purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2327. Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

SA 2328. Mr. MCCONNELL (for himself, Mr. ROBERTS, Mr. SCOTT, Mr. HATCH, Mr. ISAKSON, Mr. BLUNT, Mr. BARRASSO, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 2327 submitted by Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra.

SA 2330. Mr. MCCONNELL proposed an amendment to amendment SA 2329 proposed by Mr. MCCONNELL to the bill H.R. 22, supra.

SA 2331. Mrs. CAPITO submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2332. Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2333. Mr. WYDEN (for himself, Mr. CARDIN, Mr. BROWN, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2334. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2335. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2336. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2337. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2338. Mr. BLUMENTHAL (for himself, Mr. NELSON, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2339. Mr. BLUMENTHAL (for himself, Mr. NELSON, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2340. Mr. BLUMENTHAL (for himself, Mr. NELSON, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2341. Mr. CRAPO (for himself, Mr. BENNET, Mr. GARDNER, and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2342. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2343. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2344. Mr. GARDNER (for himself, Mr. HELLER, and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2345. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2346. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2347. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2348. Mr. BARRASSO (for himself, Mr. DONNELLY, Mr. ROBERTS, Ms. HEITKAMP, Mr. SULLIVAN, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2349. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2350. Mr. REID (for Mr. NELSON (for himself, Mr. BLUMENTHAL, and Mr. MARKEY)) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2351. Mr. REID (for Mr. MARKEY (for himself, Mr. WHITEHOUSE, Mr. LEAHY, and Mr. BOOKER)) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2327. Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; as follows:

At the end of the amendment, insert the following:

TITLE ____—EXPORT-IMPORT BANK OF THE UNITED STATES

SEC. __01. SHORT TITLE.

This title may be cited as the ''Export-Import Bank Reform and Reauthorization Act of 2015''.

Subtitle A—Taxpayer Protection Provisions and Increased Accountability

SEC. __11. REDUCTION IN AUTHORIZED AMOUNT OF OUTSTANDING LOANS, GUARANTEES, AND INSURANCE.

Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by striking paragraph (2) and inserting the following:

''(2) APPLICABLE AMOUNT DEFINED.—In this subsection, the term 'applicable amount', for each of fiscal years 2015 through 2019, means $135,000,000,000.

''(3) FREEZING OF LENDING CAP IF DEFAULT RATE IS 2 PERCENT OR MORE.—If the rate calculated under section 8(g)(1) is 2 percent or more for a quarter, the Bank may not exceed the amount of loans, guarantees, and insurance outstanding on the last day of that quarter until the rate calculated under section 8(g)(1) is less than 2 percent.''.

SEC. __12. INCREASE IN LOSS RESERVES.

(a) IN GENERAL.—Section 6 of the Export-Import Bank Act of 1945 (12 U.S.C. 635e) is amended—

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

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

''(b) RESERVE REQUIREMENT.—The Bank shall build to and hold in reserve, to protect against future losses, an amount that is not less than 5 percent of the aggregate amount of disbursed and outstanding loans, guarantees, and insurance of the Bank.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. __13. REVIEW OF FRAUD CONTROLS.

Section 17(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–6(b)) is amended to read as follows:

''(b) REVIEW OF FRAUD CONTROLS.—Not later than 4 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and every 4 years thereafter, the Comptroller General of the United States shall—

''(1) review the adequacy of the design and effectiveness of the controls used by the Export-Import Bank of the United States to prevent, detect, and investigate fraudulent applications for loans and guarantees and the compliance by the Bank with the controls, including by auditing a sample of Bank transactions; and

''(2) submit a written report regarding the findings of the review and providing such recommendations with respect to the controls described in paragraph (1) as the Comptroller General deems appropriate to—

''(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate; and

''(B) the Committee on Financial Services and the Committee on Appropriations of the House of Representatives.''.

SEC. __14. OFFICE OF ETHICS.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a) is amended by adding at the end the following:

''(k) OFFICE OF ETHICS.—

''(1) ESTABLISHMENT.—There is established an Office of Ethics within the Bank, which shall oversee all ethics issues within the Bank.

''(2) HEAD OF OFFICE.—

''(A) IN GENERAL.—The head of the Office of Ethics shall be the Chief Ethics Officer, who shall report to the Board of Directors.

''(B) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Ethics Officer shall be—

''(i) appointed by the President of the Bank from among persons—

''(I) with a background in law who have experience in the fields of law and ethics; and

''(II) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Ethics Officer; and

''(ii) approved by the Board.

''(C) DESIGNATED AGENCY ETHICS OFFICIAL.—The Chief Ethics Officer shall serve as the designated agency ethics official for the Bank pursuant to the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.).

''(3) DUTIES.—The Office of Ethics has jurisdiction over all employees of, and ethics matters relating to, the Bank. With respect to employees of the Bank, the Office of Ethics shall—

''(A) recommend administrative actions to establish or enforce standards of official conduct;

''(B) refer to the Office of the Inspector General of the Bank alleged violations of—

''(i) the standards of ethical conduct applicable to employees of the Bank under parts 2635 and 6201 of title 5, Code of Federal Regulations;

''(ii) the standards of ethical conduct established by the Chief Ethics Officer; and

''(iii) any other laws, rules, or regulations governing the performance of official duties or the discharge of official responsibilities that are applicable to employees of the Bank;

''(C) report to appropriate Federal or State authorities substantial evidence of a violation of any law applicable to the performance of official duties that may have been disclosed to the Office of Ethics; and

''(D) render advisory opinions regarding the propriety of any current or proposed conduct of an employee or contractor of the Bank, and issue general guidance on such matters as necessary.''.

SEC. __15. CHIEF RISK OFFICER.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by section __14, is further amended by adding at the end the following:

''(l) CHIEF RISK OFFICER.—

''(1) IN GENERAL.—There shall be a Chief Risk Officer of the Bank, who shall—

''(A) oversee all issues relating to risk within the Bank; and

''(B) report to the President of the Bank.

''(2) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Risk Officer shall be—

''(A) appointed by the President of the Bank from among persons—

''(i) with a demonstrated ability in the general management of, and knowledge of and extensive practical experience in, financial risk evaluation practices in large governmental or business entities; and

''(ii) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Risk Officer; and

''(B) approved by the Board.

''(3) DUTIES.—The duties of the Chief Risk Officer are—

''(A) to be responsible for all matters related to managing and mitigating all risk to which the Bank is exposed, including the programs and operations of the Bank;

''(B) to establish policies and processes for risk oversight, the monitoring of management compliance with risk limits, and the management of risk exposures and risk controls across the Bank;

''(C) to be responsible for the planning and execution of all Bank risk management activities, including policies, reporting, and systems to achieve strategic risk objectives;

''(D) to develop an integrated risk management program that includes identifying, prioritizing, measuring, monitoring, and managing internal control and operating risks and other identified risks;

''(E) to ensure that the process for risk assessment and underwriting for individual transactions considers how each such transaction considers the effect of the transaction on the concentration of exposure in the overall portfolio of the Bank, taking into account fees, collateralization, and historic default rates; and

''(F) to review the adequacy of the use by the Bank of qualitative metrics to assess the risk of default under various scenarios.''.

SEC. __16. RISK MANAGEMENT COMMITTEE.

(a) IN GENERAL.—Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by sections __14 and __15, is further amended by adding at the end the following:

''(m) RISK MANAGEMENT COMMITTEE.—

''(1) ESTABLISHMENT.—There is established a management committee to be known as the 'Risk Management Committee'.

''(2) MEMBERSHIP.—The membership of the Risk Management Committee shall be the members of the Board of Directors, with the President and First Vice President of the Bank serving as ex officio members.

''(3) DUTIES.—The duties of the Risk Management Committee shall be—

''(A) to oversee, in conjunction with the Office of the Chief Financial Officer of the Bank—

''(i) periodic stress testing on the entire Bank portfolio, reflecting different market, industry, and macroeconomic scenarios, and consistent with common practices of commercial and multilateral development banks; and

''(ii) the monitoring of industry, geographic, and obligor exposure levels; and

''(B) to review all required reports on the default rate of the Bank before submission to Congress under section 8(g).''.

(b) TERMINATION OF AUDIT COMMITTEE.—Not later than 180 days after the date of the enactment of this Act, the Board of Directors of the Export-Import Bank of the United States shall revise the bylaws of the Bank to terminate the Audit Committee established by section 7 of the bylaws.

SEC. __17. INDEPENDENT AUDIT OF BANK PORTFOLIO.

(a) AUDIT.—The Inspector General of the Export-Import Bank of the United States shall conduct an audit or evaluation of the portfolio risk management procedures of the Bank, including a review of the implementation by the Bank of the duties assigned to the Chief Risk Officer under section 3(l) of the Export-Import Bank Act of 1945, as amended by section __15.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, and not less frequently than every 3 years thereafter, the Inspector General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a written report containing all findings and determinations made in carrying out subsection (a).

SEC. __18. PILOT PROGRAM FOR REINSURANCE.

(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.), the Export-Import Bank of the United States (in this section referred to as the ''Bank'') may establish a pilot program under which the Bank may enter into contracts and other arrangements to share risks associated with the provision of guarantees, insurance, or credit, or the participation in the extension of credit, by the Bank under that Act.

(b) LIMITATIONS ON AMOUNT OF RISK-SHARING.—

(1) PER CONTRACT OR OTHER ARRANGEMENT.—The aggregate amount of liability the Bank may transfer through risk-sharing pursuant to a contract or other arrangement entered into under subsection (a) may not exceed $1,000,000,000.

(2) PER YEAR.—The aggregate amount of liability the Bank may transfer through risk-sharing during a fiscal year pursuant to contracts or other arrangements entered into under subsection (a) during that fiscal year may not exceed $10,000,000,000.

(c) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this Act, and annually thereafter through 2019, the Bank shall submit to Congress a written report that contains a detailed analysis of the use of the pilot program carried out under subsection (a) during the year preceding the submission of the report.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect, impede, or revoke any authority of the Bank.

(e) TERMINATION.—The pilot program carried out under subsection (a) shall terminate on September 30, 2019.

Subtitle B—Promotion of Small Business Exports

SEC. __21. INCREASE IN SMALL BUSINESS LENDING REQUIREMENTS.

(a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended by striking ''20 percent'' and inserting ''25 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

SEC. __22. REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.

(a) IN GENERAL.—Section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) is amended by adding at the end the following:

''(k) REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.—The Bank shall include in its annual report to Congress under subsection (a) a report on the programs of the Bank for United States businesses with less than $250,000,000 in annual sales.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the report of the Export-Import Bank of the United States submitted to Congress under section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) for the first year that begins after the date of the enactment of this Act.

Subtitle C—Modernization of Operations

SEC. __31. ELECTRONIC PAYMENTS AND DOCUMENTS.

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)) is amended by adding at the end the following:

''(M) Not later than 2 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Bank shall implement policies—

''(i) to accept electronic documents with respect to transactions whenever possible, including copies of bills of lading, certifications, and compliance documents, in such manner so as not to undermine any potential civil or criminal enforcement related to the transactions; and

''(ii) to accept electronic payments in all of its programs.''.

SEC. _32. REAUTHORIZATION OF INFORMATION TECHNOLOGY UPDATING.

Section 3(j) of the Export-Import Act of 1945 (12 U.S.C. 635a(j)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019'';

(2) in paragraph (2)(B), by striking ''(I) the funds'' and inserting ''(i) the funds''; and

(3) in paragraph (3), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019''.

Subtitle D—General Provisions

SEC. _41. EXTENSION OF AUTHORITY.

(a) IN GENERAL.—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking ''2014'' and inserting ''2019''.

(b) DUAL-USE EXPORTS.—Section 1(c) of Public Law 103–428 (12 U.S.C. 635 note) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Export-Import Bank of the United States expires under section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f)''.

(c) SUB-SAHARAN AFRICA ADVISORY COMMITTEE.—Section 2(b)(9)(B)(iii) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9)(B)(iii)) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Bank expires under section 7''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the earlier of the date of the enactment of this Act or June 30, 2015.

SEC. _42. CERTAIN UPDATED LOAN TERMS AND AMOUNTS.

(a) LOAN TERMS FOR MEDIUM-TERM FINANCING.—Section 2(a)(2)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(a)(2)(A)) is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon; and

(2) by adding at the end the following:

''(iii) with principal amounts of not more than $25,000,000; and''.

(b) COMPETITIVE OPPORTUNITIES RELATING TO INSURANCE.—Section 2(d)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(d)(2)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(c) EXPORT AMOUNTS FOR SMALL BUSINESS LOANS.—Section 3(g)(3) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(g)(3)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(d) CONSIDERATION OF ENVIRONMENTAL EFFECTS.—Section 11(a)(1)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i–5(a)(1)(A)) is amended by striking ''$10,000,000 or more'' and inserting the following: ''$25,000,000 (or, if less than $25,000,000, the threshold established pursuant to international agreements, including the Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence, as adopted by the Organisation for Economic Co-operation and Development Council on June 28, 2012, and the risk-management framework adopted by financial institutions for determining, assessing, and managing environmental and social risk in projects (commonly referred to as the 'Equator Principles')) or more''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

Subtitle E—Other Matters

SEC. _51. PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.

Section 2 of the Export-Import Bank Act of 1945 (6 U.S.C. 635 et seq.) is amended by adding at the end the following:

''(k) PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.—

''(1) IN GENERAL.—Except as provided in this Act, the Bank may not—

''(A) deny an application for financing based solely on the industry, sector, or business that the application concerns; or

''(B) promulgate or implement policies that discriminate against an application based solely on the industry, sector, or business that the application concerns.

''(2) APPLICABILITY.—The prohibitions under paragraph (1) apply only to applications for financing by the Bank for projects concerning the exploration, development, production, or export of energy sources and the generation or transmission of electrical power, or combined heat and power, regardless of the energy source involved.''.

SEC. _52. NEGOTIATIONS TO END EXPORT CREDIT FINANCING.

(a) IN GENERAL.—Section 11 of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Treasury (in this section referred to as the 'Secretary')'' and inserting ''President''; and

(B) in paragraph (1)—

(i) by striking ''(OECD)'' and inserting ''(in this section referred to as the 'OECD')''; and

(ii) by striking ''ultimate goal of eliminating'' and inserting ''possible goal of eliminating, before the date that is 10 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015,'';

(2) in subsection (b), by striking ''Secretary'' each place it appears and inserting ''President''; and

(3) by adding at the end the following:

''(c) REPORT ON STRATEGY.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the President shall submit to Congress a proposal, and a strategy for achieving the proposal, that the United States Government will pursue with other major exporting countries, including OECD members and non-OECD members, to eliminate over a period of not more than 10 years subsidized export-financing programs, tied aid, export credits, and all other forms of government-supported export subsidies.

''(d) NEGOTIATIONS WITH NON-OECD MEMBERS.—The President shall initiate and pursue negotiations with countries that are not OECD members to bring those countries into a multilateral agreement establishing rules and limitations on officially supported export credits.

''(e) ANNUAL REPORTS ON PROGRESS OF NEGOTIATIONS.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and annually thereafter through calendar year 2019, the President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the progress of any negotiations described in subsection (d).''.

(b) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) of subsection (a) shall apply with respect to reports required to be submitted under section 11(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5(b)) after the date of the enactment of this Act.

SEC. _53. STUDY OF FINANCING FOR INFORMATION AND COMMUNICATIONS TECHNOLOGY SYSTEMS.

(a) ANALYSIS OF INFORMATION AND COMMUNICATIONS TECHNOLOGY INDUSTRY USE OF BANK PRODUCTS.—The Export-Import Bank of the United States (in this section referred to as the ''Bank'') shall conduct a study of the extent to which the products offered by the Bank are available and used by companies that export information and communications technology services and related goods.

(b) ELEMENTS.—In conducting the study required by subsection (a), the Bank shall examine the following:

(1) The number of jobs in the United States that are supported by the export of information and communications technology services and related goods, and the degree to which access to financing will increase exports of such services and related goods.

(2) The reduction in the financing by the Bank of exports of information and communications technology services from 2003 through 2014.

(3) The activities of foreign export credit agencies to facilitate the export of information and communications technology services and related goods.

(4) Specific proposals for how the Bank could provide additional financing for the exportation of information and communications technology services and related goods through risk-sharing with other export credit agencies and other third parties.

(5) Proposals for new products the Bank could offer to provide financing for exports of information and communications technology services and related goods, including—

(A) the extent to which the Bank is authorized to offer new products;

(B) the extent to which the Bank would need additional authority to offer new products to meet the needs of the information and communications technology industry;

(C) specific proposals for changes in law that would enable the Bank to provide increased financing for exports of information and communications technology services and related goods in compliance with the credit and risk standards of the Bank;

(D) specific proposals that would enable the Bank to provide increased outreach to the information and communications technology industry about the products the Bank offers; and

(E) specific proposals for changes in law that would enable the Bank to provide the financing to build information and communications technology infrastructure, in compliance with the credit and risk standards of the Bank, to allow for market access opportunities for United States information and communications technology companies to provide services on the infrastructure being financed by the Bank.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Bank shall submit to Congress a report that contains the results of the study required by subsection (a).

SA 2328. Mr. MCCONNELL (for himself, Mr. ROBERTS, Mr. SCOTT, Mr. HATCH, Mr. ISAKSON, Mr. BLUNT, Mr. BARRASSO, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 2327 submitted by Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; as follows:

At the end, insert the following:

SEC. ___. REPEAL OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.

(a) PATIENT PROTECTION AND AFFORDABLE CARE ACT.—Effective on the date that is 180 days after the date of enactment of this Act, the Patient Protection and Affordable Care Act (Public Law 111–148) is repealed and the provisions of law amended or repealed by such Act are restored or revived as if such Act had not been enacted.

(b) HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.—Effective on the date that is 180 days after the date of enactment of this Act, the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152) is repealed and the provisions of law amended or repealed by such Act are restored or revived as if such Act had not been enacted.

(c) BUDGETARY EFFECTS.—The budgetary effects of this section, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this section, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, as long as such statement has been submitted prior to the vote on passage of this Act.

SA 2329. Mr. MCCONNELL proposed an amendment to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; as follows:

At the appropriate place, insert the following:

SEC. 70001. SHORT TITLE.

This division may cited as the ''Surface Transportation Extension Act of 2015''.

TITLE LXXI—EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS

SEC. 71001. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) IN GENERAL.—Section 1001 of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1840; 129 Stat. 219) is amended—

(1) in subsection (a), by striking ''July 31, 2015'' and inserting ''September 29, 2015'';

(2) in subsection (b)(1)—

(A) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) by striking ''304/365'' and inserting ''365/365''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(ii) by striking ''304/365'' and inserting ''365/365''; and

(B) in paragraph (2)(B), by striking ''by this subsection''.

(b) OBLIGATION CEILING.—Section 1102 of MAP–21 (23 U.S.C. 104 note; Public Law 112–141) is amended—

(1) in subsection (a)(3)—

(A) by striking ''$33,528,284,932'' and inserting ''$40,256,000,000''; and

(B) by striking ''July 31, 2015'' and inserting ''September 30, 2015'';

(2) in subsection (b)(12)—

(A) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) by striking ''304/365'' and inserting ''365/365'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) in paragraph (2)—

(i) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(ii) by striking ''304/365'' and inserting ''365/365''; and

(4) in subsection (f)(1), in the matter preceding subparagraph (A), by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

(c) TRIBAL HIGH PRIORITY PROJECTS PROGRAM.—Section 1123(h)(1) of MAP-21 (23 U.S.C. 202 note; Public Law 112–141) is amended—

(1) by striking ''$24,986,301'' and inserting ''$30,000,000''; and

(2) by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

SEC. 71002. ADMINISTRATIVE EXPENSES.

(a) AUTHORIZATION OF CONTRACT AUTHORITY.—Section 1002(a) of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1842; 129 Stat. 220) is amended—

(1) by striking ''$366,465,753'' and inserting ''$440,000,000''; and

(2) by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

(b) CONTRACT AUTHORITY.—Section 1002(b)(2) of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1842; 129 Stat. 220) is amended by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

TITLE LXXII—TEMPORARY EXTENSION OF PUBLIC TRANSPORTATION PROGRAMS

SEC. 72001. FORMULA GRANTS FOR RURAL AREAS.

Section 5311(c)(1) of title 49, United States Code, is amended—

(1) in subparagraph (A), by striking ''ending before'' and all that follows through ''July 31, 2015,''; and

(2) in subparagraph (B), by striking ''ending before'' and all that follows through ''July 31, 2015,''.

SEC. 72002. APPORTIONMENT OF APPROPRIATIONS FOR FORMULA GRANTS.

Section 5336(h)(1) of title 49, United States Code, is amended by striking ''before October 1, 2014'' and all that follows through ''July 31, 2015,'' and inserting ''before October 1, 2015''.

SEC. 72003. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) FORMULA GRANTS.—Section 5338(a) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''for fiscal year 2014'' and all that follows and inserting ''for fiscal year 2014, and $8,595,000,000 for fiscal year 2015.'';

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''$107,274,521 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$128,800,000 for fiscal year 2015'';

(B) in subparagraph (B), by striking ''2013 and 2014 and $8,328,767 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(C) in subparagraph (C), by striking ''$3,713,505,753 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$4,458,650,000 for fiscal year 2015'';

(D) in subparagraph (D), by striking ''$215,132,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$258,300,000 for fiscal year 2015'';

(E) in subparagraph (E)—

(i) by striking ''$506,222,466 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$607,800,000 for fiscal year 2015'';

(ii) by striking ''$24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$30,000,000 for fiscal year 2015''; and

(iii) by striking ''$16,657,534 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$20,000,000 for fiscal year 2015'';

(F) in subparagraph (F), by striking ''2013 and 2014 and $2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(G) in subparagraph (G), by striking ''2013 and 2014 and $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(H) in subparagraph (H), by striking ''2013 and 2014 and $3,206,575 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(I) in subparagraph (I), by striking ''$1,803,927,671 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$2,165,900,000 for fiscal year 2015'';

(J) in subparagraph (J), by striking ''$356,304,658 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$427,800,000 for fiscal year 2015''; and

(K) in subparagraph (K), by striking ''$438,009,863 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$525,900,000 for fiscal year 2015''.

(b) RESEARCH, DEVELOPMENT DEMONSTRATION AND DEPLOYMENT PROJECTS.—Section 5338(b) of title 49, United States Code, is amended by striking ''$58,301,370 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$70,000,000 for fiscal year 2015''.

(c) TRANSIT COOPERATIVE RESEARCH PROGRAM.—Section 5338(c) of title 49, United States Code, is amended by striking ''$5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$7,000,000 for fiscal year 2015''.

(d) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—Section 5338(d) of title 49, United States Code, is amended by striking ''$5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$7,000,000 for fiscal year 2015''.

(e) HUMAN RESOURCES AND TRAINING.—Section 5338(e) of title 49, United States Code, is amended by striking ''$4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$5,000,000 for fiscal year 2015''.

(f) CAPITAL INVESTMENT GRANTS.—Section 5338(g) of title 49, United States Code, is amended by striking ''$1,558,295,890 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$1,907,000,000 for fiscal year 2015''.

(g) ADMINISTRATION.—Section 5338(h) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''$86,619,178 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$104,000,000 for fiscal year 2015'';

(2) in paragraph (2), by striking ''2013 and 2014 and not less than $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015''; and

(3) in paragraph (3), by striking ''2013 and 2014 and not less than $832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015''.

SEC. 72004. BUS AND BUS FACILITIES FORMULA GRANTS.

Section 5339(d)(1) of title 49, United States Code, is amended—

(1) by striking ''2013 and 2014 and $54,553,425 for the period beginning on October 1, 2014,

and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(2) by striking ''and $1,041,096 for such period''; and

(3) by striking ''and $416,438 for such period''.

TITLE LXXIII—EXTENSION OF HIGHWAY SAFETY PROGRAMS

Subtitle A—Extension of Highway Safety Programs

SEC. 73101. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) EXTENSION OF PROGRAMS.—

(1) HIGHWAY SAFETY PROGRAMS.—Section 31101(a)(1)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $235,000,000 for fiscal year 2015.''.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 31101(a)(2)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $113,500,000 for fiscal year 2015.''.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 31101(a)(3)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $272,000,000 for fiscal year 2015.''.

(4) NATIONAL DRIVER REGISTER.—Section 31101(a)(4)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $5,000,000 for fiscal year 2015.''.

(5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—

(A) AUTHORIZATION OF APPROPRIATIONS.—Section 31101(a)(5)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $29,000,000 for fiscal year 2015.''.

(B) LAW ENFORCEMENT CAMPAIGNS.—Section 2009(a) of SAFETEA–LU (23 U.S.C. 402 note) is amended—

(i) in the first sentence, by striking ''and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''through 2015''; and

(ii) in the second sentence, by striking ''and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''through 2015''.

(6) ADMINISTRATIVE EXPENSES.—Section 31101(a)(6)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $25,500,000 for fiscal year 2015.''.

(b) COOPERATIVE RESEARCH AND EVALUATION.—Section 403(f)(1) of title 23, United States Code, is amended by striking ''under subsection 402(c) in each fiscal year ending before October 1, 2014, and $2,082,192 of the total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''under section 402(c) in each fiscal year ending before October 1, 2015,''.

(c) APPLICABILITY OF TITLE 23.—Section 31101(c) of MAP–21 (126 Stat. 733) is amended by striking ''fiscal years 2013 and 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

SEC. 73102. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a)(10) of title 49, United States Code, is amended to read as follows:

''(10) $218,000,000 for fiscal year 2015.''.

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1)(J) of title 49, United States Code, is amended to read as follows:

''(J) $259,000,000 for fiscal year 2015.''.

(c) GRANT PROGRAMS.—

(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—Section 4101(c)(1) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(2) BORDER ENFORCEMENT GRANTS.—Section 4101(c)(2) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT GRANT PROGRAM.—Section 4101(c)(3) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT PROGRAM.—Section 4101(c)(4) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $20,821,918 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(5) SAFETY DATA IMPROVEMENT GRANTS.—Section 4101(c)(5) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by striking ''each of fiscal years 2006 through 2014 and up to $12,493,151 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2006 through 2015''.

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by striking ''per fiscal year and up to $26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''per fiscal year''.

(f) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA–LU (119 Stat. 1741) is amended by striking ''each of fiscal years 2013 and 2014 and $3,331,507 to the Federal Motor Carrier Safety Administration for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA–LU (49 U.S.C. 31301 note) is amended by striking ''each of fiscal years 2005 through 2014 and $832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2005 through 2015''.

SEC. 73103. DINGELL-JOHNSON SPORT FISH RESTORATION ACT.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a), in the matter preceding paragraph (1) by striking ''each fiscal year through 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each fiscal year through 2015''; and

(2) in subsection (b)(1)(A) by striking ''for each fiscal year ending before October 1, 2014, and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''for each fiscal year ending before October 1, 2015''.

Subtitle B—Hazardous Materials

SEC. 73201. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 5128(a)(3) of title 49, United States Code, is amended to read as follows:

''(3) $42,762,000 for fiscal year 2015.''.

(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—Section 5128(b)(2) of title 49, United States Code, is amended to read as follows:

''(2) FISCAL YEAR 2015.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend during fiscal year 2015—

''(A) $188,000 to carry out section 5115;

''(B) $21,800,000 to carry out subsections (a) and (b) of section 5116, of which not less than $13,650,000 shall be available to carry out section 5116(b);

''(C) $150,000 to carry out section 5116(f);

''(D) $625,000 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

''(E) $1,000,000 to carry out section 5116(j).''.

(c) HAZARDOUS MATERIALS TRAINING GRANTS.—Section 5128(c) of title 49, United States Code, is amended by striking ''each of fiscal years 2013 and 2014 and $3,331,507 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

TITLE LXXIV—REVENUE PROVISIONS

SEC. 74001. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''August 1, 2015'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2015'', and

(2) by striking ''Highway and Transportation Funding Act of 2015'' in subsections (c)(1) and (e)(3) and inserting ''Surface Transportation Extension Act of 2015''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''Highway and Transportation Funding Act of 2015'' each place it appears in subsection (b)(2) and inserting ''Surface Transportation Extension Act of 2015'', and

(2) by striking ''August 1, 2015'' in subsection (d)(2) and inserting ''October 1, 2015''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of the Internal Revenue Code of 1986 is amended by striking ''August 1, 2015'' and inserting ''October 1, 2015''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2015.

SA 2330. Mr. MCCONNELL proposed an amendment to amendment SA 2329 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; as follows:

At the end insert the following:

''This act shall be effective one day after enactment.''

SA 2331. Mrs. CAPITO submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE LXII—AFFORDABLE RELIABLE ELECTRICITY

SEC. 62__01. SHORT TITLE.

This title may be cited as the ''Affordable Reliable Electricity Now Act of 2015''.

SEC. 62__02. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) DEMONSTRATION PROJECT.—The term ''demonstration project'' means a project to test or demonstrate the feasibility of a carbon capture and storage technology that has Federal Government funding or financial assistance.

(3) EXISTING SOURCE.—The term ''existing source'' has the meaning given the term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)).

(4) GREENHOUSE GAS.—The term ''greenhouse gas'' means any of the following:

(A) Carbon dioxide.

(B) Methane.

(C) Nitrous oxide.

(D) Sulfur hexafluoride.

(E) Hydrofluorocarbons.

(F) Perfluorocarbons.

(5) MODIFICATION.—The term ''modification'' has the meaning given the term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)).

(6) MODIFIED SOURCE.—The term ''modified source'' means any stationary source, the modification of which is commenced after the date of enactment of this Act.

(7) NEW SOURCE.—The term ''new source'' has the meaning given the term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)).

(8) RECONSTRUCTED SOURCE.—The term ''reconstructed source'' means any stationary source, the reconstruction (as defined in section 60.15 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act)) of which is commenced after the date of enactment of this Act.

SEC. 62__03. STANDARDS OF PERFORMANCE FOR NEW, MODIFIED, AND RECONSTRUCTED FOSSIL FUEL-FIRED ELECTRIC UTILITY GENERATING UNITS.

(a) LIMITATION.—The Administrator may not issue, implement, or enforce any proposed or final rule, in whole or in part, under section 111 of the Clean Air Act (42 U.S.C. 7411) that establishes a standard of performance for emissions of any greenhouse gas from any new source, modified source, or reconstructed source that is a fossil fuel-fired electric utility generating unit, unless that rule meets the requirements of subsections (b) and (c).

(b) REQUIREMENTS.—In issuing any rule pursuant to section 111 of the Clean Air Act (42 U.S.C. 7411) establishing standards of performance for emissions of any greenhouse gas from new sources, modified sources, or reconstructed sources that are fossil fuel-fired electric utility generating units, the Administrator, for purposes of establishing those standards—

(1) shall separate sources fueled with coal and natural gas into separate categories; and

(2) shall not establish a standard based on the best system of emission reduction for new sources within a fossil-fuel category unless—

(A) the standard has been achieved, on average, for at least 1 continuous 12-month period (excluding planned outages) by each of at least 6 units within that category—

(i) each of which is located at a different electric generating station in the United States;

(ii) that, collectively, are representative of the operating characteristics of electric generation at different locations in the United States; and

(iii) each of which is operated for the entire 12-month period on a full commercial basis; and

(B) no results obtained from any demonstration project are used in setting the standard.

(c) COAL WITH CERTAIN HEAT CONTENT.—

(1) SEPARATE SUBCATEGORY.—In carrying out subsection (b)(1), the Administrator shall establish a separate subcategory for new sources, modified sources, or reconstructed sources that are fossil fuel-fired electric utility generating units using coal with an average heat content of 8,300 or less British Thermal Units per pound.

(2) STANDARD.—Notwithstanding subsection (b)(2), in issuing any rule pursuant to section 111 of the Clean Air Act (42 U.S.C. 7411) establishing standards of performance for emissions of any greenhouse gas from new, modified, or reconstructed sources in the subcategory referred to in paragraph (1), the Administrator shall not establish a standard based on the best system of emission reduction unless—

(A) that standard has been achieved, on average, for at least 1 continuous 12-month period (excluding planned outages) by each of at least 3 units within that subcategory—

(i) each of which is located at a different electric generating station in the United States;

(ii) which, collectively, are representative of the operating characteristics of electric generation at different locations in the United States; and

(iii) each of which is operated for the entire 12-month period on a full commercial basis; and

(B) no results obtained from any demonstration project are used in establishing that standard.

SEC. 62__04. STANDARDS OF PERFORMANCE FOR EXISTING FOSSIL FUEL-FIRED ELECTRIC UTILITY GENERATING UNITS, COMPLIANCE EXTENSION, AND RATEPAYER PROTECTION.

(a) LIMITATION.—

(1) IN GENERAL.—The Administrator may not issue, implement, or enforce any proposed or final rule described in paragraph (2), unless that rule meets the requirements of subsection (b).

(2) DESCRIPTION OF RULE.—A rule referred to in paragraph (1) is any proposed or final rule to address carbon dioxide emissions from existing sources that are fossil fuel-fired electric utility generating units under section 111 of the Clean Air Act (42 U.S.C. 7411), including any final rule that succeeds—

(A) the proposed rule entitled ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units'' (79 Fed. Reg. 34830 (June 18, 2014)); or

(B) the supplemental proposed rule entitled ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: EGUs in Indian Country and U.S. Territories; Multi-Jurisdictional Partnerships'' (79 Fed. Reg. 65482 (November 4, 2014)).

(b) REQUIREMENTS.—

(1) IN GENERAL.—Before issuing, implementing, or enforcing any rule described in subsection (a)(2), the Administrator shall—

(A) submit to Congress a report describing the quantity of greenhouse gas emissions that the rule is projected to reduce, as compared to overall domestic and global greenhouse gas emissions;

(B) conduct modeling regarding the means by which the source rule in effect on the date of development of the proposed rule, if applicable, impacts each climate indicator used by the Administrator in developing the proposed rule; and

(C) issue State-specific model plans to demonstrate with specificity the areas in, and means by which, each State will be required to reduce the greenhouse gas emissions of the State under the rule.

(2) EXCLUSION.—A court shall not consider paragraph (1) in determining whether the Administrator is authorized to issue any rule described in subsection (a)(2).

(c) RATEPAYER PROTECTIONS.—No State shall be required to adopt or submit a State plan, and no State or entity within a State shall become subject to a Federal plan, pursuant to any final rule described in subsection (a), if the Governor of the State makes a determination, and notifies the Administrator, that implementation of the State or Federal plan would have a negative effect on—

(1) economic growth, competitiveness, and jobs in the State;

(2) the reliability of the electricity system of the State; or

(3) the electricity ratepayers of the State, including low-income ratepayers, by causing electricity rate increases.

(d) EXTENSION OF COMPLIANCE DATES.—

(1) DEFINITION OF COMPLIANCE DATE.—

(A) IN GENERAL.—In this subsection, the term ''compliance date'' means, with respect to any requirement of a final rule described in subsection (a)(2), the date by which any State, local, or tribal government or other person is first required to comply with the requirement.

(B) INCLUSION.—The term ''compliance date'' includes the date by which State plans are required to be submitted to the Administrator under any final rule described in subsection (a)(2).

(2) EXTENSIONS.—Each compliance date of any final rule described in subsection (a)(2) is deemed to be extended by the time period equal to the time period described in paragraph (3).

(3) PERIOD DESCRIBED.—The time period described in this paragraph is the period of days that—

(A) begins on the date that is 60 days after the day on which notice of promulgation of a final rule described in subsection (a)(2) appears in the Federal Register; and

(B) ends on the date on which judgement becomes final, and no longer subject to further appeal or review, in all actions (including any action filed pursuant to section 307 of the Clean Air Act (42 U.S.C. 7607) that—

(i) are filed during the 60 days described in paragraph (A); and

(ii) seek review of any aspect of the rule.

SEC. 62__05. LIMITATION ON EFFECT OF NONCOMPLIANCE.

Notwithstanding any other provision of law, noncompliance by a State with any proposed, modified, or final rule described in section 62__03 or 62__04 applicable to any new, modified, reconstructed, or existing source shall not constitute a reason for imposing any highway sanction under section 179(b)(1) of the Clean Air Act (42 U.S.C. 7509(b)(1)).

SEC. 62__06. REPEAL OF EARLIER RULES AND GUIDELINES.

The following rules shall be of no force or effect, and shall be treated as though the rules had never been issued:

(1) The proposed rule—

(A) entitled ''Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units'' (77 Fed. Reg. 22392 (April 13, 2012)); and

(B) withdrawn pursuant to the notice entitled ''Withdrawal of Proposed Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units'' (79 Fed. Reg. 1352 (January 8, 2014)).

(2) The proposed rule entitled ''Standards of Performance for Greenhouse Gas Emissions from New Stationary Sources: Electric Utility Generating Units'' (79 Fed. Reg. 1430 (January 8, 2014)).

(3) The proposed rule entitled ''Carbon Pollution Standards for Modified and Reconstructed Stationary Sources: Electric Utility Generating Units'' (79 Fed. Reg. 34960 (June 18, 2014)).

(4) With respect to the proposed rules described in paragraphs (1), (2), and (3), any successor or substantially similar proposed or final rule that—

(A) is issued prior to the date of enactment of this Act;

(B) is applicable to any new, modified, or reconstructed source that is a fossil fuel-fired electric utility generating unit; and

(C) does not meet the requirements under subsections (b) and (c) of section 62__03.

(5) Any proposed or final rule or guideline under section 111 of the Clean Air Act (42 U.S.C. 7411) that—

(A) is issued prior to the date of enactment of this Act; and

(B) establishes any standard of performance for emissions of any greenhouse gas from any modified source or reconstructed source that is a fossil fuel-fired electric utility generating unit or apply to the emissions of any greenhouse gas from an existing source that is a fossil fuel-fired electric utility generating unit.

SEC. 62__07. RESTATEMENT OF EXISTING LAW.

Section 111(d) of the Clean Air Act (42 U.S.C. 7411(d)) is amended—

(1) by striking ''(d)(1) The Administrator'' and inserting the following:

''(d) STANDARDS OF PERFORMANCE FOR EXISTING SOURCES; REMAINING USEFUL LIFE OF SOURCE.—

''(1) IN GENERAL.—The Administrator'';

(2) in paragraph (1)(A)(i), by striking ''section 108(a) or'' and all that follows through ''but'' and insert ''section 108(a) or emitted from a source category that is regulated under section 112, but'';

(3) by striking ''(2) The Administrator'' and inserting the following:

''(2) AUTHORITY OF THE ADMINISTRATOR.—The Administrator'';

(4) in the undesignated matter at the end, by striking ''In promulgating a standard'' and inserting the following:

''(3) CONSIDERATIONS.—In promulgating a standard''; and

(5) by adding at the end the following:

''(4) PROHIBITION.—The Administrator shall not regulate as an existing source under this subsection any source category regulated under section 112.''.

SA 2332. Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE LXII—MARKETPLACE FAIRNESS ACT

SECTION 62001. SHORT TITLE.

This title may be cited as the ''Marketplace Fairness Act of 2015''.

SEC. 62002. AUTHORIZATION TO REQUIRE COLLECTION OF SALES AND USE TAXES.

(a) STREAMLINED SALES AND USE TAX AGREEMENT.—Each Member State under the Streamlined Sales and Use Tax Agreement is authorized to require all sellers not qualifying for the small seller exception described in subsection (c) to collect and remit sales and use taxes with respect to remote sales sourced to that Member State pursuant to the provisions of the Streamlined Sales and Use Tax Agreement, but only if any changes to the Streamlined Sales and Use Tax Agreement made after the date of the enactment of this Act are not in conflict with the minimum simplification requirements in subsection (b)(2). Subject to section 62003(h), a State may exercise authority under this title beginning 180 days after the State publishes notice of the State's intent to exercise the authority under this title, but no earlier than the first day of the calendar quarter that is at least 180 days after the date of the enactment of this Act.

(b) ALTERNATIVE.—A State that is not a Member State under the Streamlined Sales and Use Tax Agreement is authorized notwithstanding any other provision of law to require all sellers not qualifying for the small seller exception described in subsection (c) to collect and remit sales and use taxes with respect to remote sales sourced to that State, but only if the State adopts and implements the minimum simplification requirements in paragraph (2). Subject to section 62003(h), such authority shall commence beginning no earlier than the first day of the calendar quarter that is at least 6 months after the date that the State—

(1) enacts legislation to exercise the authority granted by this title—

(A) specifying the tax or taxes to which such authority and the minimum simplification requirements in paragraph (2) shall apply; and

(B) specifying the products and services otherwise subject to the tax or taxes identified by the State under subparagraph (A) to which the authority of this title shall not apply; and

(2) implements each of the following minimum simplification requirements:

(A) Provide—

(i) a single entity within the State responsible for all State and local sales and use tax administration, return processing, and audits for remote sales sourced to the State;

(ii) a single audit of a remote seller for all State and local taxing jurisdictions within that State; and

(iii) a single sales and use tax return to be used by remote sellers to be filed with the single entity responsible for tax administration.

A State may not require a remote seller to file sales and use tax returns any more frequently than returns are required for nonremote sellers or impose requirements on remote sellers that the State does not impose on nonremote sellers with respect to the collection of sales and use taxes under this title. No local jurisdiction may require a remote seller to submit a sales and use tax return or to collect sales and use taxes other than as provided by this paragraph.

(B) Provide a uniform sales and use tax base among the State and the local taxing jurisdictions within the State pursuant to paragraph (1).

(C) Source all remote sales in compliance with the sourcing definition set forth in section 62004(7).

(D) Provide—

(i) information indicating the taxability of products and services along with any product and service exemptions from sales and use tax in the State and a rates and boundary database;

(ii) software free of charge for remote sellers that calculates sales and use taxes due on each transaction at the time the transaction is completed, that files sales and use tax returns, and that is updated to reflect rate changes as described in subparagraph (H); and

(iii) certification procedures for persons to be approved as certified software providers.

For purposes of clause (iii), the software provided by certified software providers shall be capable of calculating and filing sales and use taxes in all States qualified under this title.

(E) Relieve remote sellers from liability to the State or locality for the incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of an error or omission made by a certified software provider.

(F) Relieve certified software providers from liability to the State or locality for the incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of misleading or inaccurate information provided by a remote seller.

(G) Relieve remote sellers and certified software providers from liability to the State or locality for incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of incorrect information or software provided by the State.

(H) Provide remote sellers and certified software providers with 90 days notice of a rate change by the State or any locality in the State and update the information described in subparagraph (D)(i) accordingly and relieve any remote seller or certified software provider from liability for collecting sales and use taxes at the immediately preceding effective rate during the 90-day notice period if the required notice is not provided.

(c) SMALL SELLER EXCEPTION.—A State is authorized to require a remote seller to collect sales and use taxes under this title only if the remote seller has gross annual receipts in total remote sales in the United States in the preceding calendar year exceeding $1,000,000. For purposes of determining whether the threshold in this section is met, the gross annual receipts from remote sales of 2 or more persons shall be aggregated if—

(1) such persons are related to the remote seller within the meaning of subsections (b) and (c) of section 267 or section 707(b)(1) of the Internal Revenue Code of 1986; or

(2) such persons have 1 or more ownership relationships and such relationships were designed with a principal purpose of avoiding the application of these rules.

SEC. 62003. LIMITATIONS.

(a) IN GENERAL.—Nothing in this title shall be construed as—

(1) subjecting a seller or any other person to franchise, income, occupation, or any other type of taxes, other than sales and use taxes;

(2) affecting the application of such taxes; or

(3) enlarging or reducing State authority to impose such taxes.

(b) NO EFFECT ON NEXUS.—This title shall not be construed to create any nexus or alter the standards for determining nexus between a person and a State or locality.

(c) NO EFFECT ON SELLER CHOICE.—Nothing in this title shall be construed to deny the ability of a remote seller to deploy and utilize a certified software provider of the seller's choice.

(d) LICENSING AND REGULATORY REQUIREMENTS.—Nothing in this title shall be construed as permitting or prohibiting a State from—

(1) licensing or regulating any person;

(2) requiring any person to qualify to transact intrastate business;

(3) subjecting any person to State or local taxes not related to the sale of products or services; or

(4) exercising authority over matters of interstate commerce.

(e) NO NEW TAXES.—Nothing in this title shall be construed as encouraging a State to impose sales and use taxes on any products or services not subject to taxation prior to the date of the enactment of this Act.

(f) NO EFFECT ON INTRASTATE SALES.—The provisions of this title shall apply only to remote sales and shall not apply to intrastate sales or intrastate sourcing rules. States granted authority under section 62002(a) shall comply with all intrastate provisions of the Streamlined Sales and Use Tax Agreement.

(g) NO EFFECT ON MOBILE TELECOMMUNICATIONS SOURCING ACT.—Nothing in this title shall be construed as altering in any manner or preempting the Mobile Telecommunications Sourcing Act (4 U.S.C. 116–126).

(h) LIMITATION ON INITIAL COLLECTION OF SALES AND USE TAXES FROM REMOTE SALES.—A State may not begin to exercise the authority under this title—

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

(2) during the period beginning October 1 and ending on December 31 of the first calendar year beginning after the date of the enactment of this Act.

SEC. 62004. DEFINITIONS AND SPECIAL RULES.

In this title:

(1) CERTIFIED SOFTWARE PROVIDER.—The term ''certified software provider'' means a person that—

(A) provides software to remote sellers to facilitate State and local sales and use tax compliance pursuant to section 62002(b)(2)(D)(ii); and

(B) is certified by a State to so provide such software.

(2) LOCALITY; LOCAL.—The terms ''locality'' and ''local'' refer to any political subdivision of a State.

(3) MEMBER STATE.—The term ''Member State''—

(A) means a Member State as that term is used under the Streamlined Sales and Use Tax Agreement as in effect on the date of the enactment of this Act; and

(B) does not include any associate member under the Streamlined Sales and Use Tax Agreement.

(4) PERSON.—The term ''person'' means an individual, trust, estate, fiduciary, partnership, corporation, limited liability company, or other legal entity, and a State or local government.

(5) REMOTE SALE.—The term ''remote sale'' means a sale into a State, as determined under the sourcing rules under paragraph (7), in which the seller would not legally be required to pay, collect, or remit State or local sales and use taxes unless provided by this title.

(6) REMOTE SELLER.—The term ''remote seller'' means a person that makes remote sales in the State.

(7) SOURCED.—For purposes of a State granted authority under section 62002(b), the location to which a remote sale is sourced refers to the location where the product or service sold is received by the purchaser, based on the location indicated by instructions for delivery that the purchaser furnishes to the seller. When no delivery location is specified, the remote sale is sourced to the customer's address that is either known to the seller or, if not known, obtained by the seller during the consummation of the transaction, including the address of the customer's payment instrument if no other address is available. If an address is unknown and a billing address cannot be obtained, the remote sale is sourced to the address of the seller from which the remote sale was made. A State granted authority under section 62002(a) shall comply with the sourcing provisions of the Streamlined Sales and Use Tax Agreement.

(8) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States, and any tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

(9) STREAMLINED SALES AND USE TAX AGREEMENT.—The term ''Streamlined Sales and Use Tax Agreement'' means the multi-State agreement with that title adopted on November 12, 2002, as in effect on the date of the enactment of this Act and as further amended from time to time.

SEC. 62005. SEVERABILITY.

If any provision of this title or the application of such provision to any person or circumstance is held to be unconstitutional, the remainder of this title and the application of the provisions of such to any person or circumstance shall not be affected thereby.

SEC. 62006. PREEMPTION.

Except as otherwise provided in this title, this title shall not be construed to preempt or limit any power exercised or to be exercised by a State or local jurisdiction under the law of such State or local jurisdiction or under any other Federal law.

SA 2333. Mr. WYDEN (for himself, Mr. CARDIN, Mr. BROWN, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike sections 52106 and 52107 and insert the following:

SEC. 52106. DELAY IN APPLICATION OF WORLDWIDE INTEREST.

(a) IN GENERAL.—Paragraphs (5)(D) and (6) of section 864(f) of the Internal Revenue Code of 1986 are each amended by striking ''December 31, 2020'' and inserting ''December 31, 2023''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SA 2334. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 596, beginning on line 15, strike ''the following amounts:'' and all that follows through line 19, and insert ''$2,450,000,000 for each of the fiscal years 2016 through 2019.''.

On page 597, lines 13 through 16, strike ''up to $5,000,000 from the amount appropriated in each fiscal year under subsection (a) of this section for the use of the Northeast Corridor Commission'' and insert '', from the amounts appropriated pursuant to subsection (a), up to $550,000,000 for each of the fiscal years 2016 and 2017, up to $700,000,000 for fiscal year 2018, and up to $800,000,000 for fiscal year 2019, for the Northeast Corridor Infrastructure and Operations Advisory Commission''.

SA 2335. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place in title XXXII of division C, insert the following:

SEC. ___. RENTAL TRUCK REPORT CARD.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Administrator of the Federal Motor Carrier Safety Administration shall promulgate a rule that requires rental truck costumers to be provided with a maintenance report card for the truck they are renting at the time of such rental. Such report card shall include, with respect to the truck involved, information relating to—

(1) the braking systems (including the emergency break), checked at time of rental and the last service date (including when service was performed and the manufacturer's service standard);

(2) the tires (including tread depths, tire pressure, and sidewalls), checked at time of rental and the last time the tires were changed (including the manufacturer's service standard);

(3) the steering system, including the alignment checked at time of rental and last service date (including when service was performed and the manufacturer's service standard);

(4) the suspension system, including the last service date, the service performed, and the manufacturer's service standard;

(5) the transmission, including the last service date, the service performed, and the manufacturer's service standard;

(6) the lights (including the head lights, tail lights, and signal lamps), including a visual check at the time of rental;

(7) the fluids (including all fluids such as motor oil, power steering fluid, and coolant), to be checked at the time of rental;

(8) the wipers and wiper fluid to be checked at time of rental, including the last time the wipers were changed and the manufacturer's service standard;

(9) the battery, to be checked at time of rental, including the last time the battery was changed and the manufacturer's service standard; and

(10) the heating and air conditioning systems, to be checked at time of rental.

(b) DEFICIENT REPORT.—If the report card with respect to a rental truck under subsection (a) indicates that any of the areas described in such report card are deficient, the consumer has the right to be given another

rental truck or a full refund. If another rental truck is not made available to the consumer within 24 hours of receiving the report card, then a fee shall be assessed against the entity renting the truck in an amount as determined by the Department of Transportation.

SA 2336. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 32305 (relating to regulatory reform).

SA 2337. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 32202 (relating to petitions for regulatory relief).

SA 2338. Mr. BLUMENTHAL (for himself, Mr. NELSON, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 579, strike lines 6 through 17 and insert the following:

(a) INCREASE IN CIVIL PENALTIES.—

(1) IN GENERAL.—Section 30165(a) is amended—

(A) in paragraph (1)—

(i) in the first sentence—

(I) by inserting ''or causes the violation of'' after ''violates''; and

(II) by striking ''$5,000'' and inserting ''$25,000''; and

(ii) by striking the third sentence;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''$10,000'' and inserting ''$100,000''; and

(ii) in subparagraph (B), by striking the second sentence; and

(C) in paragraph (3)—

(i) in the first sentence, by inserting ''or causes the violation of'' after ''violates'';

(ii) in the second sentence, by striking ''$5,000'' and inserting ''$25,000''; and

(iii) by striking the third sentence.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed as preventing the imposition of penalties under section 30165 of title 49, United States Code, as in effect before the effective date set forth in subsection (b), prior to the issuance of a final rule under section 31203(b) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30165 note).

SA 2339. Mr. BLUMENTHAL (for himself, Mr. NELSON, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under 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. ___. USED CAR SAFETY RECALL REPAIRS.

(a) SHORT TITLE.—This section may be cited as the ''Used Car Safety Recall Repair Act''.

(b) USED PASSENGER MOTOR VEHICLE CONSUMER PROTECTION.—Section 30120 of title 49, United States Code, is amended by adding at the end the following:

''(k) LIMITATION ON SALE OR LEASE OF USED PASSENGER MOTOR VEHICLES.—(1) A dealer may not sell or lease a used passenger motor vehicle until any defect or noncompliance determined under section 30118 with respect to the vehicle has been remedied.

''(2) Paragraph (1) shall not apply if—

''(A) the recall information regarding a used passenger motor vehicle was not accessible at the time of sale or lease using the means established by the Secretary under section 31301 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note); or

''(B) notification of the defect or noncompliance is required under section 30118(b), but enforcement of the order is set aside in a civil action to which 30121(d) applies.

''(3) Notwithstanding section 30102(a)(1), in this subsection—

''(A) the term 'dealer' means a person that has sold at least 10 motor vehicles to 1 or more consumers during the most recent 12-month period; and

''(B) the term 'used passenger motor vehicle' means a motor vehicle that has previously been purchased other than for resale.

''(4) By rule, the Secretary may exempt the auctioning of a used passenger motor vehicle from the requirements under paragraph (1) to the extent that the exemption does not harm public safety.''.

(c) EFFECTIVE DATE.—This section shall take effect on that date that is 18 months after the date of the enactment of this Act.

SA 2340. Mr. BLUMENTHAL (for himself, Mr. NELSON, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under 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. ___. CRIMINAL PENALTIES.

(a) IN GENERAL.—Part I of title 18, United States Code, is amended by inserting after chapter 101 the following:

''CHAPTER 101A—REPORTING STANDARDS

''§ 2081. Definitions

''In this chapter—

''(1) the term 'business entity' means a corporation, company, association, firm, partnership, sole proprietor, or other business entity that is a manufacturer;

''(2) the term 'covered product' means a motor vehicle, motor vehicle equipment, or other equipment that—

''(A) is integral to the operation of a motor vehicle;

''(B) is manufactured, assembled, designed, researched, imported, or distributed by a business entity; and

''(C) enters interstate commerce;

''(3) the term 'covered service' means a service that—

''(A) is integral to the operation of a motor vehicle or motor vehicle equipment;

''(B) is conducted or provided by a business entity; and

''(C) enters interstate commerce;

''(4) the terms 'manufacturer', 'motor vehicle', and 'motor vehicle equipment' have the meanings given those terms in section 30102 of title 49;

''(5) the term 'NHTSA' means the National Highway Traffic Safety Administration;

''(6) the term 'responsible corporate officer' means a person who—

''(A) is an employer, director, or officer of a business entity;

''(B) has the responsibility and authority, by reason of his or her position in the business entity and in accordance with the rules or practice of the business entity, to acquire knowledge of any serious danger associated with a covered product (or component of a covered product) or covered service; and

''(C) has the responsibility, by reason of his or her position in the business entity, to communicate information about the serious danger to—

''(i) the NHTSA; or

''(ii) individuals who may be exposed to the serious danger;

''(7) the term 'serious bodily injury' means an impairment of the physical condition of an individual, including as a result of trauma, repetitive motion, or disease, that—

''(A) creates a substantial risk of death; or

''(B) causes—

''(i) serious permanent disfigurement;

''(ii) unconsciousness;

''(iii) extreme pain; or

''(iv) permanent or protracted loss or impairment of the function of any bodily member, organ, bodily system, or mental faculty;

''(8) the term 'serious danger' means a danger, not readily apparent to a reasonable person, that the normal or reasonably foreseeable use of, or the exposure of an individual to, a covered product or covered service has an imminent risk of causing death or serious bodily injury to an individual; and

''(9) the term 'inform individuals' means take reasonable steps to give, to each individual who is exposed or may be exposed to a serious danger, a description of the serious danger that is sufficient to make the individual aware of the serious danger.

''§ 2082. Failure to inform and warn

''(a) REQUIREMENT.—After acquiring actual knowledge of a serious danger associated with a covered product (or component of a

covered product) or covered service, a business entity and any responsible corporate officer with respect to the covered product or covered service, shall—

''(1) as soon as practicable and not later than 72 hours after acquiring such knowledge, verbally inform the NHTSA of the serious danger, unless the business entity or responsible corporate officer has actual knowledge that the NHTSA has been so informed;

''(2) not later than 15 days after acquiring such knowledge, inform the NHTSA in writing of the serious danger, unless the business entity or responsible corporate officer has actual knowledge that the NHTSA has been so informed; and

''(3) as soon as practicable, inform individuals who may be exposed to the serious danger of the serious danger if such individuals can reasonably be identified, unless the business entity or responsible corporate officer has actual knowledge that such individuals have been so warned.

''(b) PENALTY.—

''(1) IN GENERAL.—Whoever knowingly violates subsection (a) shall be fined under this title, imprisoned for not more than 5 years, or both.

''(2) PROHIBITION OF PAYMENT BY BUSINESS ENTITIES.—If a final judgment is rendered and a fine is imposed on an individual under this subsection, the fine may not be paid, directly or indirectly, out of the assets of any business entity on behalf of the individual.

''§ 2083. Relationship to existing law

''(a) RIGHTS TO INTERVENE.—Nothing in this chapter shall be construed to limit the right of any individual or group of individuals to initiate, intervene in, or otherwise participate in any proceeding before a regulatory agency or court, nor to relieve any regulatory agency, court, or other public body of any obligation, or affect its discretion to permit intervention or participation by an individual or a group or class of consumers, employees, or citizens in any proceeding or activity.

''(b) RULE OF CONSTRUCTION.—Nothing in this chapter shall be construed to—

''(1) increase the time period for informing of a serious danger or other harm under any other provision of law; or

''(2) limit or otherwise reduce the penalties for any violation of Federal or State law under any other provision of law.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 101 the following:

''101A. Reporting standards ..... 2081''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date that is 1 year after the date of enactment of this Act.

SA 2341. Mr. CRAPO (for himself, Mr. BENNET, Mr. GARDNER, and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under 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. _____. FACILITATE WATER LEASING AND WATER TRANSFERS TO PROMOTE CONSERVATION AND EFFICIENCY.

(a) IN GENERAL.—Paragraph (12) of section 501(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(I) TREATMENT OF MUTUAL DITCH IRRIGATION COMPANIES.—

''(i) IN GENERAL.—In the case of a mutual ditch or irrigation company or of a like organization to a mutual ditch or irrigation company, subparagraph (A) shall be applied without taking into account any income received or accrued—

''(I) from the sale, lease, or exchange of fee or other interests in real property, including interests in water,

''(II) from the sale or exchange of stock in a mutual ditch or irrigation company (or in a like organization to a mutual ditch or irrigation company) or contract rights for the delivery or use of water, or

''(III) from the investment of proceeds from sales, leases, or exchanges under subclauses (I) and (II),

except that any income received under sub clause (I), (II), or (III) which is distributed or expended for expenses (other than for operations, maintenance, and capital improvements) of the mutual ditch or irrigation company or of the like organization to a mutual ditch or irrigation company (as the case may be) shall be treated as nonmember income in the year in which it is distributed or expended. For purposes of the preceding sentence, expenses (other than for operations, maintenance, and capital improvements) include expenses for the construction of conveyances designed to deliver water outside of the system of the mutual ditch or irrigation company or of the like organization.

''(ii) TREATMENT OF ORGANIZATIONAL GOVERNANCE.—In the case of a mutual ditch or irrigation company or of a like organization to a mutual ditch or irrigation company, where State law provides that such a company or organization may be organized in a manner that permits voting on a basis which is pro rata to share ownership on corporate governance matters, subparagraph (A) shall be applied without taking into account whether its member shareholders have one vote on corporate governance matters per share held in the corporation. Nothing in this clause shall be construed to create any inference about the requirements of this subsection for companies or organizations not included in this clause.''.

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

SA 2342. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXXI of division C, add the following:

SEC. 31304. MONTHLY REPORTS ON PERFORMANCE AT UNITED STATES PORTS.

(a) IN GENERAL.—Not later than 1 year before the expiration date of a maritime labor agreement that applies to facilities of a United States port, 3 months before the expiration date of the maritime labor agreement, and monthly thereafter until a new agreement is agreed to, the Secretary of Transportation, in consultation with the Secretary of Commerce and the Secretary of Labor, shall post on the public website of the Department of Transportation a report that includes port performance indicators at the affected port. If multiple ports are affected by the expiration of the maritime labor agreement, the Secretary of Transportation shall post a report for each affected port.

(b) CONTENTS.—Each report required under subsection (a) shall include, for the affected port during the previous month—

(1) the performance indicators listed under section 6314(b)(2) of title 49, United States Code;

(2) the number and type of vessels awaiting berthing, including average wait time;

(3) the number of cancelled vessel calls;

(4) an estimate of the economic impact associated with any delays both at the port and across the national economy;

(5) an estimate of the amount of time required to clear any congestion;

(6) the average number of labor positions ordered and filled; and

(7) any other factors that might have created delays, including weather, equipment maintenance or failures, or infrastructure development or repair.

(c) EFFECTIVE PERIOD.—The Secretary of Transportation, in consultation with the Secretary of Commerce and the Secretary of Labor, shall submit a report required under subsection (a) for an affected port until the date on which a new maritime labor agreement that applies to the facilities of the port is agreed to by all of the parties to that maritime labor agreement.

(d) DEFINITION OF MARITIME LABOR AGREEMENT.—In this section, the term ''maritime labor agreement'' has the meaning given such term in section 40102 of title 46, United States Code.

SA 2343. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I, add the following:

SEC. 11210. HIGHWAY SAFETY IMPROVEMENTS.

(a) DEFINITION OF PREVENTIVE MAINTENANCE.—Section 116(a)(1) of title 23, United States Code, is amended by striking ''activities'' and inserting ''maintenance activities and the appropriate safety equipment to complete such maintenance activities''.

(b) ELIGIBLE SURFACE TRANSPORTATION PROGRAM PROJECTS.—Section 133(b)(7) of such title is amended by inserting ''and capital costs for fixed and mobile'' after ''installation of''.

(c) HIGHWAY SAFETY IMPROVEMENT PROJECTS.—Section 148(a)(4) of such title is amended—

(1) in subparagraph (A), by striking ''activities,'' and inserting ''maintenance activities, the safety equipment approved to complete such activities,'';

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by striking '', but is not limited to, a project'' and inserting ''a project or maintenance activity''; and

(B) by amending clause (xvi) to read as follows:

''(xvi) Installation and capital costs of guardrails, fixed and mobile barriers (including fixed and mobile barriers between construction work zones and traffic lanes for the safety of road users and workers), crash attenuators, and other safety equipment .''.

SA 2344. Mr. GARDNER (for himself, Mr. HELLER, and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 256, strike lines 19 and 20 and insert the following:

(A) in paragraph (3), by inserting ''or as merited by ridership demands'' after ''weekend days'';

(B) in paragraph (4)—

(i) in subparagraph (A), by inserting ''or includes performance features that otherwise ensure reliable travel times for public transportation operating in a separated right-of-way in a shared-use facility'' after ''periods''; and

(ii) in subparagraph (C)(iii), by inserting ''or as merited by ridership demands'' after ''weekend days'';

On page 256, line 21, strike ''(B)'' and insert ''(C)''.

On page 257, line 7, strike ''(C)'' and insert ''(D)''.

SA 2345. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 450, strike line 13 and all that follows through page 453, line 16, and insert the following:

SEC. 32403. COMMERCIAL DRIVER ACCESS.

(a) INTERSTATE COMPACT PILOT PROGRAM.—

(1) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration shall establish a 6-year pilot program to study the feasibility, benefits, and safety impacts of allowing a licensed driver between 18 and 21 years of age to operate a commercial motor vehicle in interstate commerce.

(2) INTERSTATE COMPACTS.—The Secretary shall allow States, including the District of Columbia, to enter into an interstate compact with contiguous States to allow a licensed driver between 18 and 21 years of age to operate a motor vehicle across the applicable State lines. The Secretary shall approve as many as 6 interstate compacts, with no limit on the number of States participating in each interstate compact.

(3) MUTUAL RECOGNITION OF LICENSES.—A valid intrastate commercial driver's licenses issued by a State participating in an interstate compact under paragraph (2) shall be recognized as valid in each State that is participating in that interstate compact.

(4) STANDARDS.—In developing an interstate compact under this subsection, participating States shall provide for minimum licensure standards acceptable for interstate travel under this section, which may include, for a licensed driver between 18 and 21 years of age participating in the pilot program—

(A) age restrictions;

(B) distance from origin (measured in air miles);

(C) reporting requirements; or

(D) additional hours of service restrictions.

(5) LIMITATIONS.—An interstate compact under paragraph (2) may not permit special configuration or hazardous cargo operations to be transported by a licensed driver under 21 years of age.

(6) ADDITIONAL REQUIREMENTS.—The Secretary may—

(A) prescribe such additional requirements, including training, for a licensed driver between 18 and 21 years of age participating in the pilot program as the Secretary considers necessary; and

(B) provide risk mitigation restrictions and limitations.

(b) APPROVAL.—An interstate compact under subsection (a)(2) may not go into effect until it has been approved by the governor of each State (or the Mayor of the District of Columbia, if applicable) that is a party to the interstate compact, after consultation with the Secretary of Transportation and the Administrator of the Federal Motor Carrier Safety Administration.

(c) REPORT.—Not earlier than 4 years after the date on which the test program is established, the Secretary shall submit a report to Congress that contains—

(1) the findings of the pilot program;

(2) a determination of whether a licensed driver between 18 and 21 years of age can operate a commercial motor vehicle in interstate commerce with an equivalent level of safety; and

(3) the reasons for that determination.

SA 2346. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 407, before line 1, insert the following:

SEC. 31304. ADDRESSING PORT SLOWDOWNS, STRIKES, AND LOCK-OUTS.

(a) NATIONAL EMERGENCIES.—Section 206 of the Labor Management Relations Act, 1947 (29 U.S.C. 176) is amended—

(1) in the first sentence—

(A) by striking ''Whenever in the opinion'' and inserting ''(a) Whenever in the opinion'';

(B) by striking ''a threatened or actual strike or lock-out'' and inserting ''a slowdown, or a threatened or an actual strike or lock-out,'';

(C) by striking ''he may appoint'' and inserting ''the President may appoint''; and

(D) by striking ''to him within such time as he shall prescribe'' and inserting ''to the President within such time as the President shall prescribe and in accordance with the third sentence of this subsection'';

(2) in the third sentence, by striking ''The President'' and inserting ''Not later than 30 days after appointing the board of inquiry, the President''; and

(3) by adding at the end the following:

''(b)(1) Whenever in the opinion of any Governor of a State or territory of the United States, a slowdown, or a threatened or an actual strike or lock-out, occurring at 1 or more ports in the United States, is affecting an entire industry or a substantial part thereof engaged in trade, commerce, transportation, transmission, or communication among the several States or with foreign nations, or engaged in the production of goods for commerce, will, if permitted to occur or to continue, imperil national or State health or safety, the Governor may request the President to appoint a board of inquiry under subsection (a).

''(2)(A) If the President does not appoint a board of inquiry within 10 days of receiving a request under paragraph (1), the Governor who made the request under such paragraph may appoint a board of inquiry to inquire into the issues involved in the dispute and prepare and submit, to the Governor and the President, a written report as described in subparagraph (B) within such time as the Governor shall prescribe and in accordance with the deadline under subparagraph (C).

''(B) The report described in this subparagraph shall include a statement of the facts with respect to the dispute, including a statement from each party to the dispute describing the position of such party, but shall not contain any recommendations.

''(C) Not later than 30 days after appointing a board of inquiry under subparagraph (A), the Governor shall—

''(i) file a copy of the report described in subparagraph (B) with the Service; and

''(ii) make the contents of such report available to the President and the public.

''(c) Any Governor of a State or territory of the United States (referred to in this subsection as the 'supplementing Governor') may submit to the President or Governor who appointed a board of inquiry under subsection (a) or (b)(2) a supplement to the report under such subsection that includes data pertaining to the impact on the State or territory of the supplementing Governor of a slowdown, or a threatened or an actual strike or lock-out, at 1 or more ports. Upon receiving such supplement, the President or Governor shall file such supplement with the Service and make the contents of such supplement available to the public.

''(d) For each slowdown, or threatened or actual strike or lock-out, at 1 or more ports, only 1 board of inquiry may be appointed under subsection (a) or (b)(2) during any 90-day period.''.

(b) BOARDS OF INQUIRY.—Section 207(a) of the Labor Management Relations Act, 1947 (29 U.S.C. 177) is amended by striking ''as the President shall determine,'' and inserting ''as the President shall determine for a board of inquiry appointed under section 206(a), or as the Governor shall determine for a board of inquiry appointed by such Governor under section 206(b)(2),''.

(c) INJUNCTIONS DURING NATIONAL EMERGENCIES.—Section 208 of the Labor Management Relations Act, 1947 (29 U.S.C. 178) is amended—

(1) in subsection (a)—

(A) in the matter preceding clause (i)—

(i) by inserting ''appointed under subsection (a) or (b)(2) of section 206'' after ''board of inquiry'';

(ii) by striking ''strike or lock-out or the continuing thereof'' and inserting ''slowdown, or threatened or actual strike or lock-out, or the continuing thereof''; and

(iii) by striking ''such threatened or actual strike or lock-out'' and inserting ''such slowdown, or threatened or actual strike or lock-out, or the continuing thereof''; and

(B) in clause (ii), by striking ''strike or lock-out or the continuing thereof'' and inserting ''slowdown, strike, or lock-out, or the continuing thereof'';

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

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

''(b)(1) If a slowdown, or a threatened or an actual strike or lock-out, is occurring at 1 or more ports and the President does not direct the Attorney General to make a petition under subsection (a) within 10 days of receiving a report from a board of inquiry appointed under subsection (a) or (b)(2) of section 206, any Governor of a State or territory of the United States in which such port or ports are located may direct the attorney general of such State or territory to petition the district court of the United States having jurisdiction in such State or territory to enjoin such slowdown, or threatened or actual strike or lock-out, or the continuing thereof, at the port or ports within such State or territory.

''(2) The district court described in paragraph (1) shall have jurisdiction to enjoin any slowdown, threatened or actual strike or lock-out, or continuing thereof, and to make such other orders as may be appropriate, if such court determines that such slowdown or threatened or actual strike or lock-out—

''(A) affects an entire industry or a substantial part thereof engaged in trade, commerce, transportation, transmission, or communication within the applicable State or territory, or engaged in the production of goods for commerce; and

''(B) if permitted to occur or to continue, will imperil national or State health and safety.''.

(d) RECONVENING OF BOARDS OF INQUIRY; NLRB SECRET BALLOTS.—Section 209(b) of the Labor Management Relations Act, 1947 (29 U.S.C. 179(b)) is amended—

(1) in the first sentence, by striking ''Upon the issuance of such order, the President'' and inserting ''(1) Upon the issuance of any such order, the President or the Governor, as the case may be,'';

(2) in the second sentence, by striking ''report to the President'' and inserting ''report to the President and any Governor who initiated an action under section 206(b) or 208(b)'';

(3) in the third sentence, by striking ''The President'' and inserting ''The President or the Governor, as the case may be,'';

(4) in the fourth sentence—

(A) by striking ''The National Labor Relations Board, within the succeeding fifteen days, shall take a secret ballot'' and inserting the following:

''(2) Not later than 15 days after the board of inquiry submits a report under paragraph (1), the National Labor Relations Board, subject to paragraph (3), shall take a secret ballot'';

(B) by striking ''as stated by him'' and inserting ''as stated by the employer''; and

(C) by striking ''Attorney General'' and inserting ''Attorney General or State attorney general, whichever sought the injunction,''; and

(5) by adding at the end the following:

''(3) For each slowdown, or threatened or actual strike or lock-out, at 1 or more ports, the National Labor Relations Board shall take not more than 1 secret ballot in any 30-day period for the same employees.''.

(e) DISCHARGE OF INJUNCTIONS.—Section 210 of the Labor Management Relations Act, 1947 (29 U.S.C. 180) is amended—

(1) in the first sentence, by striking ''the Attorney General'' and inserting ''the Attorney General, or the State attorney general, whichever sought the injunction,''; and

(2) in the second sentence, by striking ''the President'' and inserting ''the President, or any Governor who initiated an action under section 208(b),''.

SA 2347. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 35102 and (relating to national infrastructure and safety investments) and insert the following:

SEC. 35102. NATIONAL INFRASTRUCTURE AND SAFETY INVESTMENTS.

(a) IN GENERAL.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for grants under chapter 244 of title 49, United States Code, $570,000,000 for each of fiscal years 2016 through 2021.

(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the amount made available under subsection (a) for the costs of project management oversight of grants carried out under chapter 244 of title 49, United States Code.

(c) APPLICABILITY OF TITLE 23.—Funds authorized by subsection (a) shall—

(1) be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share payable on account of any project or activity carried out with funds made available under this section shall be no greater than 80 percent;

(2) remain available until expended;

(3) not be subject to any limitation on obligation; and

(4) not be transferable.

SA 2348. Mr. BARRASSO (for himself, Mr. DONNELLY, Mr. ROBERTS, Ms. HEITKAMP, Mr. SULLIVAN, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE LXII—FEDERAL WATER QUALITY PROTECTION ACT

SEC. 62001. SHORT TITLE.

This title may be cited as the ''Federal Water Quality Protection Act''.

SEC. 62002. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) BODY OF WATER.—The term ''body of water'' means a traditional navigable water, territorial sea, river, stream, lake, pond, or wetlands.

(3) INTERSTATE WATERS.—The term ''interstate waters'' means the water described in section 328.3(a)(2) of title 33, Code of Federal Regulations (as in effect on the day before the date of enactment of this Act).

(4) ISOLATED.—The term ''isolated'', with respect to a body of water, means the absence of a surface hydrologic connection to a traditional navigable water.

(5) LAWFULLY CONSTRUCTED AND OPERATED WATER MANAGEMENT SYSTEM.—

(A) IN GENERAL.—The term ''lawfully constructed and operated water management system'' means a system that was built or operated outside of water that meets the definition of the term ''waters of the United States'' or, if constructed and operated in such water, the system—

(i) is authorized by a permit issued under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344);

(ii) was constructed or operated before the effective date of initial regulations implementing section 404 of that Act (33 U.S.C. 1344);

(iii) was constructed or operated under an exemption from permitting described in subparagraph (A) or (C) of section 404(f)(1) of that Act (33 U.S.C. 1344(f)(1));

(iv) is a system that manages only irrigation return flow that is exempt from permitting under section 402(l)(1) of that Act (33 U.S.C. 1342(l)(1)); or

(v) is a system that manages only agricultural stormwater or return flows from irrigated agriculture exempt from permitting under section 502(14) of that Act (33 U.S.C. 1362(14)).

(B) INCLUSIONS.—The term ''lawfully constructed and operated'' includes a system described in subparagraph (A) that is—

(i) a ditch that collects water from roads, runways, parking lots, agricultural fields, forests, and other land or infrastructure;

(ii) an irrigation water ditch or canal;

(iii) a stormwater system;

(iv) a flood water system;

(v) a wastewater system;

(vi) a water supply system;

(vii) a spreading basin for aquifer storage and recovery or aquifer recharge;

(viii) an irrigated field;

(ix) a cranberry growing field; or

(x) a rice production field.

(6) NORMAL YEAR.—The term ''normal year'' means—

(A) the 30-year hydrologic normal, as that term is used by the Natural Resources Conservation Service of the Department of Agriculture, based on data from a specific geographic area; or

(B) if less than 30 years of data described in subparagraph (A) are available, the average of the observed monthly data from a specific geographic area over the period of record.

(7) PUBLIC NOTICE AND AN OPPORTUNITY FOR COMMENT.—

(A) IN GENERAL.—The term ''public notice and an opportunity for comment'' means notice and opportunity for comment that meets the requirements of subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'').

(B) INCLUSION.—The term ''public notice and an opportunity for comment'' includes the opportunity for public hearings in different geographic regions with different hydrology, including separate meetings in the arid West.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Army.

(9) STREAM.—The term ''stream'' means a natural channel formed by the flow of water that has a bed, bank, and ordinary high water mark (as defined in section 328.3(e) of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act)).

(10) SURFACE HYDROLOGIC CONNECTION.—

(A) IN GENERAL.—The term ''surface hydrologic connection'' means a continuous surface connection through which water moves within a body of water or from 1 body of water to another.

(B) EXCLUSION.—The term ''surface hydrologic connection'' does not include—

(i) overland flow of water outside a body of water (including sheetflow); or

(ii) the movement of water through soil, permafrost, subsurface tiles, or a groundwater aquifer.

(C) DETERMINATION OF CONTINUOUSNESS.—For purposes of this paragraph, a surface hydrologic connection shall be considered to be continuous if the connection is continuous, regardless of whether—

(i) water is not always present; and

(ii) there is a break in the ordinary high water mark of a stream that is unrelated to the flow regime of the stream, including a break caused by a culvert, pipe, dam, or by the flow of the stream underground for a short distance, such as through a cave.

(11) TRADITIONAL NAVIGABLE WATER.—The term ''traditional navigable water'' means the water described in section 328.3(a)(1) of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(12) WETLANDS.—The term ''wetlands'' has the meaning given the term in section 328.3(b) of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act).

SEC. 62003. REVISED DEFINITION; PRINCIPLES AND PROCESS.

(a) REVISED DEFINITION.—A revision to or guidance on a regulatory definition of the term ''navigable waters'' or ''waters of the United States'' promulgated or issued pursuant to the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) after February 4, 2015, shall have no force or effect—

(1) unless the revision adheres to the principles under subsection (b); and

(2) until after the Secretary and the Administrator carry out each action described in subsection (c).

(b) PRINCIPLES.—In promulgating a revised regulatory definition pursuant to this subsection, the Secretary and the Administrator shall adhere to the following principles:

(1) The term ''waters of the United States'' under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) should identify bodies of water subject to Federal jurisdiction, and should include—

(A) traditional navigable waters and interstate waters;

(B) tributaries of navigable waters that are streams that contribute flow in a normal year through a surface hydrologic connection to a traditional navigable water of sufficient volume, duration, and frequency that pollutants in the reach of the tributary would degrade the water quality of the traditional navigable water, based on quantifiable and statistically valid measure of flow for the geographic area; and

(C) wetlands situated next to a water of the United States that, in a normal year, protect the water quality of a navigable water by preventing the movement of pollutants to a navigable water.

(2) The term ''waters of the United States'' under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) should not include—

(A) water that is located below the surface of the land, including soil water, permafrost, and groundwater;

(B) water that is not located within navigable water, interstate water, a territorial sea, a river, a stream, a lake, a pond, or a wetland;

(C) a stream that does not contribute flow to navigable water, as described in paragraph (1)(B);

(D) an isolated pond, whether natural or manmade, including a farm pond, fish pond, livestock watering pond, quarry, mine pit, ornamental pond, swimming pool, construction pit, fire control pond, sediment pond, manure lagoon, and any other isolated facility or system that holds water;

(E) a lawfully constructed and operated water management system, other than a system component that is a traditional navigable water;

(F) waste treatment systems; and

(G) prior-converted cropland (as defined in section 12.2(a) of title 7, Code of Federal Regulations (as in effect on the date of enactment of this Act)).

(3) In promulgating a revised definition of waters of the United States, the Secretary and the Administrator shall take into consideration that—

(A) the use of a body of water by an organism, including a migratory bird, does not provide a basis for establishing Federal jurisdiction under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(B) the dispersal of plant seeds and insect eggs through ingestion and excretion by birds and mammals does not provide a basis for establishing Federal jurisdiction under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(C) the supply of water to a groundwater aquifer and the storage of water in an isolated body of water are issues that—

(i) pertain to the use of water resources that shall not be superseded, abrogated, or otherwise impaired by the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) pursuant to sections 101(g) and 510(2) of that Act (33 U.S.C. 1251(g), 1370(2)); and

(ii) do not provide a basis for establishing Federal jurisdiction under that Act (33 U.S.C. 1251 et seq.); and

(D) evaporation, transpiration, condensation, precipitation, the overland flow of water, and the movement of water in an aquifer are all part of the water cycle and may connect all water over sufficiently long periods of time and distances, but do not provide a basis for establishing Federal jurisdiction under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

(4) Waters that are waters of the United States should be identified on maps provided by the Secretary and the Administrator to promote certainty and transparency in jurisdictional determinations.

(c) CONSIDERATION, CONSULTATION, AND REPORT.—

(1) FEDERALISM.—

(A) IN GENERAL.—In proposing and promulgating a regulation pursuant to subsection (a), the Secretary and the Administrator shall ensure compliance with the federalism policymaking criteria and consultation in accordance with Executive Order 13132 (64 Fed. Reg. 43255 (August 4, 1999)), regardless of whether the Secretary and the Administrator determine that the regulation would have any substantial and direct effect on—

(i) States;

(ii) the relationship between the Federal Government and the States; or

(iii) the distribution of power and responsibilities among the various levels of government.

(B) CONSULTATION.—

(i) IN GENERAL.—To be considered meaningful consultation described in section 101(b) of the Federal Water Pollution Control Act (33 U.S.C. 1251(b)), before publication of a proposed rule under this section, consultation shall include a discussion of alternative approaches with and a request for input and advice on the approaches from States and political subdivisions of States, including—

(I) Governors;

(II) State departments with authority over water supply and water quality;

(III) State departments of agriculture; and

(IV) local governments, including elected officials, local governmental entities with authority over water supply, stormwater, waste water, floodplain management, and flood control, irrigation districts, and conservation districts.

(ii) TOPICS.—The topics to be addressed in the consultation under this paragraph should include—

(I) categories of waters, in addition to those discussed in paragraphs (2) and (3) of subsection (b), that should be subject to Federal jurisdiction or should be subject solely to State or local regulation;

(II) what is the role of States in the identification of waters subject to Federal jurisdiction; and

(III) whether channels in which water is present only during or for a short time after a precipitation event are correctly categorized as geomorphological features rather than hydrologic features.

(2) REGULATORY FLEXIBILITY.—In proposing and promulgating a regulation pursuant to subsection (a), and regardless of whether the Secretary and the Administrator determine that the regulation would have a significant impact on a substantial number of small entities, the Secretary and the Administrator shall—

(A) carry out the actions described in sections 603, 604, and 609 of title 5, United States Code; and

(B) in carrying out those actions, take into consideration the costs of all programs under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), regardless of whether the Secretary and the Administrator consider the costs of the proposed regulation to be direct or indirect.

(3) UNFUNDED MANDATES.—In proposing and promulgating a regulation pursuant to subsection (a), the Secretary and the Administrator shall evaluate the intergovernmental and private sector impacts of the regulation, in accordance with title II of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531 et seq.), regardless of whether the Secretary and the Administrator—

(A) consider the impacts of the proposed regulation to be direct or indirect; or

(B) determine that expenditures resulting from the proposed regulation would meet the monetary thresholds established in that Act (2 U.S.C. 1501 et seq.).

(4) IMPROVING REGULATION AND REGULATORY REVIEW.—In proposing and promulgating a regulation pursuant to subsection (a), regardless of whether the Secretary and the Administrator consider the regulation to be a significant regulatory action or significantly affect State, local, and tribal governments, the Secretary and the Administrator shall ensure that the regulation meets the requirements of—

(A) Executive Order 12866 (5 U.S.C. 601 note; relating to regulatory planning and review); and

(B) Executive Order 13563 (76 Fed. Reg. 3821 (January 18, 2011)).

(5) IMPROVING PERFORMANCE OF FEDERAL PERMITTING AND REVIEW OF INFRASTRUCTURE PROJECTS.—In proposing and promulgating a regulation pursuant to subsection (a), the Secretary and the Administrator shall consider—

(A) Executive Order 13604 (5 U.S.C. 601 note; relating to improving performance of Federal permitting and review of infrastructure projects); and

(B) the goal of reducing the time to make decisions in the permitting and review of infrastructure projects by the Federal Government.

(6) REPORT.—Not later than the date that is 30 days before the date of issuance of a proposed regulation pursuant to subsection (a), the Secretary and the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the means by which the proposed regulation, if finalized, would

achieve compliance with the laws and Executive orders described in paragraphs (1) through (5).

(7) TIMING.—In carrying out this section, the Secretary and the Administrator shall use best efforts—

(A) to provide not less than 180 days for the consultation described in paragraph (2);

(B) to provide a comment period on the revised proposed rule of not less than 120 days; and

(C) to publish a final rule not later than December 31, 2016.

SEC. 62004. MEASURE OF FLOW.

After providing public notice and an opportunity for comment, the Secretary shall establish quantifiable and statistically valid measures of the volume, duration, and frequency of flow in streams in different geographic areas that would, in a normal year, allow pollutants in reaches of streams in those geographic areas to flow to and degrade the water quality of a traditional navigable water.

SEC. 62005. REPORT TO CONGRESS.

Not later than the date that is 3 years after the date of promulgation of a regulation pursuant to section 620003, and not less frequently than once every 3 years thereafter, the Comptroller General of the United States, after consultation with State, local, and tribal governments and other affected entities, shall—

(1) review the jurisdictional determinations made during the applicable period by the Secretary and the Administrator; and

(2) submit to Congress a report that describes—

(A) the interpretations of the regulation by—

(i) districts of the Corps of Engineers; and

(ii) regional offices of the Environmental Protection Agency;

(B) whether those interpretations are consistent;

(C) if any inconsistency exists, the measures carried out by the Secretary and the Administrator to reduce the inconsistency or an explanation of the geographic differences that make the inconsistency appropriate; and

(D) the impacts of those interpretations on Federal permitting and review of infrastructure projects, and the goal stated in section 1 of Executive Order 13604 (5 U.S.C. 601 note; relating to improving performance of Federal permitting and review of infrastructure projects) that the time to make decisions in the permitting and review of infrastructure projects by the Federal Government be reduced.

SEC. 62006. EFFECT OF TITLE.

(a) PERMITTING AUTHORITY.—Nothing in this title limits the authority of the Secretary or the Administrator—

(1) to require a permit for any discharge of pollutants to a navigable water under the Federal Water Pollution Control Act (33 U.S.C. 1251 et se.); or

(2) to take any enforcement action with respect to an unpermitted discharge under that Act.

(b) WATER TRANSFERS.—Nothing in this title affects a determination regarding whether the transfer of water from 1 body of water to another requires a permit under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342).

(c) RETENTION OF STATE AUTHORITY.—Nothing in this title places any limitation on the scope of water subject to State jurisdiction under State law.

SA 2349. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

SEC. ___. SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION PROGRAM.

(a) SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND.—

(1) CALCULATION OF PAYMENTS.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) is amended by striking ''2015'' each place it appears and inserting ''2017''.

(2) ELECTIONS.—Section 102(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)) is amended—

(A) in paragraph (1)(C)—

(i) in the heading, by striking ''EFFECT OF LATE PAYMENT FOR FISCAL YEARS 2014 AND 2015'' and inserting ''PAYMENT FOR FISCAL YEARS 2014 THROUGH 2017''; and

(ii) by striking ''fiscal year 2014 or 2015'' and inserting ''fiscal years 2014 through 2017''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''and 2015'' and inserting ''through 2017''; and

(ii) in subparagraph (B), by striking ''2015'' and inserting ''2017''.

(3) NOTIFICATION OF ELECTION.—Section 102(d) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)) is amended—

(A) in paragraph (1)(E)—

(i) in the heading, by striking ''EFFECT OF LATE PAYMENT FOR FISCAL YEAR 2014'' and inserting ''PAYMENT FOR FISCAL YEARS 2014 THROUGH 2017''; and

(ii) by striking ''and 2015'' and inserting ''through 2017''; and

(B) in paragraph (3)(C)—

(i) in the heading, by striking ''EFFECT OF LATE PAYMENT FOR FISCAL YEAR 2014'' and inserting ''PAYMENT FOR FISCAL YEARS 2014 THROUGH 2017''; and

(ii) by striking ''and 2015'' and inserting ''through 2017''.

(4) DISTRIBUTION OF PAYMENTS TO ELIGIBLE COUNTIES.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) is amended by striking ''2015'' and inserting ''2017''.

(b) CONTINUATION OF AUTHORITY TO CONDUCT SPECIAL PROJECTS ON FEDERAL LAND.—Section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7128) is amended—

(1) in subsection (a), by striking ''2017'' and inserting ''2019''; and

(2) in subsection (b), by striking ''2018'' and inserting ''2020''.

(c) CONTINUATION OF AUTHORITY TO USE COUNTY FUNDS.—Section 304 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) is amended—

(1) in subsection (a), by striking ''2017'' and inserting ''2019''; and

(2) in subsection (b), by striking ''2018'' and inserting ''2020''.

(d) NO REDUCTION IN PAYMENT.—Title IV of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7151 et se.) is amended by adding at the end the following:

''SEC. 404. NO REDUCTION IN PAYMENTS.

''Payments under this Act for fiscal year 2016 and each fiscal year thereafter shall be exempt from direct spending reductions under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a).''.

(e) OFFSET.—[Reserved]

SEC. ___. PAYMENTS IN LIEU OF TAXES PROGRAM.

(a) IN GENERAL.—Section 6906 of title 31, United States Code, is amended in the matter preceding paragraph (1), by striking ''2014'' and inserting ''2016''.

(b) OFFSET.—[Reserved]

SA 2350. Mr. REID (for Mr. NELSON (for himself, Mr. BLUMENTHAL, and Mr. MARKEY)) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under 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. _____. PUBLIC AVAILABILITY OF EARLY WARNING DATA.

(a) RULEMAKING.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Transportation shall promulgate regulations establishing categories of information provided to the Secretary under section 30166(m) of title 49, United States Code, as amended by section 34217, which shall be made available to the public. The Secretary may establish categories of information that are exempt from public disclosure under section 552(b) of title 5, United States Code.

(b) CONSULTATION.—In conducting the rulemaking under subsection (a), the Secretary shall consult with—

(1) the Director of the Office of Government Information Services of the National Archives and Records Administration; and

(2) the Director of the Office of Information Policy of the Department of Justice.

(c) PRESUMPTION.—In promulgating regulations under subsection (a), vehicle safety defect information related to incidents involving death or injury shall presumptively not be eligible for protection under section 552(b) of title 5, United States Code.

(d) NULLIFICATION OF PRIOR REGULATIONS.—Beginning 2 years after the date of the enactment of this Act, the regulations establishing early warning reporting class determinations in appendix C of part 512 of title 49, Code of Federal Regulations, shall have no force or effect.

SEC. _____. ADDITIONAL EARLY WARNING REPORTING REQUIREMENTS.

Section 30166(m) is amended—

(1) in paragraph (3)(C)—

(A) by striking ''The manufacturer'' and inserting the following:

''(i) IN GENERAL.—The manufacturer''; and

(B) by adding at the end the following:

''(ii) FATAL INCIDENTS.—If an incident described in clause (i) involves a fatality, the Secretary shall require the manufacturer to submit, as part of its incident report—

''(I) all initial claim or notice documents (as defined by the Secretary through regulation) except media reports, that notified the manufacturer of the incident;

''(II) any police reports or other documents that—

''(aa) describe or reconstruct the incident (as defined by the Secretary through regulation);

''(bb) relate to the initial claim or notice (except for documents that are protected by attorney-client privilege or work product privileges that are not already publicly available); and

''(cc) are in the physical possession or control of the manufacturer at the time the incident report is submitted; and

''(III) any police reports or other documents that describe or reconstruct the incident that are obtained by the manufacturer after the submission of its incident report.'';

(2) in paragraph (4), by amending subparagraph (C) to read as follows:

''(C) DISCLOSURE.—The information provided to the Secretary under this subsection—

''(i) shall be disclosed publicly after the Secretary redacts or confirms the redaction of any information that is withholdable under sections 552 and 552a of title 5; and

''(ii) shall be entered into the early warning reporting database in a manner specified by the Secretary through regulation that is searchable by manufacturer name, vehicle or equipment make and model name, model year, and reported system or component.''; and

(3) by adding at the end the following:

''(6) PUBLIC DISCLOSURE OF INFORMATION.—Any requirement for the Secretary to publicly disclose information under this subsection shall be construed in a manner that is consistent with the requirements under sections 552 and 552a of title 5.''.

At the appropriate place, insert the following:

SEC. _____. CRIMINAL PENALTIES.

(a) IN GENERAL.—Part I of title 18, United States Code, is amended by inserting after chapter 101 the following:

''CHAPTER 101A—REPORTING STANDARDS

''Sec.
''2081. Definitions.
''2082. Failure to inform and warn.
''2083. Relationship to existing law.

''§ 2081. Definitions

''In this chapter—

''(1) the term 'business entity' means a corporation, company, association, firm, partnership, sole proprietor, or other business entity that is a manufacturer;

''(2) the term 'covered product' means a motor vehicle, motor vehicle equipment, or other equipment that—

''(A) is integral to the operation of a motor vehicle;

''(B) is manufactured, assembled, designed, researched, imported, or distributed by a business entity; and

''(C) enters interstate commerce;

''(3) the term 'covered service' means a service that—

''(A) is integral to the operation of a motor vehicle or motor vehicle equipment;

''(B) is conducted or provided by a business entity; and

''(C) enters interstate commerce;

''(4) the terms 'manufacturer', 'motor vehicle', and 'motor vehicle equipment' have the meanings given those terms in section 30102 of title 49;

''(5) the term 'NHTSA' means the National Highway Traffic Safety Administration;

''(6) the term 'responsible corporate officer' means a person who—

''(A) is an employer, director, or officer of a business entity;

''(B) has the responsibility and authority, by reason of his or her position in the business entity and in accordance with the rules or practice of the business entity, to acquire knowledge of any serious danger associated with a covered product (or component of a covered product) or covered service; and

''(C) has the responsibility, by reason of his or her position in the business entity, to communicate information about the serious danger to—

''(i) the NHTSA; or

''(ii) individuals who may be exposed to the serious danger;

''(7) the term 'serious bodily injury' means an impairment of the physical condition of an individual, including as a result of trauma, repetitive motion, or disease, that—

''(A) creates a substantial risk of death; or

''(B) causes—

''(i) serious permanent disfigurement;

''(ii) unconsciousness;

''(iii) extreme pain; or

''(iv) permanent or protracted loss or impairment of the function of any bodily member, organ, bodily system, or mental faculty;

''(8) the term 'serious danger' means a danger, not readily apparent to a reasonable person, that the normal or reasonably foreseeable use of, or the exposure of an individual to, a covered product or covered service has an imminent risk of causing death or serious bodily injury to an individual; and

''(9) the term 'inform individuals' means take reasonable steps to give, to each individual who is exposed or may be exposed to a serious danger, a description of the serious danger that is sufficient to make the individual aware of the serious danger.

''§ 2082. Failure to inform and warn

''(a) REQUIREMENT.—After acquiring actual knowledge of a serious danger associated with a covered product (or component of a covered product) or covered service, a business entity and any responsible corporate officer with respect to the covered product or covered service, shall—

''(1) as soon as practicable and not later than 72 hours after acquiring such knowledge, verbally inform the NHTSA of the serious danger, unless the business entity or responsible corporate officer has actual knowledge that the NHTSA has been so informed;

''(2) not later than 15 days after acquiring such knowledge, inform the NHTSA in writing of the serious danger, unless the business entity or responsible corporate officer has actual knowledge that the NHTSA has been so informed; and

''(3) as soon as practicable, inform individuals who may be exposed to the serious danger of the serious danger if such individuals can reasonably be identified, unless the business entity or responsible corporate officer has actual knowledge that such individuals have been so warned.

''(b) PENALTY.—

''(1) IN GENERAL.—Whoever knowingly violates subsection (a) shall be fined under this title, imprisoned for not more than 5 years, or both.

''(2) PROHIBITION OF PAYMENT BY BUSINESS ENTITIES.—If a final judgment is rendered and a fine is imposed on an individual under this subsection, the fine may not be paid, directly or indirectly, out of the assets of any business entity on behalf of the individual.

''§ 2083. Relationship to existing law

''(a) RIGHTS TO INTERVENE.—Nothing in this chapter shall be construed to limit the right of any individual or group of individuals to initiate, intervene in, or otherwise participate in any proceeding before a regulatory agency or court, nor to relieve any regulatory agency, court, or other public body of any obligation, or affect its discretion to permit intervention or participation by an individual or a group or class of consumers, employees, or citizens in any proceeding or activity.

''(b) RULE OF CONSTRUCTION.—Nothing in this chapter shall be construed to—

''(1) increase the time period for informing of a serious danger or other harm under any other provision of law; or

''(2) limit or otherwise reduce the penalties for any violation of Federal or State law under any other provision of law.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 101 the following:

''101A. Reporting standards ..... 2081''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date that is 1 year after the date of enactment of this Act.

At the appropriate place, insert the following:

SEC. _____. USED PASSENGER MOTOR VEHICLE CONSUMER PROTECTION.

(a) IN GENERAL.—Section 30120 is amended by adding at the end the following:

''(k) LIMITATION ON SALE OR LEASE OF USED PASSENGER MOTOR VEHICLES.—(1) A dealer may not sell or lease a used passenger motor vehicle until any defect or noncompliance determined under section 30118 with respect to the vehicle has been remedied.

''(2) Paragraph (1) shall not apply if—

''(A) the recall information regarding a used passenger motor vehicle was not accessible at the time of sale or lease using the means established by the Secretary under section 31301 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note); or

''(B) notification of the defect or noncompliance is required under section 30118(b), but enforcement of the order is set aside in a civil action to which 30121(d) applies.

''(3) Notwithstanding section 30102(a)(1), in this subsection—

''(A) the term 'dealer' means a person that has sold at least 10 motor vehicles to 1 or more consumers during the most recent 12-month period; and

''(B) the term 'used passenger motor vehicle' means a motor vehicle that has previously been purchased other than for resale.

''(4) By rule, the Secretary may exempt the auctioning of a used passenger motor vehicle from the requirements under paragraph (1) to the extent that the exemption does not harm public safety.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) of this section shall take effect on the date that is 18 months after the date of enactment of this Act.

At the appropriate place, insert the following:

SEC. _____. IMMINENT HAZARD AUTHORITY.

Section 30118(b) is amended—

(1) in paragraph (1), by striking ''(1) The Secretary may'' and inserting ''(1) IN GENERAL.—Except as provided under paragraph (3), the Secretary may'';

(2) in paragraph (2), by inserting ''ORDERS.—'' before ''If the Secretary''; and

(3) by adding after paragraph (2) the following:

''(3) IMMINENT HAZARDS.—

''(A) DECISIONS AND ORDERS.—If the Secretary makes an initial decision that a defect or noncompliance, or combination of both, under subsection (a) presents an imminent hazard, the Secretary—

''(i) shall notify the manufacturer of a motor vehicle or replacement equipment immediately under subsection (a);

''(ii) shall order the manufacturer of the motor vehicle or replacement equipment to immediately—

''(I) give notification under section 30119 of this title to the owners, purchasers, and dealers of the vehicle or equipment of the imminent hazard; and

''(II) remedy the defect or noncompliance under section 30120 of this title;

''(iii) notwithstanding section 30119 or 30120, may order the time for notification, means of providing notification, earliest remedy date, and time the owner or purchaser has to present the motor vehicle or equipment, including a tire, for remedy; and

''(iv) may include in an order under this subparagraph any other terms or conditions that the Secretary determines necessary to abate the imminent hazard.

''(B) OPPORTUNITY FOR ADMINISTRATIVE REVIEW.—Subsequent to the issuance of an order under subparagraph (A), opportunity for administrative review shall be provided in accordance with section 554 of title 5, except that such review shall occur not later than 10 days after issuance of such order.

''(C) DEFINITION OF IMMINENT HAZARD.—In this paragraph, the term 'imminent hazard' means any condition which substantially increases the likelihood of serious injury or death if not remedied immediately.''.

At the appropriate place, insert the following:

SEC. _____. APPLICATION OF REMEDIES FOR DEFECTS AND NONCOMPLIANCE.

Section 30120(g)(1) is amended by striking ''the motor vehicle or replacement equipment was bought by the first purchaser more than 10 calendar years, or''.

At the appropriate place, insert the following:

SEC. _____. COLLISION AVOIDANCE TECHNOLOGIES.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall initiate a rulemaking to establish a Federal motor vehicle safety standard requiring a motor vehicle with a gross vehicle weight rating greater than 26,000 pounds be equipped with crash avoidance and mitigation systems, such as forward collision automatic braking systems and lane departure warning systems.

(b) PERFORMANCE AND STANDARDS.—The regulations prescribed under subsection (a) shall establish performance requirements and standards to prevent collisions with moving vehicles, stopped vehicles, pedestrians, cyclists, and other road users.

(c) EFFECTIVE DATE.—The regulations prescribed by the Secretary under this section shall take effect 2 years after the date of publication of the final rule.

At the appropriate place, insert the following:

SEC. _____. MOTOR VEHICLE PEDESTRIAN PROTECTION.

Not later than 2 years after the date of the enactment of this Act, the Secretary, through the Administrator of the National Highway Traffic Safety Administration, shall issue a final rule that—

(1) establishes standards for the hood and bumper areas of motor vehicles, including passenger cars, multipurpose passenger vehicles, trucks, and buses with a gross vehicle weight rating of 4,536 kilograms (10,000 pounds) or less, in order to reduce the number of injuries and fatalities suffered by pedestrians who are struck by such vehicles; and

(2) considers the protection of vulnerable pedestrian populations, including children and older adults.

On page 577, strike lines 6 through 17, and insert the following:

(a) INCREASE IN CIVIL PENALTIES.—

(1) IN GENERAL.—Section 30165(a) is amended—

(A) in paragraph (1)—

(i) in the first sentence—

(I) by inserting ''or causes the violation of'' after ''violates''; and

(II) by striking ''$5,000'' and inserting ''$25,000''; and

(ii) by striking the third sentence;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''$10,000'' and inserting ''$100,000''; and

(ii) in subparagraph (B), by striking the second sentence; and

(C) in paragraph (3)—

(i) in the first sentence, by inserting ''or causes the violation of'' after ''violates'';

(ii) in the second sentence, by striking ''$5,000'' and inserting ''$25,000''; and

(iii) by striking the third sentence.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed as preventing the imposition of penalties under section 30165 of title 49, United States Code, as in effect before the effective date set forth in subsection (b), prior to the issuance of a final rule under section 31203(b) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30165 note).

On page 579, strike lines 12 through 22, and insert the following:

SEC. 34213. DIRECT VEHICLE NOTIFICATION OF RECALLS.

(a) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall initiate a rulemaking for a regulation to require a warning system in each new motor vehicle to indicate to the operator in a conspicuous manner when the vehicle is subject to an open recall.

(b) FINAL RULE.—The Secretary shall prescribe final standards not later than 3 years after the date of enactment of this Act.

On page 579, strike lines 23 through 26, and insert the following:

SEC. 34214. UNATTENDED CHILDREN WARNING SYSTEM.

(a) SAFETY RESEARCH INITIATIVE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete research into the development of performance requirements to warn a driver that a child or other unattended passenger remains in a rear seating position after a vehicle motor is disengaged.

(b) SPECIFICATIONS.—In completing the research under subsection (a), the Secretary shall consider performance requirements that—

(1) sense weight, the presence of a buckled seat belt, or other indications of the presence of a child or other passenger; and

(2) provide an alert to prevent hyperthermia and hypothermia that can result in death or severe injuries.

(c) RULEMAKING OR REPORT.—

(1) RULEMAKING.—Not later than 1 year after the date that the research under subsection (a) is complete, the Secretary shall initiate a rulemaking proceeding to issue a Federal motor vehicle safety standard if the Secretary determines that such a standard meets the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code. The Secretary shall complete the rulemaking and issue a final rule not later than 2 years after the date the rulemaking is initiated.

(2) REPORT.—If the Secretary determines that the standard described in subsection (a) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary shall submit a report describing the reasons for not prescribing such a standard to—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

Beginning on page 565, strike line 1 and all that follows through page 567, line 14, and insert the following:

SEC. 34205. SAFETY RECALLS.

(a) STATE NOTIFICATION OF OPEN SAFETY RECALLS.—

(1) GRANT PROGRAM.—Not later than 2 years after the date of enactment of this Act, the Secretary shall establish a grant program for States to notify registered motor vehicle owners of safety recalls issued by the manufacturers of those motor vehicles.

(2) ELIGIBILITY.—To be eligible for a grant, a State shall—

(A) submit an application in such form and manner as the Secretary prescribes;

(B) agree that when a motor vehicle owner registers the motor vehicle for use in that State, the State will—

(i) search the recall database maintained by the National Highway Traffic Safety Administration using the motor vehicle identification number;

(ii) determine all safety recalls issued by the manufacturer of that motor vehicle that have not been completed; and

(iii) notify the motor vehicle owner of the safety recalls described in clause (ii); and

(C) provide such other information or notification as the Secretary may require.

(b) RECALL COMPLETION PILOT GRANT PROGRAM.—

(1) IN GENERAL.—The Secretary shall conduct a pilot program to evaluate the feasibility and effectiveness of a State process for increasing the recall completion rate for motor vehicles by requiring each owner or lessee of a motor vehicle to have repaired any open recall on that motor vehicle.

(2) GRANTS.—To carry out this program, the Secretary shall make a grant to a State to be used to implement the pilot program described in paragraph (1) in accordance with the requirements under paragraph (3).

(3) ELIGIBILITY.—To be eligible for a grant under this section, a State shall—

(A) submit an application in such form and manner as the Secretary prescribes;

(B) meet the requirements and provide notification of safety recalls to registered motor vehicle owners under the grant program described in subsection (a);

(C) except as provided in paragraph (4), agree to require, as a condition of motor vehicle registration, including renewal, that the motor vehicle owner or lessee complete all remedies for defects and noncompliance offered without charge by the manufacturer or a dealer under section 30120 of title 49, United States Code; and

(D) provide such other information or notification as the Secretary may require.

(4) EXCEPTION.—A State may exempt a motor vehicle owner or lessee from the requirement under paragraph (3)(C) if—

(A) the recall occurred not earlier than 75 days prior to the registration or renewal date;

(B) the manufacturer, through a local dealership, has not provided the motor vehicle owner or lessee with a reasonable opportunity to complete any applicable safety recall remedy due to a shortage of necessary parts or qualified labor; or

(C) the motor vehicle owner or lessee states that the owner or lessee has had no reasonable opportunity to complete all applicable safety recall remedies, in which case the State may grant a temporary registration, of not more than 90 days, during which time the motor vehicle owner or lessee shall complete all applicable safety recall remedies for which the necessary parts and qualified labor are available.

(5) AWARD.—In selecting an applicant for award under this section, the Secretary shall consider the State's methodology for—

(A) determining safety recalls on a motor vehicle;

(B) informing the owner or lessee of a motor vehicle of the safety recalls;

(C) requiring the owner or lessee of a motor vehicle to repair any safety recall

prior to issuing any registration, approval, document, or certificate related to a motor vehicle registration renewal; and

(D) determining performance in increasing the safety recall completion rate.

(6) PERFORMANCE PERIOD.—A grant awarded under this section shall require a performance period for at least 2 years.

(7) REPORT.—Not later than 90 days after the completion of the performance period under paragraph (6) and the obligations under the pilot program, the grantee shall provide to the Secretary a report of performance containing such information as the Secretary considers necessary to evaluate the extent to which safety recalls have been remedied.

(8) EVALUATION.—Not later than 1 year after the date the Secretary receives the report under paragraph (7), the Secretary shall evaluate the extent to which safety recalls identified under paragraph (3) have been remedied.

On page 567, strike lines 15 through 18, and insert the following:

SEC. 34206. RECALL OBLIGATIONS UNDER BANKRUPTCY.

Section 30120A is amended to read as follows:

''§ 30120A. Recall obligations and bankruptcy of a manufacturer

''Notwithstanding any provision of title 11, United States Code, a manufacturer's duty to comply with section 30112, sections 30115 through 30121, and section 30166 of this title shall be enforceable against a manufacturer or a manufacturer's successors-in-interest whether accomplished by merger or by acquisition of the manufacturer's stock, the acquisition of all or substantially all of the manufacturer's assets or a discrete product line, or confirmation of any plan of reorganization under section 1129 of title 11.''.

SA 2351. Mr. REID (for Mr. MARKEY (for himself, Mr. WHITEHOUSE, Mr. LEAHY, and Mr. BOOKER)) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 11116 (relating to the satisfaction of requirements for certain historic sites).

MEASURE READ THE FIRST TIME—S. 1861

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 1861) to prohibit Federal funding of Planned Parenthood Federation of America.

Mr. MCCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

ORDERS FOR SUNDAY, JULY 26, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Sunday, July 26; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of H.R. 22; further, that Saturday, July 25, count as the intervening day with respect to the cloture motions filed during today's session of the Senate; further, that the filing deadline for all first-degree amendments to H.R. 22 and the McConnell substitute amendment No. 2266, as well as the second-degree filing deadline for amendments to the Kirk amendment No. 2327, be at 2:30 p.m.; lastly, that the cloture vote with respect to the McConnell amendment No. 2328 occur at 3 p.m.

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

ADJOURNMENT UNTIL SUNDAY, JULY 26, 2015, AT 2 P.M.

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 12:29 p.m., adjourned until Sunday, July 26, 2015, at 2 p.m.