of icebreakers as needed to support the statutory missions of the Coast Guard in the polar regions by allocating all funds to support icebreaking operations in such regions, except for recurring incremental costs associated with specific projects, to the Coast Guard.”.

(b) **CLERICAL AMENDMENT.**—The analysis for such chapter is amended by inserting after the item relating to section 86 the following:

“87. Icebreaking in polar regions.”.

#### TITLE VI—MISCELLANEOUS

##### SEC. 601. DISTANT WATER TUNA FLEET.

Section 421 of the Coast Guard and Maritime Transportation Act of 2006 (46 U.S.C. 8103 note) is amended—

- (1) by striking subsections (c) and (e); and
- (2) by redesignating subsections (d) and (f) as subsections (c) and (d), respectively.

##### SEC. 602. EXTENSION OF MORATORIUM.

Section 2(a) of Public Law 110-299 (33 U.S.C. 1342 note) is amended by striking “2014” and inserting “2017”.

##### SEC. 603. NATIONAL MARITIME STRATEGY.

(a) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a national maritime strategy.

(b) **CONTENTS.**—The strategy required under subsection (a) shall—

- (1) identify—
  - (A) Federal regulations and policies that reduce the competitiveness of United States flag vessels in international transportation markets; and

- (B) the impact of reduced cargo flow due to reductions in the number of members of the United States Armed Forces stationed or deployed outside of the United States; and

- (2) include recommendations to—

- (A) make United States flag vessels more competitive in shipping routes between United States and foreign ports;

- (B) increase the use of United States flag vessels to carry cargo imported to and exported from the United States;

- (C) ensure compliance by Federal agencies with chapter 553 of title 46, United States Code;

- (D) increase the use of third-party inspection and certification authorities to inspect and certify vessels;

- (E) increase the use of short sea transportation routes, including routes designated under section 55601(c) of title 46, United States Code, to enhance intermodal freight movements; and

- (F) enhance United States shipbuilding capability.

##### SEC. 604. WAIVERS.

(a) “JOHN CRAIG”.—

(1) **IN GENERAL.**—Section 8902 of title 46, United States Code, shall not apply to the vessel *John Craig* (United States official number D1110613) when such vessel is operating on the portion of the Kentucky River, Kentucky, located at approximately mile point 158, in Pool Number 9, between Lock and Dam Number 9 and Lock and Dam Number 10.

(2) **APPLICATION.**—Paragraph (1) shall apply on and after the date on which the Secretary of the department in which the Coast Guard is operating determines that a licensing requirement has been established under Kentucky State law that applies to an operator of the vessel *John Craig*.

(b) “F/V WESTERN CHALLENGER”.—Notwithstanding section 12132 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the *F/V Western Challenger* (IMO number 5388108).

##### SEC. 605. COMPETITION BY UNITED STATES FLAG VESSELS.

(a) **IN GENERAL.**—The Commandant of the Coast Guard shall enter into an arrangement with the National Academy of Sciences to conduct an assessment of authorities under subtitle II of title 46, United States Code, that have been delegated to the Coast Guard and that impact the ability of vessels documented under the laws of the United States to effectively compete in international transportation markets.

(b) **REVIEW OF DIFFERENCES WITH IMO STANDARDS.**—The assessment under subsection (a) shall include a review of differences between United States laws, policies, regulations, and guidance governing the inspection of vessels documented under the laws of the United States and standards set by the International Maritime Organization governing the inspection of vessels.

(c) **DEADLINE.**—Not later than 180 days after the date on which the Commandant enters into an arrangement with the National Academy of Sciences under subsection (a), the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the assessment required under such subsection.

##### SEC. 606. VESSEL REQUIREMENTS FOR NOTICES OF ARRIVAL AND DEPARTURE AND AUTOMATIC IDENTIFICATION SYSTEM.

Not later than 30 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the status of the final rule that relates to the notice of proposed rulemaking titled “Vessel Requirements for Notices of Arrival and Departure, and Automatic Identification System” and published in the Federal Register on December 16, 2008 (73 Fed. Reg. 76295).

##### SEC. 607. CONVEYANCE OF COAST GUARD PROPERTY IN ROCHESTER, NEW YORK.

(a) **CONVEYANCE AUTHORIZED.**—The Commandant of the Coast Guard is authorized to convey, at fair market value, all right, title, and interest of the United States in and to a parcel of real property, consisting of approximately 0.2 acres, that is under the administrative control of the Coast Guard and located at 527 River Street in Rochester, New York.

(b) **RIGHT OF FIRST REFUSAL.**—The City of Rochester, New York, shall have the right of first refusal with respect to the purchase, at

fair market value, of the real property described in subsection (a).

(c) **SURVEY.**—The exact acreage and legal description of the property described in subsection (a) shall be determined by a survey satisfactory to the Commandant.

(d) **FAIR MARKET VALUE.**—The fair market value of the property described in subsection (a) shall—

- (1) be determined by appraisal; and
- (2) be subject to the approval of the Commandant.

(e) **COSTS OF CONVEYANCE.**—The responsibility for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with a conveyance under subsection (a) shall be determined by the Commandant and the purchaser.

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

(g) **DEPOSIT OF PROCEEDS.**—Any proceeds from a conveyance under subsection (a) shall be deposited in the fund established under section 687 of title 14, United States Code.

##### SEC. 608. CONVEYANCE OF CERTAIN PROPERTY IN GIG HARBOR, WASHINGTON.

(a) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **CITY.**—The term “City” means the city of Gig Harbor, Washington.

(2) **PROPERTY.**—The term “Property” means the parcel of real property, together with any improvements thereon, consisting of approximately 0.86 acres of fast lands commonly identified as tract 65 of lot 1 of section 8, township 21 north, range 2 east, Willamette Meridian, on the north side of the entrance of Gig Harbor, narrows of Puget Sound, Washington.

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

(b) **CONVEYANCE.**—

(1) **AUTHORITY TO CONVEY.**—Not later than 30 days after the date on which the Secretary of the department in which the Coast Guard is operating relinquishes the reservation of the Property for lighthouse purposes, at the request of the City and subject to the requirements of this section, the Secretary shall convey to the City all right, title, and interest of the United States in and to the Property, notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713).

(2) **TERMS OF CONVEYANCE.**—A conveyance made under paragraph (1) shall be made—

- (A) subject to valid existing rights;
- (B) at the fair market value as described in subsection (c); and

- (C) subject to any other condition that the Secretary may consider appropriate to protect the interests of the United States.

(3) **COSTS.**—The City shall pay any transaction or administrative costs associated with a conveyance under paragraph (1), including the costs of the appraisal, title searches, maps, and boundary and cadastral surveys.

(4) **CONVEYANCE IS NOT A MAJOR FEDERAL ACTION.**—A conveyance under paragraph (1) shall not be considered a major Federal action for purposes of section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

(c) **FAIR MARKET VALUE.**—

(1) **DETERMINATION.**—The fair market value of the Property shall be—

- (A) determined by an appraisal conducted by an independent appraiser selected by the Secretary; and
- (B) approved by the Secretary in accordance with paragraph (3).

(2) REQUIREMENTS.—An appraisal conducted under paragraph (1) shall—

(A) be conducted in accordance with nationally recognized appraisal standards, including—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice; and

(B) shall reflect the equitable considerations described in paragraph (3).

(3) EQUITABLE CONSIDERATIONS.—In approving the fair market value of the Property under this subsection, the Secretary shall take into consideration matters of equity and fairness, including the City's past and current lease of the Property, any maintenance or improvements by the City to the Property, and such other factors as the Secretary considers appropriate.

(d) REVOCATION; REVERSION.—Effective on and after the date on which a conveyance of the Property is made under subsection (b)(1)—

(1) Executive Order 3528, dated August 9, 1921, is revoked; and

(2) the use of the tide and shore lands belonging to the State of Washington and adjoining and bordering the Property, that were granted to the Government of the United States pursuant to the Act of the Legislature, State of Washington, approved March 13, 1909, the same being chapter 110 of the Session Laws of 1909, shall revert to the State of Washington.

#### SEC. 609. VESSEL DETERMINATION.

The vessel assigned United States official number 1205366 is deemed a new vessel effective on the date of delivery of the vessel after January 1, 2012, from a privately owned United States shipyard, if no encumbrances are on record with the Coast Guard at the time of the issuance of the new certificate of documentation for the vessel.

#### SEC. 610. SAFE VESSEL OPERATION IN THUNDER BAY.

The Secretary of the department in which the Coast Guard is operating and the Administrator of the Environmental Protection Agency may not prohibit a vessel operating within the existing boundaries and any future expanded boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve from taking up or discharging ballast water to allow for safe and efficient vessel operation if the uptake or discharge meets all Federal and State ballast water management requirements that would apply if the area were not a marine sanctuary.

#### SEC. 611. PARKING FACILITIES.

(a) ALLOCATION AND ASSIGNMENT.—

(1) IN GENERAL.—Subject to the requirements of this section, the Administrator of General Services, in coordination with the Commandant of the Coast Guard, shall allocate and assign the spaces in parking facilities at the Department of Homeland Security St. Elizabeths Campus to allow any member or employee of the Coast Guard, who is assigned to the Campus, to use such spaces.

(2) TIMING.—In carrying out paragraph (1), and in addition to the parking spaces allocated and assigned to Coast Guard members and employees in fiscal year 2014, the Administrator shall allocate and assign not less than—

(A) 300 parking spaces not later than September 30, 2015;

(B) 700 parking spaces not later than September 30, 2016; and

(C) 1,042 parking spaces not later than September 30, 2017.

(b) TRANSPORTATION MANAGEMENT REPORT.—Not later than 1 year after the date of the enactment of this Act, and each fiscal

year thereafter in which spaces are allocated and assigned under subsection (a)(2), the Administrator shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(1) the impact of assigning and allocating parking spaces under subsection (a) on the congestion of roads connecting the St. Elizabeths Campus to the portions of Suitland Parkway and I-295 located in the Anacostia section of the District of Columbia; and

(2) progress made toward completion of essential transportation improvements identified in the Transportation Management Program for the St. Elizabeths Campus.

(c) REALLOCATION.—Notwithstanding subsection (a), the Administrator may revise the allocation and assignment of spaces to members and employees of the Coast Guard made under subsection (a) as necessary to accommodate employees of the Department of Homeland Security, other than the Coast Guard, when such employees are assigned to the St. Elizabeths Campus.

**SA 3998.** Mrs. BOXER (for Mr. ROCKEFELLER) proposed an amendment to the bill S. 2444, to authorize appropriations for the Coast Guard for fiscal year 2015, and for other purposes; as follows:

Amend the title so as to read: “A bill to authorize appropriations for the Coast Guard for fiscal year 2015, and for other purposes.”.

**SA 3999.** Mrs. BOXER (for Mr. CARPER) proposed an amendment to the bill S. 2519, to codify an existing operations center for cybersecurity; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “National Cybersecurity Protection Act of 2014”.

#### SEC. 2. DEFINITIONS.

In this Act—

(1) the term “Center” means the national cybersecurity and communications integration center under section 226 of the Homeland Security Act of 2002, as added by section 3;

(2) the term “critical infrastructure” has the meaning given that term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101);

(3) the term “cybersecurity risk” has the meaning given that term in section 226 of the Homeland Security Act of 2002, as added by section 3;

(4) the term “information sharing and analysis organization” has the meaning given that term in section 212(5) of the Homeland Security Act of 2002 (6 U.S.C. 131(5));

(5) the term “information system” has the meaning given that term in section 3502(8) of title 44, United States Code; and

(6) the term “Secretary” means the Secretary of Homeland Security.

#### SEC. 3. NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER.

(a) IN GENERAL.—Subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.) is amended by adding at the end the following:

#### “SEC. 226. NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘cybersecurity risk’ means threats to and vulnerabilities of information or information systems and any related consequences caused by or resulting from unauthorized access, use, disclosure, degradation,

disruption, modification, or destruction of information or information systems, including such related consequences caused by an act of terrorism;

“(2) the term ‘incident’ means an occurrence that—

“(A) actually or imminently jeopardizes, without lawful authority, the integrity, confidentiality, or availability of information on an information system; or

“(B) constitutes a violation or imminent threat of violation of law, security policies, security procedures, or acceptable use policies;

“(3) the term ‘information sharing and analysis organization’ has the meaning given that term in section 212(5); and

“(4) the term ‘information system’ has the meaning given that term in section 3502(8) of title 44, United States Code.

“(b) CENTER.—There is in the Department a national cybersecurity and communications integration center (referred to in this section as the ‘Center’) to carry out certain responsibilities of the Under Secretary appointed under section 103(a)(1)(H).

“(c) FUNCTIONS.—The cybersecurity functions of the Center shall include—

“(1) being a Federal civilian interface for the multi-directional and cross-sector sharing of information related to cybersecurity risks, incidents, analysis, and warnings for Federal and non-Federal entities;

“(2) providing shared situational awareness to enable real-time, integrated, and operational actions across the Federal Government and non-Federal entities to address cybersecurity risks and incidents to Federal and non-Federal entities;

“(3) coordinating the sharing of information related to cybersecurity risks and incidents across the Federal Government;

“(4) facilitating cross-sector coordination to address cybersecurity risks and incidents, including cybersecurity risks and incidents that may be related or could have consequential impacts across multiple sectors;

“(5)(A) conducting integration and analysis, including cross-sector integration and analysis, of cybersecurity risks and incidents; and

“(B) sharing the analysis conducted under subparagraph (A) with Federal and non-Federal entities;

“(6) upon request, providing timely technical assistance, risk management support, and incident response capabilities to Federal and non-Federal entities with respect to cybersecurity risks and incidents, which may include attribution, mitigation, and remediation; and

“(7) providing information and recommendations on security and resilience measures to Federal and non-Federal entities, including information and recommendations to—

“(A) facilitate information security; and

“(B) strengthen information systems against cybersecurity risks and incidents.

“(d) COMPOSITION.—

“(1) IN GENERAL.—The Center shall be composed of—

“(A) appropriate representatives of Federal entities, such as—

“(i) sector-specific agencies;

“(ii) civilian and law enforcement agencies; and

“(iii) elements of the intelligence community, as that term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4));

“(B) appropriate representatives of non-Federal entities, such as—

“(i) State and local governments;

“(ii) information sharing and analysis organizations; and

“(iii) owners and operators of critical information systems;

“(C) components within the Center that carry out cybersecurity and communications activities;

“(D) a designated Federal official for operational coordination with and across each sector; and

“(E) other appropriate representatives or entities, as determined by the Secretary.

“(2) INCIDENTS.—In the event of an incident, during exigent circumstances the Secretary may grant a Federal or non-Federal entity immediate temporary access to the Center.

“(e) PRINCIPLES.—In carrying out the functions under subsection (c), the Center shall ensure—

“(1) to the extent practicable, that—

“(A) timely, actionable, and relevant information related to cybersecurity risks, incidents, and analysis is shared;

“(B) when appropriate, information related to cybersecurity risks, incidents, and analysis is integrated with other relevant information and tailored to the specific characteristics of a sector;

“(C) activities are prioritized and conducted based on the level of risk;

“(D) industry sector-specific, academic, and national laboratory expertise is sought and receives appropriate consideration;

“(E) continuous, collaborative, and inclusive coordination occurs—

“(i) across sectors; and

“(ii) with—

“(I) sector coordinating councils;

“(II) information sharing and analysis organizations; and

“(III) other appropriate non-Federal partners;

“(F) as appropriate, the Center works to develop and use mechanisms for sharing information related to cybersecurity risks and incidents that are technology-neutral, interoperable, real-time, cost-effective, and resilient; and

“(G) the Center works with other agencies to reduce unnecessarily duplicative sharing of information related to cybersecurity risks and incidents;

“(2) that information related to cybersecurity risks and incidents is appropriately safeguarded against unauthorized access; and

“(3) that activities conducted by the Center comply with all policies, regulations, and laws that protect the privacy and civil liberties of United States persons.

“(f) NO RIGHT OR BENEFIT.—

“(1) IN GENERAL.—The provision of assistance or information to, and inclusion in the Center of, governmental or private entities under this section shall be at the sole and unreviewable discretion of the Under Secretary appointed under section 103(a)(1)(H).

“(2) CERTAIN ASSISTANCE OR INFORMATION.—The provision of certain assistance or information to, or inclusion in the Center of, one governmental or private entity pursuant to this section shall not create a right or benefit, substantive or procedural, to similar assistance or information for any other governmental or private entity.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by inserting after the item relating to section 225 the following:

“Sec. 226. National cybersecurity and communications integration center.”

#### SEC. 4. RECOMMENDATIONS REGARDING NEW AGREEMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit recommendations on how to expedite the implementation of information-sharing agreements for cybersecu-

rity purposes between the Center and non-Federal entities (referred to in this section as “cybersecurity information-sharing agreements”) to—

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

(2) the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives.

(b) CONTENTS.—In submitting recommendations under subsection (a), the Secretary shall—

(1) address the development and utilization of a scalable form that retains all privacy and other protections in cybersecurity information-sharing agreements that are in effect as of the date on which the Secretary submits the recommendations, including Cooperative Research and Development Agreements; and

(2) include in the recommendations any additional authorities or resources that may be needed to carry out the implementation of any new cybersecurity information-sharing agreements.

#### SEC. 5. ANNUAL REPORT.

Not later than 1 year after the date of enactment of this Act, and every year thereafter for 3 years, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate, the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives, and the Comptroller General of the United States a report on the Center, which shall include—

(a) information on the Center, including—

(1) an assessment of the capability and capacity of the Center to carry out its cybersecurity mission under this Act;

(2) the number of representatives from non-Federal entities that are participating in the Center, including the number of representatives from States, nonprofit organizations, and private sector entities, respectively;

(3) the number of requests from non-Federal entities to participate in the Center and the response to such requests;

(4) the average length of time taken to resolve requests described in paragraph (3);

(5) the identification of—

(A) any delay in resolving requests described in paragraph (3) involving security clearance processing; and

(B) the agency involved with a delay described in subparagraph (A);

(6) a description of any other obstacles or challenges to resolving requests described in paragraph (3) and a summary of the reasons for denials of any such requests;

(7) the extent to which the Department is engaged in information sharing with each critical infrastructure sector, including—

(A) the extent to which each sector has representatives at the Center;

(B) the extent to which owners and operators of critical infrastructure in each critical infrastructure sector participate in information sharing at the Center; and

(C) the volume and range of activities with respect to which the Secretary has collaborated with the sector coordinating councils and the sector-specific agencies to promote greater engagement with the Center; and

(8) the policies and procedures established by the Center to safeguard privacy and civil liberties.

#### SEC. 6. GAO REPORT.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the

House of Representatives a report on the effectiveness of the Center in carrying out its cybersecurity mission.

#### SEC. 7. CYBER INCIDENT RESPONSE PLAN; CLEARANCES; BREACHES.

(a) CYBER INCIDENT RESPONSE PLAN; CLEARANCES.—Subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.), as amended by section 3, is amended by adding at the end the following:

##### “SEC. 227. CYBER INCIDENT RESPONSE PLAN.

“The Under Secretary appointed under section 103(a)(1)(H) shall, in coordination with appropriate Federal departments and agencies, State and local governments, sector coordinating councils, information sharing and analysis organizations (as defined in section 212(5)), owners and operators of critical infrastructure, and other appropriate entities and individuals, develop, regularly update, maintain, and exercise adaptable cyber incident response plans to address cybersecurity risks (as defined in section 226) to critical infrastructure.

##### “SEC. 228. CLEARANCES.

“The Secretary shall make available the process of application for security clearances under Executive Order 13549 (75 Fed. Reg. 162; relating to a classified national security information program) or any successor Executive Order to appropriate representatives of sector coordinating councils, sector information sharing and analysis organizations (as defined in section 212(5)), owners and operators of critical infrastructure, and any other person that the Secretary determines appropriate.”

(b) BREACHES.—

(1) REQUIREMENTS.—The Director of the Office of Management and Budget shall ensure that data breach notification policies and guidelines are updated periodically and require—

(A) except as provided in paragraph (4), notice by the affected agency to each committee of Congress described in section 3544(c)(1) of title 44, United States Code, the Committee on the Judiciary of the Senate, and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives, which shall—

(i) be provided expeditiously and not later than 30 days after the date on which the agency discovered the unauthorized acquisition or access; and

(ii) include—

(I) information about the breach, including a summary of any information that the agency knows on the date on which notification is provided about how the breach occurred;

(II) an estimate of the number of individuals affected by the breach, based on information that the agency knows on the date on which notification is provided, including an assessment of the risk of harm to affected individuals;

(III) a description of any circumstances necessitating a delay in providing notice to affected individuals; and

(IV) an estimate of whether and when the agency will provide notice to affected individuals; and

(B) notice by the affected agency to affected individuals, pursuant to data breach notification policies and guidelines, which shall be provided as expeditiously as practicable and without unreasonable delay after the agency discovers the unauthorized acquisition or access.

(2) NATIONAL SECURITY; LAW ENFORCEMENT; REMEDIATION.—The Attorney General, the head of an element of the intelligence community (as such term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)), or the Secretary may delay the notice to affected individuals



under paragraph (1)(B) if the notice would disrupt a law enforcement investigation, endanger national security, or hamper security remediation actions.

(3) OMB REPORT.—During the first 2 years beginning after the date of enactment of this Act, the Director of the Office of Management and Budget shall, on an annual basis—

(A) assess agency implementation of data breach notification policies and guidelines in aggregate; and

(B) include the assessment described in clause (i) in the report required under section 3543(a)(8) of title 44, United States Code.

(4) EXCEPTION.—Any element of the intelligence community (as such term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) that is required to provide notice under paragraph (1)(A) shall only provide such notice to appropriate committees of Congress.

(c) RULE OF CONSTRUCTION.—Nothing in the amendment made by subsection (a) or in subsection (b)(1) shall be construed to alter any authority of a Federal agency or department.

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note), as amended by section 3, is amended by inserting after the item relating to section 226 the following:

“Sec. 227. Cyber incident response plan.

“Sec. 228. Clearances.”.

#### SEC. 8. RULES OF CONSTRUCTION.

(a) PROHIBITION ON NEW REGULATORY AUTHORITY.—Nothing in this Act or the amendments made by this Act shall be construed to grant the Secretary any authority to promulgate regulations or set standards relating to the cybersecurity of private sector critical infrastructure that was not in effect on the day before the date of enactment of this Act.

(b) PRIVATE ENTITIES.—Nothing in this Act or the amendments made by this Act shall be construed to require any private entity—

(1) to request assistance from the Secretary; or

(2) that requested such assistance from the Secretary to implement any measure or recommendation suggested by the Secretary.

**SA 4000.** Mrs. BOXER (for Mr. CARPER (for himself and Mr. COBURN)) proposed an amendment to the bill H.R. 4007, to recodify and reauthorize the Chemical Facility Anti-Terrorism Standards Program; as follows:

In lieu of the matter proposed to be inserted, insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014”.

#### SEC. 2. CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM.

(a) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by adding at the end the following:

##### “TITLE XXI—CHEMICAL FACILITY ANTI-TERRORISM STANDARDS

#### “SEC. 2101. DEFINITIONS.

“In this title—

“(1) the term ‘CFATS regulation’ means—

“(A) an existing CFATS regulation; and

“(B) any regulation or amendment to an existing CFATS regulation issued pursuant to the authority under section 2107;

“(2) the term ‘chemical facility of interest’ means a facility that—

“(A) holds, or that the Secretary has a reasonable basis to believe holds, a chemical of interest, as designated under Appendix A to part 27 of title 6, Code of Federal Regula-

tions, or any successor thereto, at a threshold quantity set pursuant to relevant risk-related security principles; and

“(B) is not an excluded facility;

“(3) the term ‘covered chemical facility’ means a facility that—

“(A) the Secretary—

“(i) identifies as a chemical facility of interest; and

“(ii) based upon review of the facility’s Top-Screen, determines meets the risk criteria developed under section 2102(e)(2)(B); and

“(B) is not an excluded facility;

“(4) the term ‘excluded facility’ means—

“(A) a facility regulated under the Maritime Transportation Security Act of 2002 (Public Law 107–295; 116 Stat. 2064);

“(B) a public water system, as that term is defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f);

“(C) a Treatment Works, as that term is defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292);

“(D) a facility owned or operated by the Department of Defense or the Department of Energy; or

“(E) a facility subject to regulation by the Nuclear Regulatory Commission, or by a State that has entered into an agreement with the Nuclear Regulatory Commission under section 274 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2021(b)) to protect against unauthorized access of any material, activity, or structure licensed by the Nuclear Regulatory Commission;

“(5) the term ‘existing CFATS regulation’ means—

“(A) a regulation promulgated under section 550 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 6 U.S.C. 121 note) that is in effect on the day before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014; and

“(B) a Federal Register notice or other published guidance relating to section 550 of the Department of Homeland Security Appropriations Act, 2007 that is in effect on the day before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014;

“(6) the term ‘expedited approval facility’ means a covered chemical facility for which the owner or operator elects to submit a site security plan in accordance with section 2102(c)(4);

“(7) the term ‘facially deficient’, relating to a site security plan, means a site security plan that does not support a certification that the security measures in the plan address the security vulnerability assessment and the risk-based performance standards for security for the facility, based on a review of—

“(A) the facility’s site security plan;

“(B) the facility’s Top-Screen;

“(C) the facility’s security vulnerability assessment; or

“(D) any other information that—

“(i) the facility submits to the Department; or

“(ii) the Department obtains from a public source or other source;

“(8) the term ‘guidance for expedited approval facilities’ means the guidance issued under section 2102(c)(4)(B)(i);

“(9) the term ‘risk assessment’ means the Secretary’s application of relevant risk criteria identified in section 2102(e)(2)(B);

“(10) the term ‘terrorist screening database’ means the terrorist screening database maintained by the Federal Government Terrorist Screening Center or its successor;

“(11) the term ‘tier’ has the meaning given the term in section 27.105 of title 6, Code of Federal Regulations, or any successor thereto;

“(12) the terms ‘tiering’ and ‘tiering methodology’ mean the procedure by which the Secretary assigns a tier to each covered chemical facility based on the risk assessment for that covered chemical facility;

“(13) the term ‘Top-Screen’ has the meaning given the term in section 27.105 of title 6, Code of Federal Regulations, or any successor thereto; and

“(14) the term ‘vulnerability assessment’ means the identification of weaknesses in the security of a chemical facility of interest.

#### “SEC. 2102. CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM.

“(a) PROGRAM ESTABLISHED.—

“(1) IN GENERAL.—There is in the Department a Chemical Facility Anti-Terrorism Standards Program.

“(2) REQUIREMENTS.—In carrying out the Chemical Facility Anti-Terrorism Standards Program, the Secretary shall—

“(A) identify—

“(i) chemical facilities of interest; and

“(ii) covered chemical facilities;

“(B) require each chemical facility of interest to submit a Top-Screen and any other information the Secretary determines necessary to enable the Department to assess the security risks associated with the facility;

“(C) establish risk-based performance standards designed to address high levels of security risk at covered chemical facilities; and

“(D) require each covered chemical facility to—

“(i) submit a security vulnerability assessment; and

“(ii) develop, submit, and implement a site security plan.

“(b) SECURITY MEASURES.—

“(1) IN GENERAL.—A facility, in developing a site security plan as required under subsection (a), shall include security measures that, in combination, appropriately address the security vulnerability assessment and the risk-based performance standards for security for the facility.

“(2) EMPLOYEE INPUT.—To the greatest extent practicable, a facility’s security vulnerability assessment and site security plan shall include input from at least 1 facility employee and, where applicable, 1 employee representative from the bargaining agent at that facility, each of whom possesses, in the determination of the facility’s security officer, relevant knowledge, experience, training, or education as pertains to matters of site security.

“(c) APPROVAL OR DISAPPROVAL OF SITE SECURITY PLANS.—

“(1) IN GENERAL.—

“(A) REVIEW.—Except as provided in paragraph (4), the Secretary shall review and approve or disapprove each site security plan submitted pursuant to subsection (a).

“(B) BASES FOR DISAPPROVAL.—The Secretary—

“(i) may not disapprove a site security plan based on the presence or absence of a particular security measure; and

“(ii) shall disapprove a site security plan if the plan fails to satisfy the risk-based performance standards established pursuant to subsection (a)(2)(C).

“(2) ALTERNATIVE SECURITY PROGRAMS.—

“(A) AUTHORITY TO APPROVE.—

“(i) IN GENERAL.—The Secretary may approve an alternative security program established by a private sector entity or a Federal, State, or local authority or under other applicable laws, if the Secretary determines that the requirements of the program meet the requirements under this section.

“(ii) ADDITIONAL SECURITY MEASURES.—If the requirements of an alternative security program do not meet the requirements under

this section, the Secretary may recommend additional security measures to the program that will enable the Secretary to approve the program.

“(B) SATISFACTION OF SITE SECURITY PLAN REQUIREMENT.—A covered chemical facility may satisfy the site security plan requirement under subsection (a) by adopting an alternative security program that the Secretary has—

“(i) reviewed and approved under subparagraph (A); and

“(ii) determined to be appropriate for the operations and security concerns of the covered chemical facility.

“(3) SITE SECURITY PLAN ASSESSMENTS.—

“(A) RISK ASSESSMENT POLICIES AND PROCEDURES.—In approving or disapproving a site security plan under this subsection, the Secretary shall employ the risk assessment policies and procedures developed under this title.

“(B) PREVIOUSLY APPROVED PLANS.—In the case of a covered chemical facility for which the Secretary approved a site security plan before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary may not require the facility to resubmit the site security plan solely by reason of the enactment of this title.

“(4) EXPEDITED APPROVAL PROGRAM.—

“(A) IN GENERAL.—A covered chemical facility assigned to tier 3 or 4 may meet the requirement to develop and submit a site security plan under subsection (a)(2)(D) by developing and submitting to the Secretary—

“(i) a site security plan and the certification described in subparagraph (C); or

“(ii) a site security plan in conformance with a template authorized under subparagraph (H).

“(B) GUIDANCE FOR EXPEDITED APPROVAL FACILITIES.—

“(i) IN GENERAL.—Not later than 180 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall issue guidance for expedited approval facilities that identifies specific security measures that are sufficient to meet the risk-based performance standards.

“(ii) MATERIAL DEVIATION FROM GUIDANCE.—If a security measure in the site security plan of an expedited approval facility materially deviates from a security measure in the guidance for expedited approval facilities, the site security plan shall include an explanation of how such security measure meets the risk-based performance standards.

“(iii) APPLICABILITY OF OTHER LAWS TO DEVELOPMENT AND ISSUANCE OF INITIAL GUIDANCE.—During the period before the Secretary has met the deadline under clause (i), in developing and issuing, or amending, the guidance for expedited approval facilities under this subparagraph and in collecting information from expedited approval facilities, the Secretary shall not be subject to—

“(I) section 553 of title 5, United States Code;

“(II) subchapter I of chapter 35 of title 44, United States Code; or

“(III) section 2107(b) of this title.

“(C) CERTIFICATION.—The owner or operator of an expedited approval facility shall submit to the Secretary a certification, signed under penalty of perjury, that—

“(i) the owner or operator is familiar with the requirements of this title and part 27 of title 6, Code of Federal Regulations, or any successor thereto, and the site security plan being submitted;

“(ii) the site security plan includes the security measures required by subsection (b);

“(iii) the security measures in the site security plan do not materially deviate from the guidance for expedited approval facilities

except where indicated in the site security plan;

“(II) any deviations from the guidance for expedited approval facilities in the site security plan meet the risk-based performance standards for the tier to which the facility is assigned; and

“(III) the owner or operator has provided an explanation of how the site security plan meets the risk-based performance standards for any material deviation;

“(iv) the owner or operator has visited, examined, documented, and verified that the expedited approval facility meets the criteria set forth in the site security plan;

“(v) the expedited approval facility has implemented all of the required performance measures outlined in the site security plan or set out planned measures that will be implemented within a reasonable time period stated in the site security plan;

“(vi) each individual responsible for implementing the site security plan has been made aware of the requirements relevant to the individual's responsibility contained in the site security plan and has demonstrated competency to carry out those requirements;

“(vii) the owner or operator has committed, or, in the case of planned measures will commit, the necessary resources to fully implement the site security plan; and

“(viii) the planned measures include an adequate procedure for addressing events beyond the control of the owner or operator in implementing any planned measures.

“(D) DEADLINE.—

“(i) IN GENERAL.—Not later than 120 days after the date described in clause (ii), the owner or operator of an expedited approval facility shall submit to the Secretary the site security plan and the certification described in subparagraph (C).

“(ii) DATE.—The date described in this clause is—

“(I) for an expedited approval facility that was assigned to tier 3 or 4 under existing CFATS regulations before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the date that is 210 days after the date of enactment of that Act; and

“(II) for any expedited approval facility not described in subclause (I), the later of—

“(aa) the date on which the expedited approval facility is assigned to tier 3 or 4 under subsection (e)(2)(A); or

“(bb) the date that is 210 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014.

“(iii) NOTICE.—An owner or operator of an expedited approval facility shall notify the Secretary of the intent of the owner or operator to certify the site security plan for the expedited approval facility not later than 30 days before the date on which the owner or operator submits the site security plan and certification described in subparagraph (C).

“(E) COMPLIANCE.—

“(i) IN GENERAL.—For an expedited approval facility submitting a site security plan and certification in accordance with subparagraphs (A), (B), (C), and (D)—

“(I) the expedited approval facility shall comply with all of the requirements of its site security plan; and

“(II) the Secretary—

“(aa) except as provided in subparagraph (G), may not disapprove the site security plan; and

“(bb) may audit and inspect the expedited approval facility under subsection (d) to verify compliance with its site security plan.

“(ii) NONCOMPLIANCE.—If the Secretary determines an expedited approval facility is not in compliance with the requirements of the site security plan or is otherwise in violation of this title, the Secretary may en-

force compliance in accordance with section 2104.

“(F) AMENDMENTS TO SITE SECURITY PLAN.—

“(i) REQUIREMENT.—

“(I) IN GENERAL.—If the owner or operator of an expedited approval facility amends a site security plan submitted under subparagraph (A), the owner or operator shall submit the amended site security plan and a certification relating to the amended site security plan that contains the information described in subparagraph (C).

“(II) TECHNICAL AMENDMENTS.—For purposes of this clause, an amendment to a site security plan includes any technical amendment to the site security plan.

“(ii) AMENDMENT REQUIRED.—The owner or operator of an expedited approval facility shall amend the site security plan if—

“(I) there is a change in the design, construction, operation, or maintenance of the expedited approval facility that affects the site security plan;

“(II) the Secretary requires additional security measures or suspends a certification and recommends additional security measures under subparagraph (G); or

“(III) the owner or operator receives notice from the Secretary of a change in tiering under subsection (e)(3).

“(iii) DEADLINE.—An amended site security plan and certification shall be submitted under clause (i)—

“(I) in the case of a change in design, construction, operation, or maintenance of the expedited approval facility that affects the security plan, not later than 120 days after the date on which the change in design, construction, operation, or maintenance occurred;

“(II) in the case of the Secretary requiring additional security measures or suspending a certification and recommending additional security measures under subparagraph (G), not later than 120 days after the date on which the owner or operator receives notice of the requirement for additional security measures or suspension of the certification and recommendation of additional security measures; and

“(III) in the case of a change in tiering, not later than 120 days after the date on which the owner or operator receives notice under subsection (e)(3).

“(G) FACIALLY DEFICIENT SITE SECURITY PLANS.—

“(i) PROHIBITION.—Notwithstanding subparagraph (A) or (E), the Secretary may suspend the authority of a covered chemical facility to certify a site security plan if the Secretary—

“(I) determines the certified site security plan or an amended site security plan is facially deficient; and

“(II) not later than 100 days after the date on which the Secretary receives the site security plan and certification, provides the covered chemical facility with written notification that the site security plan is facially deficient, including a clear explanation of each deficiency in the site security plan.

“(ii) ADDITIONAL SECURITY MEASURES.—

“(I) IN GENERAL.—If, during or after a compliance inspection of an expedited approval facility, the Secretary determines that planned or implemented security measures in the site security plan of the facility are insufficient to meet the risk-based performance standards based on misrepresentation, omission, or an inadequate description of the site, the Secretary may—

“(aa) require additional security measures; or

“(bb) suspend the certification of the facility.

“(II) RECOMMENDATION OF ADDITIONAL SECURITY MEASURES.—If the Secretary suspends

the certification of an expedited approval facility under subclause (I), the Secretary shall—

“(aa) recommend specific additional security measures that, if made part of the site security plan by the facility, would enable the Secretary to approve the site security plan; and

“(bb) provide the facility an opportunity to submit a new or modified site security plan and certification under subparagraph (A).

“(III) SUBMISSION; REVIEW.—If an expedited approval facility determines to submit a new or modified site security plan and certification as authorized under subclause (II)(bb)—

“(aa) not later than 90 days after the date on which the facility receives recommendations under subclause (II)(aa), the facility shall submit the new or modified plan and certification; and

“(bb) not later than 45 days after the date on which the Secretary receives the new or modified plan under item (aa), the Secretary shall review the plan and determine whether the plan is facially deficient.

“(IV) DETERMINATION NOT TO INCLUDE ADDITIONAL SECURITY MEASURES.—

“(aa) REVOCATION OF CERTIFICATION.—If an expedited approval facility does not agree to include in its site security plan specific additional security measures recommended by the Secretary under subclause (II)(aa), or does not submit a new or modified site security plan in accordance with subclause (III), the Secretary may revoke the certification of the facility by issuing an order under section 2104(a)(1)(B).

“(bb) EFFECT OF REVOCATION.—If the Secretary revokes the certification of an expedited approval facility under item (aa) by issuing an order under section 2104(a)(1)(B)—

“(AA) the order shall require the owner or operator of the facility to submit a site security plan or alternative security program for review by the Secretary review under subsection (c)(1); and

“(BB) the facility shall no longer be eligible to certify a site security plan under this paragraph.

“(V) FACIAL DEFICIENCY.—If the Secretary determines that a new or modified site security plan submitted by an expedited approval facility under subclause (III) is facially deficient—

“(aa) not later than 120 days after the date of the determination, the owner or operator of the facility shall submit a site security plan or alternative security program for review by the Secretary under subsection (c)(1); and

“(bb) the facility shall no longer be eligible to certify a site security plan under this paragraph.

“(H) TEMPLATES.—

“(i) IN GENERAL.—The Secretary may develop prescriptive site security plan templates with specific security measures to meet the risk-based performance standards under subsection (a)(2)(C) for adoption and certification by a covered chemical facility assigned to tier 3 or 4 in lieu of developing and certifying its own plan.

“(ii) APPLICABILITY OF OTHER LAWS TO DEVELOPMENT AND ISSUANCE OF INITIAL SITE SECURITY PLAN TEMPLATES AND RELATED GUIDANCE.—During the period before the Secretary has met the deadline under subparagraph (B)(i), in developing and issuing, or amending, the site security plan templates under this subparagraph, in issuing guidance for implementation of the templates, and in collecting information from expedited approval facilities, the Secretary shall not be subject to—

“(I) section 553 of title 5, United States Code;

“(II) subchapter I of chapter 35 of title 44, United States Code; or

“(III) section 2107(b) of this title.

“(iii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed to prevent a covered chemical facility from developing and certifying its own security plan in accordance with subparagraph (A).

“(I) EVALUATION.—

“(i) IN GENERAL.—Not later than 18 months after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall take any appropriate action necessary for a full evaluation of the expedited approval program authorized under this paragraph, including conducting an appropriate number of inspections, as authorized under subsection (d), of expedited approval facilities.

“(ii) REPORT.—Not later than 18 months after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report that contains—

“(I)(aa) the number of eligible facilities using the expedited approval program authorized under this paragraph; and

“(bb) the number of facilities that are eligible for the expedited approval program but are using the standard process for developing and submitting a site security plan under subsection (a)(2)(D);

“(II) any costs and efficiencies associated with the expedited approval program;

“(III) the impact of the expedited approval program on the backlog for site security plan approval and authorization inspections;

“(IV) an assessment of the ability of expedited approval facilities to submit facially sufficient site security plans;

“(V) an assessment of any impact of the expedited approval program on the security of chemical facilities; and

“(VI) a recommendation by the Secretary on the frequency of compliance inspections that may be required for expedited approval facilities.

“(d) COMPLIANCE.—

“(1) AUDITS AND INSPECTIONS.—

“(A) DEFINITIONS.—In this paragraph—

“(i) the term ‘nondepartmental’—

“(I) with respect to personnel, means personnel that is not employed by the Department; and

“(II) with respect to an entity, means an entity that is not a component or other authority of the Department; and

“(ii) the term ‘nongovernmental’—

“(I) with respect to personnel, means personnel that is not employed by the Federal Government; and

“(II) with respect to an entity, means an entity that is not an agency, department, or other authority of the Federal Government.

“(B) AUTHORITY TO CONDUCT AUDITS AND INSPECTIONS.—The Secretary shall conduct audits or inspections under this title using—

“(i) employees of the Department;

“(ii) nondepartmental or nongovernmental personnel approved by the Secretary; or

“(iii) a combination of individuals described in clauses (i) and (ii).

“(C) SUPPORT PERSONNEL.—The Secretary may use nongovernmental personnel to provide administrative and logistical services in support of audits and inspections under this title.

“(D) REPORTING STRUCTURE.—

“(i) NONDEPARTMENTAL AND NONGOVERNMENTAL AUDITS AND INSPECTIONS.—Any audit or inspection conducted by an individual employed by a nondepartmental or nongovern-

mental entity shall be assigned in coordination with a regional supervisor with responsibility for supervising inspectors within the Infrastructure Security Compliance Division of the Department for the region in which the audit or inspection is to be conducted.

“(ii) REQUIREMENT TO REPORT.—While an individual employed by a nondepartmental or nongovernmental entity is in the field conducting an audit or inspection under this subsection, the individual shall report to the regional supervisor with responsibility for supervising inspectors within the Infrastructure Security Compliance Division of the Department for the region in which the individual is operating.

“(iii) APPROVAL.—The authority to approve a site security plan under subsection (c) or determine if a covered chemical facility is in compliance with an approved site security plan shall be exercised solely by the Secretary or a designee of the Secretary within the Department.

“(E) STANDARDS FOR AUDITORS AND INSPECTORS.—The Secretary shall prescribe standards for the training and retraining of each individual used by the Department as an auditor or inspector, including each individual employed by the Department and all nondepartmental or nongovernmental personnel, including—

“(i) minimum training requirements for new auditors and inspectors;

“(ii) retraining requirements;

“(iii) minimum education and experience levels;

“(iv) the submission of information as required by the Secretary to enable determination of whether the auditor or inspector has a conflict of interest;

“(v) the proper certification or certifications necessary to handle chemical-terrorism vulnerability information (as defined in section 27.105 of title 6, Code of Federal Regulations, or any successor thereto);

“(vi) the reporting of any issue of non-compliance with this section to the Secretary within 24 hours; and

“(vii) any additional qualifications for fitness of duty as the Secretary may require.

“(F) CONDITIONS FOR NONGOVERNMENTAL AUDITORS AND INSPECTORS.—If the Secretary arranges for an audit or inspection under subparagraph (B) to be carried out by a non-governmental entity, the Secretary shall—

“(i) prescribe standards for the qualification of the individuals who carry out such audits and inspections that are commensurate with the standards for similar Government auditors or inspectors; and

“(ii) ensure that any duties carried out by a nongovernmental entity are not inherently governmental functions.

“(2) PERSONNEL SURETY.—

“(A) PERSONNEL SURETY PROGRAM.—For purposes of this title, the Secretary shall establish and carry out a Personnel Surety Program that—

“(i) does not require an owner or operator of a covered chemical facility that voluntarily participates in the program to submit information about an individual more than 1 time;

“(ii) provides a participating owner or operator of a covered chemical facility with relevant information about an individual based on vetting the individual against the terrorist screening database, to the extent that such feedback is necessary for the facility to be in compliance with regulations promulgated under this title; and

“(iii) provides redress to an individual—

“(I) whose information was vetted against the terrorist screening database under the program; and

“(II) who believes that the personally identifiable information submitted to the Department for such vetting by a covered

chemical facility, or its designated representative, was inaccurate.

“(B) PERSONNEL SURETY PROGRAM IMPLEMENTATION.—To the extent that a risk-based performance standard established under subsection (a) requires identifying individuals with ties to terrorism—

“(i) a covered chemical facility—

“(I) may satisfy its obligation under the standard by using any Federal screening program that periodically vets individuals against the terrorist screening database, or any successor program, including the Personnel Surety Program established under subparagraph (A); and

“(II) shall—

“(aa) accept a credential from a Federal screening program described in subclause (I) if an individual who is required to be screened presents such a credential; and

“(bb) address in its site security plan or alternative security program the measures it will take to verify that a credential or documentation from a Federal screening program described in subclause (I) is current;

“(ii) visual inspection shall be sufficient to meet the requirement under clause (i)(II)(bb), but the facility should consider other means of verification, consistent with the facility’s assessment of the threat posed by acceptance of such credentials; and

“(iii) the Secretary may not require a covered chemical facility to submit any information about an individual unless the individual—

“(I) is to be vetted under the Personnel Surety Program; or

“(II) has been identified as presenting a terrorism security risk.

“(C) RIGHTS UNAFFECTED.—Nothing in this section shall supersede the ability—

“(i) of a facility to maintain its own policies regarding the access of individuals to restricted areas or critical assets; or

“(ii) of an employing facility and a bargaining agent, where applicable, to negotiate as to how the results of a background check may be used by the facility with respect to employment status.

“(3) AVAILABILITY OF INFORMATION.—The Secretary shall share with the owner or operator of a covered chemical facility any information that the owner or operator needs to comply with this section.

“(e) RESPONSIBILITIES OF THE SECRETARY.—

“(1) IDENTIFICATION OF CHEMICAL FACILITIES OF INTEREST.—In carrying out this title, the Secretary shall consult with the heads of other Federal agencies, States and political subdivisions thereof, relevant business associations, and public and private labor organizations to identify all chemical facilities of interest.

“(2) RISK ASSESSMENT.—

“(A) IN GENERAL.—For purposes of this title, the Secretary shall develop a security risk assessment approach and corresponding tiering methodology for covered chemical facilities that incorporates the relevant elements of risk, including threat, vulnerability, and consequence.

“(B) CRITERIA FOR DETERMINING SECURITY RISK.—The criteria for determining the security risk of terrorism associated with a covered chemical facility shall take into account—

“(i) relevant threat information;

“(ii) potential severe economic consequences and the potential loss of human life in the event of the facility being subject to attack, compromise, infiltration, or exploitation by terrorists; and

“(iii) vulnerability of the facility to attack, compromise, infiltration, or exploitation by terrorists.

“(3) CHANGES IN TIERING.—

“(A) MAINTENANCE OF RECORDS.—The Secretary shall document the basis for each instance in which—

“(i) tiering for a covered chemical facility is changed; or

“(ii) a covered chemical facility is determined to no longer be subject to the requirements under this title.

“(B) REQUIRED INFORMATION.—The records maintained under subparagraph (A) shall include information on whether and how the Secretary confirmed the information that was the basis for the change or determination described in subparagraph (A).

“(4) SEMIANNUAL PERFORMANCE REPORTING.—Not later than 6 months after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, and not less frequently than once every 6 months thereafter, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report that includes, for the period covered by the report—

“(A) the number of covered chemical facilities in the United States;

“(B) information—

“(i) describing—

“(I) the number of instances in which the Secretary—

“(aa) placed a covered chemical facility in a lower risk tier; or

“(bb) determined that a facility that had previously met the criteria for a covered chemical facility under section 2101(3) no longer met the criteria; and

“(II) the basis, in summary form, for each action or determination under subclause (I); and

“(ii) that is provided in a sufficiently anonymized form to ensure that the information does not identify any specific facility or company as the source of the information when viewed alone or in combination with other public information;

“(C) the average number of days spent reviewing site security or an alternative security program for a covered chemical facility prior to approval;

“(D) the number of covered chemical facilities inspected;

“(E) the average number of covered chemical facilities inspected per inspector; and

“(F) any other information that the Secretary determines will be helpful to Congress in evaluating the performance of the Chemical Facility Anti-Terrorism Standards Program.

“SEC. 2103. PROTECTION AND SHARING OF INFORMATION.

“(a) IN GENERAL.—Notwithstanding any other provision of law, information developed under this title, including vulnerability assessments, site security plans, and other security related information, records, and documents shall be given protections from public disclosure consistent with the protection of similar information under section 70103(d) of title 46, United States Code.

“(b) SHARING OF INFORMATION WITH STATES AND LOCAL GOVERNMENTS.—Nothing in this section shall be construed to prohibit the sharing of information developed under this title, as the Secretary determines appropriate, with State and local government officials possessing a need to know and the necessary security clearances, including law enforcement officials and first responders, for the purpose of carrying out this title, provided that such information may not be disclosed pursuant to any State or local law.

“(c) SHARING OF INFORMATION WITH FIRST RESPONDERS.—

“(1) REQUIREMENT.—The Secretary shall provide to State, local, and regional fusion

centers (as that term is defined in section 210A(j)(1)) and State and local government officials, as the Secretary determines appropriate, such information as is necessary to help ensure that first responders are properly prepared and provided with the situational awareness needed to respond to security incidents at covered chemical facilities.

“(2) DISSEMINATION.—The Secretary shall disseminate information under paragraph (1) through a medium or system determined by the Secretary to be appropriate to ensure the secure and expeditious dissemination of such information to necessary selected individuals.

“(d) ENFORCEMENT PROCEEDINGS.—In any proceeding to enforce this section, vulnerability assessments, site security plans, and other information submitted to or obtained by the Secretary under this title, and related vulnerability or security information, shall be treated as if the information were classified information.

“(e) AVAILABILITY OF INFORMATION.—Notwithstanding any other provision of law (including section 552(b)(3) of title 5, United States Code), section 552 of title 5, United States Code (commonly known as the ‘Freedom of Information Act’) shall not apply to information protected from public disclosure pursuant to subsection (a) of this section.

“(f) SHARING OF INFORMATION WITH MEMBERS OF CONGRESS.—Nothing in this section shall prohibit the Secretary from disclosing information developed under this title to a Member of Congress in response to a request by a Member of Congress.

“SEC. 2104. CIVIL ENFORCEMENT.

“(a) NOTICE OF NONCOMPLIANCE.—

“(1) NOTICE.—If the Secretary determines that a covered chemical facility is not in compliance with this title, the Secretary shall—

“(A) provide the owner or operator of the facility with—

“(i) not later than 14 days after date on which the Secretary makes the determination, a written notification of noncompliance that includes a clear explanation of any deficiency in the security vulnerability assessment or site security plan; and

“(ii) an opportunity for consultation with the Secretary or the Secretary’s designee; and

“(B) issue to the owner or operator of the facility an order to comply with this title by a date specified by the Secretary in the order, which date shall be not later than 180 days after the date on which the Secretary issues the order.

“(2) CONTINUED NONCOMPLIANCE.—If an owner or operator remains noncompliant after the procedures outlined in paragraph (1) have been executed, or demonstrates repeated violations of this title, the Secretary may enter an order in accordance with this section assessing a civil penalty, an order to cease operations, or both.

“(b) CIVIL PENALTIES.—

“(1) VIOLATIONS OF ORDERS.—Any person who violates an order issued under this title shall be liable for a civil penalty under section 70119(a) of title 46, United States Code.

“(2) NON-REPORTING CHEMICAL FACILITIES OF INTEREST.—Any owner of a chemical facility of interest who fails to comply with, or knowingly submits false information under, this title or the CFATS regulations shall be liable for a civil penalty under section 70119(a) of title 46, United States Code.

“(c) EMERGENCY ORDERS.—

“(1) IN GENERAL.—Notwithstanding subsection (a) or any site security plan or alternative security program approved under this title, if the Secretary determines that there is an imminent threat of death, serious illness, or severe personal injury, due to a violation of this title or the risk of a terrorist

incident that may affect a chemical facility of interest, the Secretary—

“(A) shall consult with the facility, if practicable, on steps to mitigate the risk; and

“(B) may order the facility, without notice or opportunity for a hearing, effective immediately or as soon as practicable, to—

“(i) implement appropriate emergency security measures; or

“(ii) cease or reduce some or all operations, in accordance with safe shutdown procedures, if the Secretary determines that such a cessation or reduction of operations is the most appropriate means to address the risk.

“(2) LIMITATION ON DELEGATION.—The Secretary may not delegate the authority under paragraph (1) to any official other than the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department appointed under section 103(a)(1)(H).

“(3) LIMITATION ON AUTHORITY.—The Secretary may exercise the authority under this subsection only to the extent necessary to abate the imminent threat determination under paragraph (1).

“(4) DUE PROCESS FOR FACILITY OWNER OR OPERATOR.—

“(A) WRITTEN ORDERS.—An order issued by the Secretary under paragraph (1) shall be in the form of a written emergency order that—

“(i) describes the violation or risk that creates the imminent threat;

“(ii) states the security measures or order issued or imposed; and

“(iii) describes the standards and procedures for obtaining relief from the order.

“(B) OPPORTUNITY FOR REVIEW.—After issuing an order under paragraph (1) with respect to a chemical facility of interest, the Secretary shall provide for review of the order under section 554 of title 5 if a petition for review is filed not later than 20 days after the date on which the Secretary issues the order.

“(C) EXPIRATION OF EFFECTIVENESS OF ORDER.—If a petition for review of an order is filed under subparagraph (B) and the review under that paragraph is not completed by the last day of the 30-day period beginning on the date on which the petition is filed, the order shall vacate automatically at the end of that period unless the Secretary determines, in writing, that the imminent threat providing a basis for the order continues to exist.

“(d) RIGHT OF ACTION.—Nothing in this title confers upon any person except the Secretary or his or her designee a right of action against an owner or operator of a covered chemical facility to enforce any provision of this title.

#### “SEC. 2105. WHISTLEBLOWER PROTECTIONS.

“(a) PROCEDURE FOR REPORTING PROBLEMS.—

“(1) ESTABLISHMENT OF A REPORTING PROCEDURE.—Not later than 180 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall establish, and provide information to the public regarding, a procedure under which any employee or contractor of a chemical facility of interest may submit a report to the Secretary regarding a violation of a requirement under this title.

“(2) CONFIDENTIALITY.—The Secretary shall keep confidential the identity of an individual who submits a report under paragraph (1) and any such report shall be treated as a record containing protected information to the extent that the report does not consist of publicly available information.

“(3) ACKNOWLEDGMENT OF RECEIPT.—If a report submitted under paragraph (1) identifies

the individual making the report, the Secretary shall promptly respond to the individual directly and shall promptly acknowledge receipt of the report.

“(4) STEPS TO ADDRESS PROBLEMS.—The Secretary—

“(A) shall review and consider the information provided in any report submitted under paragraph (1); and

“(B) may take action under section 2104 of this title if necessary to address any substantiated violation of a requirement under this title identified in the report.

“(5) DUE PROCESS FOR FACILITY OWNER OR OPERATOR.—

“(A) IN GENERAL.—If, upon the review described in paragraph (4), the Secretary determines that a violation of a provision of this title, or a regulation prescribed under this title, has occurred, the Secretary may—

“(i) institute a civil enforcement under section 2104(a) of this title; or

“(ii) if the Secretary makes the determination under section 2104(c), issue an emergency order.

“(B) WRITTEN ORDERS.—The action of the Secretary under paragraph (4) shall be in a written form that—

“(i) describes the violation;

“(ii) states the authority under which the Secretary is proceeding; and

“(iii) describes the standards and procedures for obtaining relief from the order.

“(C) OPPORTUNITY FOR REVIEW.—After taking action under paragraph (4), the Secretary shall provide for review of the action if a petition for review is filed within 20 calendar days of the date of issuance of the order for the action.

“(D) EXPIRATION OF EFFECTIVENESS OF ORDER.—If a petition for review of an action is filed under subparagraph (C) and the review under that subparagraph is not completed by the end of the 30-day period beginning on the date the petition is filed, the action shall cease to be effective at the end of such period unless the Secretary determines, in writing, that the violation providing a basis for the action continues to exist.

“(6) RETALIATION PROHIBITED.—

“(A) IN GENERAL.—An owner or operator of a chemical facility of interest or agent thereof may not discharge an employee or otherwise discriminate against an employee with respect to the compensation provided to, or terms, conditions, or privileges of the employment of, the employee because the employee (or an individual acting pursuant to a request of the employee) submitted a report under paragraph (1).

“(B) EXCEPTION.—An employee shall not be entitled to the protections under this section if the employee—

“(i) knowingly and willfully makes any false, fictitious, or fraudulent statement or representation; or

“(ii) uses any false writing or document knowing the writing or document contains any false, fictitious, or fraudulent statement or entry.

“(b) PROTECTED DISCLOSURES.—Nothing in this title shall be construed to limit the right of an individual to make any disclosure—

“(1) protected or authorized under section 2302(b)(8) or 7211 of title 5, United States Code;

“(2) protected under any other Federal or State law that shields the disclosing individual against retaliation or discrimination for having made the disclosure in the public interest; or

“(3) to the Special Counsel of an agency, the inspector general of an agency, or any other employee designated by the head of an agency to receive disclosures similar to the disclosures described in paragraphs (1) and (2).

“(c) PUBLICATION OF RIGHTS.—The Secretary, in partnership with industry associations and labor organizations, shall make publicly available both physically and online the rights that an individual who discloses information, including security-sensitive information, regarding problems, deficiencies, or vulnerabilities at a covered chemical facility would have under Federal whistleblower protection laws or this title.

“(d) PROTECTED INFORMATION.—All information contained in a report made under this subsection (a) shall be protected in accordance with section 2103.

#### “SEC. 2106. RELATIONSHIP TO OTHER LAWS.

“(a) OTHER FEDERAL LAWS.—Nothing in this title shall be construed to supersede, amend, alter, or affect any Federal law that—

“(1) regulates (including by requiring information to be submitted or made available) the manufacture, distribution in commerce, use, handling, sale, other treatment, or disposal of chemical substances or mixtures; or

“(2) authorizes or requires the disclosure of any record or information obtained from a chemical facility under any law other than this title.

“(b) STATES AND POLITICAL SUBDIVISIONS.—This title shall not preclude or deny any right of any State or political subdivision thereof to adopt or enforce any regulation, requirement, or standard of performance with respect to chemical facility security that is more stringent than a regulation, requirement, or standard of performance issued under this section, or otherwise impair any right or jurisdiction of any State with respect to chemical facilities within that State, unless there is an actual conflict between this section and the law of that State.

#### “SEC. 2107. CFATS REGULATIONS.

“(a) GENERAL AUTHORITY.—The Secretary may, in accordance with chapter 5 of title 5, United States Code, promulgate regulations or amend existing CFATS regulations to implement the provisions under this title.

“(b) EXISTING CFATS REGULATIONS.—

“(1) IN GENERAL.—Notwithstanding section 4(b) of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, each existing CFATS regulation shall remain in effect unless the Secretary amends, consolidates, or repeals the regulation.

“(2) REPEAL.—Not later than 30 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall repeal any existing CFATS regulation that the Secretary determines is duplicative of, or conflicts with, this title.

“(c) AUTHORITY.—The Secretary shall exclusively rely upon authority provided under this title in—

“(1) determining compliance with this title;

“(2) identifying chemicals of interest; and

“(3) determining security risk associated with a chemical facility.

#### “SEC. 2108. SMALL COVERED CHEMICAL FACILITIES.

“(a) DEFINITION.—In this section, the term ‘small covered chemical facility’ means a covered chemical facility that—

“(1) has fewer than 100 employees employed at the covered chemical facility; and

“(2) is owned and operated by a small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632)).

“(b) ASSISTANCE TO FACILITIES.—The Secretary may provide guidance and, as appropriate, tools, methodologies, or computer software, to assist small covered chemical facilities in developing the physical security, cybersecurity, recordkeeping, and reporting procedures required under this title.



“(c) REPORT.—The Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report on best practices that may assist small covered chemical facilities in development of physical security best practices.

**“SEC. 2109. OUTREACH TO CHEMICAL FACILITIES OF INTEREST.**

“Not later than 90 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall establish an outreach implementation plan, in coordination with the heads of other appropriate Federal and State agencies, relevant business associations, and public and private labor organizations, to—

“(1) identify chemical facilities of interest; and

“(2) make available compliance assistance materials and information on education and training.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-196; 116 Stat. 2135) is amended by adding at the end the following:

**“TITLE XXI—CHEMICAL FACILITY ANTI-TERRORISM STANDARDS**

“Sec. 2101. Definitions.

“Sec. 2102. Chemical Facility Anti-Terrorism Standards Program.

“Sec. 2103. Protection and sharing of information.

“Sec. 2104. Civil enforcement.

“Sec. 2105. Whistleblower protections.

“Sec. 2106. Relationship to other laws.

“Sec. 2107. CFATS regulations.

“Sec. 2108. Small covered chemical facilities.

“Sec. 2109. Outreach to chemical facilities of interest.”.

**SEC. 3. ASSESSMENT; REPORTS.**

(a) DEFINITIONS.—In this section—

(1) the term “Chemical Facility Anti-Terrorism Standards Program” means—

(A) the Chemical Facility Anti-Terrorism Standards program initially authorized under section 550 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295; 6 U.S.C. 121 note); and

(B) the Chemical Facility Anti-Terrorism Standards Program subsequently authorized under section 2102(a) of the Homeland Security Act of 2002, as added by section 2;

(2) the term “Department” means the Department of Homeland Security; and

(3) the term “Secretary” means the Secretary of Homeland Security.

(b) THIRD-PARTY ASSESSMENT.—Using amounts appropriated to the Department before the date of enactment of this Act, the Secretary shall commission a third-party study to assess vulnerabilities of covered chemical facilities, as defined in section 2101 of the Homeland Security Act of 2002 (as added by section 2), to acts of terrorism.

(c) REPORTS.—

(1) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report on the Chemical Facility Anti-Terrorism Standards Program that includes—

(A) a certification by the Secretary that the Secretary has made significant progress in the identification of all chemical facilities of interest under section 2102(e)(1) of the Homeland Security Act of 2002, as added by section 2, including—

(i) a description of the steps taken to achieve that progress and the metrics used to measure the progress;

(ii) information on whether facilities that submitted Top-Screens as a result of the identification of chemical facilities of interest were tiered and in what tiers those facilities were placed; and

(iii) an action plan to better identify chemical facilities of interest and bring those facilities into compliance with title XXI of the Homeland Security Act of 2002, as added by section 2;

(B) a certification by the Secretary that the Secretary has developed a risk assessment approach and corresponding tiering methodology under section 2102(e)(2) of the Homeland Security Act of 2002, as added by section 2;

(C) an assessment by the Secretary of the implementation by the Department of the recommendations made by the Homeland Security Studies and Analysis Institute as outlined in the Institute’s Tiering Methodology Peer Review (Publication Number: RP12-22-02); and

(D) a description of best practices that may assist small covered chemical facilities, as defined in section 2108(a) of the Homeland Security Act of 2002, as added by section 2, in the development of physical security best practices.

(2) ANNUAL GAO REPORT.—

(A) IN GENERAL.—During the 3-year period beginning on the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress an annual report that assesses the implementation of this Act and the amendments made by this Act.

(B) INITIAL REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to Congress the first report under subparagraph (A).

(C) SECOND ANNUAL REPORT.—Not later than 1 year after the date of the initial report required under subparagraph (B), the Comptroller General shall submit to Congress the second report under subparagraph (A), which shall include an assessment of the whistleblower protections provided under section 2105 of the Homeland Security Act of 2002, as added by section 2, and—

(i) describes the number and type of problems, deficiencies, and vulnerabilities with respect to which reports have been submitted under such section 2105;

(ii) evaluates the efforts of the Secretary in addressing the problems, deficiencies, and vulnerabilities described in subsection (a)(1) of such section 2105; and

(iii) evaluates the efforts of the Secretary to inform individuals of their rights, as required under subsection (c) of such section 2105.

(D) THIRD ANNUAL REPORT.—Not later than 1 year after the date on which the Comptroller General submits the second report required under subparagraph (A), the Comptroller General shall submit to Congress the third report under subparagraph (A), which shall include an assessment of—

(i) the expedited approval program authorized under section 2102(c)(4) of the Homeland Security Act of 2002, as added by section 2; and

(ii) the report on the expedited approval program submitted by the Secretary under subparagraph (I)(ii) of such section 2102(c)(4).

**SEC. 4. EFFECTIVE DATE; CONFORMING REPEAL.**

(a) EFFECTIVE DATE.—This Act, and the amendments made by this Act, shall take effect on the date that is 30 days after the date of enactment of this Act.

(b) CONFORMING REPEAL.—Section 550 of the Department of Homeland Security Ap-

propriations Act, 2007 (Public Law 109-295; 120 Stat. 1388), is repealed as of the effective date of this Act.

**SEC. 5. TERMINATION.**

The authority provided under title XXI of the Homeland Security Act of 2002, as added by section 2(a), shall terminate on the date that is 4 years after the effective date of this Act.

**SA 4001.** Mrs. BOXER (for Mr. CARPER) proposed an amendment to the bill H.R. 2952, to require the Secretary of Homeland Security to assess the cybersecurity workforce of the Department of Homeland Security and develop a comprehensive workforce strategy, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Cybersecurity Workforce Assessment Act”.

**SEC. 2. DEFINITIONS.**

In this Act—

(1) the term “Cybersecurity Category” means a position’s or incumbent’s primary work function involving cybersecurity, which is further defined by Specialty Area;

(2) the term “Department” means the Department of Homeland Security;

(3) the term “Secretary” means the Secretary of Homeland Security; and

(4) the term “Specialty Area” means any of the common types of cybersecurity work as recognized by the National Initiative for Cybersecurity Education’s National Cybersecurity Workforce Framework report.

**SEC. 3. CYBERSECURITY WORKFORCE ASSESSMENT AND STRATEGY.**

(a) WORKFORCE ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and annually thereafter for 3 years, the Secretary shall assess the cybersecurity workforce of the Department.

(2) CONTENTS.—The assessment required under paragraph (1) shall include, at a minimum—

(A) an assessment of the readiness and capacity of the workforce of the Department to meet its cybersecurity mission;

(B) information on where cybersecurity workforce positions are located within the Department;

(C) information on which cybersecurity workforce positions are—

(i) performed by—

(I) permanent full-time equivalent employees of the Department, including, to the greatest extent practicable, demographic information about such employees;

(II) independent contractors; and

(III) individuals employed by other Federal agencies, including the National Security Agency; or

(ii) vacant; and

(D) information on—

(i) the percentage of individuals within each Cybersecurity Category and Specialty Area who received essential training to perform their jobs; and

(ii) in cases in which such essential training was not received, what challenges, if any, were encountered with respect to the provision of such essential training.

(b) WORKFORCE STRATEGY.—

(1) IN GENERAL.—The Secretary shall—

(A) not later than 1 year after the date of enactment of this Act, develop a comprehensive workforce strategy to enhance the readiness, capacity, training, recruitment, and retention of the cybersecurity workforce of the Department; and

(B) maintain and, as necessary, update the comprehensive workforce strategy developed under subparagraph (A).



(2) CONTENTS.—The comprehensive work-force strategy developed under paragraph (1) shall include a description of—

(A) a multi-phased recruitment plan, including with respect to experienced professionals, members of disadvantaged or underserved communities, the unemployed, and veterans;

(B) a 5-year implementation plan;

(C) a 10-year projection of the cybersecurity workforce needs of the Department;

(D) any obstacle impeding the hiring and development of a cybersecurity workforce in the Department; and

(E) any gap in the existing cybersecurity workforce of the Department and a plan to fill any such gap.

(c) UPDATES.—The Secretary submit to the appropriate congressional committees annual updates on—

(1) the cybersecurity workforce assessment required under subsection (a); and

(2) the progress of the Secretary in carrying out the comprehensive workforce strategy required to be developed under subsection (b).

#### SEC. 4. CYBERSECURITY FELLOWSHIP PROGRAM.

Not later than 120 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the feasibility, cost, and benefits of establishing a Cybersecurity Fellowship Program to offer a tuition payment plan for individuals pursuing undergraduate and doctoral degrees who agree to work for the Department for an agreed-upon period of time.

**SA 4002.** Mrs. BOXER (for Mr. CARPER) proposed an amendment to the bill H.R. 2952, to require the Secretary of Homeland Security to assess the cybersecurity workforce of the Department of Homeland Security and develop a comprehensive workforce strategy, and for other purposes; as follows:

Amend the title so as to read: “To require the Secretary of Homeland Security to assess the cybersecurity workforce of the Department of Homeland Security and develop a comprehensive workforce strategy, and for other purposes.”.

**SA 4003.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

#### SEC. 30. DEFERRED MAINTENANCE BACKLOG ON FEDERAL LAND.

Section 7(a) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9(a)) is amended by adding at the end the following:

“(4) To address the maintenance backlog on Federal land.”.

**SA 4004.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act;

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

At the end of subtitle J of title XXX of division B, add the following:

#### SEC. 30. ELIGIBILITY FOR PAYMENTS IN LIEU OF TAXES.

Any land designated as a unit of the National Park System or a component of the National Wilderness Preservation System under this title shall not be subject to chapter 69 of title 31, United States Code.

**SA 4005.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

#### SEC. 30. PROHIBITION ON AVAILABILITY OF FUNDS FOR FEDERAL LAND ACQUISITION.

None of the funds authorized to be appropriated by this Act (or an amendment made by this Act) may be obligated or expended to establish a new unit of the National Park System or to acquire Federal land until the date on which the Secretary of the Interior certifies that the maintenance backlog on Federal land has declined for at least 2 consecutive years.

**SA 4006.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:

#### DIVISION E—EFFECT OF CERTAIN PROVISIONS

##### SEC. 5001. SEALASKA LAND ENTITLEMENT FINALIZATION.

Notwithstanding any other provision of this Act, section 3002 shall have no force or effect.

##### SEC. 5002. BLACKSTONE RIVER VALLEY NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3031 shall have no force or effect.

##### SEC. 5003. COLTSVILLE NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3032 shall have no force or effect.

##### SEC. 5004. FIRST STATE NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3033 shall have no force or effect.

##### SEC. 5005. HINCHLIFFE STADIUM ADDITION TO PATERSON GREAT FALLS NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3037 shall have no force or effect.

##### SEC. 5006. MANHATTAN PROJECT NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3039 shall have no force or effect.

##### SEC. 5007. VALLES CALDERA NATIONAL PRESERVE, NEW MEXICO.

Notwithstanding any other provision of this Act, section 3043 shall have no force or effect.

##### SEC. 5008. VICKSBURG NATIONAL MILITARY PARK.

Notwithstanding any other provision of this Act, section 3044 shall have no force or effect.

##### SEC. 5009. REVOLUTIONARY WAR AND WAR OF 1812 AMERICAN BATTLEFIELD PROTECTION PROGRAM.

Notwithstanding any other provision of this Act, section 3050 shall have no force or effect.

##### SEC. 5010. SPECIAL RESOURCE STUDIES.

Notwithstanding any other provision of this Act, section 3051 shall have no force or effect.

##### SEC. 5011. NATIONAL HERITAGE AREAS AND CORRIDORS.

Notwithstanding any other provision of this Act, section 3052 shall have no force or effect.

##### SEC. 5012. COMMISSION TO STUDY THE POTENTIAL CREATION OF A NATIONAL WOMEN'S HISTORY MUSEUM.

Notwithstanding any other provision of this Act, section 3056 shall have no force or effect.

##### SEC. 5013. ALPINE LAKES WILDERNESS ADDITIONS AND PRATT AND MIDDLE FORK SNOQUALMIE RIVERS PROTECTION.

Notwithstanding any other provision of this Act, section 3060 shall have no force or effect.

##### SEC. 5014. COLUMBINE-HONDO WILDERNESS.

Notwithstanding any other provision of this Act, section 3061 shall have no force or effect.

##### SEC. 5015. HERMOSA CREEK WATERSHED PROTECTION.

Notwithstanding any other provision of this Act, section 3062 shall have no force or effect.

##### SEC. 5016. NORTH FORK FEDERAL LANDS WITHDRAWAL AREA.

Notwithstanding any other provision of this Act, section 3063 shall have no force or effect.

##### SEC. 5017. PINE FOREST RANGE WILDERNESS.

Notwithstanding any other provision of this Act, section 3064 shall have no force or effect.

##### SEC. 5018. ROCKY MOUNTAIN FRONT CONSERVATION MANAGEMENT AREA AND WILDERNESS ADDITIONS.

Notwithstanding any other provision of this Act, section 3065 shall have no force or effect.

##### SEC. 5019. WOVOKA WILDERNESS.

Notwithstanding any other provision of this Act, section 3066 shall have no force or effect.

##### SEC. 5020. WITHDRAWAL AREA RELATED TO WOVOKA WILDERNESS.

Notwithstanding any other provision of this Act, section 3067 shall have no force or effect.

##### SEC. 5021. ILLABOT CREEK, WASHINGTON, WILD AND SCENIC RIVER.

Notwithstanding any other provision of this Act, section 3071 shall have no force or effect.

##### SEC. 5022. MISSISSQUOI AND TROUT WILD AND SCENIC RIVERS, VERMONT.

Notwithstanding any other provision of this Act, section 3072 shall have no force or effect.

##### SEC. 5023. WHITE CLAY CREEK WILD AND SCENIC RIVER EXPANSION.

Notwithstanding any other provision of this Act, section 3073 shall have no force or effect.

**SEC. 5024. STUDIES OF WILD AND SCENIC RIVERS.**

Notwithstanding any other provision of this Act, section 3074 shall have no force or effect.

**SEC. 5025. MISCELLANEOUS ISSUES RELATED TO LAS VEGAS VALLEY PUBLIC LAND AND TULE SPRINGS FOSSIL BEDS NATIONAL MONUMENT.**

Notwithstanding any other provision of this Act, section 3092 shall have no force or effect.

**SEC. 5026. REFINANCING OF PACIFIC COAST GROUND FISH FISHING CAPACITY REDUCTION LOAN.**

Notwithstanding any other provision of this Act, section 3095 shall have no force or effect.

**SEC. 5027. PAYMENTS IN LIEU OF TAXES.**

Notwithstanding any other provision of this Act, section 3096 shall have no force or effect.

**SA 4007.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . CRITERIA FOR OCO FUNDING REQUESTS.**

(a) CERTIFICATION BY DIRECTOR OF OMB.—

(1) IN GENERAL.—Any request of the President for funds for overseas contingency operations to be carried out by the Armed Forces (including any request for supplemental funding for a fiscal year for such purpose) shall include, for each program, project, activity, or other item for which funds are so requested, a certification by the Director of the Office of Management and Budget whether such program, project, activity, or item meets one or more of the criteria specified in paragraph (3).

(2) SCOPE OF CERTIFICATION.—Each certification under paragraph (1) for a program, project, activity, or item that meets more than one of the criteria specified in paragraph (3) shall specify each of the criteria which such program, project, activity, or item meets.

(3) CRITERIA.—The criteria specified in this paragraph are as follows:

(A) MAJOR EQUIPMENT.—That the program, project, activity, or item is for major equipment as follows:

(i) Replacement of losses that have occurred, other than—

(I) items already programmed for replacement in the future-years defense program; and

(II) accelerations of replacements.

(ii) Replacement or repair to original capability (to upgraded capability if currently available) of equipment returning from a theater operations—

(I) including replacement by a similar end item if the original item is no longer in production; but

(II) excluding incremental cost of non-war related upgrades.

(iii) Procurement of specialized, theater-specific equipment.

(B) GROUND EQUIPMENT REPLACEMENT.—That the program, project, activity, or item is for replacement of ground equipment as follows:

(i) Replacement of combat losses and returning equipment that is not economical to

repair, including replacement of equipment to be given to coalition partners.

(ii) Replacement of in-theater stocks above customary equipping levels, if jointly determined by the Director and the Secretary of Defense to be consistent with the purposes of certification under paragraph (1).

(C) EQUIPMENT MODIFICATIONS.—That the program, project, activity, or item is for operationally-required modifications to equipment used in a theater of operations or in direct support of combat operations, other than modifications already programmed in the future-years defense program.

(D) MUNITIONS.—That the program, project, activity, or item is for munitions as follows:

(i) Replenishment of munitions expended in combat operations in a theater of operations.

(ii) Procurement of training ammunition for training events unique to a theater of operations.

(iii) Anticipated procurement of munitions where existing stocks are insufficient to sustain combat operations in a theater of operations, if jointly determined by the Director and the Secretary to be consistent with the purposes of certification under paragraph (1).

(E) AIRCRAFT REPLACEMENT.—That the program, project, activity, or item is for replacement of aircraft as follows:

(i) Replacement of combat losses by accident that occur in a theater of operations.

(ii) Replacement of combat losses by enemy action that occur in a theater of operations.

(F) MILITARY CONSTRUCTION.—That the program, project, activity, or item is for military construction as follows:

(i) Construction of facilities and infrastructure in a theater of operations in direct support of combat operations.

(ii) Construction at non-enduring locations of facilities, and infrastructure for temporary use.

(iii) Construction at enduring locations of facilities and infrastructure for temporary use.

(iv) Construction at enduring locations for surge operations or major changes in operational requirements, if jointly determined by the Director and the Secretary to be consistent with the purposes of certification under paragraph (1).

(G) RESEARCH AND DEVELOPMENT.—That the program, project, activity, or item is for research and development for combat operations that can be delivered in 12 months.

(H) OPERATIONS.—That the item is for operations as follows:

(i) Direct war costs, including the following:

(I) Transport of personnel, equipment, and supplies to, from, and within a theater of operations.

(II) Deployment-specific training and preparation for units and personnel (whether military or civilian) to assume their directed missions as defined in the orders for deployment into a theater of operations.

(ii) Within a theater of operations, incremental costs for purposes as follows:

(I) To support commanders in the conduct of their directed missions (including Emergency Response Programs).

(II) To build and maintain temporary facilities.

(III) To provide food, fuel, supplies, contracted services and other support.

(IV) To cover the operational costs of coalition partners supporting military missions of the United States Armed Forces.

(iii) Indirect war costs incurred outside a theater of operations, if jointly determined by the Director and the Secretary to be consistent with the purposes of certification under paragraph (1).

(I) HEALTH CARE.—That the program, project, activity, or item is for health care as follows:

(i) Provision of short-term care directly related to combat.

(ii) Procurement of infrastructure that is only to be used during the current conflict.

(J) PERSONNEL.—That the item is for pay and allowances for members of the Armed Forces as follows:

(i) Payment of incremental special pays and allowances for members of the Armed Forces and civilians deployed to a combat zone.

(ii) Payment of incremental pay, special pays, and allowances for members of the reserve components of the Armed Forces who are mobilized to support war missions.

(K) SPECIAL OPERATIONS COMMAND.—That the program, project, activity, or item is for the United States Special Operations Command as follows:

(i) Operations certifiable under another subparagraph of this paragraph.

(ii) Equipment certifiable under another subparagraph of this paragraph.

(L) PREPOSITIONED SUPPLIED AND EQUIPMENT.—That the program, project, activity, or item is for procurement of prepositioned supplies and equipment for resetting in-theater stocks of supplies and equipment to pre-conflict levels.

(M) SECURITY FORCES.—That the program, project, activity, or item is for training, equipping, and sustaining military and police forces of countries in a theater of operations.

(N) FUEL.—That the program, project, activity, or item is for fuel as follows:

(i) Procurement of fuel for logistical support for combat operations.

(ii) Maintenance of Defense Working Capital Funds to cover seven-day disbursements for base fuel shortfalls attributable to fuel price increases.

(b) SENATE POINT OF ORDER.—

(1) IN GENERAL.—In the Senate, it shall not be in order to consider any appropriations legislation, including any amendment thereto, motion in relation thereto, or conference report thereon, that includes amounts designated for overseas contingency operations unless such amounts are for a program, project, activity, or other item that meets one or more of the criteria specified in subsection (a)(3).

(2) WAIVER AND APPEAL.—

(A) WAIVER.—In the Senate, paragraph (1) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph (1).

(c) ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.—Notwithstanding section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)), if, for any fiscal year, appropriations for discretionary accounts are enacted that the Congress designates for Overseas Contingency Operations/Global War on Terrorism, the adjustment to discretionary spending limits under such section 251(b)(2)(A) for Overseas Contingency Operations/Global War on Terrorism shall be the total of only such appropriations in discretionary accounts that are certified by the Director of the Office of Management and Budget to be for a program, project, activity, or other item that meets one or more criteria specified in subsection (a)(3).

**SA 4008.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the

Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

**SEC. \_\_\_\_ . INSTALLATION RENEWABLE ENERGY PROJECT DATABASE.**

(a) **LIMITATION.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall establish a searchable database to uniformly report information regarding installation renewable energy projects undertaken since 2010.

(b) **ELEMENTS.**—The database established under subsection (a) shall include, for each installation energy project—

- (1) the estimated project costs;
- (2) estimated power generation;
- (3) estimated total cost savings;
- (4) estimated payback period;
- (5) total project costs;
- (6) actual power generation;
- (7) actual cost savings to date;
- (8) current operational status; and
- (9) access to relevant business case documents, including the economic viability assessment.

(c) **UPDATES.**—The database established under subsection (a) shall be updated not less than quarterly.

**SA 4009.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII, insert the following:

**SEC. \_\_\_\_ . ENHANCED WHISTLEBLOWER PROTECTION FOR CONTRACTOR EMPLOYEES.**

(a) **PROHIBITION ON PREVENTION OF WHISTLEBLOWER DISCLOSURES.**—

(1) **DEFENSE CONTRACTS.**—Section 2409(a)(1) of title 10, United States Code, is amended by striking “may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing” and inserting “may not be prohibited in any way from, or discharged, demoted, or otherwise discriminated against as a reprisal for, disclosing”.

(2) **CIVILIAN CONTRACTS.**—Section 4705(b) of title 41, United States Code, is amended by striking “may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing” and inserting “may not be prohibited in any way from, or discharged, demoted, or otherwise discriminated against as a reprisal for, disclosing”.

(b) **CONTRACT CLAUSE REQUIREMENT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation and the Defense Supplement to the Federal Acquisition Regulation shall be amended to require that any contract entered into after such date by an executive agency, and any subcontract at any tier, include the following clause: “The contractor shall not enter into any agreement with an employee performing work under this contract that would prohibit that employee from disclosing information as described in subparagraph (A), (B), or (C) of section 2409(a)(1) of title 10, United States

Code or section 4705(b) of title 41, United States Code, to officials described in such sections.”.

(2) **EXECUTIVE AGENCY DEFINED.**—The term “executive agency” has the meaning given the term in section 133 of title 41, United States Code.

**SA 4010.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**TITLE \_\_\_\_ —AUDIT OF THE DEPARTMENT OF DEFENSE**

**SEC. \_\_\_\_ 01. SHORT TITLE.**

This title may be cited as the “Audit the Pentagon Act of 2014”.

**SEC. \_\_\_\_ 02. FINDINGS.**

Congress makes the following findings:

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

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

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

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

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

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

(7) The National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) requires regular status reports on the Finan-

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

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

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

**SEC. \_\_\_\_ 03. CESSATION OF APPLICABILITY OF REPORTING REQUIREMENTS REGARDING THE FINANCIAL STATEMENTS OF THE DEPARTMENT OF DEFENSE.**

(a) **CESSATION OF APPLICABILITY.**—

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

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

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

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

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

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

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

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

1987 (Public Law 100-26; 101 Stat. 274; 10 U.S.C. 2302 note).

**SEC. 04. ENHANCED REPROGRAMMING AUTHORITY FOLLOWING ACHIEVEMENT BY DEPARTMENT OF DEFENSE AND MILITARY DEPARTMENTS OF AUDIT WITH UNQUALIFIED OPINION OF STATEMENT OF BUDGETARY RESOURCES FOR FISCAL YEARS AFTER FISCAL YEAR 2014.**

(a) DEPARTMENT OF DEFENSE GENERALLY.—Subject to section 06(1), if the Department of Defense obtains an audit with an unqualified opinion on its statement of budgetary resources for any fiscal year after fiscal year 2014, the limitation on the total amount of authorizations that the Secretary of Defense may transfer pursuant to general transfer authority available to the Secretary in the national interest in the succeeding fiscal year shall be \$8,000,000,000.

(b) MILITARY DEPARTMENTS, DEFENSE AGENCIES, AND DEFENSE FIELD ACTIVITIES.—Subject to section 07(a), if a military department, Defense Agency, or defense field activity obtains an audit with an unqualified opinion on its statement of budgetary resources for any fiscal year after fiscal year 2014, the thresholds for reprogramming of funds of such military department, Defense Agency, or defense field activity, as the case may be, without prior notice to Congress for the succeeding fiscal year shall be deemed to be the thresholds as follows:

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

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

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

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

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

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

**SEC. 05. FAILURE TO OBTAIN AUDITS WITH UNQUALIFIED OPINION OF FISCAL YEAR 2015 GENERAL FUND STATEMENT OF BUDGETARY RESOURCES OF THE DEPARTMENT OF DEFENSE.**

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

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

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

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

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

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

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

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

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

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

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

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

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Navy for Financial Management under section 5016 of title 10, United States Code, shall be an individual who has served—

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

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

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

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

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

(i) as the chief financial officer or equivalent position of a Federal or State agency

that has received an audit with an unqualified opinion on such agency's financial statements during the time of such individual's service; or

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

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

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

**SEC. 06. FAILURE OF THE DEPARTMENT OF DEFENSE TO OBTAIN AUDITS WITH UNQUALIFIED OPINION OF FISCAL YEAR 2018 FINANCIAL STATEMENTS.**

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

(1) PERMANENT CESSATION OF ENHANCED GENERAL TRANSFER AUTHORITY.—Effective as of January 1, 2019, the authority in section 04(a) shall cease to be available to the Department of Defense for fiscal year 2018 and any fiscal year thereafter.

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

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

**“§ 132a. Chief Management Officer**

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

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

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

“(B) strong leadership skills;

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) CONFORMING AMENDMENTS.—

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

(I) by striking paragraph (3);

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

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

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

(ii) Section 132 of such title is amended—

(I) by striking subsection (c); and

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

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

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

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

(II) Section 134(c).

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

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

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

“132a. Chief Management Officer.”.

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

“Chief Management Officer of the Department of Defense.”.

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

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

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

(B) ADMINISTRATION.—The Secretary of the Treasury shall administer the Defense Finance and Accounting Service following

transfer under this paragraph through the Financial Management Service of the Department of the Treasury.

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

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

#### SEC. 407. FAILURE OF THE MILITARY DEPARTMENTS TO OBTAIN AUDITS WITH UNQUALIFIED OPINION OF FINANCIAL STATEMENTS FOR FISCAL YEARS AFTER FISCAL YEAR 2018.

(a) PERMANENT CESSATION OF AUTHORITIES ON REPROGRAMMING OF FUNDS.—If a military department fails to obtain an audit with an unqualified opinion on its financial statements for fiscal year 2018 by December 31, 2018, effective as of January 1, 2019, the authorities in section 404(b) shall cease to be available to the military department for fiscal year 2018 and any fiscal year thereafter.

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

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

(2) DEFINITIONS.—In this subsection:

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

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

#### SEC. 408. ENTERPRISE RESOURCE PLANNING.

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

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

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

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

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

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

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

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

**SA 4011.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. 409. PROHIBITION ON EMPLOYMENT BY THE DEPARTMENT OF DEFENSE OF INDIVIDUALS AND CONTRACTORS WITH SERIOUSLY DELINQUENT TAX DEBTS.

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

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

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

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

**SA 4012.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . CONSOLIDATION OF DUPLICATIVE AND OVERLAPPING AGENCIES, PROGRAMS, AND ACTIVITIES OF THE FEDERAL GOVERNMENT.**

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

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

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

(3) determine the total cost savings that—

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

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

**SA 4013.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . TERMINATION OF US FAMILY HEALTH PLAN.**

(a) **TERMINATION.**—The US Family Health Plan (USFHP) is hereby terminated.

(b) **WIND-UP OF ACTIVITIES.**—The Secretary of Defense shall take appropriate actions to wind up the activities of the US Family Health Plan as soon as practicable after the date of the enactment of this Act.

**SA 4014.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . DATABASE ON PATIENT SAFETY, QUALITY OF CARE, AND OUTCOME MEASURES REGARDING HEALTH CARE PROVIDED BY THE DEPARTMENT OF DEFENSE.**

(a) **PUBLICLY AVAILABLE DATABASE.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop and make available to the public a comprehensive database containing all applicable patient safety, quality of care, and outcome measures for health care provided by the Department of Defense that are tracked by the Secretary.

(2) **UPDATES.**—The Secretary shall update the database required by paragraph (1) not less frequently than once every six months.

(3) **UNAVAILABLE MEASURES.**—For any measure that the Secretary would otherwise publish in the database required by paragraph (1) but has not done so because such measure is not available, the Secretary shall publish notice in the database of the reason for such unavailability and a timeline for making such measure available in the database.

(4) **ACCESSIBILITY.**—The Secretary shall ensure that the database required by paragraph (1) is accessible to the public through the primary Internet website of the Department and through each primary Internet website of a Department medical center.

(b) **SHARING OF INFORMATION BETWEEN DEPARTMENT MEDICAL CENTERS AND DEFENSE HEALTH AGENCY.**—The Secretary of Defense shall take appropriate actions to facilitate and enhance sharing between the medical centers of the Department of Defense and the Defense Health Agency on information on patient safety, quality of care, and outcomes for health care provided by such medical centers, including information obtained through the measures developed pursuant to subsection (a).

(c) **HOSPITAL COMPARE WEBSITE OF DEPARTMENT OF HEALTH AND HUMAN SERVICES.**—

(1) **AGREEMENT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall enter into an agreement with the Secretary of Health and Human Services for the provision by the Secretary of Defense of such information as the Secretary of Health and Human Services may require to report and make publicly available patient quality and outcome information concerning Department of Defense medical centers through the Hospital Compare Internet website of the Department of Health and Human Services or any successor Internet website.

(2) **INFORMATION PROVIDED.**—The information provided by the Secretary of Defense to the Secretary of Health and Human Services under paragraph (1) shall include the following:

(A) Measures of timely and effective health care.

(B) Measures of readmissions, complications of death, including with respect to 30-day mortality rates and 30-day readmission rates, surgical complication measures, and health care related infection measures.

(C) Survey data of patient experiences, including the Hospital Consumer Assessment of Healthcare Providers and Systems or any similar successor survey developed by the Department of Health and Human Services.

(D) Any other measures required of or reported with respect to hospitals participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(3) **UNAVAILABLE INFORMATION.**—For any applicable metric collected by the Department of Defense or required to be provided under paragraph (2) and withheld from or unavailable in the Hospital Compare Internet website or successor Internet website, the Secretary of Defense shall publish a notice on such Internet website stating the reason why such metric was withheld from public disclosure and a timeline for making such metric available, if applicable.

(d) **COMPTROLLER GENERAL REVIEW OF PUBLICLY AVAILABLE SAFETY AND QUALITY METRICS.**—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a review of the safety and quality metrics made publicly available by the Secretary of Defense under this section to assess

the degree to which the Secretary is complying with the provisions of this section.

**SA 4015.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . LIMITATION ON GOVERNMENT AGENCY EXPENDITURES ON CONFERENCES.**

(a) **CONFERENCE LIMITATIONS.**—

(1) **LIMITATION ON AMOUNT EXPENDED ON A CONFERENCE.**—

(A) **IN GENERAL.**—No agency may expend more than \$500,000 to support a single conference, unless the head of the agency and the Chief Financial Officer of the agency submits to Congress before the conference a written certification that the conference is in the national interest, which shall include—

(i) an estimate of the total cost of the conference;

(ii) the dates of the conference;

(iii) an estimate of the number of full-time equivalent employees attending the conference;

(iv) any costs associated with planning for the conference; and

(v) an explanation of how the conference advances the mission of the agency.

(B) **RULE OF CONSTRUCTION.**—Nothing in this paragraph shall be construed to preclude an agency from receiving financial support or other assistance from a foundation or other non-Federal source to pay or defray the costs of a conference.

(2) **LIMITATION ON CONFERENCE POLICIES.**—An agency may not establish or implement a policy that discourages or prohibits the selection of a location for travel, an event, a meeting, or a conference because the location is perceived to be a resort or vacation destination.

(b) **DEFINITIONS.**—In this section—

(1) the term “agency” has the meaning given that term under section 5701(1) of title 5, United States Code; and

(2) the term “conference” means a meeting, retreat, seminar, symposium, or event that involves attendee travel.

**SA 4016.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PROHIBITION ON ARMY NATIONAL GUARD SPONSORSHIP OF PROFESSIONAL WRESTLING ENTERTAINMENT OR MOTOR SPORTS.**

Section 503(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) Recruiting and advertising campaigns authorized by paragraphs (1) and (2) or by any other provision of law, including section 561(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001



(as enacted into law by Public Law 106-398; 10 U.S.C. 503 note), for the purposes of branding or marketing of, or promoting enlistment in, the Army National Guard may not include payments for professional wrestling entertainment sponsorships or motor sports sponsorships. Nothing in this paragraph shall be construed to prohibit recruiters from making direct, personal contact with secondary school students and other prospective recruits.”.

**SA 4017.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

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

**SEC. 1212. INCREASED MILITARY ASSISTANCE FOR THE GOVERNMENT OF UKRAINE.**

(a) IN GENERAL.—The President is authorized to provide defense articles, defense services, and training to the Government of Ukraine for the purpose of countering offensive weapons and reestablishing the sovereignty and territorial integrity of Ukraine, including anti-tank and anti-armor weapons, crew weapons and ammunition, counter-artillery radars to identify and target artillery batteries, fire control, range finder, and optical and guidance and control equipment, tactical troop-operated surveillance drones, and secure command and communications equipment, pursuant to the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.), the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), and other relevant provisions of law.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes—

(1) a detailed description of the anticipated defense articles, defense services, and training to be provided pursuant to this section;

(2) a timeline for the provision of such defense articles, defense services, and training; and

(3) a list of defense articles, defense services, and training authorized to be provided by subsection (a) that have been requested by the Government of Ukraine but are not being provided and an explanation with respect to why such defense articles, defense services, and training are not being provided.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of State \$350,000,000 for fiscal year 2015 to carry out activities under this section.

(2) AVAILABILITY OF AMOUNTS.—Amounts authorized to be appropriated pursuant to paragraph (1) shall remain available for obligation and expenditure through the end of fiscal year 2017.

(d) AUTHORITY FOR THE USE OF FUNDS.—The funds made available pursuant to subsection (c) for provision of defense articles, defense services, and training may be used to procure such articles, services, and training from the United States Government or other appropriate sources.

(e) DEFINITIONS.—In this section:

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

(A) the Committee on Foreign Relations, the Committee on Appropriations, and the

Committee on Armed Services of the Senate; and

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

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

**SA 4018.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

**Subtitle F—Palestinian Authority Reform**

**SEC. 1281. SHORT TITLE.**

This subtitle may be cited as the “Palestinian and United Nations Anti-Terrorism Act of 2014”.

**SEC. 1282. FINDINGS.**

Congress makes the following findings:

(1) On April 23, 2014, representatives of the Palestinian Liberation Organization and Hamas, a designated terrorist organization, signed an agreement to form a government of national consensus.

(2) On June 2, 2014, Palestinian President Mahmoud Abbas announced a unity government as a result of the April 23, 2014, agreement.

(3) United States law requires that any Palestinian government that “includes Hamas as a member”, or over which Hamas exercises “undue influence”, only receive United States assistance if certain certifications are made to Congress.

(4) The President has taken the position that the current Palestinian government does not include members of Hamas or is influenced by Hamas and has thus not made the certifications required under current law.

(5) The leadership of the Palestinian Authority has failed to completely denounce and distance itself from Hamas’ campaign of terrorism against Israel.

(6) President Abbas has refused to dissolve the power-sharing agreement with Hamas even as more than 2,300 rockets have targeted Israel since July 2, 2014.

(7) President Abbas and other Palestinian Authority officials have failed to condemn Hamas’ extensive use of the Palestinian people as human shields.

(8) The Israeli Defense Forces have gone to unprecedented lengths for a modern military to limit civilian casualties.

(9) On July 23, 2014, the United Nations Human Rights Council adopted a one-sided resolution criticizing Israel’s ongoing military operations in Gaza.

(10) The United Nations Human Rights Council has a long history of taking anti-Israel actions while ignoring the widespread and egregious human rights violations of many other countries, including some of its own members.

(11) On July 16, 2014, officials of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) discovered 20 rockets in one of the organization’s schools in Gaza, before returning the weapons to local Palestinian officials rather than dismantling them.

(12) On multiple occasions during the conflict in Gaza, Hamas has used the facilities

and the areas surrounding UNRWA locations to store weapons, harbor their fighters, and conduct attacks.

**SEC. 1283. DECLARATION OF POLICY.**

It shall be the policy of the United States—

(1) to deny United States assistance to any entity or international organization that harbors or collaborates with Hamas, a designated terrorist organization, until Hamas agrees to recognize Israel, renounces violence, disarms, and accepts prior Israeli-Palestinian agreements;

(2) to seek a negotiated settlement of this conflict only under the condition that Hamas and any United States-designated terrorist groups are required to entirely disarm; and

(3) to continue to provide security assistance to the Government of Israel to assist its efforts to defend its territory and people from rockets, missiles, and other threats.

**SEC. 1284. RESTRICTIONS ON AID TO THE PALESTINIAN AUTHORITY.**

For purposes of section 620K of the Foreign Assistance Act of 1961 (22 U.S.C. 2378b), any power-sharing government, including the current government, formed in connection with the agreement signed on April 23, 2014, between the Palestinian Liberation Organization and Hamas is considered a “Hamas-controlled Palestinian Authority”.

**SEC. 1285. REFORM OF UNITED NATIONS HUMAN RIGHTS COUNCIL.**

(a) IN GENERAL.—Until the Secretary of State submits to the appropriate congressional committees a certification that the requirements described in subsection (b) have been satisfied—

(1) the United States contribution to the regular budget of the United Nations shall be reduced by an amount equal to the percentage of such contribution that the Secretary determines would be allocated by the United Nations to support the United Nations Human Rights Council or any of its Special Procedures;

(2) the Secretary shall not make a voluntary contribution to the United Nations Human Rights Council; and

(3) the United States shall not run for a seat on the United Nations Human Rights Council.

(b) CERTIFICATION.—The annual certification referred to in subsection (a) is a certification made by the Secretary of State to Congress that the United Nations Human Rights Council’s agenda does not include a permanent item related to the State of Israel or the Palestinian territories.

(c) REVERSION OF FUNDS.—Funds appropriated and available for a United States contribution to the United Nations but withheld from obligation and expenditure pursuant to this section shall immediately revert to the United States Treasury and the United States Government shall not consider them arrears to be repaid to any United Nations entity.

**SEC. 1286. UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (UNRWA).**

Section 301(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2221(c)) is amended to read as follows:

“(c) PALESTINE REFUGEES; CONSIDERATIONS AND CONDITIONS FOR FURNISHING ASSISTANCE.—

“(1) IN GENERAL.—No contributions by the United States to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for programs in the West Bank and Gaza, a successor entity or any related entity, or to the regular budget of the United Nations for the support of

UNRWA or a successor entity for programs in the West Bank and Gaza, may be provided until the Secretary certifies to the appropriate congressional committees that—

“(A) no official, employee, consultant, contractor, subcontractor, representative, or affiliate of UNRWA—

“(i) is a member of Hamas or any United States-designated terrorist group; or

“(ii) has propagated, disseminated, or incited anti-Israel, or anti-Semitic rhetoric or propaganda;

“(B) no UNRWA school, hospital, clinic, other facility, or other infrastructure or resource is being used by Hamas or an affiliated group for operations, planning, training, recruitment, fundraising, indoctrination, communications, sanctuary, storage of weapons or other materials, or any other purposes;

“(C) UNRWA is subject to comprehensive financial audits by an internationally recognized third party independent auditing firm and has implemented an effective system of vetting and oversight to prevent the use, receipt, or diversion of any UNRWA resources by Hamas or any United States-designated terrorist group, or their members; and

“(D) no recipient of UNRWA funds or loans is a member of Hamas or any United States-designated terrorist group.

“(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ‘appropriate congressional committees’ means—

“(A) the Committees on Foreign Relations, Appropriations, and Homeland Security and Governmental Affairs of the Senate; and

“(B) the Committees on Foreign Affairs, Appropriations, and Oversight and Government Reform of the House of Representatives.”

#### SEC. 1287. ISRAELI SECURITY ASSISTANCE.

The equivalent amount of all United States contributions withheld from the Palestinian Authority, the United Nations Human Rights Council, and the United Nations Relief and Works Agency for Palestine Refugees in the Near East under this subtitle is authorized to be provided to—

(1) the Government of Israel for the Iron Dome missile defense system and other missile defense programs; and

(2) underground warfare training and technology and assistance to identify and deter tunneling from Palestinian-controlled territories into Israel.

**SA 4019.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

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

#### SEC. 333. REPORT ON SUPPORT FOR LAUNCHES IN SUPPORT OF NATIONAL SECURITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the requirements and investments needed to modernize Department of Defense space launch facilities and supporting infrastructure at Cape Canaveral Air Force Station and Vandenberg Air Force Base.

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

(1) The results of the investigation into the failure of the radar system supporting the Eastern range in March 2014, including the causes for the failure.

(2) An assessment of each current radar and other system as well as supporting infrastructure required to support the mission requirement of the range, including back-up systems.

(3) An estimate of the annual level of dedicated funding required to maintain and modernize the range infrastructure in adequate condition to meet national security requirements.

(4) A review of requirements to repair, upgrade, and modernize the radars and other mission support systems to current technologies.

(5) A prioritized list of projects, costs, and projected funding schedules needed to carry out the maintenance, repair, and modernization requirements.

**SA 4020.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

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

#### SEC. 1080. SENSE OF CONGRESS ON BENEFITS OF USING SIMULATORS.

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

(1) The use of technologies such as virtual reality and modeling and simulation tools provides cutting-edge, cost-effective training and technology development for members of the Armed Forces.

(2) Leveraging such technologies is an especially relevant supplement to live training given the future of declining defense budgets.

(3) The implementation by the Air Force Agency for Modeling and Simulation of virtual reality centers is part of a coordinated effort to broaden the use of virtual training methods.

(4) Those centers use of a variety of training tools that give members of the Armed Forces and developers alike a realistic training experience that contributes to improved readiness and system effectiveness.

(5) Organizations like the United States Army Program Executive Office for Simulation, Training, and Instrumentation would benefit from increased utilization of virtual reality and modeling and simulations tools.

(6) Modeling and simulation tools can provide powerful planning and training capabilities to expose a member of the Armed Forces to the complexities and uncertainties of combat before ever leaving the member's home station. For example, the Naval Air Warfare Center Training Systems Division integrates the science of learning with performance-based training focused on improving the performance of members of the Army and Marine Corps and measures the effectiveness of such training. The Naval Air Warfare Center Training Systems Division continually engages members of the Army and Marine Corps to understand challenges, solve problems, create new capabilities, and provide essential support.

(7) The use of simulation training has yielded military units that are better trained, more capable, and more confident when compared to units that do not have access to modern simulation training devices.

(8) Simulation training can be a cost-effective means for units to improve combat readiness and tactical decisionmaking skills and ultimately to save lives.

(9) The Department of Defense could meet the training challenges of the future in a fiscally austere environment by leveraging simulation training that uses simulators owned and operated by the Federal Government combined with simulation training services provided by universities and industry.

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

(1) the use of simulators offers cost savings and provides members of the Armed Forces exceptional preparation for combat; and

(2) existing synergies between the Department of Defense and entities in the private sector should be maintained and cultivated to provide members of the Armed Forces with the best simulation experience possible.

**SA 4021.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 601 and insert the following:

**SEC. 601. FISCAL YEAR 2015 INCREASE IN MILITARY BASIC PAY.**

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2015 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2015, the rates of monthly basic pay for members of the uniformed services are increased by 1.8 percent for enlisted member pay grades, warrant officer pay grades, and commissioned officer pay grades below pay grade O-7.

(c) APPLICATION OF EXECUTIVE SCHEDULE LEVEL II CEILING ON PAYABLE RATES FOR GENERAL AND FLAG OFFICERS.—Section 203(a)(2) of title 37, United States Code, shall be applied for rates of basic pay payable for commissioned officers in pay grades O-7 through O-10 during calendar year 2015 by using the rate of pay for level II of the Executive Schedule in effect during 2014.

(d) INCREASE IN AMOUNT FOR MILITARY PERSONNEL.—The amount authorized to be appropriated for fiscal year 2015 by section 421 for military personnel is hereby increased by \$600,000,000.

**SA 4022.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

#### SEC. 30. PAYMENT IN LIEU OF TAXES REFORM.

(a) AMENDMENTS TO P.L.T.—

(1) DEFINITION OF ENTITLEMENT LAND.—Section 6901(1) of title 31, United States Code, is amended—

(A) in subparagraph (A), by striking “the National Park System or”; and

(B) in subparagraph (H), by inserting “, other than land that is a unit of the National Park System” before the period at the end.

(2) **ADDITIONAL PAYMENTS.**—Section 6904(a) of title 31, United States Code, is amended by striking paragraph (1) and inserting the following:

“(1) the United States acquired for the National Forest Wilderness Areas; and”.

(3) **REDWOOD NATIONAL PARK.**—Section 6905 of title 31, United States Code, is repealed.

(4) **CONFORMING AMENDMENTS.**—

(A) Section 501 of the Department of the Interior and Related Agencies Appropriations Act, 1998 (16 U.S.C. 471j) is amended by striking subsection (f).

(B) The chapter analysis for chapter 69 of title 31, United States Code, is amended by striking the item relating to section 6905.

(b) **DEFERRED MAINTENANCE BACKLOG.**—Any amounts saved as a result of the amendments made by subsection (a) shall be made available to the Secretary of the Interior, without further appropriation, to address the maintenance backlog on National Park System land.

**SA 4023.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. ENSURING PUBLIC ACCESS TO THE SUMMIT OF RATTLESNAKE MOUNTAIN IN THE HANFORD REACH NATIONAL MONUMENT.**

Notwithstanding any other provision of this Act, section 3081 shall have no force or effect.

**SA 4024.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. ANCHORAGE, ALASKA, CONVEYANCE OF REVERSIONARY INTERESTS.**

Notwithstanding any other provision of this Act, section 3082 shall have no force or effect.

**SA 4025.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. RELEASE OF PROPERTY INTERESTS IN BUREAU OF LAND MANAGEMENT LAND CONVEYED TO THE STATE OF OREGON FOR ESTABLISHMENT OF HERMISTON AGRICULTURAL RESEARCH AND EXTENSION CENTER.**

Notwithstanding any other provision of this Act, section 3083 shall have no force or effect.

**SA 4026.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. BUREAU OF RECLAMATION HYDRO-POWER DEVELOPMENT.**

Notwithstanding any other provision of this Act, section 3087 shall have no force or effect.

**SA 4027.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. TOLEDO BEND HYDROELECTRIC PROJECT.**

Notwithstanding any other provision of this Act, section 3088 shall have no force or effect.

**SA 4028.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. EAST BENCH IRRIGATION DISTRICT CONTRACT EXTENSION.**

Notwithstanding any other provision of this Act, section 3089 shall have no force or effect.

**SA 4029.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. COMMEMORATION OF CENTENNIAL OF WORLD WAR I.**

Notwithstanding any other provision of this Act, section 3091 shall have no force or effect.

**SA 4030.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. MISCELLANEOUS ISSUES RELATED TO LAS VEGAS VALLEY PUBLIC LAND AND TULE SPRINGS FOSSIL BEDS NATIONAL MONUMENT.**

Notwithstanding any other provision of this Act, section 3092 shall have no force or effect.

**SA 4031.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. NATIONAL DESERT STORM AND DESERT SHIELD MEMORIAL.**

Notwithstanding any other provision of this Act, section 3093 shall have no force or effect.

**SA 4032.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. EXTENSION OF LEGISLATIVE AUTHORITY FOR ESTABLISHMENT OF COMMEMORATIVE WORK IN HONOR OF FORMER PRESIDENT JOHN ADAMS.**

Notwithstanding any other provision of this Act, section 3094 shall have no force or effect.

**SA 4033.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. REFINANCING OF PACIFIC COAST GROUND FISH FISHING CAPACITY REDUCTION LOAN.**

Notwithstanding any other provision of this Act, section 3095 shall have no force or effect.

**SA 4034.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. PAYMENTS IN LIEU OF TAXES.**

Notwithstanding any other provision of this Act, section 3096 shall have no force or effect.

**SA 4035.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. ILLABOT CREEK, WASHINGTON, WILD AND SCENIC RIVER.**

Notwithstanding any other provision of this Act, section 3071 shall have no force or effect.

**SA 4036.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. MISSISQUOI AND TROUT WILD AND SCENIC RIVERS, VERMONT.**

Notwithstanding any other provision of this Act, section 3072 shall have no force or effect.

**SA 4037.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. WHITE CLAY CREEK WILD AND SCENIC RIVER EXPANSION.**

Notwithstanding any other provision of this Act, section 3073 shall have no force or effect.

**SA 4038.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. STUDIES OF WILD AND SCENIC RIVERS.**

Notwithstanding any other provision of this Act, section 3074 shall have no force or effect.

**SA 4039.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. LAND TAKEN INTO TRUST FOR BENEFIT OF THE NORTHERN CHEYENNE TRIBE.**

Notwithstanding any other provision of this Act, section 3077 shall have no force or effect.

**SA 4040.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. TRANSFER OF ADMINISTRATIVE JURISDICTION, BADGER ARMY AMMUNITION PLANT, BARABOO, WISCONSIN.**

Notwithstanding any other provision of this Act, section 3078 shall have no force or effect.

**SA 4041.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5044. HERMOSA CREEK WATERSHED PROTECTION.**

Notwithstanding any other provision of this Act, section 3062 shall have no force or effect.

**SA 4042.** Mr. COBURN submitted an amendment intended to be proposed by

him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5045. NORTH FORK FEDERAL LANDS WITHDRAWAL AREA.**

Notwithstanding any other provision of this Act, section 3063 shall have no force or effect.

**SA 4043.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. PINE FOREST RANGE WILDERNESS.**

Notwithstanding any other provision of this Act, section 3064 shall have no force or effect.

**SA 4044.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. ROCKY MOUNTAIN FRONT CONSERVATION MANAGEMENT AREA AND WILDERNESS ADDITIONS.**

Notwithstanding any other provision of this Act, section 3065 shall have no force or effect.

**SA 4045.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. WOVOKA WILDERNESS.**

Notwithstanding any other provision of this Act, section 3066 shall have no force or effect.

**SA 4046.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient

Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. WITHDRAWAL AREA RELATED TO WOVOKA WILDERNESS.**

Notwithstanding any other provision of this Act, section 3067 shall have no force or effect.

**SA 4047.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. WITHDRAWAL AND RESERVATION OF ADDITIONAL PUBLIC LAND FOR NAVAL AIR WEAPONS STATION, CHINA LAKE, CALIFORNIA.**

Notwithstanding any other provision of this Act, section 3068 shall have no force or effect.

**SA 4048.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5043. COLUMBINE-HONDO WILDERNESS.**

Notwithstanding any other provision of this Act, section 3061 shall have no force or effect.

**SA 4049.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5037. NATIONAL HISTORIC SITE SUPPORT FACILITY IMPROVEMENTS.**

Notwithstanding any other provision of this Act, section 3053 shall have no force or effect.

**SA 4050.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5038. NATIONAL PARK SYSTEM DONOR ACKNOWLEDGMENT.**

Notwithstanding any other provision of this Act, section 3054 shall have no force or effect.

**SA 4051.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5039. COIN TO COMMEMORATE 100TH ANNIVERSARY OF THE NATIONAL PARK SERVICE.**

Notwithstanding any other provision of this Act, section 3055 shall have no force or effect.

**SA 4052.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5040. COMMISSION TO STUDY THE POTENTIAL CREATION OF A NATIONAL WOMEN'S HISTORY MUSEUM.**

Notwithstanding any other provision of this Act, section 3056 shall have no force or effect.

**SA 4053.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5041. CAPE HATTERAS NATIONAL SEASHORE RECREATIONAL AREA.**

Notwithstanding any other provision of this Act, section 3057 shall have no force or effect.

**SA 4054.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5042. ALPINE LAKES WILDERNESS ADDITIONS AND PRATT AND MIDDLE FORK SNOQUALMIE RIVERS PROTECTION.**

Notwithstanding any other provision of this Act, section 3060 shall have no force or effect.

**SA 4055.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5031. SAN ANTONIO MISSIONS NATIONAL HISTORICAL PARK.**

Notwithstanding any other provision of this Act, section 3042 shall have no force or effect.

**SA 4056.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5032. VALLES CALDERA NATIONAL PRESERVE, NEW MEXICO.**

Notwithstanding any other provision of this Act, section 3043 shall have no force or effect.

**SA 4057.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5033. VICKSBURG NATIONAL MILITARY PARK.**

Notwithstanding any other provision of this Act, section 3044 shall have no force or effect.

**SA 4058.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5034. REVOLUTIONARY WAR AND WAR OF 1812 AMERICAN BATTLEFIELD PROTECTION PROGRAM.**

Notwithstanding any other provision of this Act, section 3050 shall have no force or effect.

**SA 4059.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5035. SPECIAL RESOURCE STUDIES.**

Notwithstanding any other provision of this Act, section 3051 shall have no force or effect.

**SA 4060.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5036. NATIONAL HERITAGE AREAS AND CORRIDORS.**

Notwithstanding any other provision of this Act, section 3052 shall have no force or effect.

**SA 4061.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5030. OREGON CAVES NATIONAL MONUMENT AND PRESERVE.**

Notwithstanding any other provision of this Act, section 3041 shall have no force or effect.

**SA 4062.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. INTERNET-BASED ONSHORE OIL AND GAS LEASE SALES.**

Notwithstanding any other provision of this Act, section 3022 shall have no force or effect.

**SA 4063.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are

not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. GRAZING PERMITS AND LEASES.**

Notwithstanding any other provision of this Act, section 3023 shall have no force or effect.

**SA 4064.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. CABIN USER AND TRANSFER FEES.**

Notwithstanding any other provision of this Act, section 3024 shall have no force or effect.

**SA 4065.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. ADDITION OF ASHLAND HARBOR BREAKWATER LIGHT TO THE APOSTLE ISLANDS NATIONAL SEASHORE.**

Notwithstanding any other provision of this Act, section 3030 shall have no force or effect.

**SA 4066.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. BLACKSTONE RIVER VALLEY NATIONAL HISTORICAL PARK.**

Notwithstanding any other provision of this Act, section 3031 shall have no force or effect.

**SA 4067.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. COLTSVILLE NATIONAL HISTORICAL PARK.**

Notwithstanding any other provision of this Act, section 3032 shall have no force or effect.

**SA 4068.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. FIRST STATE NATIONAL HISTORICAL PARK.**

Notwithstanding any other provision of this Act, section 3033 shall have no force or effect.

**SA 4069.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. GETTYSBURG NATIONAL MILITARY PARK.**

Notwithstanding any other provision of this Act, section 3034 shall have no force or effect.

**SA 4070.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. HARRIET TUBMAN UNDERGROUND RAILROAD NATIONAL HISTORICAL PARK, MARYLAND.**

Notwithstanding any other provision of this Act, section 3035 shall have no force or effect.

**SA 4071.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. HARRIET TUBMAN NATIONAL HISTORICAL PARK, AUBURN, NEW YORK.**

Notwithstanding any other provision of this Act, section 3036 shall have no force or effect.



**SA 4072.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. HINCHLIFFE STADIUM ADDITION TO PATERSON GREAT FALLS NATIONAL HISTORICAL PARK.**

Notwithstanding any other provision of this Act, section 3037 shall have no force or effect.

**SA 4073.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5027. LOWER EAST SIDE TENEMENT NATIONAL HISTORIC SITE.**

Notwithstanding any other provision of this Act, section 3038 shall have no force or effect.

**SA 4074.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5028. MANHATTAN PROJECT NATIONAL HISTORICAL PARK.**

Notwithstanding any other provision of this Act, section 3039 shall have no force or effect.

**SA 4075.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 5029. NORTH CASCADES NATIONAL PARK AND STEPHEN MATHER WILDERNESS.**

Notwithstanding any other provision of this Act, section 3040 shall have no force or effect.

**SA 4076.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the

Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. LAND CONVEYANCE, WAINWRIGHT, ALASKA.**

Notwithstanding any other provision of this Act, section 3001 shall have no force or effect.

**SA 4077.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. SEALASKA LAND ENTITLEMENT FINALIZATION.**

Notwithstanding any other provision of this Act, section 3002 shall have no force or effect.

**SA 4078.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. SOUTHEAST ARIZONA LAND EXCHANGE AND CONSERVATION.**

Notwithstanding any other provision of this Act, section 3003 shall have no force or effect.

**SA 4079.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. LAND EXCHANGE, CIBOLA NATIONAL WILDLIFE REFUGE, ARIZONA, AND BUREAU OF LAND MANAGEMENT LAND IN RIVERSIDE COUNTY, CALIFORNIA.**

Notwithstanding any other provision of this Act, section 3004 shall have no force or effect.

**SA 4080.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are

not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. SPECIAL RULES FOR INYO NATIONAL FOREST, CALIFORNIA, LAND EXCHANGE.**

Notwithstanding any other provision of this Act, section 3005 shall have no force or effect.

**SA 4081.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. LAND EXCHANGE, TRINITY PUBLIC UTILITIES DISTRICT, TRINITY COUNTY, CALIFORNIA, THE BUREAU OF LAND MANAGEMENT, AND THE FOREST SERVICE.**

Notwithstanding any other provision of this Act, section 3006 shall have no force or effect.

**SA 4082.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. IDAHO COUNTY, IDAHO, SHOOTING RANGE LAND CONVEYANCE.**

Notwithstanding any other provision of this Act, section 3007 shall have no force or effect.

**SA 4083.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. SCHOOL DISTRICT 318, MINNESOTA, LAND EXCHANGE.**

Notwithstanding any other provision of this Act, section 3008 shall have no force or effect.

**SA 4084.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees

under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. NORTHERN NEVADA LAND CONVEYANCES.**

Notwithstanding any other provision of this Act, section 3009 shall have no force or effect.

**SA 4085.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. SAN JUAN COUNTY, NEW MEXICO, FEDERAL LAND CONVEYANCE.**

Notwithstanding any other provision of this Act, section 3010 shall have no force or effect.

**SA 4086.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. LAND CONVEYANCE, UINTA-WASATCH-CACHE NATIONAL FOREST, UTAH.**

Notwithstanding any other provision of this Act, section 3011 shall have no force or effect.

**SA 4087.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. CONVEYANCE OF CERTAIN LAND TO THE CITY OF FRUIT HEIGHTS, UTAH.**

Notwithstanding any other provision of this Act, section 3012 shall have no force or effect.

**SA 4088.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. LAND CONVEYANCE, HANFORD SITE, WASHINGTON.**

Notwithstanding any other provision of this Act, section 3013 shall have no force or effect.

**SA 4089.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. BUREAU OF LAND MANAGEMENT PERMIT PROCESSING.**

Notwithstanding any other provision of this Act, section 3021 shall have no force or effect.

**SA 4090.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 3097. RANCH A WYOMING CONSOLIDATION AND MANAGEMENT IMPROVEMENT.**

Notwithstanding any other provision of this Act, section 3014 shall have no force or effect.

**SA 4091.** Mr. SCHATZ (for himself, Mr. MURPHY, Ms. BALDWIN, Mr. BOOKER, Mrs. GILLIBRAND, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 1209.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry, be authorized to meet during the session of the Senate on December 10, 2014, at 10 a.m., in room SR-328A of the Russell Senate Office Building, to conduct a hearing entitled "The Commodity Futures Trading Commission: Effective Enforcement and the Future of Derivatives Regulation."

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

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on December 10, 2014, at 10 a.m., to conduct a hearing entitled "Cybersecurity: Enhancing Coordination To Protect the Financial Sector."

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

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on December 10, 2014, at 2:30 p.m., in room SR-253 of the Russell Senate Office Building to conduct a hearing entitled "Passenger Rail: Investing in our Nation's Future."

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

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. BOXER. 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 December 10, 2014, at 10 a.m., room SD-366 of the Dirksen Senate Office Building.

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

### COMMITTEE ON FOREIGN RELATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 10, 2014, at 10:30 a.m., to hold a Subcommittee on African Affairs hearing entitled, "The Ebola Epidemic: The Keys to Success for the International Response."

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

### COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on December 10, 2014, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Executive Nominations."

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

### COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on December 10, 2014, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Keeping Families Together: The President's Executive Action On Immigration And The Need To Pass Comprehensive Reform."

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