

“(D) a scoring analysis demonstrating that the proposed lease fully complies with Office of Management and Budget Circular A-11.

“(2) Each committee described in paragraph (1) shall ensure that any information submitted to the committee under such paragraph is treated by the committee with the same level of confidentiality as is required of the Secretary by law and subject to the same statutory penalties for unauthorized disclosure or use to which the Secretary is subject.

“(3) Not later than 30 days after entering into a major medical facility lease, the Secretary shall submit to each committee described in paragraph (1) a report on any material differences between the lease that was entered into and the proposed lease described under such paragraph, including how the lease that was entered into changes the previously submitted scoring analysis described in subparagraph (D) of such paragraph.”.

(4) **RULE OF CONSTRUCTION.**—Nothing in this subsection, or the amendments made by this subsection, shall be construed to relieve the Department of Veterans Affairs from any statutory or regulatory obligations or requirements existing prior to the date of the enactment of this Act.

SEC. _____. ELIGIBILITY FOR CHILD TAX CREDIT.

(a) **IN GENERAL.**—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by striking “under this section to a taxpayer” and all that follows and inserting “under this section to any taxpayer unless—

“(1) such taxpayer includes the taxpayer’s valid identification number (as defined in section 6428(h)(2)) on the return of tax for the taxable year, and

“(2) with respect to any qualifying child, the taxpayer includes the name and taxpayer identification number of such qualifying child on such return of tax.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 2740. Mr. REID (for Mr. BEGICH) proposed an amendment to the bill S. 1068, to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purposes; as follows:

At the end of title IV, add the following:

SEC. 412. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS AS EMPLOYMENT IN NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FOR PURPOSES OF CERTAIN HIRING DECISIONS.

(a) **IN GENERAL.**—Subtitle E (33 U.S.C. 3071 et seq.), as amended by this title, is further amended by adding at the end the following:

“SEC. 269A. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS AS EMPLOYMENT IN ADMINISTRATION FOR PURPOSES OF CERTAIN HIRING DECISIONS.

“(a) **IN GENERAL.**—In any case in which the Secretary accepts an application for a position of employment with the Administration and limits consideration of applications for such position to applications submitted by individuals serving in a career or career-conditional position in the competitive service within the Administration, the Secretary shall deem an officer who has served as an officer in the commissioned officer corps for at least 3 years to be serving in a career or career-conditional position in the competitive service within the Administration for purposes of such limitation.

“(b) **CAREER APPOINTMENTS.**—If the Secretary selects an application submitted by an officer described in subsection (a) for a

position described in such subsection, the Secretary shall give such officer a career or career-conditional appointment in the competitive service, as appropriate.

“(c) **COMPETITIVE SERVICE DEFINED.**—In this section, the term ‘competitive service’ has the meaning given the term in section 2102 of title 5, United States Code.”.

(b) **CLERICAL AMENDMENT.**—The table of sections in section 1 of the Act entitled “An Act to authorize the Hydrographic Service Improvement Act of 1998, and for other purposes” (Public Law 107-372) is amended by inserting after the item relating to section 269, as added by this title, the following new item:

“Sec. 269A. Treatment of commission in commissioned officer corps as employment in Administration for purposes of certain hiring decisions.”.

NOTICES OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 10:30 a.m., on February 12, 2014, to conduct a business meeting to consider the nominations of Thomas Hicks and Myrna Perez to be members of the Election Assistance Commission.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce that the Committee on Energy and Natural Resources will meet on February 13, 2014, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building. The purpose of the Business Meeting is to consider the following nominations.

Rhea S. Suh, to be the Assistant Secretary for Fish and Wildlife and Parks; and Janice M. Schneider, to be an Assistance Secretary of the Interior, Land and Minerals Management.

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

For further information, please contact Sam Fowler at (202) 224-7571.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 11, 2014, at 9:30 a.m.

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

COMMITTEE ON FOREIGN RELATIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 11, 2014, at 10 a.m., to conduct a hearing entitled “Pros-

pects for Democratic Reconciliation and Workers’ Rights in Bangladesh.”

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on February 11, 2014, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on February 11, 2014, at 9 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Nominations.”

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

SELECT COMMITTEE ON INTELLIGENCE

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

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

PRIVILEGES OF THE FLOOR

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that Margaret Taylor, a detailee from the State Department to the Senate Foreign Relations Committee, be granted floor privileges today in anticipation of votes on nominations and for the rest of the 113th Congress in order to assist with matters related to the work of the committee.

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

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that at 11 a.m. on Wednesday, February 12, 2014, the Senate proceed to executive session to consider the following nominations: Calendar Nos. 525, 595, 527, and 529; that there be 30 minutes for debate divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate’s action and the Senate then resume legislative session; further, that there be 2 minutes for debate equally divided in the usual form prior to each vote and

all votes after the first be 10 minutes in length.

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

TO REAUTHORIZE AND AMEND THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to Calendar No. 292, S. 1068.

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

The legislative clerk read as follows:

A bill (S. 1068) to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purposes.

There being no objection, the Senate proceeded to consider the bill (S. 1068) to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purpose, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “National Oceanic and Atmospheric Administration Commissioned Officer Corps Amendments Act of 2013”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References to National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002.

TITLE I—GENERAL PROVISIONS

Sec. 101. Strength and distribution in grade.

Sec. 102. Exclusion of officers recalled from retired status and positions of importance and responsibility from number of authorized commissioned officers.

Sec. 103. Obligated service requirement.

Sec. 104. Training and physical fitness.

TITLE II—APPOINTMENTS AND PROMOTION OF OFFICERS

Sec. 201. Appointments.

Sec. 202. Personnel boards.

Sec. 203. Delegation of authority for appointments and promotions to permanent grades.

Sec. 204. Temporary appointments.

Sec. 205. Officer candidates.

Sec. 206. Procurement of personnel.

TITLE III—SEPARATION AND RETIREMENT OF OFFICERS

Sec. 301. Involuntary retirement or separation.

Sec. 302. Separation pay.

TITLE IV—RIGHTS AND BENEFITS

Sec. 401. Education loan repayment program.

Sec. 402. Interest payment program.

Sec. 403. Student pre-commissioning education assistance program.

Sec. 404. Limitation on educational assistance.

Sec. 405. Applicability of certain provisions of title 10, United States Code.

Sec. 406. Applicability of certain provisions of title 37, United States Code.

Sec. 407. Application of certain provisions of competitive service law.

Sec. 408. Eligibility of all members of uniformed services for Legion of Merit award.

Sec. 409. Application of Employment and Reemployment Rights of Members of the Uniformed Services to members of commissioned officer corps.

Sec. 410. Protected communications for commissioned officer corps and prohibition of retaliatory personnel actions.

Sec. 411. Criminal penalties for wearing uniform without authority.

TITLE V—OTHER MATTERS

Sec. 501. Technical correction.

Sec. 502. Report.

Sec. 503. Effective date.

SEC. 2. REFERENCES TO NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.).

TITLE I—GENERAL PROVISIONS

SEC. 101. STRENGTH AND DISTRIBUTION IN GRADE.

Section 214 (33 U.S.C. 3004) is amended to read as follows:

“SEC. 214. STRENGTH AND DISTRIBUTION IN GRADE.

“(a) **GRADES.**—The commissioned grades in the commissioned officer corps of the Administration are the following, in relative rank with officers of the Navy:

“(1) Vice admiral.

“(2) Rear admiral.

“(3) Rear admiral (lower half).

“(4) Captain.

“(5) Commander.

“(6) Lieutenant commander.

“(7) Lieutenant.

“(8) Lieutenant (junior grade).

“(9) Ensign.

“(b) **PROPORTION.**—

“(1) **IN GENERAL.**—The officers on the lineal list shall be distributed in grade in the following percentages:

“(A) 8 in the grade of captain.

“(B) 14 in the grade of commander.

“(C) 19 in the grade of lieutenant commander.

“(2) **GRADES BELOW LIEUTENANT COMMANDER.**—The Secretary shall prescribe, with respect to the distribution on the lineal list in grade, the percentages applicable to the grades of lieutenant, lieutenant (junior grade), and ensign.

“(c) **ANNUAL COMPUTATION OF NUMBER IN GRADE.**—

“(1) **IN GENERAL.**—Not less frequently than once each year, the Secretary shall make a computation to determine the number of officers on the lineal list authorized to be serving in each grade.

“(2) **METHOD OF COMPUTATION.**—The number in each grade shall be computed by applying the applicable percentage to the total number of such officers serving on active duty on the date the computation is made.

“(3) **FRACTIONS.**—If a final fraction occurs in computing the authorized number of officers in a grade, the nearest whole number shall be taken. If the fraction is $\frac{1}{2}$, the next higher whole number shall be taken.

“(d) **TEMPORARY INCREASE IN NUMBERS.**—The total number of officers authorized by law to be on the lineal list during a fiscal year may be temporarily exceeded if the average number on that list during that fiscal year does not exceed the authorized number.

“(e) **POSITIONS OF IMPORTANCE AND RESPONSIBILITY.**—Officers serving in positions designated under section 228(a) and officers recalled from retired status shall not be counted when computing authorized strengths under subsection (c) and shall not count against those strengths.

“(f) **PRESERVATION OF GRADE AND PAY.**—No officer may be reduced in grade or pay or separated from the commissioned officer corps of the Administration as the result of a computation made to determine the authorized number of officers in the various grades.”.

SEC. 102. EXCLUSION OF OFFICERS RECALLED FROM RETIRED STATUS AND POSITIONS OF IMPORTANCE AND RESPONSIBILITY FROM NUMBER OF AUTHORIZED COMMISSIONED OFFICERS.

Section 215 (33 U.S.C. 3005) is amended—

(1) in the matter before paragraph (1), by striking “Effective” and inserting the following:

“(a) **IN GENERAL.**—Effective”; and

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

“(b) **POSITIONS OF IMPORTANCE AND RESPONSIBILITY.**—Officers serving in positions designated under section 228 and officers recalled from retired status—

“(1) may not be counted in determining the total number of authorized officers on the lineal list under this section; and

“(2) may not count against such number.”.

SEC. 103. OBLIGATED SERVICE REQUIREMENT.

(a) **IN GENERAL.**—Subtitle A (33 U.S.C. 3001 et seq.) is amended by adding at the end the following:

“SEC. 216. OBLIGATED SERVICE REQUIREMENT.

“(a) **IN GENERAL.**—

“(1) **RULEMAKING.**—The Secretary shall prescribe the obligated service requirements for appointments, training, promotions, separations, continuations, and retirement of officers not otherwise covered by law.

“(2) **WRITTEN AGREEMENTS.**—The Secretary and officers shall enter into written agreements that describe the officers’ obligated service requirements prescribed under paragraph (1) in return for such appointments, training, promotions, separations, and retirements as the Secretary considers appropriate.

“(b) **REPAYMENT FOR FAILURE TO SATISFY REQUIREMENTS.**—

“(1) **IN GENERAL.**—The Secretary may require an officer who fails to meet the service requirements prescribed under subsection (a)(1) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the training provided to that officer by the Secretary as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve.

“(2) **OBLIGATION AS DEBT TO UNITED STATES.**—An obligation to reimburse the Secretary under paragraph (1) shall be considered for all purposes as a debt owed to the United States.

“(3) **DISCHARGE IN BANKRUPTCY.**—A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of a written agreement entered into under subsection (a)(2) does not discharge the individual signing the agreement from a debt arising under such agreement.

“(c) **WAIVER OR SUSPENSION OF COMPLIANCE.**—The Secretary may waive the service obligation of an officer who—

“(1) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that officer; or

“(2) is—

“(A) not physically qualified for appointment; and

“(B) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or medical condition that was not the result of the officer’s own misconduct or grossly negligent conduct.”.

(b) **CLERICAL AMENDMENT.**—The table of sections in section 1 of the Act entitled “An Act to authorize the Hydrographic Service Improvement Act of 1998, and for other purposes” (Public Law 107–372) is amended by inserting after the item relating to section 215 the following:

“Sec. 216. Obligated service requirement.”.