Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2444, to authorize appropriations for the Coast Guard for fiscal year 2015, and for other purposes; as follows:

**TEXT OF AMENDMENTS**

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

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

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

The table of contents for this Act is as follows:

**Title I—Authorization**

**Section 101. Authorization of appropriations.**

**Section 102. Authorized levels of military personnel training.**

**Title II—Coast Guard**

**Section 201. Commissioned officers.**

**Section 202. Commandant; appointment.**

**Title III—Ships, Boats, and Marinas**

**Section 301. Repeal.**

**Title IV—Federal Maritime Commission**

**Section 401. Authorization of appropriations.**

**Title V—Arctic Maritime Transportation**

**Section 501. Arctic maritime transportation.**

**Section 502. Arctic maritime domain awareness.**

**Section 503. IMO Polar Code negotiations.**

**Title VI—Miscellaneous**

**Section 601. Competition by United States flag vessels.**

**Section 602. Extension of moratorium.**

**Section 603. National maritime strategy.**

**Section 604. Waivers.**

**Section 605. Competition by United States flag vessels.**

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

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

**Section 608. Conveyance of certain property in Gig Harbor, Washington.**

**Section 609. Vessel determination.**

**Section 610. Safe vessel operation in Thunder Bay.**

**Section 611. Parking facilities.**

**TITLE I—AUTHORIZATION**

**Section 101. Authorization of appropriations.**

**Section 102. Authorized levels of military personnel training.**

**Title II—Coast Guard**

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**Section 608. Conveyance of certain property in Gig Harbor, Washington.**

**Section 609. Vessel determination.**

**Section 610. Safe vessel operation in Thunder Bay.**

**Section 611. Parking facilities.**
(1) For the operation and maintenance of the Coast Guard, $5,981,036,000.
(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, facilities relating to ports and harbors, vessels, and aircraft, including equipment related thereto, $1,546,486,000, to remain available until expended.
(3) For the Coast Guard Reserve program, including personnel and training costs, equipment, and services, $10,016,000.
(4) For environmental compliance and restoration of Coast Guard vessels, aircraft, and facilities (other than parts and equipment associated with operation and maintenance), $18,700,000, to remain available until expended.
(5) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard’s mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, $19,890,000.
(6) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Alteration of Bridges Program, $16,000,000.

SEC. 102. AUTHORIZED LEVELS OF MILITARY PERSONNEL, MILITARY TRAINING, AND NAVIGATION AND FALSE MESSAGE SERVICES.
(a) ACTIVE DUTY STRENGTH.—The Coast Guard is authorized an end-of-year strength for active duty personnel of 36,000 for fiscal year 2015.
(b) MILITARY TRAINING STUDENT LOADS.—The Coast Guard is authorized average military training student loads for fiscal year 2015 as follows:
(1) For recruit and special training, 2,500 student years.
(2) For flight training, 165 student years.
(3) For professional training in military and civilian institutions, 350 student years.
(4) For officer acquisition, 1,200 student years.

TITLE II—COAST GUARD

SEC. 201. COMMISSIONED OFFICERS.
Section 42(a) of title 14, United States Code, is amended by striking “7,200” and inserting “10,000”.

SEC. 202. COMMANDANT; APPOINTMENT.
Section 44 of title 14, United States Code, is amended by inserting after the first sentence of subsection (a) the following:
“(A) the term of an appointment, and any reappointment, shall begin on June 1 of the appropriate year and end on May 31 of the appropriate year, except that, in the event of death, retirement, resignation, or reassignment, or when the needs of the Service demand, the Secretary may alter the date on which a term begins or ends;”.

SEC. 203. PREVENTION AND RESPONSE.
Section 57 of title 14, United States Code, is amended—
(1) in subsection (b)—
(A) in paragraph (2) by striking “or” at the end;
(B) in paragraph (3) by striking the period at the end and inserting a semicolon; and
(C) by adding at the end the following:—
“(4) port and facility safety and security specialist shall have knowledge, skill, and practical experience with respect to the safety, security, environmental protection responsibilities associated with maritime ports and facilities;”;
(2) in subsection (c) by striking “or marine safety engineer” and inserting “marine safety engineer, waterways operations manager, or port and facility safety and security specialist;”;
(3) in subsection (f)(2) by striking “investigator or marine safety engineer,” and inserting “investigator, marine safety engineer,”;
(4) in section 93(a)(4) by striking “(4) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard’s mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, $19,890,000.” and inserting “(4) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard’s mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, $19,890,000.”.

SEC. 204. CENTERS OF EXPERTISE.
Section 58(b) of title 14, United States Code, is amended to read as follows:
“(b) Missions supported by a center established under subsection (a) shall—
(1) promote, facilitate, and conduct—
(A) education;
(B) training;
and
(C) activities authorized under section 93a(4);
(2) be a repository of information on operations, practices, and resources related to the mission for which the center was established; and
(3) perform and support the mission for which the center was established.”.

SEC. 205. PENALTIES.
(a) AIDS TO NAVIGATION AND FALSE MESSAGES.—Chapter 5 of title 14, United States Code, is amended to read as follows:
“(a) IN GENERAL.—In carrying out section 93 of title 14, United States Code, any facility safety and security specialist shall impose on and collect from an entity to or commit the Coast Guard to use or supply any improvements to such submerged lands or tidelands, or obtain goods or services from the lessee.”.

SEC. 206. AGREEMENTS.
(a) IN GENERAL.—Section 93a(4) of title 14, United States Code, is amended—
(1) by striking “shall be deposited” and inserting “shall be deposited”;
(2) by striking “and investigate”; and
(2) by striking “and cooperate and coordinate such activities with other Government agencies and with private agencies”.;
(b) AUTHORITY.—Chapter 5 of title 14, United States Code, is amended by adding at the end the following:
“§ 102. Agreements.
“(a) IN GENERAL.—In carrying out section 93a(4), the Commandant may—
(1) enter into cooperative agreements, contracts, and other agreements with—
(A) Federal entities; 
(B) other public or private entities in the United States, including academic entities; and
(C) foreign governments with the concurrence of the Secretary of State; and
(2) impose on and collect from an entity subject to an agreement or contract under paragraph (1) a fee to assist with expenses incurred in carrying out such section.
(b) DEPOSIT AND USE OF FEES.—Fees collected under this section shall be deposited in the general fund of the Treasury as offsetting receipts. The fees may be used, to the extent provided in advance in an appropriation law, only to carry out activities under section 93a(4).
(c) CLERICAL AMENDMENT.—The analysis under that subsection with respect to section 93a(4) is further amended by adding at the end the following:
“(2) refer to the definition of ‘Federal entity’ provided in section 93a(4).”.

SEC. 207. TUITION ASSISTANCE PROGRAM COVERAGE OF TEXTBOOKS AND OTHER EDUCATIONAL MATERIALS.
Section 93a(4) of title 14, United States Code, is amended by inserting “and the textbooks, manuals, and other materials required as part of such training or course of instruction” after “correspondence courses”.

SEC. 208. COAST GUARD HOUSING.
(a) COMMANDANT; GENERAL POWERS.—Section 93a(13) of title 14, United States Code, is amended by striking “the Treasury” and inserting “the fund established under section 687.”.
(b) LIGHTHOUSE PROPERTY.—Section 672(a)(b) of title 14, United States Code, is amended by striking “the Treasury” and inserting “the fund established under section 687.”.

SEC. 209. LEASE AUTHORITY.
Section 93 of title 14, United States Code, is amended by adding at the end the following:
“(b) LEASING OF TIDELANDS AND SUBMERGED LANDS.
“(1) AUTHORITY.—The Commandant may lease under subsection (a)(13) submerged lands and tidelands under the control of the Coast Guard without regard to the limitation under that subsection with respect to lease duration.
“(2) LIMITATION.—The Commandant may lease submerged lands and tidelands under paragraph (1) only if—
(A) lease payments are—
(i) received exclusively in the form of cash;
(ii) equal to the fair market value of the use of the leased submerged lands or tidelands for the period during which such lands are leased, as determined by the Commandant; and
(iii) deposited in the fund established under section 687, and
(B) the lease does not provide authority to or commit the Coast Guard to use or support any improvements to such submerged lands or tidelands, or obtain goods or services from the lessee.”.

SEC. 210. NOTIFICATION OF CERTAIN DETERMINATIONS.
(a) IN GENERAL.—Chapter 5 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:
“§ 1103. Notification of certain determinations.
“(a) IN GENERAL.—At least 90 days prior to making a final determination that a waterway, or a portion thereof, is navigable for purposes of the jurisdiction of the Coast Guard, the Commandant shall provide notification regarding the proposed determination to—
(1) the Governor of each State in which such waterway, or portion thereof, is located;
(2) the public; and
(3) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.
(b) CONTENT REQUIREMENT.—Each notification provided under subsection (a) to an entity specified in paragraph (3) of that subsection shall include—
(1) an analysis of whether vessels operating on the waterway, or portion thereof, subject to the proposed determination are subject to inspection or similar regulation by State or local officials;
(2) an analysis of whether operators of commercial vessels on such waterway, or portion thereof, are subject to similar regulation by State or local officials; and

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

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

“193. Notification of certain determinations.”

SEC. 211. ANNUAL BOARD OF VISITORS.

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

“§ 194. Annual Board of Visitors

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

(b) Membership.—

(1) In General.—The membership of the Board shall consist of the following:

(A) The chairperson of the Committee on Transportation and Infrastructure of the House of Representatives, or the Chairman’s designee.

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

(C) 6 individuals designated by the President.

(2) Length of Service.—

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

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

(3) Death or Resignation of a Member.—If a member of the Board dies or resigns, a successor may be designated for any unexpired portion of the term of the member by the official who designated the member.

(4) Vacancies.—

(A) Appointment.—The President shall appoint the successor.

(B) Annual Visit.—The Board shall visit the Academy annually to review the operation of the Academy.

(C) Ad hoc Visits.—With the approval of the Secretary, the Board or individual members of the Board may make other visits to the Academy in connection with the duties of the Board or to consult with the Superintendent of the Academy.

(D) Scope of Review.—The Board shall review, with respect to the Academy—

(1) the state of morale and discipline;

(2) the curriculum;

(3) instruction;

(4) physical education;

(5) fiscal affairs; and

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

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

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

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

SEC. 212. FLAG OFFICERS

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

“§ 296. Flag officers

“During any period in which the Coast Guard is not operating as a service in the Navy, section 103 of title 19 does not apply with respect to flag officers of the Coast Guard.”

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

“296. Flag officers.”

SEC. 213. REMOVAL LIMITATION ON MEDALS OF HONOR.

Section 404 of title 14, United States Code, is amended by striking “medal of honor,” each place it appears.

SEC. 214. COAST GUARD FAMILY SUPPORT AND CHILD CARE

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

“CHAPTER 14—COAST GUARD FAMILY SUPPORT AND CHILD CARE

SUBCHAPTER I—GENERAL PROVISIONS

§ 531. Work-life policies and programs

§ 532. Surveys of Coast Guard families.

SUBCHAPTER II—COAST GUARD FAMILY SUPPORT

§ 533. Child development center standards and inspections.

§ 534. Child development centers.

§ 535. Parent partnerships with child development centers.

SUBCHAPTER III—COAST GUARD CHILD CARE

§ 536. Education and training opportunities for Coast Guard spouses.

§ 537. Youth sponsorship initiatives.

§ 538. Coast Guard child care.

§ 539. Youth sponsorship initiatives.

§ 541. Definitions.

SUBCHAPTER I—GENERAL PROVISIONS

§ 531. Work-life policies and programs

The Commandant is authorized—

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

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

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

§ 532. Surveys of Coast Guard families

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

(1) any Coast Guard member;

(2) any retired Coast Guard member;

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

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

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

§ 533. Child development center standards and inspections

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

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

(2) education prerequisites and a professional license or credential required, by an organization or governmental body, for an occupation that expands employment and portable career opportunities for the spouse.

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

(1) Eligible Spouse.—

(A) In General.—The term ‘eligible spouse’ means the spouse of a member of the Coast Guard who is serving on active duty and includes a spouse who receives transitional compensation under section 1099 of title 10.

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

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

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

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

§ 540. Youth sponsorship initiatives

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

(b) Description of Initiative.—An initiative established under subsection (a) shall—

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

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

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

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

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

§ 541. Definitions

In this subchapter, the following definitions apply:

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

(2) Child Development Center Employee.—The term ‘child development center employee’ means a civilian employee of the Coast Guard who is employed to work in a Coast Guard child development center and is paid from appropriated or nonappropriated funds.
"(3) COAST GUARD CHILD DEVELOPMENT CENTER.—The term ‘Coast Guard child development center’ means a facility on Coast Guard property or on property under the jurisdiction of, or within the reach of, the command of a Coast Guard unit at which child care services are provided for members of the Coast Guard.

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

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

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

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

§553. Child development center standards and inspections

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

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

(c) NATIONAL REPORTING.—

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

(A) a suspected violation of—

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

(ii) any other applicable law or standard; or

(B) a suspected child abuse or neglect; or

(C) any other deficiency.

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

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

§554. Child development center employees

(a) TRAINING.—

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

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

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

(A) early childhood development;

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

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

(D) cardiopulmonary resuscitation and other emergency medical procedures.

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

(b) TRAINING AND CURRICULUM SPECIAL- ISTS.—

"(3) COAST GUARD FAMILY SUPPORT AND CHILD CARE—...

"(2) B) CHARTER 13.—The analysis for chapter 13 of title 14, United States Code, is amended by—

(a) striking the item relating to section 514; and

(b) striking the item relating to section 515.

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

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

"541. Reimbursement for adoption expenses;"

(ii) after the item relating to section 555 the following:

"552. Child development services;"; and

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

"544. Dependent school children;".

(d) SENSE OF CONGRESS.—

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

(2) CHILD DEVELOPMENT CENTER FE RE- CIPES DEFINED.—In this subsection, the term ‘child development center fee receipts’ means fees paid by members of the Coast Guard for child care services provided at Coast Guard child development centers.

SEC. 215. MISSION NEED STATEMENT.

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

"§569. Mission need statement

(‘a) IN GENERAL.—On the date on which the President submits to Congress a budget for fiscal year 2016 under section 1105 of title 31, on the date on which the President submits to Congress a budget for fiscal year 2017 under such section, and on April 15 of each year thereafter, the President shall submit to the Committee on Transportation, and Infrastructure of the House of Representatives and to the Senate an integrated major acquisition mission need statement.

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

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

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

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

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

(2) MAJOR ACQUISITION PROGRAM.—The term ‘major acquisition program’ has the meaning given that term in section 569a(e).
**SEC. 216. TRANSMISSION OF ANNUAL COAST GUARD AUTHORIZATION REQUEST.**

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

"§ 662a. Transmission of annual Coast Guard authorization request

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

"(b) C OAST GUARD AUTHORIZATION REQUEST DEFINED.—In this section, the term 'Coast Guard authorization request' means a proposal for chapter 17 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

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

"(1) a schedule and plan for decommis-
operated by the Coast Guard on the date of enactment of this Act—
(A) to maintain the capability of the Coast Guard to carry out sea-going missions with respect to migrant interdiction, defense readiness, living marine resources, and ports, waterways, and coastal security;
(B) the number of Coast Guard missions being executed to meet national performance targets set under the National Drug Control Strategy;
(C) the number of cutters and other vessels required to effectively execute Coast Guard missions;
(D) the number of assets that require upgraded sensor and communications systems to effectively execute Coast Guard missions;
(E) the Deployable Specialized Forces required to effectively execute Coast Guard missions; and
(F) whether additional shore facilities are required to accommodate Coast Guard personnel and assets in support of Coast Guard missions.

SEC. 221. MODERNIZATION OF NATIONAL DISTRESS AND RESPONSE SYSTEM.
(a) REPORT.—Not later than 60 days after the date of enactment of this Act, the Commandant of the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on any gaps that the Secretary of the department in which the Coast Guard is operating shall establish a process that allows an operator of a marine exchange or other non-Federal vessel traffic service to use the automatic identification system to transmit weather, ice, and other important navigation safety information to vessels.

SEC. 229. E-LOM SYSTEM.
(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall ensure that—
(1) Coast Guard administrative efficiency;
(2) fairness and equity for Coast Guard officers; and
(3) carrying out the Coast Guard’s statutory mission of defense readiness, including when operating as a service in the Navy.

SEC. 220. ANALYSIS OF RESOURCE DEFICIENCIES WITH RESPECT TO MARITIME BORDER PATROLLING.
(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Commandant of the Coast Guard shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on any gaps that exist in writings on the history of the Coast Guard. The report shall address, at a minimum, operations, broad topics, and biographies with respect to the Coast Guard.

SEC. 227. OFFICER EVALUATION REPORTS.
(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written assessment of the Coast Guard’s officer evaluation reporting system.
(b) CONTENTS OF ASSESSMENT.—The assessment required under subsection (a) shall include—
(1) the extent to which the Coast Guard’s officer evaluation reports differ in length, form, and content from the officer fitness reports used by the Navy and other branches of the Armed Forces;
(2) the extent to which differences determined pursuant to paragraph (1) are the result of inherent differences between—
(A) the Coast Guard and the Navy; and
(B) the Coast Guard and other branches of the Armed Forces;
(3) the feasibility of more closely aligning and conforming the Coast Guard’s officer evaluation reports with the fitness reports of the Navy and other branches of the Armed Forces; and
(4) the costs and benefits of the alignment and conforming described in paragraph (3), including with respect to—
(A) Coast Guard administrative efficiency;
(B) fairness and equity for Coast Guard officers; and
(C) carrying out the Coast Guard’s statutory mission of defense readiness, including when operating as a service in the Navy.

SEC. 228. IMPROVED SAFETY INFORMATION FOR VESSELS.
Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish a process that allows an operator of a marine exchange or other non-Federal vessel traffic service to use redundant capability in the event GPS signals are disrupted.

SEC. 232. REPORT RECONCILING MAINTENANCE AND OPERATIONAL Priorities on the Mississippi River.
(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing any Coast Guard resource deficiencies related to—
(1) securing maritime borders with respect to migrant interdiction, defense readiness, living marine resources, and ports, waterways, and coastal security;
(2) patrolling and monitoring maritime areas specified in subsection (a), including an enhanced LORAN system, to provide redundant capability in the event GPS signals are disrupted.
(b) SCOPE.—In preparing the report under subsection (a), the Commandant shall consider, at a minimum—
(1) the Coast Guard’s statutory missions with respect to migrant interdiction, defense readiness, living marine resources, and ports, waterways, and coastal security;
(2) whether Coast Guard missions are being executed to meet national performance targets set under the National Drug Control Strategy;
(3) the number of cutters and other vessels required to effectively execute Coast Guard missions;
(4) the number and types of aircraft, including unmanned aircraft, required to effectively execute Coast Guard missions; and
(5) whether additional shore facilities are required to accommodate Coast Guard personnel and assets in support of Coast Guard missions.

SEC. 222. GAPs IN WRITINGS ON COAST GUARD HISTORY.
Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on any gaps that exist in writings on the history of the Coast Guard. The report shall address, at a minimum, operations, broad topics, and biographies with respect to the Coast Guard.

SEC. 226. NAVIGATION AND INFRASTRUCTURE IMPROVEMENTS.
(a) IN GENERAL.—The Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on any gaps that exist in writings on the history of the Coast Guard. The report shall address, at a minimum, operations, broad topics, and biographies with respect to the Coast Guard.

SEC. 239. SEARCH AND RESCUE ASSISTANCE POLICY ASSESSMENT.
(a) IN GENERAL.—The Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing any Coast Guard resource deficiencies related to—
(1) securing maritime borders with respect to migrant interdiction, defense readiness, living marine resources, and ports, waterways, and coastal security;
(2) patrolling and monitoring maritime areas specified in subsection (a), including an enhanced LORAN system, to provide redundant capability in the event GPS signals are disrupted.
(b) SCOPE.—In preparing the report under subsection (a), the Commandant shall consider, at a minimum—
(1) the Coast Guard’s statutory missions with respect to migrant interdiction, defense readiness, living marine resources, and ports, waterways, and coastal security;
(2) whether Coast Guard missions are being executed to meet national performance targets set under the National Drug Control Strategy;
(3) the number of cutters and other vessels required to effectively execute Coast Guard missions;
(4) the number and types of aircraft, including unmanned aircraft, required to effectively execute Coast Guard missions; and
(5) whether additional shore facilities are required to accommodate Coast Guard personnel and assets in support of Coast Guard missions.

SEC. 233. MARITIME SEARCH AND RESCUE ASSISTANCE POLICY ASSESSMENT.
(a) IN GENERAL.—The Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing any Coast Guard resource deficiencies related to—
(1) securing maritime borders with respect to migrant interdiction, defense readiness, living marine resources, and ports, waterways, and coastal security;
(2) patrolling and monitoring maritime areas specified in subsection (a), including an enhanced LORAN system, to provide redundant capability in the event GPS signals are disrupted.
(b) SCOPE.—In preparing the report under subsection (a), the Commandant shall consider, at a minimum—
(1) the Coast Guard’s statutory missions with respect to migrant interdiction, defense readiness, living marine resources, and ports, waterways, and coastal security;
(2) whether Coast Guard missions are being executed to meet national performance targets set under the National Drug Control Strategy;
(3) the number of cutters and other vessels required to effectively execute Coast Guard missions;
(4) the number and types of aircraft, including unmanned aircraft, required to effectively execute Coast Guard missions; and
(5) whether additional shore facilities are required to accommodate Coast Guard personnel and assets in support of Coast Guard missions.

SEC. 234. REPORT RECONCILING MAINTENANCE AND OPERATIONAL Priorities on the Mississippi River.
(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing any Coast Guard resource deficiencies related to—
(1) securing maritime borders with respect to migrant interdiction, defense readiness, living marine resources, and ports, waterways, and coastal security;
(2) patrolling and monitoring maritime areas specified in subsection (a), including an enhanced LORAN system, to provide redundant capability in the event GPS signals are disrupted.
(b) SCOPE.—In preparing the report under subsection (a), the Commandant shall consider, at a minimum—
(1) the Coast Guard’s statutory missions with respect to migrant interdiction, defense readiness, living marine resources, and ports, waterways, and coastal security;
(2) whether Coast Guard missions are being executed to meet national performance targets set under the National Drug Control Strategy;
(3) the number of cutters and other vessels required to effectively execute Coast Guard missions;
(4) the number and types of aircraft, including unmanned aircraft, required to effectively execute Coast Guard missions; and
(5) whether additional shore facilities are required to accommodate Coast Guard personnel and assets in support of Coast Guard missions.

SEC. 237. MODERNIZATION OF NATIONAL DISTRESS AND RESPONSE SYSTEM.
(a) REPORT.—Not later than 60 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on any gaps that the Secretary of the department in which the Coast Guard is operating shall establish a process that allows an operator of a marine exchange or other non-Federal vessel traffic service to use the automatic identification system to transmit weather, ice, and other important navigation safety information to vessels.

SEC. 221. MODERNIZATION OF NATIONAL DISTRESS AND RESPONSE SYSTEM.
(a) REPORT.—Not later than 60 days after the date of enactment of this Act, the Commandant of the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on any gaps that the Secretary of the department in which the Coast Guard is operating shall establish a process that allows an operator of a marine exchange or other non-Federal vessel traffic service to use redundant capability in the event GPS signals are disrupted.

SEC. 229. E-LOM SYSTEM.
(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall ensure that—
(1) Coast Guard administrative efficiency;
(2) fairness and equity for Coast Guard officers; and
(3) carrying out the Coast Guard’s statutory mission of defense readiness, including when operating as a service in the Navy.
(1) the extent to which Coast Guard search and rescue coordinators have entered into domestic search and rescue agreements with State and local responders under the National Search and Rescue Plan; and
(2) whether the domestic search and rescue agreements include the Maritime Search and Rescue Assistance Policy; and
(3) the extent to which the Coast Guard retains, sells, or otherwise disposes of property that has been used for less than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit a report on the assessment under subsection (a) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

TITLE III—SHIPPING AND NAVIGATION

SEC. 301. REPEAL.
Chapter 55 of title 46, United States Code, is amended—
(1) by repealing section 55501;
(2) by redesignating section 55502 as section 55551; and
(3) in the analysis by striking the items relating to sections 55501 and 55502 and inserting the following:

"55501. United States Committee on the Marine Transportation System.

SEC. 302. DONATION OF HISTORICAL PROPERTY.
Section 51103 of title 46, United States Code, is amended by adding at the end the following:

"(e) DONATION FOR HISTORICAL PURPOSES.—
"(1) IN GENERAL.—The Secretary may convey the right, title, and interest of the United States in any property administered by the Maritime Administration, except real estate or vessels, if—
"(A) the Secretary determines that such property is not needed for the Maritime Administration; and
"(B) the recipient—
"(i) is a nonprofit organization, a State, or a political subdivision of a State;
"(ii) agrees to hold the Government harmless for any claims arising from exposure to hazardous materials, including asbestos, polychlorinated biphenyls, or lead paint, after conveyance of the property;
"(iii) provides a description and explanation of the intended use of the property to the Secretary for formal approval;
"(iv) has provided to the Secretary proof, as determined by the Secretary, of resources sufficient to accomplish the intended use provided under clause (iii) and to maintain the property;
"(v) agrees that when the recipient no longer requires the property, the recipient shall—
"(I) return the property to the Secretary, at the recipient’s expense and in the same condition as received except for ordinary wear and tear; and
"(II) subject to the approval of the Secretary, retain, sell, or otherwise dispose of the property in a manner consistent with applicable law; and
"(vii) agrees to any additional terms the Secretary considers appropriate.

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

SEC. 303. SMALL SHIPS.
Section 51106 of title 46, United States Code, is amended by striking "2009 through 2013" and inserting "2015 through 2017".

SEC. 304. DRUG TESTING REPORTING.
Section 7206 of title 46, United States Code, is amended—
(1) in subsection (a), by inserting "an applicant for employment by a Federal agency," after "Federal agency,"; and
(2) in subsection (c), by—
(A) inserting "or an applicant for employment by a Federal agency" after "an employee"; and
(B) striking "the employee." and inserting "the employee of the applicant.

SEC. 305. OPPORTUNITIES FOR SEA SERVICE VETERANS.

(a) ENDORSEMENTS FOR VETERANS.—Section 7011 of title 46, United States Code, is amended by adding at the end the following:

"(j) The Secretary may issue a license under this section in a class under subsection (c) to an applicant that—
"(1) has at least 3 months of qualifying service on vessels of the uniformed services (as that term is defined in section 101(a) of title 10 of appropriate tonnage or horsepower within the 7-year period immediately preceding the date of application; and
"(2) satisfies all other requirements for such a license.

(b) SEA SERVICE LETTERS.—
"(1) IN GENERAL.—Title 14, United States Code, is amended by inserting after section 427 the following:

"s 428. Sea service letters

"(a) IN GENERAL.—The Secretary shall provide a sea service letter to a member or former member of the armed forces (as such term is defined in section 101(a) of title 10) with the necessary training and experience to prepare an applicant for employment by a Federal agency.

SEC. 306. CLARIFICATION OF HIGH-RISK WATERS.
Section 55505(c) of title 46, United States Code, is amended—
(1) in paragraph (1)—
"(A) striking "provide armed personnel aboard" and inserting "reimburse, subject to the availability of appropriations, the owners or operators of"; and
"(B) by inserting "for the cost of providing armed personnel aboard such vessels" before "if"; and
(2) by striking paragraphs (2) and (3) and inserting the following:

"(2) In this subsection, the term ‘high-risk waters’ means waters so designated by the Commandant of the Coast Guard in the maritime security directive issued by the Commandant and in effect on the date on which an applicable voyage begins, if the Secretary of Transportation—
"(i) determines that an act of piracy occurred in the 12-month period preceding the date the voyage begins; or
"(ii) in such period, issued an advisory warning that an act of piracy is possible in such waters.

SEC. 307. TECHNICAL CORRECTIONS.
(a) TITLE 46.—Section 2116(b)(1)(D) of title 46, United States Code, is amended by striking "section 93(c)(1)" and inserting "section 90(c)(1) of title 14"
(b) COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2006.—Section 303(a) of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109–241, 33 U.S.C. 1503 note) is amended by inserting "and from" before the "United States".
(c) DEEPWATER PORT ACT OF 1974.—Section 4(i) of the Deepwater Port Act of 1974 (33 U.S.C. 1509) is amended by striking "or that will supply" after "be supplied with"

SEC. 308. REPORT.
Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the number of jobs, including vessel construction and vessel operating jobs, that would be created in the United States maritime industry each year in 2015 through 2025 if liquefied natural gas exported from the United States were required to be carried—
(1) before December 31, 2018, on vessels documented under the laws of the United States; and
(2) on and after such date, on vessels documented under the laws of the United States and constructed in the United States.

SEC. 309. FISHING SAFETY GRANT PROGRAMS.
(a) FISHING SAFETY TRAINING GRANT PROGRAM.—Section 4502(i)(4) of title 46, United States Code, is amended by striking "2010 through 2014" and inserting "2015 through 2017"
(b) FISHING SAFETY RESEARCH GRANT PROGRAM.—Section 4502(j)(4) of title 46, United States Code, is amended by striking "2010 through 2014" and inserting "2015 through 2017"

SEC. 310. ESTABLISHMENT OF MERCHANT MARINE PERSONNEL ADVISORY COMMITTEE.
(a) ESTABLISHMENT.—Chapter 81 of title 46, United States Code, is amended by adding at the end the following:

"s 8108. Merchant Marine Personnel Advisory Committee

"(a) ESTABLISHMENT.—The Secretary shall establish a Merchant Marine Personnel Advisory Committee (in this section referred to as 'the Committee'). The Committee—
“(1) shall act solely in an advisory capacity to the Secretary through the Commandant of the Coast Guard on matters relating to personnel in the United States merchant marine, including training, qualifications, certification, documentation, and fitness standards, and other matters as assigned by the Commandant;”

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

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

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

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

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

(b) MEMBERSHIP.—

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

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

(A) 7 persons with active licenses or certificates issued under chapter 71 or merchant mariner documents issued under chapter 73, including—

(i) 2 deck officers who represent the viewpoint of merchant marine deck officers, of whom—

(I) 1 shall be licensed for oceans any gross tons;

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

(III) 2 shall be licensed as either a limited or unlimited master of towing vessels license;

(iv) shall have significant tanker experience; and

(v) to the extent practicable—

(aa) shall represent the viewpoint of labor; and

(bb) another shall represent a management perspective;

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

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

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

(III) to the extent practicable—

(aa) shall represent a labor viewpoint; and

(bb) another shall represent a management perspective;

(iii) 2 unlicensed seamen, of whom—

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

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

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

(B) 6 marine educators, including—

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

(I) 2 who represent the viewpoint of State maritime academies and are jointly recommended by such State maritime academies; and

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

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

(C) 2 individuals who represent the viewpoint of shipping companies employed in ship operations and maintenance.

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

(3) CONSULTATION.—The Secretary shall consult with the Secretary of Transportation in making an appointment under paragraph (2)(b)(ii).

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

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

(e) TERMINATION.—The Committee shall terminate on September 30, 2032.

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

“8108. Merchant Marine Personnel Advisory Committee—SEC. 311. TRAVEL AND SUBSISTENCE.

(a) TITLE 46, UNITED STATES CODE.—Section 2109 of title 46, United States Code, is amended—

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

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

(2) The value of in-kind transportation, travel, and subsistence accepted under this paragraph may not exceed applicable per diem rates set forth in regulations prescribed under section 464 of title 77; and

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

(b) TITLE 14, UNITED STATES CODE.—Section 664 of title 14, United States Code, is amended—

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

(2) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

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

(2) in subsection (b)(1), by striking “(ii)” and

(b) by redesignating section 661 of title 46, as amended—

(1) by inserting “(1)” and

(2) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

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

SEC. 312. PROMPT INTERGOVERNMENTAL NOTICE OF MARINE CASUALTIES.

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

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

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

(2) in subsection (b)(1), by striking “(ii)” and

(b) by redesigning subsections (h) and (i) as subsections (i) and (j), respectively; and

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

SEC. 313. AREA CONTINGENCY PLANS.

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

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

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

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

(2) in subparagraph (B)(ii), by striking “and” and inserting “, local, and tribal”; and

(3) in subparagraph (C), by striking “and Federal, State, and local agencies” and inserting “Federal, State, and local agencies, and tribal governments”; and

(B) by redesigning clauses (vi), (vii), and (viii) as clauses (vi), (vii), and (viii), respectively; and

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

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

SEC. 314. INTERNATIONAL ICE PATROL REFORM.

(a) IN GENERAL.—Chapter 8 of title 46, United States Code, is amended—

(1) in section 8031, by adding at the end the following:

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

(2) in section 811—

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

(B) in subsection (h), by striking “An ice patrol vessel” and inserting “The ice patrol vessel”; and
(C) in the first sentence of subsection (d), by striking "vessels" and inserting "aircraft"; and
(3) by adding at the end the following:

"§ 80304. Limitation on ice patrol data

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

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

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

"§ 80304. Limitation on ice patrol data."

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

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

Section 3116 of title 46, United States Code, is amended by redesignating subsection (b) as subsection (g) and by inserting after subsection (e) the following:

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

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

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

(A) the number of vessels for which a delegation was made under paragraph (1);
(B) any savings in personnel and operational costs incurred by the Coast Guard that resulted from the delegations; and
(C) based on measurable marine casualty and other data, any impacts of the delegations on the operational safety of vessels for which the Secretary delegated inspection authority to the Secretary, and the crew on those vessels.

SEC. 316. WATCHES.

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

(1) in subsection (d), by striking "coal passers, firemen, oilers, and water tenders" and inserting "and oilers"; and
(2) in subsection (g)(1), by striking "except the coal passers, firemen, oilers, and water tenders".

SEC. 317. COAST GUARD RESPONSE PLAN REQUIREMENTS.

(a) VESSEL AND REASON CONTENTS.—The Secretary of the department in which the Coast Guard is operating shall require that each vessel response plan prepared for a mobile offshore drilling unit includes information from the facility response plan prepared for the mobile offshore drilling unit regarding the planned response to a worst case discharge, and to a threat of such a discharge.

(b) DEFINITIONS.—In this section:

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

(2) RESPONSE PLAN.—The term "response plan" means a prepared response plan under section 111(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

(3) WORST CASE DISCHARGE.—The term "worst case discharge" has the meaning given that term under section 111(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)).

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

SEC. 318. REGIONAL CITIZENS' ADVISORY COUNCIL.

Section 50203(c) of the Oil Pollution Act of 1990 (33 U.S.C. 2732(k)(3)) is amended by striking "not more than $1,000,000" and inserting "not less than $1,000,000.

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

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

(1) by redesignating subsection (a) as subsection (b) and (c); and
(2) by inserting after subsection (a) the following:

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

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

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

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

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

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

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

SEC. 320. TRENDMENT OF ABANDONED SEAFAERS.

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

"§ 11113. Treatment of abandoned seafarers

"(a) ABANDONED SEAFAERS FUND.—

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

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

(A) to pay necessary support of a seafarer—

(i) who—

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

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

(ii) who—

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

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

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

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

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

(ii) the Secretary determines that reimbursement is appropriate.

(3) CREDITING OF AMOUNTS TO FUND.—

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

(i) Penalties deposited in the Fund under section 9 of the Act to Prevent Pollution from Ships (30 U.S.C. 1251).

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

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

(c) REPORT REQUIRED.—On the date on which the President submits each budget for a fiscal year pursuant to section 105 of title 31, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that describes—

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

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

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

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

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

(b) REIMBURSEMENT; RECOVERY.—

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

(A) the vessel owner or operator—

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

(II) subsequently is

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

(ii) required to reimburse the Fund pursuant to a court order or negotiated settlement related to such matter; or
“(B) the vessel owner or operator abandons a seafarer in the United States, as determined by the Secretary based on substantial evidence.”

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

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

“(B) withhold or revoke the clearance required under section 60103 for the vessel and any other vessel operated by the same operator (as that term is defined in section 2(9)(a) of the Act to Prevent Pollution from Ships (33 U.S.C. 1901(9)(a))) as the vessel on which the seafarer served.

“(O)bligating the Secretary to provide necessary support of a seafarer.

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

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

“(O)bligating the Secretary to provide necessary support of a seafarer.

“(A) the Fund means the Abandoned Seafarers Fund established under this section;

“(B) an individual was appointed.

“(C) the term ‘abandons’ and ‘abandoned’ means—

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

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

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

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

“(A) the Fund means the Abandoned Seafarers Fund established under this section;

“(B) the compilation under clause (i) shall—

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

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

“(III) identify each cruise line by name;

“(IV) identify the number of individuals alleging overboard; and

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

“(Q) the term ‘abandons’ and ‘abandoned’ means—

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

“(A) the Fund means the Abandoned Seafarers Fund established under this section;

“(B) the compilation under clause (i) shall—

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

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

“(III) identify each cruise line by name;

“(IV) identify each cruise line by name;

“(V) identify each cruise line by name;

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

“SEC. 322. COAST GUARD REGULATIONS.

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

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

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

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

“(4) an identification of exemptions to the proposed requirements, that are based upon vessel classification, tonnage, offshore activity or function, alternative certifications, or any other appropriate criteria.

“(b) LIMITATION.—The Secretary may not issue proposed regulations relating to safety and environmental management system requirements for vessels on the United States Outer Continental Shelf for which notice was published on September 17, 2013 (78 Fed. Reg. 55230) earlier than 6 months after the submittal of the analysis required by subsection (a).

“TITLE IV—FEDERAL MARITIME COMMISSION

“SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

“Subject to the availability of appropriations, there is authorized to be appropriated to the Federal Maritime Commission $24,700,000 for fiscal year 2015.

“SEC. 402. AWARD OF REPARATIONS.

“Section 4105 of title 46, United States Code, is amended—

“(1) in subsection (b), by striking ‘‘plus any attorney fees’’;

“(2) by adding at the end the following:

“(e) ATTORNEY FEES.—In any action brought under section 4101, the prevailing party may be awarded reasonable attorney fees:’’;

“(3) an individual was appointed.

“SEC. 403. TERMS OF COMMISSIONERS.

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

“(1) by adding paragraph (2) to read as follows:

“(2) TERMS.—The term of each Commissioner is 5 years. When the term of a Commissioner ends, the Commissioner may continue to serve until a successor is appointed and qualified, but for a period not to exceed one year. Except as provided in paragraph (4), no individual may serve more than 2 terms.”; and

“(3) an individual was appointed.

“(B) the vessel on which the incident occurred was engaged in United States Outer Continental Shelf activities. The analysis shall include—

“(1) in subsection (b), by striking ‘‘plus any attorney fees’’;

“(2) by adding at the end the following:

“(e) ATTORNEY FEES.—In any action brought under section 4101, the prevailing party may be awarded reasonable attorney fees:’’;

“(3) an individual was appointed.

“SEC. 404. AWARD OF REPARATIONS.

“Section 4105 of title 46, United States Code, is amended—

“(1) in subsection (b), by striking ‘‘plus any attorney fees’’;

“(2) by adding at the end the following:

“(e) ATTORNEY FEES.—In any action brought under section 4101, the prevailing party may be awarded reasonable attorney fees:’’.

“(B) the vessel on which the incident occurred was engaged in United States Outer Continental Shelf activities. The analysis shall include—

“(1) in subsection (b), by striking ‘‘plus any attorney fees’’;

“(2) by adding at the end the following:

“(e) ATTORNEY FEES.—In any action brought under section 4101, the prevailing party may be awarded reasonable attorney fees:’’;
of this section, the Secretary is encouraged to enter into negotiations through the International Maritime Organization to conclude and execute agreements to promote coordinated action among the United States, Russia, Canada, Iceland, Norway, and Denmark and other seafaring and Arctic nations to ensure, in the Arctic—

(1) by development and maintenance of aids to navigation;

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

(3) spill prevention and response capability;

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

(5) analysis and modeling.

(c) COORDINATION BY COMMITTEE ON THE MARITIME TRANSPORTATION SYSTEM.—The Committee on the Maritime Transportation System established under section 5553 of title 46, United States Code, shall coordinate the establishment of domestic transportation policies in the Arctic necessary to carry out the purpose of this section.

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

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

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

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

"89. Arctic maritime transportation:"

SEC. 502. ARCTIC MARITIME DOMAIN AWARENESS.

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

"8154. Arctic maritime domain awareness"

Sec. 503. IMO POLAR CODE: NEGOTIATIONS.

Not later than 30 days after the date of the enactment of this Act, and thereafter with respect to years before, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the House of Representatives a 5-year strategic plan to guide interagency and international intergovernmental cooperation and coordination for the purpose of improving maritime domain awareness in the Arctic.".

SEC. 505. ICEBREAKERS.

(a) COAST GUARD POLAR ICEBREAKERS.—

Section 222 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–215; 126 Stat. 1560) is amended—

(1) in subsection (d)(2)—

(A) in the paragraph heading by striking ‘‘BRIDGING STRATEGY’’; and

(B) by redesignating subsections (a)(4) and (a)(5) as subsections (f) and (g), respectively; and

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

"(e) STRATEGIES.—

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

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

(B) a strategy to meet the Coast Guard’s ice operations needs through September 30, 2024; and

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

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

(b) CUTTER ‘‘POLAR SEA’’.—Upon the submission of a service life extension plan in accordance with section 222(d)(1)(C) of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–215; 126 Stat. 1560), the Secretary in which the Coast Guard is operating may use funds authorized under section 101 of this Act to conduct a service life extension of 7 to 10 years for the Coast Guard Cutter Polar Sea (WAGB 11) in accordance with such plan.

(c) LIMITATION.—

(1) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may construct facilities in the Arctic (as that term is defined in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111)) of such a code or such amendments on, or in, or for the benefit of, in, or to—

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

(B) the safety of maritime transportation; and

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

SEC. 504. FORWARD OPERATING FACILITIES.

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

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

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

(3) include accommodations for personnel.

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

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

SEC. 506. ICEBREAKING IN POLAR REGIONS.

(a) IN GENERAL.—Chapter 5 of title 14, United States Code, is amended by inserting after section 505 the following:

"§ 87. Icebreaking in polar regions

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

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

"87. Icebreaking in polar regions."

TITLE VI—MISCELLANEOUS

SEC. 601. DISTANT WATER TUNA FLEET.

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

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

(2) by redesignating subsections (d) and (f) as subsections (c) and (d), respectively.

SEC. 602. EXTENSION OF MORATORIUM.

Section 2(a)(1) of Public Law 110–299 (33 U.S.C. 1342 note) is amended by striking "2014" and inserting "2017".

SEC. 603. NATIONAL MARITIME STRATEGY.

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

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

(1) identify—

(A) Federal regulations and policies that reduce the efficiency of United States flag vessels in international transportation markets; and

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

(2) include recommendations to—

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

(B) increase the use of United States flag vessels and to and export from the United States;

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

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

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

(F) enhance United States shipbuilding capability.

SEC. 604. WAIVERS.

(a) "JOHN CRAIG".

(1) IN GENERAL.—Section 8902 of title 46, United States Code, shall not apply to the vessel F/V Western Challenger (IMO number 5388108) when such vessel is operating on the portion of the Kentucky River, Kentucky, located at approximately mile point 410, between Lock and Dam Number 9 and Lock and Dam Number 10.

(2) APPLICATION.—Paragraph (1) shall apply on and after the date on which the Secretary of the department in which the Coast Guard is operating determines that a licensing requirement has been established within the United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the F/V Western Challenger (IMO number 5388108).

SEC. 605. COMPETITION BY UNITED STATES FLAG VESSELS.

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

(b) REVIEW OF DIFFERENCES WITH IMO STANDARDS.—(1) The assessment under subsection (a) shall include an evaluation of differences between United States laws, policies, regulations, and guidance governing the inspection of vessels documented under the laws of the United States and international standards set by the International Maritime Organization governing the inspection of vessels.

(2) Other amounts made available under subsection (a) shall be deposited in the fund established under section 506 of title 14, United States Code.

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

Not later than 30 days after the date on which the Secretary of the department in which the Coast Guard is operating determines that a licensing requirement has been established within the United States Code, the Secretary shall—

(1) be determined by appraisal; and

(2) be subject to the approval of the Commandant.

SEC. 608. CONVEYANCE OF CERTAIN PROPERTY.

(a) General.—This section, the following definitions apply:

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

(2) Property.—The term "Property" means the parcel of real property, together with any improvements thereon, consisting of approximately 0.86 acres of land located in the vicinity of the City of Gig Harbor, and identified as tract 65 of lot 1 of section 8, township 21 north, range 2 east, Wil-lamette Meridian, on the north side of the entrance to the City of Gig Harbor, Washington.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

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

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

(A) subject to valid existing rights;

(B) at the fair market value as described in subsection (c); and

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

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

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

(c) FAIR MARKET VALUE.—(1) DETERMINATION.—The fair market value of the Property shall be—

(A) determined by an appraisal conducted by an independent appraiser selected by the Secretary; and

(B) approved by the Secretary in accordance with paragraph (3).

SEC. 503. NATIONAL MARITIME STRATEGY.

(a) STRATEGY.—The strategy required under subsection (a) shall—

(1) be determined by appraisal; and

(2) be subject to the approval of the Commandant.

(e) COSTS OF CONVEYANCE.—The responsi-

bility for all reasonable and necessary costs, including the real estate transaction and envi-

ronmental documentation costs, associated with a conveyance under subsection (a) shall be determined by the Commandant and the purchaser.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Commandant may require such addi-

tional terms and conditions in connection with a conveyance under subsection (a) as the Commandant considers appropriate and reasonable to protect the interests of the United States.

(g) DEPOSIT OF PROCEEDS.—Any proceeds from a conveyance under subsection (a) shall be deposited in the fund established under section 506 of title 14, United States Code.
SEC. 610. SAFE VESSEL OPERATION IN THUNDER BAY.

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

SEC. 611. PARKING FACILITIES.

(a) ALLOCATION AND ASSIGNMENT.—

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

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

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

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

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

(b) TRANSPORTATION MANAGEMENT REPORT.—Not later than 1 year after the date of the enactment of this Act, and each fiscal year thereafter in which spaces are allocated and assigned under subsection (a)(2), the Administrator shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(i) the impact of assigning and allocating parking spaces; and

(ii) new transportation or parking projects, any maintenance or improvements by the City to the Property, and such other factors as the Secretary considers appropriate.

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

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

(2) the use of the tide and shore lands belonging to the State of Washington and adjoining the Property, that were granted to the Government of the United States pursuant to the Act of the Legislature, State of Washington, approved March 24, 1853, the being chapter 51 of the Session Laws of 1859, shall revert to the State of Washington.

EC. 609. VESSEL DETERMINATION.

The vessel assigned United States official number 1235866 is deemed a new vessel effective on the date of delivery of the vessel after January 1, 2012, from a privately owned United States shipyard, if no encumbrances are on record with the Coast Guard at the time of the issuance of the new certificate of documentation for the vessel.

SEC. 2. DEFINITIONS.

In this Act—

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

(2) the term ‘critical infrastructure’ has the meaning given that term in section 2 of the Homeland Security Act of 2002 (42 U.S.C. 15131);

(3) the term ‘cybersecurity risk’ has the meaning given that term in section 226 of the Homeland Security Act of 2002 (42 U.S.C. 15131);

(4) the term ‘information sharing and analysis organization’ has the meaning given that term in section 225 of the Homeland Security Act of 2002 (42 U.S.C. 15130); and

(5) the term ‘information system’ has the meaning given that term in section 3092(b) of title 44, United States Code.
“(C) components within the Center that carry out cybersecurity and communications activities;

“(D) a designated Federal official for operational coordination with and across each sector; and

“(E) other appropriate representatives or entities, as determined by the Secretary.

“(2) The plan shall be revised and updated in the event of an incident, during exigent circumstances the Secretary may grant a Federal or non-Federal entity immediate temporary access to the Center.

“(e) PRINCIPLES.—In carrying out the functions under subsection (c), the Center shall ensure—

“(1) to the extent practicable that—

“(A) timely, actionable, and relevant information related to cybersecurity risks, incidents, and analysis is shared;

“(B) when appropriate, information related to cybersecurity risks, incidents, and analysis is integrated with other relevant information and tailored to the specific characteristics of a sector;

“(C) activities are prioritized and conducted based on the level of risk;

“(D) Industry sector-specific, academic, and military expertise is sought and receives appropriate consideration;

“(E) continuous, collaborative, and inclusive coordination occurs—

“(i) across sectors, and

“(ii) with—

“(I) sector coordinating councils;

“(II) information sharing and analysis organizations; and

“(III) other appropriate non-Federal partners;

“(F) as appropriate, the Center works to develop and use mechanisms for sharing information related to cybersecurity risks and incidents that are technology-neutral, interoperable, real-time, cost-effective, and resilient; and

“(G) the Center works with other agencies to reduce unnecessarily duplicative sharing of information related to cybersecurity risks and incidents;

“(2) that information related to cybersecurity risks and incidents is appropriately safeguarded against unauthorized access; and

“(3) activities conducted by the Center comply with all policies, regulations, and laws that protect the privacy and civil liberties of United States persons.

“(f) NO RIGHT ON BEQUEST.—

“(1) IN GENERAL.—The provision of assistance or information, and inclusion in the Center of a Federal or private entity under this section shall be at the sole and unreviewable discretion of the Under Secretary appointed under section 103(a)(1)(H).

“(2) CERTAIN ASSISTANCE OR INFORMATION.—The provision of certain assistance or information to, or inclusion in the Center of, one governmental or private entity pursuant to this section shall not create a right or benefit, substantive or procedural, to similar assistance or information for any other governmental or private entity.”.

(b) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by inserting after the item relating to section 225 the following:

“Sec. 226. National cybersecurity and communications integration center.”

SEC. 4. RECOMMENDATIONS REGARDING NEW AGREEMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on the effectiveness of the Center in carrying out its cybersecurity mission.

SEC. 5. ANNUAL REPORT.

Not later than 1 year after the date of enactment of this Act, and every 3 years thereafter, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate; and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives—

“(a) information on the Center, including—

“(1) an assessment of the capability and capacity of the Center to carry out its cybersecurity mission under this Act;

“(2) the number of representatives from Federal entities (referred to in this section as critical infrastructure) to critical infrastructure sector, including—

“(A) any delay in resolving requests described in paragraph (3); and

“(B) the agency involved with a delay described in paragraph (3);

“(3) the average length of time taken to resolve requests described in paragraph (3); and

“(4) the identification of—

“(A) any delay in resolving requests described in paragraph (3) involving security clearance processing; and

“(B) the agency involved with a delay described in paragraph (3);

“(5) a description of any other obstacles or challenges to resolving requests described in paragraph (3) and a summary of the reasons for denials of any such requests;

“(6) the extent to which the Department is engaged in information sharing with each critical infrastructure sector, including—

“(A) the extent to which each sector has representatives at the Center;

“(B) the extent to which owners and operators of critical infrastructure in each critical infrastructure sector participate in information sharing at the Center; and

“(C) the volume and range of activities with respect to which the Secretary has collaborated with the sector coordinating councils and the sector-specific agencies to promote greater engagement with the Center; and

“(6) the policies and procedures established by the Center to safeguard privacy and civil liberties.

SEC. 6. GAO REPORT.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on the effectiveness of the Center in carrying out its cybersecurity mission.

SEC. 7. CYBER INCIDENT RESPONSE PLAN; CLEARANCES.

(a) CYBER INCIDENT RESPONSE PLAN; CLEARANCES.—Subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.) is amended by adding at the end the following:

“SEC. 227. CYBER INCIDENT RESPONSE PLAN.

“The Under Secretary appointed under section 103(a)(1)(H) shall, in coordination with appropriate Federal departments and agencies, State and local governments, sector coordinating councils, information sharing and analysis organizations (as defined in section 102(5)), owners and operators of critical infrastructure, and other appropriate entities and individuals, develop, regularly update, maintain, and exercise adaptable cyber incident response plans to address cybersecurity risks (as defined in section 225) to critical infrastructure.

“SEC. 228. CLEARANCES.

“The Secretary shall make available the process of application for security clearances under Executive Order 13549 (75 Fed. Reg. 162) relating to a classified national security information program to appropriate representatives of sector coordinating councils, sector information sharing and analysis organizations (as defined in section 225), owners and operators of critical infrastructure, and any other person that the Secretary determines appropriate.”.

(b) BREACHES.—

“(1) REQUIREMENTS.—The Director of the Office of Management and Budget shall ensure that data breach notification policies and guidelines are updated periodically and require—

“(A) except as provided in paragraph (4), no later than 30 days after the date on which the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives receives a report on security breaches at the agency to which the data breach notification rules apply, including an assessment of the risk of harm to affected individuals;

“(B) an estimate of the number of individuals affected by the breach, based on information that the agency knows on the date on which notification is provided, including an assessment of the risk of harm to affected individuals;

“(C) a description of any circumstances necessitating a delay in providing notice to affected individuals; and

“(D) an estimate of whether and when the agency will provide notice to affected individuals.

“(2) NATIONAL SECURITY; LAW ENFORCEMENT; REMEDIATION.—The Attorney General, the head of an element of the intelligence community (as such term is defined under section 3172 of title 50), and the Attorney General of the District of Columbia (50 U.S.C. 3063(c)), and the Secretary may delay the notice to affected individuals.
under paragraph (1)(B) if the notice would disrupt a law enforcement investigation, endanger national security, or hamper security remediation actions.

(3) Definition.—During the first 2 years beginning after the date of enactment of this Act, the Director of the Office of Management and Budget shall, on an annual basis—

(A) determine whether the implementation of data breach notification policies and guidelines in aggregate, and

(B) include the assessment described in clause (1) in the table of contents required under section 550 of the Homeland Security Act of 2002 (6 U.S.C. 121 note), as amended by section 3, is amended by inserting after the item relating to this Act the following:

(4) EXCEPTION.—Any element of the intelligence community (as such term is defined under the Intelligence Community Management Act of 1994 (50 U.S.C. 3034)) that is required to provide notice under paragraph (1) shall only provide such notice to appropriate committees of Congress.

(c) RULE OF CONSTRUCTION.—Nothing in the amendment made by subsection (a) or in subsection (b)(1) shall be construed to alter any authority of a Federal agency or department.

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b)(4) of the Implementing Recommendations of the 9/11 Commission Act of 2004 (6 U.S.C. 110 note), as amended by section 3, is amended by inserting after the item relating to section 226 the following:

(5) the term ‘safety measure’ means a measure designed to address high levels of security risk at covered chemical facilities; and

(6) the term ‘security vulnerability assessment’ means the identification of weaknesses in the security of a chemical facility of interest, as designated under Appendix A to part 27 of title 6, Code of Federal Regulations, or any successor thereto, at a threshold-quantity set pursuant to relevant risk-related security principles; and

(7) the term ‘chemical facility’ means a facility that—

(A) the Secretary—

(i) identifies as a chemical facility of interest; and

(ii) based upon review of the facility’s Top-Screen, determines meets the risk criteria identified under section 2102(c)(2)(B); and

(B) is an excluded facility; or

(8) the term ‘facially deficient’, relating to a state security plan, means a state security plan that does not support a certification that the security measures in the plan address the security vulnerability assessment and the risk-based performance standards for security for the facility, based on a review of—

(A) the facility’s site security plan;

(B) the facility’s Top-Screen;

(C) the facility’s security vulnerability assessment; or

(D) any other information that—

(i) identifies as a chemical facility of interest, as designated under Appendix A to part 27 of title 6, Code of Federal Regulations, or any successor thereto;

(9) the term ‘risk assessment’ means the Secretary’s application of relevant risk criteria identified in section 2102(c)(2)(B);

(10) the term ‘expedited approval facility’ means a facility subject to regulation by the Nuclear Regulatory Commission, or by a State that has entered into an agreement with the Nuclear Regulatory Commission under section 27.105(f) of the Atomic Energy Act of 1954 (42 U.S.C. 2212(b)) to protect against unauthorized access of any material, activity, or facility that is designated by the Nuclear Regulatory Commission;

(11) the term ‘tier’ has the meaning given in section 2102(c)(2)(A) of the Implementing Recommendations of the 9/11 Commission Act of 2004 (6 U.S.C. 121 note), as amended by section 3, is amended by inserting after the item relating to section 226 the following:

(12) the terms ‘tiering’ and ‘tiering methodology’ means the procedure by which the Secretary assigns a tier to each covered chemical facility based on the risk assessment that covered chemical facility; and

(13) the term ‘Top-Screen’ has the meaning given in the term in section 27.105 of title 6, Code of Federal Regulations, or any successor thereto; and

(14) the term ‘vulnerability assessment’ means the identification of weaknesses in the security of a chemical facility of interest, as designated under Appendix A to part 27 of title 6, Code of Federal Regulations, or any successor thereto; and
this section, the Secretary may recommend additional security measures to the program that will enable the Secretary to approve the program.

"(B) SATISFACTION OF SITE SECURITY PLAN REQUIREMENT.—A covered chemical facility may satisfy the site security plan requirement under subsection (a) by adopting an alternate security program that the Secretary has—

"(i) reviewed and approved under subparagraph (A); and

"(ii) deems to be appropriate for the operations and security concerns of the covered chemical facility.

"(C) SITE SECURITY PLAN ASSESSMENTS.—"(A) RISK ASSESSMENT POLICIES AND PROCEDURES.—In approving or disapproving a site security plan under this subsection, the Secretary shall adopt policies and procedures developed under this title.

"(B) PREVIOUSLY APPROVED PLANS.—In the case of a covered chemical facility for which the Secretary approved a site security plan before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary may not require the facility to resubmit the site security plan solely by reason of the enactment of this title.

"(C) IN GENERAL.—A covered chemical facility assigned to tier 3 or 4 may meet the requirement to develop and submit a site security plan under subsection (a)(2)(D) by developing and submitting to the Secretary—

"(i) a site security plan and the certification described in subparagraph (C); or

"(ii) a site security plan in conformance with a template authorized under subparagraph (H).

"(D) GUIDANCE FOR EXPEDITED APPROVAL FACILITIES.—

"(i) IN GENERAL.—Not later than 180 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall issue guidance for expedited approval facilities that identifies specific security measures that are sufficient to meet the risk-based performance standards.

"(ii) MATERIAL DEVIATION FROM GUIDANCE.—If a security measure in the site security plan submitted by a covered chemical facility materially deviates from a security measure in the guidance for expedited approval facilities, the plan shall include an explanation of how such security measure meets the risk-based performance standards.

"(iii) APPLICABILITY OF OTHER LAWS TO DEVIATIONS FROM INITIAL GUIDANCE.—During the period before the Secretary has met the deadline under clause (i), in developing and issuing, or amending, the guidance for expedited approval facilities under this subparagraph and in collecting information from expedited approval facilities, the Secretary shall not be subject to—

"(1) section 555 of title 5, United States Code;

"(2) subchapter I of chapter 35 of title 44, United States Code; or

"(3) CERTIFICATION.—The owner or operator of an expedited approval facility shall submit to the Secretary a certification, signed under penalty of perjury, that—

"(i) the owner or operator is familiar with the requirements of this title and part 27 of title 6, Code of Federal Regulations, or any successor thereto, and the site security plan being submitted;

"(ii) the site security plan includes the security measures required by subsection (b); and

"(iii) the security measures in the site security plan do not materially deviate from the guidance for expedited approval facilities except where indicated in the site security plan;

"(III) the owner or operator has provided an explanation of how the site security plan meets the risk-based performance standards for the tier to which the facility is assigned; and

"(IV) the owner or operator has visited, examined, determined, and verified that the expedited approval facility meets the criteria set forth in the site security plan;

"(V) each individual responsible for implementing the site security plan has implemented all of the required performance measures outlined in the site security plan or set out planned measures that will be implemented within a reasonable time period stated in the site security plan;

"(VI) each individual responsible for implementing the site security plan has been made aware of the requirements relevant to the individual's responsibility contained in the site security plan and has demonstrated competency to carry out those requirements; and

"(VII) the facility has been complied with, or in the case of planned measures will comply with, the necessary resources to fully implement the site security plan; and

"(VIII) the plans and measures include an adequate procedure for addressing events beyond the control of the owner or operator in implementing any planned measures.

"(E) DATE.—The date described in this clause is—

"(I) for an expedited approval facility that was assigned to tier 3 or 4 under existing CEPAS regulations before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the date that is 210 days after the date of enactment of that Act; and

"(II) for any expedited approval facility not described in clause (I), the date—

"(aa) the date on which the expedited approval facility was assigned to tier 3 or 4 under subsection (e)(2)(A); or

"(bb) the date that is 210 days after the date on which the owner or operator submits a site security plan or an amended site security plan.

"(F) AMENDMENTS TO SITE SECURITY PLAN.—

"(1) REQUIREMENT.—The owner or operator of an expedited approval facility amends a site security plan submitted under subparagraph (A), the owner or operator shall submit an amended site security plan and certification relating to the amended site security plan that contains the information described in subparagraph (C).

"(2) TECHNICAL AMENDMENTS.—For purposes of this clause, an amendment to a site security plan includes any technical amendment to the site security plan.

"(3) AMENDMENT HURDLE.—The owner or operator of an expedited approval facility shall amend the site security plan if—

"(i) there is a change in the design, construction, operation, or maintenance of the expedited approval facility that affects the site security plan;

"(ii) the Secretary requires additional security measures or suspends a certification and recommends additional security measures under subparagraph (G); or

"(iii) the owner or operator receives notice from the Secretary of a change in tiering under subsection (e)(3).

"(A) SITE SECURITY PLAN ASSESSMENTS.—"(i) SITE SECURITY PLAN ASSESSMENTS.—

"(i) REQUIREMENT.—

"(AA) if a security measure in the site security plan assigned to tier 3 or 4 may meet the risk-based performance standards for the tier to which the facility is assigned; and

"(BB) the individual is familiar with the site security plan;

"(BB) the individual has made aware of the requirements relevant to the individual's responsibility contained in the site security plan and has demonstrated competency to carry out those requirements; and

"(BBB) the site security plan meets the risk-based performance standards for the tier to which the facility is assigned;

"(BBB) the owner or operator has visited, examined, determined, and verified that the expedited approval facility meets the criteria set forth in the site security plan;

"(BBB) the owner or operator has provided an explanation of how such security measure meets the risk-based performance standards;

"(BBB) the plans and measures include an adequate procedure for addressing events beyond the control of the owner or operator in implementing any planned measures;

"(BBB) the owner or operator of an expedited approval facility submits the site security plan and certification in accordance with this subsection.

"(C) CERTIFICATION.—The owner or operator of an expedited approval facility shall submit to the Secretary a certification, signed under penalty of perjury, that—

"(I) the owner or operator is familiar with the requirements of this title and part 27 of title 6, Code of Federal Regulations, or any successor thereto, and the site security plan being submitted;

"(II) the site security plan includes the security measures required by subsection (b); and

"(III) the security measures in the site security plan do not materially deviate from the guidance for expedited approval facilities except where indicated in the site security plan;

"(IV) the owner or operator of an expedited approval facility amends a site security plan submitted under subparagraph (A), the owner or operator shall submit an amended site security plan and certification relating to the amended site security plan that contains the information described in subparagraph (C).

"(D) IN GENERAL.—If the Secretary determines an expedited approval facility is not in compliance with the requirements of the site security plan or is otherwise in violation of this title, the Secretary may en-
the certification of an expedited approval facility under subclause (I), the Secretary shall—

(‘‘aa’’) recommend specific additional security measures that, if made part of the site security plan by the facility, would enable the Secretary to approve the site security plan; and

(‘‘bb’’) provide the facility an opportunity to submit a new or modified site security plan and certification under subparagraph (A).

(III) SUBMISSION; REVIEW.—If an expedited approval facility determines to submit a new or modified site security plan and certification as authorized under subclause (II)(bb)—

(‘‘aa’’) not later than 90 days after the date on which the facility receives recommendations under subclause (II)(aa), the facility shall submit the new or modified plan and certification; and

(‘‘bb’’) not later than 45 days after the date on which the Secretary receives the new or modified plan under item (aa), the Secretary shall review the plan and determine whether the plan is facially deficient.

(IV) DETERMINATION NOT TO INCLUDE ADDITIONAL SECURITY MEASURES.—

(aa) REVOCATION OF CERTIFICATION.—If an expedited approval facility does not agree to include in its site security plan specific additional security measures recommended by the Secretary under subclause (II)(aa), or does not submit a new or modified site security plan in accordance with subclause (III), the Secretary may revoke the certification of the facility by issuing an order under section 2104(a)(1)(B).

(bb) EFFECT OF REVOCATION.—If the Secretary revokes the certification of an expedited approval facility under item (aa) by issuing an order under section 2104(a)(1)(B)—

(‘‘AA’’) the order shall require the owner or operator of the facility to submit a site security plan or alternative security program for review by the Secretary review under subsection (c)(1); and

(‘‘BB’’) the facility shall no longer be eligible to certify a site security plan under this paragraph.

(V) FACIAL DEFICIENCY.—If the Secretary determines that a new or modified site security plan for an expedited approval facility under subclause (III) is facially deficient—

(aa) not later than 120 days after the date of the order, the owner or operator of the facility shall submit a site security plan or alternative security program for review by the Secretary under subsection (c)(1); and

(bb) the facility shall no longer be eligible to certify a site security plan under this paragraph.

(H) TEMPLATES.—

(I) IN GENERAL.—The Secretary may develop prescriptive site security plan templates with specific security measures to meet the risk-based performance standards under subsection (a)(2)(C) for adoption and certification by a covered chemical facility assigned to tier 3 or 4 in lieu of developing and certifying its own plan.

(II) APPLICABILITY OF OTHER LAWS TO DEVELOPMENT AND ISSUANCE OF INITIAL SITE SECURITY PLAN TEMPLATES AND RELATED GUIDANCE.—Before issuing or amending the site security plan templates under paragraph, the Secretary has met the deadline under subparagraph (B)(ii), in developing and issuing, or amending, the site security plan templates under paragraph, in issuing guidance for implementation of the templates, and in collecting information from expedited approval facilities, the Secretary shall not be subject to—

(I) section 553 of title 5, United States Code;

(II) chapter I of title 35 of title 44, United States Code; or

(III) section 2107(b) of this title.

(III) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be interpreted to prevent the covered chemical facility from developing and certifying its own site security plan in accordance with subparagraph (A).

(D) EVALUATION.—

(i) IN GENERAL.—Not later than 18 months after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorism Act of 2014, the Secretary shall submit a new or modified site security plan; and

(ii) REQUIREMENT TO REPORT.—While an individual employed by a nondepartmental or nongovernmental entity is in the field conducting an audit or inspection under this subsection, the individual shall report to the regional supervisor with responsibility for the region in which the audit or inspection is to be conducted.

(E) STANDARDS FOR AUDITORS AND INSPECTORS.—The Secretary shall prescribe standards for the training and retraining of each individual employed by the Department as an auditor or inspector and individual employed by the Department and all nondepartmental or nongovernmental personnel, including—

(i) minimum education and experience levels;

(ii) retraining requirements;

(iii) minimum education and experience levels;

(iv) the submission of information as required by the Secretary to enable determination of whether the auditor or inspector has a conflict of interest;

(v) the proper certification or certification necessary to handle chemical-terrorist vulnerability information (as defined in section 27.105 of title 6, Code of Federal Regulations, or any successor thereto);

(vi) the reporting of any issue of non-compliance with this section to the Secretary within 24 hours; and

(vii) any additional qualifications for fitness of duty as the Secretary may require.

(F) CONDITIONS FOR NONGOVERNMENTAL AUDITORS AND INSPECTORS.—If the Secretary arranges for an audit or inspection under subparagraph (B) to be carried out by a nondepartmental entity, the Secretary shall—

(i) prescribe standards for the qualification of the individuals who carry out such audits or inspections that are commensurate with the standards for similar Government auditors or inspectors; and

(ii) ensure that any duties carried out by a nongovernmental entity are not inherently governmental functions.

(G) PERSONNEL SURETY.—

(A) PERSONNEL SURETY PROGRAM.—For purposes of this title, the Secretary shall establish and carry out a Personnel Surety Program that—

(i) does not require an owner or operator of a covered chemical facility to voluntarily participate in the program to submit information about an individual more than 1 time; and

(ii) provides a participating owner or operator of a covered chemical facility with relevant information about an individual based on vetting the individual against the terrorist screening database to the extent that such feedback is necessary for the facility to be in compliance with regulations promulgated under this title; and

(iii) provides redress to an individual;

(iv) whose information was vetted against the terrorist screening database under the program; and

(v) who believes that the personally identifiable information submitted to the Department for such vetting by a covered


chemical facility, or its designated representative, was inaccurate.

(‘‘B’’ PERSONNEL SECURITY PROGRAM IMPLEMENTATION.—To the extent that a risk-based performance standard established under subsection (a) requires identifying individuals with ties to terrorism—

(i) a covered chemical facility—

(‘‘(i)’’ an obligation under the standard by using any Federal screening program that periodically vets individuals against the terrorist screening database, or any screening program, including the Personnel Security Program, established under subparagraph (a); and

(‘‘(ii)’’ shall—

(aa) accept a credential from a Federal screening program described in subclause (I) if an individual who is required to be screened presents such a credential; and

(bb) address in its site security plan or alternative security program the measures it will take to verify that a credential or documentation from a Federal screening program described in subclause (I) is current;

(ii) visual inspection shall be sufficient to meet the requirement under clause (I)(II)(bb), but the facility should consider other means of verification, consistent with the facility’s assessment of the threat posed by acceptance of such credentials; and

(iii) the Secretary may not require a covered chemical facility to submit any information about an individual unless the individual—

(I) is to be vetted under the Personnel Security Program; or

(II) has been identified as presenting a terrorism security risk.

(C) RIGHTS UNAFFECTED.—Nothing in this section shall supersede the ability of—

(i) a covered chemical facility in a lower risk tier; or

(ii) determined that a facility that had previously meet the criteria for a covered chemical facility under section 2101(c) no longer met the criteria; and

(iii) the basis, in summary form, for each action or determination under subclause (I); and

(iv) that is provided in a sufficiently anonymized form to ensure that the information does not identify a specific facility or company as the source of the information when viewed alone or in combination with other public information;

(C) the average number of days spent reviewing site security or an alternative security program for a covered chemical facility prior to approval;

(D) the number of covered chemical facilities inspected;

(E) the average number of covered chemical facilities visited per inspector; and

(F) any other information that the Secretary determines will be helpful to Congress in evaluating the performance of the Chemical Facility Anti-Terrorism Standards Program.

SEC. 2103. PROTECTION AND SHARING OF INFORMATION.

(a) In General.—Notwithstanding any other provision of law, information developed under this title, including vulnerability assessments, site security plans, and other security related information, records, and documents shall be given protections from public disclosure consistent with the protections of similar information under section 702(d) of title 50, United States Code.

(b) Sharing of Information with States and Local Governments.—Nothing in this section shall be construed to prohibit the sharing of information developed under this title, as the Secretary determines appropriate, with State and local government officials possessing a need to know and the necessary security clearances, including law enforcement officials and first responders, for the purpose of carrying out this title, provided that such information may not be disclosed pursuant to any State or local law.

(c) Sharing of Information With First Responders.—

(1) REQUIREMENT.—The Secretary shall provide to State, local, and regional fusion centers (as that term is defined in section 210A(j)(1)) and State and local government officials, as the Secretary determines appropriate, such information as is necessary to secure the expectation of noncompliance of such information to necessary selected individuals.

(2) ENFORCEMENT REQUIREMENTS.—In any proceeding to enforce the provisions of vulnerability assessments, site security plans, and other information submitted to or obtained by the Secretary under this title, the Secretary shall be treated as if the information were classified information.

(3) AVAILABILITY OF INFORMATION.—Notwithstanding any other provision of law (including section 552(b)(3) of title 5, United States Code), section 552 of title 5, United States Code (commonly known as the ‘‘Freedom of Information Act’’) shall not apply to information protected from public disclosure pursuant to subsections (a)(2) and (a)(4).
incident that may affect a chemical facility of interest, the Secretary—

"(A) shall consult with the facility, if practicable, on steps to mitigate the risk; and

"(B) may order the facility, without notice or opportunity for a hearing, effective immediately or as soon as practicable, to—

"(i) implement appropriate emergency security measures to address the threat described in the report; or

"(ii) cease or reduce some or all operations, in accordance with safe shutdown procedures, if the Secretary determines that such a cessation or reduction of operations is the most appropriate means to address the risk.

(2) LIMITATION ON DELIBERATION.—The Secretary may exercise the authority under this subsection only to the extent necessary to abate the imminent threat determination under paragraph (1).

(4) DUE PROCESS FOR FACILITY OWNER OR OPERATOR.—

"(A) WRITTEN ORDERS.—An order issued by the Secretary under paragraph (1) shall be in the form of a written emergency order that—

"(i) describes the violation or risk that creates the imminent threat; and

"(ii) states the security measures or order issued or imposed; and

"(iii) describes the standards and procedures for obtaining relief from the order.

"(B) OPPORTUNITY FOR REVIEW.—After issuing an order under paragraph (1) with respect to a chemical facility of interest, the Secretary shall provide for review of the order under section 554 of title 5 if a petition for review is filed not later than 20 days after the last day of the 30-day period beginning on the date the petition is filed, the order shall vacate automatically at the end of that period unless the Secretary determines, in writing, that the imminent threat provides a basis for the order to continue.

"(d) RIGHT OF ACTION.—Nothing in this title confers upon any person except the Secretary, in partnership with industry associations and labor organizations, the right to pursue any remedy under this title, or a regulation prescribed under this title, or a State or political subdivision thereof to adopt or enforce any regulation, requirement, or standard of performance with respect to chemical facility security measures, cybersecurity, risk management, or chemical substances or mixtures; or

"(e) AUTHORITY.—The Secretary may exercise the authority under this title to the extent that the report does not consist of a facility's record containing protected information to a request of the employee submitted a report under subsection (a) and any such report shall be treated as a record containing protected information to the extent that the report does not consist of public information. The Secretary may provide guidance and, as appropriate, tools, methodologies, or computer software, to assist small covered chemical facilities in developing the physical security, cybersecurity, recordkeeping, and reporting procedures required under this title.

(5) DUE PROCESS FOR FACILITY OWNER OR OPERATOR.—

"(B) WRITTEN ORDERS.—The action of the Secretary under paragraph (4) shall be in a written form that—

"(i) describes the violation; and

"(ii) states the authority under which the Secretary is proceeding; and

"(iii) describes the standards and procedures for obtaining relief from the order.

(7) EXPIRATION OF EFFECTIVENESS OF ORDER.—If a petition for review of an order is filed under subparagraph (C) and the review under section 554 of title 5 is not completed by the end of the 30-day period beginning on the date the petition is filed, the action shall cease to be effective at the end of such period unless the Secretary determines, in writing, that the violation providing a basis for the action continues to exist.

(8) RETALIATION PROHIBITED.—

"(A) IN GENERAL.—An owner or operator of a chemical facility of interest or agent thereof may not discharge an employee or otherwise discriminate against an employee because the employee knowingly and willfully makes any false, fictitious, or fraudulent statement or representation; or

"(B) USE OF ANY FALSE WRITING OR DOCUMENT KNOWING THE WRITING OR DOCUMENT CONTAINS ANY FALSE, FICTITIOUS, OR FALSE INFORMATION TO THE END THAT THE REPORT DOES NOT CONSIST OF PUBLIC INFORMATION.

(9) ACKNOWLEDGMENT OF RECEIPT.—If a report submitted under paragraph (1) identifies the individual making the report, the Secretary shall promptly respond to the individual directly and shall promptly acknowledge receipt of the report.

(10) PROHIBITION AGAINST RETALIATION.—

"(A) IN GENERAL.—If, upon the review described in paragraph (4), the Secretary determines that an employee made a protective disclosure, the Secretary shall provide for review of the action if a petition for review is filed not later than 30 days after the date the petition is filed, the action shall cease to be effective at the end of such period unless the Secretary determines, in writing, that the violation providing a basis for the action continues to exist.

(11) PROTECTED INFORMATION.—All information to be submitted or made available by the Secretary, in accordance with section 557 of title 5, or in accordance with a chemical facility of interest or agent thereof to adopt or enforce any regulation, requirement, or standard of performance with respect to chemical facility security measures, cybersecurity, risk management, or chemical substances or mixtures; or

(12) AUTHORITY.—The Secretary may exercise the authority under this title to the extent that the report does not consist of a facility's record containing protected information to a request of the employee submitted a report under subsection (a) and any such report shall be treated as a record containing protected information to the extent that the report does not consist of public information.
“(c) REPORT.—The Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report on best practices that may assist small covered chemical facilities in development of physical security best practices.

SEC. 2109. OUTREACH TO CHEMICAL FACILITIES OF INTEREST.

"(c) REPORT TO CONGRESS.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report on best practices that may assist small covered chemical facilities in development of physical security best practices.

"(2) REPORTS.—

"(A) an assessment of the readiness and capacity of the workforce of the Department to meet its cybersecurity mission;

"(B) information on where cybersecurity workforce positions are located within the Department;

"(C) information on which cybersecurity workforce positions are—

"(i) performed by—

"(I) permanent full-time equivalent employees of the Department, including, to the greatest extent practicable, demographic information about such employees; and

"(II) independent contractors; and

"(ii) in cases in which such essential training was not received, what challenges, if any, were encountered with respect to the provision of such essential training.

(b) WORKFORCE STRATEGY.—

"(C) the term "Secretary" means the Secretary of Homeland Security.

"(B) the Chemical Facility Anti-Terrorism Standards Program subsequently authorized under section 2102 of the Homeland Security Act of 2002, as added by section 2;

"(c) REPORTS.—

"(1) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on best practices that may assist small covered chemical facilities in development of physical security best practices.

"(2) ANNUAL GAO REPORT.—

"(A) a description of the steps taken to achieve that progress and the metrics used to measure the progress;

"(ii) on whether facilities that submitted reports under paragraph (1) are in compliance with the requirements of this Act and the amendments made by this Act.

"(B) the Comptroller General shall submit to Congress an annual report that assesses the implementation of this Act and the amendments made by this Act.

"(C) SECOND ANNUAL REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report on the implementation of this Act and the amendments made by this Act.

"(D) the term "Chemical Facility Anti-Terrorism Standards Program'' means—

"(1) a description of best practices that may assist small covered chemical facilities, a detailed description of the Homeland Security Act of 2002, as added by section 2, in the development of physical security best practices.

"(2) ANNUAL GAO REPORT.—

"(A) in general.—During the 3-year period beginning on the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress an annual report that assesses the implementation of this Act and the amendments made by this Act.

"(B) INITIAL REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report on the identification of chemical facilities of interest and bring those facilities into compliance with title XXI of the Homeland Security Act of 2002, as added by section 2, in the development of physical security best practices.

"(C) SECOND ANNUAL REPORT.—Not later than 1 year after the date of the initial report required under subparagraph (B), the Comptroller General shall submit to Congress the second report under subparagraph (A), which shall include an assessment of the whistleblower protections provided under section 2105 of the Homeland Security Act of 2002, as added by section 2, and—

"(i) describes the number and type of problems, deficiencies, and vulnerabilities with respect to which reports have been submitted under such section 2105;

"(ii) evaluates the efforts of the Secretary in addressing the problems, deficiencies, and vulnerabilities described in subsection (ii) of such section 2105; and

"(iii) evaluates the efforts of the Secretary to inform individuals of their rights, as required under subsection (c) of such section 2105.

SEC. 2. DEFINITIONS.

"(1) identify chemical facilities of interest; and

"(2) make available compliance assistance materials and information on education and training;”.

(b) Clerical Amendment.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 108–295; 116 Stat. 1576) is amended by adding at the end the following:

"TITLE XXI—CHEMICAL FACILITY ANTI-TERRORISM STANDARDS"

"Sec. 2101. Definitions.

"Sec. 2102. Chemical Facility Anti-Terrorism Standards Program.

"Sec. 2103. Protection and sharing of information.

"Sec. 2104. Civil enforcement.

"Sec. 2105. Whistleblower protections.

"Sec. 2106. Relationship to other laws.

"Sec. 2107. Regulations.

"Sec. 2108. Small covered chemical facilities.

"Sec. 2109. Outreach to chemical facilities of interest.

“SEC. 3. ASSESSMENT; REPORTS.

(a) Definitions.—In this section—

"(1) the term “Chemical Facility Anti-Terrorism Standards Program” means—

"(2) ANNUAL GAO REPORT.—

"(A) in general.—During the 3-year period beginning on the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress an annual report that assesses the implementation of this Act and the amendments made by this Act.

“SEC. 4. EFFECTIVE DATE; CONFORMING REPEAL.

"(a) EFFECTIVE DATE.—This Act, and the amendments made by this Act, shall take effect on the date that is 30 days after the date of enactment of this Act.

“SEC. 5. TERMINATION.

"(c) REPORT.—The Secretary shall submit to the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report on best practices that may assist small covered chemical facilities in development of physical security best practices.

"(2) ANNUAL GAO REPORT.—

"(A) a description of the steps taken to achieve that progress and the metrics used to measure the progress;

"(ii) on whether facilities that submitted reports under paragraph (1) are in compliance with the requirements of this Act and the amendments made by this Act.

"(B) the Comptroller General shall submit to Congress an annual report that assesses the implementation of this Act and the amendments made by this Act.

"(C) SECOND ANNUAL REPORT.—Not later than 1 year after the date of the initial report required under subparagraph (B), the Comptroller General shall submit to Congress the second report under subparagraph (A), which shall include an assessment of the whistleblower protections provided under section 2105 of the Homeland Security Act of 2002, as added by section 2, and—

"(i) describes the number and type of problems, deficiencies, and vulnerabilities with respect to which reports have been submitted under such section 2105;

"(ii) evaluates the efforts of the Secretary in addressing the problems, deficiencies, and vulnerabilities described in subsection (ii) of such section 2105; and

"(iii) evaluates the efforts of the Secretary to inform individuals of their rights, as required under subsection (c) of such section 2105.

"(D) the term "Chemical Facility Anti-Terrorism Standards Program'' means—

"(1) the term "Chemical Facility Anti-Terrorism Standards program initially authorized under section 505 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 6 U.S.C. 121 note); and

"(B) the Chemical Facility Anti-Terrorism Standards Program subsequently authorized under section 2102 of the Homeland Security Act of 2002, as added by section 2;

"(2) the term “Department” means the Department of Homeland Security; and

"(3) the term "Secretary" means the Secretary of Homeland Security.

“B. the Chemical Facility Anti-Terrorism Standards Program subsequently authorized under section 2102 of the Homeland Security Act of 2002, as added by section 2;

“C. the term "Department" means the Department of Homeland Security; and

“D. a description of best practices that may assist small covered chemical facilities, a detailed description of the Homeland Security Act of 2002, as added by section 2, in the development of physical security best practices.

“(B) INITIAL REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to Congress an annual report that assesses the implementation of this Act and the amendments made by this Act.

“(C) SECOND ANNUAL REPORT.—Not later than 1 year after the date of the initial report required under subparagraph (B), the Comptroller General shall submit to Congress the second report under subparagraph (A), which shall include an assessment of the whistleblower protections provided under section 2105 of the Homeland Security Act of 2002, as added by section 2, and—

“(i) describes the number and type of problems, deficiencies, and vulnerabilities with respect to which reports have been submitted under such section 2105;

“(ii) evaluates the efforts of the Secretary in addressing the problems, deficiencies, and vulnerabilities described in subsection (ii) of such section 2105; and

“(iii) evaluates the efforts of the Secretary to inform individuals of their rights, as required under subsection (c) of such section 2105.

“(D) THIRD ANNUAL REPORT.—Not later than 1 year after the date on which the Comptroller General submits the second report required under subparagraph (A), the Comptroller General shall submit to Congress the third report under subparagraph (A), which shall include an assessment of—

"(i) the expanded approval program authorized under section 2102(c)(4) of the Homeland Security Act of 2002, as added by section 2; and

"(ii) the report on the expanded approval program submitted by the Secretary under paragraph (1).
which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 30. ELIGIBILITY FOR PAYMENTS IN LIEU OF TAXES.**

Any land designated as a unit of the National Park System or a component of the National Wilderness Preservation System under this title shall not be subject to chapter 69 of title 31, United States Code.

**SA 4005. Mr. COBURN** submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

**SEC. 30. PROHIBITION ON AVAILABILITY OF FUNDS FOR FEDERAL LAND ACQUISITION.**

None of the funds authorized to be appropriated by this Act (or an amendment made by this Act) may be obligated or expended to establish a new unit of the National Park System or to acquire Federal land until the date on which the Secretary of the Interior certifies that the maintenance backlog on Federal land has declined for at least 2 consecutive years.

**SA 4006. Mr. COBURN** submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

**DIVISION B—DEFERRED MAINTENANCE BACKLOG ON FEDERAL LAND.**

Section 7(a) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-9(a)) is amended by adding at the end the following:

“(4) To address the maintenance backlog on Federal land.”

**SA 4004. Mr. COBURN** submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act;
Notwithstanding any other provision of this Act, section 3092 shall have no force or effect.

SEC. 5026. REFINING OF PACIFIC COAST GROUNDFISH FISHING CAPACITY MANAGEMENT PROVISION.

Notwithstanding any other provision of this Act, section 3095 shall have no force or effect.

SEC. 5027. PAYMENTS IN LIEU OF TAXES.

Notwithstanding any other provision of this Act, section 3096 shall have no force or effect.

SA 4007. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. CRITERIA FOR OCO FUNDING REQUESTS.

(A) Certification by Director of OMB. (1) In general.—Any request of the President for funds for overseas contingency operations to be carried out by the Armed Forces (including any request for supplemental funding for a fiscal year for such purpose) shall include, for each program, project, activity, or item for which funds are so requested, a certification by the Director of the Office of Management and Budget whether such program, project, activity, or item meets one or more of the criteria specified in paragraph (3).

(B) Scope of certification. — Each certification under paragraph (1) for a program, project, activity, or item that meets more than one of the criteria specified in paragraph (3) shall specify each of the criteria which such program, project, activity, or item meets.

(3) Criteria. — The criteria specified in this paragraph are as follows:

(A) Major equipment. — That the program, project, activity, or item is for major equipment as follows:

(i) Replacement of losses that have occurred, other than—

(1) items already programmed for replacement in the future-years defense program; and

(ii) accelerations of replacements.

(II) Replacement or repair to original capability (to upgraded capability if currently available) of equipment returning from a theater operations—

(i) including replacement by a similar end item if the original item is no longer in production; and

(ii) excluding incremental cost of non-war related upgrades.

(B) Ground equipment replacement.—That the program, project, activity, or item is for replacement of ground equipment as follows:

(i) Replacement of combat losses and returning equipment that is not economical to repair, including replacement of equipment to be given to coalition partners.

(ii) Replacement of in-theater stocks above customary equipping levels, if jointly determined by the Secretary of Defense to be consistent with the purposes of certification under paragraph (1).

(C) Equipment modifications.—That the program, project, activity, or item is for operationally-required modifications to equipment used in a theater of operations or in direct support of combat operations, other than those programmed in the future-years defense program.

(D) Munitions.—That the program, project, activity, or item is for munitions as follows:

(i) Replenishment of munitions expended in combat operations in a theater of operations.

(ii) Procurement of training ammunition for training events unique to a theater of operations.

(iii) Anticipated procurement of munitions where existing stocks are insufficient to sustain combat operations in a theater of operations, if jointly determined by the Director and the Secretary to be consistent with the purposes of certification under paragraph (1).

(E) Aircraft replacement.—That the program, project, activity, or item is for replacement of aircraft as follows:

(i) Replacement of combat losses by accident that occur in a theater of operations.

(ii) Replacement of combat losses by enemy action that occur in a theater of operations.

(F) Military construction.—That the program, project, activity, or item is for military construction as follows:

(i) Construction of facilities and infrastructure in a theater of operations in direct support of combat operations.

(ii) Construction at non-enduring locations of facilities, and infrastructure for temporary use.

(iii) Construction at enduring locations of facilities and infrastructure for temporary operations.

(iv) Construction an enduring locations for surge operations or major changes in operational requirements, if jointly determined by the Director and the Secretary to be consistent with the purposes of certification under paragraph (1).

(G) Research and development.—That the program, project, activity, or item is for research and development, including efforts and operations that can be delivered in 12 months.

(H) Operations.—That the item is for operations as follows:

(i) Direct war costs, including the following:

(1) Transport of personnel, equipment, and supplies to, from, and within a theater of operations.

(II) Deployment-specific training and preparation for units and personnel (whether military or civilian) to assume their directed missions as determined by the Secretary for deployment into a theater of operations.

(ii) Within a theater of operations, incremental costs for purposes as follows:

(A) To support commanders in the conduct of their directed missions (including Emergency Response Programs).

(B) To build and maintain temporary facilities.

(C) To provide food, fuel, supplies, contracted services and other support.

(D) To cover the operational costs of coalition partners supporting missions of the United States Armed Forces.

(iii) Indirect war costs incurred outside a theater of operations, if jointly determined by the Secretary to be consistent with the purposes of certification under paragraph (1).

(A) Waiver.—In the Senate, paragraph (1) may be waived or suspended only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) Appeal.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph (1).

(C) Adjustments to discretionary spending limits.—Notwithstanding section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)), if the Chair determines that appropriate adjustments for discretionary accounts are enacted that the Congress designates for Overseas Contingency Operations/Global War on Terrorism, the amount in discretionary spending limits under such section 251(b)(2)(A) for Overseas Contingency Operations/Global War on Terrorism shall be the total of only such appropriations in discretionary accounts that are certified by the Director of the Office of Management and Budget for the program, project, activity, or other item that meets one or more criteria specified in subsection (a)(3).

SA 4008. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the
Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

SEC. 6. INSTALLATION RENEWABLE ENERGY PROJECT DATABASE.

(a) LIMITATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall establish a searchable database to uniformly report installation energy projects undertaken since 2010.

(b) ELEMENTS.—The database established under subsection (a) shall include, for each installation energy project—

(1) the estimated project costs;
(2) estimated power generation;
(3) estimated total cost savings;
(4) estimated payback period;
(5) total project costs;
(6) actual power generation;
(7) actual costs and actual savings; and
(8) current operational status; and

(c) ACCESS.—The database established under subsection (a) shall be updated not less than quarterly.

SA 4009. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII, insert the following:

SEC. 1. SHORT TITLE.

This title may be cited as the “Audit the Pentagon Act of 2014”.

SEC. 2. CONGRESSIONAL RECORD — SENATE

Congress makes the following findings:

(1) Section 9 of Article I of the Constitution of the United States requires all agencies of the Federal Government to publish “a regular statement and account of the receipts and expenditures of all public money”.

(2) Section 3515 of Title 31, United States Code, requires the agencies of the Federal Government, including the Department of Defense, to present auditable financial statements beginning not later than March 1, 1997. The Department has not complied with this law.

(3) The Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note) requires financial systems acquired by the Federal Government, including the Department of Defense, to be able to provide information to leaders to manage and control the cost of Government. The Department has not complied with this law.

(4) The financial management of the Department of Defense has been on the “High-Risk” list of the Government Accountability Office, which means that the Department is not consistently able to “control costs; ensure accurate and transparent future costs and claims on the budget; measure performance; maintain funds control; and prevent and detect fraud, waste, and abuse”.

(5) The Financial Management Act for Fiscal Year 2002 (Public Law 107–107) requires the Secretary of Defense to report to Congress annually on the reliability of the financial statements of the Department of Defense, to minimize resources spent on producing unreliable financial statements, and to use resources saved to improve financial management policies, procedures, and internal controls.

(6) In 2005, the Department of Defense created a Financial Improvement and Audit Readiness (FIAR) Plan, overseen by a directorate within the office of the Under Secretary of Defense (Comptroller), to improve Department business processes with the goal of reducing waste, improving the quality of its financial information, and billions of dollars of anticipated expenditures on new information technology systems for that purpose, may not suffice to achieve full audit readiness of the financial statement of the Department. At that hearing, the Government Accountability Office stated that past expenditures by the Department of Defense of $5,800,000,000 to improve auditable financial statements was insufficient and would result in losses of public funds.

(7) The National Defense Authorization Act of Fiscal Year 2014 (Public Law 113–291), signed into law December 18, 2014, distributed as a statutory requirement the goal of the Plan in ensuring that Department of Defense financial statements are audited as of the end of the fiscal year ending September 30, 2017. In addition, the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239) required that the statutory requirements of the Department of Defense be validated as ready for audit by not later than September 30, 2014.

(8) At the September 2010 hearing of the Senate, the Government Accountability Office stated that past expenditures by the Department of Defense of $5,800,000,000 to improve auditable financial statements was insufficient and would result in losses of public funds.

(9) At a 2013 hearing of the Senate, Secretary of Defense Chuck Hagel affirmed his commitment to audit-ready budget statement by the Department by the end of 2014, and stated that he “will do everything he can to fulfill this commitment”. At that hearing, Secretary Hagel noted that “more reliable financial statements are essential to the Department not only for improving the quality of its financial information, but also for reassuring the public and Congress that it is a good steward of public funds.”

SEC. 3. CESSATION OF APPLICABILITY OF REPORTING REQUIREMENTS REGARDING THE FINANCIAL STATEMENTS OF THE DEPARTMENT OF DEFENSE.

(a) CESSATION OF APPLICABILITY.—

(1) MILITARY DEPARTMENTS.—The financial statements of a military department shall cease to be covered by the reporting requirements specified in subsection (b) upon the issuance of an unqualified audit opinion on such financial statements.

(2) DEPARTMENT OF DEFENSE.—The reporting requirements specified in subsection (b) shall cease to be effective when an unqualified audit opinion on the financial statements of the Department of Defense, including each of the military departments and the other reporting entities defined by the Office of Management and Budget.

(b) REPORTING REQUIREMENTS.—The reporting requirements specified in this subsection shall be the following:


(a) Department of Defense generally.—

Subject to section 06(f), if the Department of Defense obtains an audit with an unqualified opinion on its statement of budgetary resources for any fiscal year after fiscal year 2014, the limitation on the total amount of authorizations that the Secretary of Defense may transfer or reprogram under section 301(b) of title 10, United States Code, such duties and powers with respect to the financial management of the Department of Defense as the Deputy Secretary of Defense (including the Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(2) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASA FOR FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Navy for Financial Management under section 3016 of title 10, United States Code, shall be an individual who has served—

(i) as the chief financial officer or equivalent position of a Federal or State agency that has received an audit with an unqualified opinion on such agency’s financial statements during the time of such individual’s service; or

(ii) as the chief financial officer or equivalent position of a public company that has received an audit with an unqualified opinion on such company’s financial statements during the time of such individual’s service.

(B) RESPONSIBILITIES.—The responsibilities of the individual serving as Assistant Secretary of the Navy for Financial Management shall include, in addition to the responsibilities specified in section 8016(b)(4) of title 10, United States Code, such responsibilities as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(b) Public company defined.—In this section, the term ‘public company’ has the meaning given the term ‘issuer’ in section 2(a)(7) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201(a)(7)).

SEC. 06. FAILURE OF THE DEPARTMENT OF DEFENSE TO OBTAIN AUDITS WITH UNQUALIFIED OPINION OF FISCAL YEAR 2018 FINANCIAL STATEMENTS.

If the Department of Defense fails to obtain an audit with an unqualified opinion on its general fund statement of budgetary resources for fiscal year 2018, the authority in section 06(a)(7) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201(a)(7)) shall cease to be in effect for fiscal year 2019 and any fiscal year thereafter.

(2) Reorganization of responsibilities of chief management officer.—Effective as of January 1, 2019, the authority in section 06(a)(7) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201(a)(7)) shall cease to be in effect for fiscal year 2019 and any fiscal year thereafter.

(B) DEFENSE MANAGEMENT REGULATION OF THE DEPARTMENT OF DEFENSE (DOD 7000.14R), DATED MARCH 2011, IN CHAPTER 6 OF VOLUME 3 OF THE FINANCIAL MANAGEMENT REGULATION OF THE DEPARTMENT OF DEFENSE (COMPTROLLER).—

(D) a proven record in achieving positive operational results.

(C) RESPONSIBILITIES OF ASA FOR FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Air Force for Financial Management under section 3016 of title 10, United States Code, such responsibilities as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(3) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASSFOR OF FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Air Force for Financial Management under section 3016 of title 10, United States Code, such responsibilities as the Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) may prescribe.

(2) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASSFOR OF FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Air Force for Financial Management under section 3016 of title 10, United States Code, such responsibilities as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(2) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASSFOR OF FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Air Force for Financial Management under section 3016 of title 10, United States Code, such responsibilities as the Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) may prescribe.

(3) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASSFOR OF FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Air Force for Financial Management under section 3016(b)(4) of title 10, United States Code, such responsibilities as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(3) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASSFOR OF FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Air Force for Financial Management under section 3016(b)(4) of title 10, United States Code, such responsibilities as the Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) may prescribe.

(3) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASSFOR OF FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Air Force for Financial Management under section 3016(b)(4) of title 10, United States Code, such responsibilities as the Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) may prescribe.

(3) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASSFOR OF FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Air Force for Financial Management under section 3016(b)(4) of title 10, United States Code, such responsibilities as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(3) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASSFOR OF FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Air Force for Financial Management under section 3016(b)(4) of title 10, United States Code, such responsibilities as the Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) may prescribe.

(3) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASSFOR OF FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Air Force for Financial Management under section 3016(b)(4) of title 10, United States Code, such responsibilities as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(3) ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASSFOR OF FINANCIAL MANAGEMENT.—

(A) QUALIFICATIONS.—Any individual nominated for appointment to the position of Assistant Secretary of the Air Force for Financial Management under section 3016(b)(4) of title 10, United States Code, such responsibilities as the Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) may prescribe.
“(D) Strategic planning, annual performance planning, and identification and tracking of performance measures.

(E) Internal audits and management analyses of the programs and activities of the Department, including the Defense Contract Audit Agency.

(F) Such other areas or matters as the Secretary of Defense may designate.

“(3) The head of the Defense Contract Audit Agency shall be under the supervision of, and shall report directly to, the Chief Management Officer of the Department of Defense.

“(d) PRECEDENCE.—The Chief Management Officer takes precedence in the Department of Defense over the Secretary of the military departments, and all that follows through present.

“(B) CONFORMING AMENDMENTS.—

(i) Section 131(b) of title 10, United States Code, is amended—

(1) by striking paragraph (3); and

(II) by redesignating subsection (2) as paragraph (3); and

(III) by inserting after paragraph (1) the following new paragraph (2):

“(2) The Chief Management Officer of the Department of Defense.

(ii) Section 132 of such title is amended—

(1) by striking subsection (c); and

(II) by redesigning subsections (d) and (e) as subsections (c) and (d), respectively.

(iii) Section 133 of such title is amended—

(1) by striking paragraph (3); and

(II) by redesigning subsections (d) and (e) as subsections (c) and (d), respectively.

(iv) Section 134 of such title is amended—

(1) by striking paragraph (3); and

(II) by redesigning subsections (d) and (e) as subsections (c) and (d), respectively.

(v) Section 137 of such title is amended—

(1) by striking paragraph (3); and

(II) by redesigning subsections (d) and (e) as subsections (c) and (d), respectively.

(vi) Section 138 of such title is amended by striking—

“the Secretary of Defense,” and all that follows and inserting—

“the Chief Management Officer of the Department of Defense,”

and all that follows through the period and inserting—

“the Chief Management Officer of the Department of Defense, the Secretary of the Navy, the Secretary of the Army, the Secretary of the Air Force, the Secretary of Defense, and the Director of Defense Research and Engineering.”

(C) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by striking the item relating to section 132a and inserting the following new item:

“132a. Chief Management Officer.”

(D) EXECUTIVE SCHEDULE.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

“Chief Management Officer of the Department of Defense.”

(E) REFERENCE IN LAW.—Any reference in any provision of law to the Chief Management Officer of the Department of Defense under section 132a of title 10, United States Code, shall be deemed to refer to the Chief Management Officer of the Department of Defense under section 132a of title 10, United States Code, as amended by this paragraph.

(F) JURISDICTION OF DFAS.—Effective as of April 1, 2019:

(A) TRANSFER TO DEPARTMENT OF THE TREASURY.—The jurisdiction of the Defense Finance and Accounting Service (DFAS) is transferred from the Department of Defense to the Department of the Treasury.

(B) ADMINISTRATION.—The Secretary of the Treasury shall administer the Defense Finance and Accounting Service following transfer under this paragraph through the Financial Management Service of the Department of the Treasury.

(C) MEMORANDUM OF UNDERSTANDING.—The Secretary of the Treasury shall jointly enter into a memorandum of understanding regarding the transfer of jurisdiction of the Defense Finance and Accounting Service under this paragraph. The memorandum of understanding shall provide for the transfer of personnel and other resources of the Service to the Department of the Treasury and for the assumption of responsibility for such personnel and resources by the Department of the Treasury.

(D) CONSTRUCTION.—Nothing in this paragraph shall be construed as terminating, altering, or revising any responsibilities or authorities of the Defense Finance and Accounting Service (other than responsibilities and authorities in connection with the exercise of jurisdiction of the Service following transfer under this paragraph).

SEC. 07. FAILURE OF THE MILITARY DEPARTMENTS TO OBTAIN AUDITS WITH UNQUALIFIED OPINION OF FINANCIAL STATEMENTS FOR FISCAL YEARS AFTER FISCAL YEAR 2018.

(A) PERMANENT CESSATION OF AUTHORITY ON REPURPOSING OF FUNDS.—If a military department fails to obtain an audit with an unqualified opinion of its financial statements for fiscal year 2018 by December 31, 2018, effective as of January 1, 2019, the authorities in section 101(b) shall cease to be effective as of the date of such fiscal year.

(B) ANNUAL PROHIBITION ON EXPENDITURE OF FUNDS FOR CERTAIN MDAPs AFTER MILESTONE B IN CONNECTION WITH FAILURE.

(1) Prohibitions for fiscal years after fiscal year 2017, if a military department fails to obtain an audit with an unqualified opinion on its financial statements for any fiscal year, effective as of the date of the issuance of the opinion on such audit, amounts available to the military department for the following fiscal year may not be obligated by the military department for a weapon or weapon system or platform being acquired as a major defense acquisition program (other than a program that has already achieved Milestone B approval of the date of the issuance of the opinion on such audit).

(2) DEFINITIONS.—In this subsection:

(A) The term “major defense acquisition program” has the meaning given that term in section 2340 of title 10, United States Code.

(B) The term “Milestone B approval” has the meaning given that term in section 2366(e)(7) of title 10, United States Code.

(C) MEMORANDUM OF UNDERSTANDING.—The provisions of section 2366(e)(7) of title 10, United States Code, include—

(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or section 7122 of such Code; and

(2) a debt with respect to which a collection due process hearing under section 6330 of such Code, or relief under subsection (a), (b), or (f) of section 6013 of such Code, is requested or pending.

SA 4011. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 08. ENTERPRISE RESOURCE PLANNING.

The Secretary of Defense shall amend the acquisition guidance of the Department of Defense to the following:

(A) The current Business Enterprise Architecture established by the Chief Management Officer of the Department of Defense.

(B) The provisions of section 2222 of title 10, United States Code.

(C) The Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official (acting in such capacity) shall have the authority to transfer any program manager (whether in a military department or a Defense Agency) for the procurement of an Enterprise Resource Planning business system if procurement of the system takes longer than three years from the initial obligation of funds to full deployment and sustainment.

(D) Any integrator contract for the implementation of an Enterprise Resource Planning business system shall only be awarded to companies that have a history of successful implementation of other Enterprise Resource Planning business systems for the Federal Government (whether with the Department of Defense or another department or agency of the Federal Government), including meeting cost and schedule goals.

SA 4012. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:
SEC. 4. CONSOLIDATION OF DUPLICATIVE AND OVERLAPPING AGENCIES, PROGRAMS, AND ACTIVITIES OF THE FEDERAL GOVERNMENT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the heads of other departments and agencies of the Federal Government—

(1) use available administrative authority to eliminate, consolidate, or streamline Government agencies, programs, and activities with duplicative and overlapping missions as identified in Government Accountability Office reports on duplication and overlap in Government programs;

(2) identify and submit to Congress a report setting the legislative action required to fundamentally consolidate, streamline, or terminate Government agencies, programs, and activities with duplicative and overlapping missions as identified in the reports referred to in paragraph (1); and

(3) determine the total cost savings that—

(A) will accrue to each department, agency, and office affected by an action under paragraph (1) as a result of the actions taken under that paragraph; and

(B) could accrue to each department, agency, and office affected by an action under paragraph (2) as a result of the actions proposed to be taken under that paragraph using the legislative authority set forth under that paragraph.

SA 4013. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 4. TERMINATION OF US FAMILY HEALTH PLAN.

(a) TERMINATION.—The US Family Health Plan (USFHP) is hereby terminated.

(b) WIND-UP OF ACTIVITIES.—The Secretary of Defense shall take appropriate actions to wind up the activities of the US Family Health Plan as soon as practicable after the date of the enactment of this Act.

SA 4014. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 4. DATABASE ON PATIENT SAFETY, QUALITY OF CARE, AND OUTCOME MEASURES REGARDING HEALTH CARE PROVIDED BY THE DEPARTMENT OF DEFENSE TO MILITARY PERSONNEL AND DEPENDENTS.

(a) PUBLICLY AVAILABLE DATABASE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop and make available to the public a comprehensive database containing all applicable patient safety, quality of care, and outcome measures. The database shall develop and make available to the public a comprehensive database containing all applicable patient safety, quality of care, and outcome measures identified, consolidate, or streamline Government agencies, programs, and activities with duplicative and overlapping missions as identified in Government Accountability Office reports on duplication and overlap in Government programs;

(2) identify and submit to Congress a report setting the legislative action required to fundamentally consolidate, streamline, or terminate Government agencies, programs, and activities with duplicative and overlapping missions as identified in the reports referred to in paragraph (1); and

(3) determine the total cost savings that—

(A) will accrue to each department, agency, and office affected by an action under paragraph (1) as a result of the actions taken under that paragraph; and

(B) could accrue to each department, agency, and office affected by an action under paragraph (2) as a result of the actions proposed to be taken under that paragraph using the legislative authority set forth under that paragraph.

SEC. 4. TERMINATION OF US FAMILY HEALTH PLAN.

(a) TERMINATION.—The US Family Health Plan (USFHP) is hereby terminated.

(b) WIND-UP OF ACTIVITIES.—The Secretary of Defense shall take appropriate actions to wind up the activities of the US Family Health Plan as soon as practicable after the date of the enactment of this Act.

SA 4013. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 4. LIMITATION ON GOVERNMENT AGENCY EXPENDITURES ON CONFERENCES.

(a) CONFERENCE LIMITATIONS.—

(1) LIMITATION ON AMOUNT EXPENDED ON A CONFERENCE.—

(A) IN GENERAL.—No agency may expend more than $500,000 to support a single conference, unless the head of the agency and the Chief Financial Officer of the agency submits to Congress before the conference a written certification that the conference is in the national interest, which shall include—

(i) an estimate of the total cost of the conference;

(ii) the dates of the conference;

(iii) an estimate of the number of full-time equivalent employees attending the conference;

(iv) any costs associated with planning for the conference; and

(v) an explanation of how the conference advances the mission of the agency.

(B) Any other measures required of or referred to in this subsection (a) shall be construed to preclude any agency from receiving financial support or other assistance from a foundation or other non-Federal source to pay or defray the costs of a conference.

(2) LIMITATION ON CONFERENCE POLICIES.—An agency may not establish or implement a policy that discourages or prohibits the selection of a location for travel, an event, a meeting, or a conference because the location is perceived to be a resort or vacation destination.

(b) DEFINITIONS.—In this section—

(1) the term “agency” has the meaning given that term under section 751(1) of title 5, United States Code;

(2) the term “conference” means a meeting, retreat, seminar, symposium, or event that involves attendee travel.

SA 4016. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 4. PROHIBITION ON ARMY NATIONAL GUARD SPONSORSHIP OF PROFESSIONAL WRESTLING ENTERTAINMENT OR MOTOR SPORTS.

Section 508(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) Recruiting and advertising campaigns authorized by paragraphs (1) and (2) or by any other provision of law, including section 561(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001
Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

SEC. 1212. INCREASED MILITARY ASSISTANCE FOR THE GOVERNMENT OF UKRAINE.

(a) IN GENERAL.—The President is authorized to provide defense articles, defense services, and training to the Government of Ukraine for the purpose of countering offensive weapons and reestablishing the sovereignty and territorial integrity of Ukraine, including anti-armor and anti-tank weapons, crew weapons and ammunition, counter-artillery radars to identify and target artillery batteries, fire control, range finder, and optical and guidance and control equipment, tactical troop-operated surveillance drones, and secure command and communications equipment, pursuant to the provisions of the Arms Export Control Act (22 U.S.C. 2771 et seq.), and other relevant provisions of law.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes—

(1) a detailed description of the anticipated defense articles, defense services, and training to be provided pursuant to this section;
(2) a timeline for the provision of such defense articles, defense services, and training;
and
(3) a list of defense articles, defense services, and training authorized to be provided by subsection (a) that have been requested by the Government of Ukraine but are not being provided and an explanation with respect to why such defense articles, defense services, and training are not being provided.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of State $350,000,000 for fiscal year 2015 to carry out activities under this section.

(2) LIMITATION ON AMOUNTS.—Amounts authorized to be appropriated pursuant to paragraph (1) shall remain available for obligation and expenditure through the end of fiscal year 2015.

(d) AUTHORITY FOR THE USE OF FUNDS.—The funds made available pursuant to subsection (c) for provision of defense articles, defense services, and training may be used to procure such articles, services, and training from the United States Government or other appropriate sources.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘‘appropriate congressional committees’’ means—
(A) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Armed Services of the Senate; and
(B) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Armed Services of the House of Representatives.

(2) DEFENSE ARTICLE; DEFENSE SERVICE; TRAINING.—The terms ‘‘defense article’’, ‘‘defense service’’, and ‘‘training’’ have the meanings given those terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

SA 4018. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the International Rescue Committee Act of 1993 to authorize the United States to provide assistance to the International Rescue Committee in connection with providing relief, human rights, and community development assistance to beneficiaries of war, conflict, and natural disasters and other emergencies.

SEC. 1281. SHORT TITLE.

This subtitle may be cited as the ‘‘Palestinian and United Nations Anti-Terrorism Act of 2014’’.

SEC. 1282. FINDINGS.

Congress makes the following findings:

(1) On April 17, 2014, Hamas, a designee by the United Nations Expert Committee on the Palestinian Liberation Organization and Hamas, a designated terrorist organization, signed an agreement to form a government of national consensus.

(2) On June 2, 2014, Palestinian President Mahmoud Abbas announced a unity government as a result of the April 23, 2014, agreement.

(3) United States law requires that any Palestinian government that includes Hamas ‘‘as a member’’, or over which Hamas exercises ‘‘unusual influence’’, only receive United States assistance if certain certifications are made to Congress.

(4) The President has taken the position that the current Palestinian government does not include members of Hamas or is influenced by Hamas and has thus not made the certifications required under current law.

(5) The leadership of the Palestinian Authority has failed to completely denounce and distance itself from Hamas’ campaign of terrorism against Israel.

(6) President Abbas has refused to dissolve the power-sharing agreement with Hamas even as more than 2,300 rockets have targeted Israel since July 8, 2014.

(7) President Abbas and other Palestinian Authority officials have failed to condemn Hamas’ extensive use of the Palestinian people as human shields.

(8) The Israeli Defense Force has gone to unprecedented lengths for a modern military to limit civilian casualties.


(10) The United Nations Human Rights Council has a long history of taking anti-Israel actions while ignoring the widespread and egregious human rights violations of many other countries, including some of its own members.

(11) On July 16, 2014, officials of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) discovered 20 rockets in one of the organization’s schools in Gaza, before returning the weapons to local Palestinian officials rather than discarding them.

(12) On multiple occasions during the conflict in Gaza, Hamas has used the facilities and the areas surrounding UNRWA locations to store weapons, harbor their fighters, and conduct attacks.

SEC. 1283. DECLARATION OF POLICY.

It shall be the policy of the United States—

(1) to deny United States assistance to any entity or international organization that harbors or collaborates with Hamas, a designated terrorist organization, or recognizes Hamas as a legitimate government in an effort to defend the United States’ national security; and

(2) to seek a negotiated settlement of this conflict only under the condition that Hamas and any United States-designated terrorist groups are required to entirely disarm, disband, and demobilize from the territories of the Palestinian people.

(3) to continue to provide security assistance to the Government of Israel to assist its efforts to defend its territory and people from rockets, missiles, and other threats.

SEC. 1284. RESTRICTIONS ON AID TO THE PALESTINIAN AUTHORITY.

For purposes of section 620K of the Foreign Assistance Act of 2014 (22 U.S.C. 2379b), any power-sharing government, including the current government, formed in connection with the agreement signed on April 23, 2014, between the Palestinian Authority and Hamas, is considered to be a ‘‘Hamas-controlled Palestinian Authority’’.

SEC. 1285. REFORM OF UNITED NATIONS HUMAN RIGHTS COUNCIL.

(a) IN GENERAL.—Until the Secretary of State submits to the appropriate congressional committees a certification that the requirements described in subsection (b) have been satisfied—

(1) the United States contribution to the regular budget of the United Nations shall be reduced by an amount equal to the percentage of such contribution that the Secretary determines would be allocated by the United Nations to support the United Nations Human Rights Council or any of its Special Procedures;

(2) the Secretary shall not make a voluntary contribution to the United Nations Human Rights Council;

(3) the United States shall not run for a seat on the United Nations Human Rights Council;

(b) CERTIFICATION.—The annual certification referred to in subsection (a) is a certification made by the Secretary of State to Congress that the United Nations Human Rights Council’s activities include a permanent item related to the State of Israel or the Palestinian territories.

(c) REVERSION OF FUNDS.—Funds appropriated and available for a United States contribution to the United Nations but withheld from obligation and expenditure pursuant to this section shall immediately revert to the United States Treasury and the United States Government shall not consider them to be repayable to any United Nations entity.

SEC. 1286. UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (UNRWA).

Section 301(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2221(c)) is amended to read as follows:

‘‘(11) PALESTINIAN REFUGEES: CONSIDERATIONS AND CONDITIONS FOR FURNISHING ASSISTANCE.—

‘‘(A) IN GENERAL.—No contributions by the United States to the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA) for programs in the West Bank and Gaza, or any related entity or to the regular budget of the United Nations for the support of
UNRWA or a successor entity for programs in the West Bank and Gaza, may be provided until the Secretary certifies to the appropriate congressional committees that—

(A) the Committees on Appropriations, and the House Appropriations Committee, and the Senate Appropriations Committee, respectively;

(B) UNRWA's annual budget shall not exceed $150,000,000; and

(C) UNRWA is subject to comprehensive financial audits by an internationally recognized third party independent auditing firm and has implemented an effective system of vetting and oversight to prevent the use, re-ceipt, or diversion of any UNRWA resources by Hamas or any United States-designated terrorist group, or their members; and

(2) UNRWA funds or loans is a member of Hamas or any United States-designated terrorist group.

"(2) APPROPRIATE CONGRESSIONAL COMMITTEE DEFINITION.—For the purposes of this subsection, the term ‘appropriate congressional committees’ means—

(A) the Committees on Appropriations, Appropriations, and Homeland Security and Governmental Affairs of the Senate; and

(B) the Committees on Appropriations, Appropriations, and Oversight and Government Reform of the House of Representatives.

SEC. 1287. ISRAELI SECURITY ASSISTANCE. Not later than 180 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, and in coordination with the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of Homeland Security, shall submit to the Committees on Appropriations, and Oversight and Government Reform of the House of Representatives, the Committees on Appropriations, and Homeland Security and Governmental Affairs of the Senate, and the Committees on Appropriations, Appropriations, and Oversight and Government Reform of the House of Representatives, a report that includes—

(A) a detailed description of the current military assistance to Israel, and the proposed military assistance to Israel for fiscal year 2015 and subsequent fiscal years for which appropriations are made;

(B) an analysis of the benefits of the military assistance to Israel to United States national security interests, to Israel's national security interests, and to the region of the Middle East;

(C) any legislation or legislative amendments proposed to modify or provide for any additional military assistance to Israel for fiscal year 2015 and subsequent fiscal years for which appropriations are made;

(D) the potential impact of the military assistance to Israel on the ability of the United States to achieve its national security interests in the Middle East.

"(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2015 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

"(b) INCREASE IN BASIC PAY.—Effective on January 1, 2015, the rates of monthly basic pay for members of the uniformed services are increased by 1.8 percent for enlisted member pay grades, warrant officer pay grades, and commissioned officer pay grades below pay grade O–7.

"(c) APPLICATION OF EXECUTIVE SCHEDULE LEVEL II CEILING ON PAYABLE RATES FOR GENERAL AND FLAG OFFICERS.—Section 203(a)(2) of title 37, United States Code, shall be applied for rates of basic pay payable for commissioned officers in pay grades O–8 through O–10 during calendar year 2015 by using the rate of pay for level II of the Executive Schedule in effect during 2014.

"(d) INCREASE IN AMOUNT FOR MILITARY PERSONNEL.—The amount authorized to be appropriated for fiscal year 2015 by section 421 for military personnel is hereby increased by $600,000,000.

SA 4022. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirement contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

SEC. 30. PAYMENT IN LIEU OF TAXES REFORM.

(a) AMENDMENTS TO TITLE 1.—

(1) REDEFINITION OF ENTITLEMENT LAND.—Section 6001(1) of title 31, United States Code, is amended—

(2) The results of the investigation into the failure of the radar system supporting the Eastern range in March 2014, including the causes for the failure.

(3) The Defense Department of each current radar and other system as well as supporting infrastructure required to support the mission requirements of the range, including back-up systems.

(4) An estimate of the annual level of dedicated funding required to maintain and modernize the range infrastructure in adequate condition to meet national security requirements.

(5) A review of requirements to repair, upgrade, and modernize the radars and other mission support systems to current technologies.

(6) A prioritized list of projects, costs, and projected funding schedules needed to carry out the maintenance, repair, and modernization requirements.

SA 4020. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirement contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

SEC. 333. REPORT ON SUPPORT FOR LANESCHES IN SUPPORT OF NATIONAL SECURITY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the requirements and investments needed to modernize Department of Defense space launch facilities and supporting infrastructure at Cape Canaveral Air Force Station and Vandenberg Air Force Base.

(b) The report required under subsection (a) shall include the following elements:

(1) The use of simulation training has yielded military units that are better trained, more capable, and more confident when compared to units that do not have access to modern simulation training devices.
(A) in subparagraph (A), by striking “the National Park System or”; and
(B) in subparagraph (B), by inserting “other than land that is a unit of the National Park System” before the period at the end.

(2) ADDITIONAL PAYMENTS.—Section 6904(a) of title 31, United States Code, is amended by striking paragraph (1) and inserting the following:

“(1) the United States acquired for the National Forest Wilderness Areas; and”.

(3) REDWOOD NATIONAL PARK.—Section 6905 of title 31, United States Code, is repealed.

(4) CONFORMING AMENDMENTS.—
(A) Section 501 of the Department of the Interior and Related Agencies Appropriations Act, 1998 (P.L. 105–87) is amended by striking subsection (f).
(B) The chapter analysis for chapter 69 of title 31, United States Code, is amended by striking the item relating to section 5055.
(C) DEDICATED MAINTENANCE BACKLOG.—Any amounts saved as a result of the amendments made by subsection (a) shall be made available to the Secretary of the Interior, without further appropriation, to address the maintenance backlog on National Park System land.

SA 4023. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. RELEASE OF PROPERTY INTERESTS IN BUREAU OF LAND MANAGEMENT LAND CONVEYED TO THE STATE OF OREGON FOR ESTABLISHMENT OF HERNISTON AGRICULTURAL RESEARCH AND EXTENSION CENTER.

Notwithstanding any other provision of this Act, section 3083 shall have no force or effect.

SA 4026. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. COMMEMORATION OF CENTENNIAL OF WORLD WAR I.

Notwithstanding any other provision of this Act, section 3091 shall have no force or effect.

SA 4030. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. MISCELLANEOUS ISSUES RELATED TO LAS VEGAS VALLEY PUBLIC LAND AND TULE SPRINGS FOSSIL BEDS NATIONAL MONUMENT.

Notwithstanding any other provision of this Act, section 3092 shall have no force or effect.

SA 4031. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. NATIONAL DESERT STORM AND DESERT SHIELD MEMORIAL.

Notwithstanding any other provision of this Act, section 3093 shall have no force or effect.

SA 4032. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. EXTENSION OF LEGISLATIVE AUTHORITY FOR ENSURING COMMEMORATIVE WORK IN HONOR OF FORMER PRESIDENT JOHN ADAMS.

Notwithstanding any other provision of this Act, section 3094 shall have no force or effect.

SA 4033. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:
SEC. 3097. REFINANCING OF PACIFIC COAST GROUNDFISH FISHING CAPACITY REDUCTION LOAN.

Notwithstanding any other provision of this Act, section 3065 shall have no force or effect.

SA 4034. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. PAYMENTS IN LIEU OF TAXES.

Notwithstanding any other provision of this Act, section 3066 shall have no force or effect.

SA 4035. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. ILLAHO CREEK, WASHINGTON, WILD AND SCENIC RIVER.

Notwithstanding any other provision of this Act, section 3071 shall have no force or effect.

SA 4036. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. MISSISSOQUI AND TROUT WILD AND SCENIC RIVERS, VERMONT.

Notwithstanding any other provision of this Act, section 3072 shall have no force or effect.

SA 4037. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. WHITE CLAY CREEK WILD AND SCENIC RIVER EXPANSION.

Notwithstanding any other provision of this Act, section 3073 shall have no force or effect.

SA 4038. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. WHITE CLAY CREEK WILD AND SCENIC RIVER.

Notwithstanding any other provision of this Act, section 3074 shall have no force or effect.

SEC. 3097. WHITE CLAY CREEK WILD AND SCENIC RIVER.

Notwithstanding any other provision of this Act, section 3075 shall have no force or effect.

SA 4039. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. MISSISSOQUI AND TROUT WILD AND SCENIC RIVERS.

Notwithstanding any other provision of this Act, section 3076 shall have no force or effect.

SA 4040. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. LAND TAKEN INTO TRUST FOR BENEFIT OF THE NORTHERN CHEYENNE TRIBE.

Notwithstanding any other provision of this Act, section 3077 shall have no force or effect.

SA 4041. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. TRANSFER OF ADMINISTRATIVE JURISDICTION, RADGER ARMY AMMUNITION PLANT, BARABOO, WISCONSIN.

Notwithstanding any other provision of this Act, section 3078 shall have no force or effect.

SA 4042. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. NORTHERN CHEYENNE TRIBE.

Notwithstanding any other provision of this Act, section 3079 shall have no force or effect.

SA 4043. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. PINE FOREST RANGE WILDERNESS.

Notwithstanding any other provision of this Act, section 3080 shall have no force or effect.

SA 4044. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. ROCKY MOUNTAIN FRONT CONSERVATION MANAGEMENT AREA AND WILDERNESS ADDITIONS.

Notwithstanding any other provision of this Act, section 3081 shall have no force or effect.

SA 4045. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. WOVOKA WILDERNESS.

Notwithstanding any other provision of this Act, section 3082 shall have no force or effect.

SA 4046. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. ROCKY MOUNTAIN FRONT CONSERVATION MANAGEMENT AREA AND WILDERNESS ADDITIONS.

Notwithstanding any other provision of this Act, section 3083 shall have no force or effect.
Notwithstanding any other provision of this Act, section 3055 shall have no force or effect.

SEC. 5042. ALPINE LAKES WILDERNESS ADDITIONS AND PRATT AND MIDDLE FORK SNOQUALMIE RIVERS PROTECTION.

Notwithstanding any other provision of this Act, section 3060 shall have no force or effect.

SA 4055. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5058. NATIONAL PARK SYSTEM DONOR ACKNOWLEDGMENT.

Notwithstanding any other provision of this Act, section 3054 shall have no force or effect.

SA 4051. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5038. CONGRESSIONAL RECORD — SENATE S6575
SA 4059. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. GRASSING PERMITS AND LEASES.

Notwithstanding any other provision of this Act, section 3023 shall have no force or effect.

SA 4060. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3096. NATIONAL HERITAGE AREAS AND CORRIDORS.

Notwithstanding any other provision of this Act, section 3032 shall have no force or effect.

SA 4061. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3095. OREGON CAVES NATIONAL MONUMENT AND PRESERVE.

Notwithstanding any other provision of this Act, section 3041 shall have no force or effect.

SA 4062. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. INTERNET-BASED ONSHORE OIL AND GAS LEASE SALES.

Notwithstanding any other provision of this Act, section 3022 shall have no force or effect.

SA 4063. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. BLACKSTONE RIVER VALLEY NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3031 shall have no force or effect.

SA 4064. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. HARRIET TUBMAN NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3036 shall have no force or effect.
SA 4072. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5097. HINCHLIFFE STADIUM ADDITION TO PATerson GREAT Falls NATIONAL HISTORICAL PARK.

Notwithstanding any other provision of this Act, section 3097 shall have no force or effect.

SA 4073. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 5097. LAND CONVEYANCE, WAINwright, ALASKA.

Notwithstanding any other provision of this Act, section 3097 shall have no force or effect.

SA 4077. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. SEALASKA LAND ENTITLEMENT FINALIZATION.

Notwithstanding any other provision of this Act, section 3097 shall have no force or effect.

SA 4078. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. SOUTHEAST ARIZONA LAND EXCHANGE, AND CONSERVATION.

Notwithstanding any other provision of this Act, section 3097 shall have no force or effect.

SA 4079. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. LAND EXCHANGE, CIBola NATIONAL WILDLIFE REFUGE, ARIZONA, AND LAND IN RIVERSIDE COUNTY, CALIFORNIA.

Notwithstanding any other provision of this Act, section 3097 shall have no force or effect.

SA 4080. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. SCHOOL DISTRICT 318, MINNESOTA, LAND EXCHANGE.

Notwithstanding any other provision of this Act, section 3097 shall have no force or effect.

SA 4081. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. SPECIAL RULES FOR INYo NATIONAL FOREST, CALIFORNIA, LAND EXCHANGE.

Notwithstanding any other provision of this Act, section 3097 shall have no force or effect.

SA 4082. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. LAND EXCHANGE, TRINITY PUBLIC UTILITIES DISTRICT, TRINITY COUNTY, CALIFORNIA, THE BUREAU OF LAND MANAGEMENT, AND THE FOREST SERVICE.

Notwithstanding any other provision of this Act, section 3097 shall have no force or effect.

SA 4083. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. LAND EXCHANGE, TRINITY RANGE LAND CONVEYANCE.

Notwithstanding any other provision of this Act, section 3097 shall have no force or effect.

SA 4084. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:
under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. NORTHERN NEVADA LAND CONVEYANCES.

Notwithstanding any other provision of this Act, section 3009 shall have no force or effect.

SA 4085. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. SAN JUAN COUNTY, NEW MEXICO, FEDERAL LAND CONVEYANCE.

Notwithstanding any other provision of this Act, section 3010 shall have no force or effect.

SA 4086. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. LAND CONVEYANCE, UINTA-WASATCH-CACHE NATIONAL FOREST, UTAH.

Notwithstanding any other provision of this Act, section 3011 shall have no force or effect.

SA 4087. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. CONVEYANCE OF CERTAIN LAND TO THE CITY OF FRUIT HEIGHTS, UTAH.

Notwithstanding any other provision of this Act, section 3012 shall have no force or effect.

SA 4088. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. LAND CONVEYANCE, HANFORD SITE, WASHINGTON.

Notwithstanding any other provision of this Act, section 3013 shall have no force or effect.

SA 4089. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. RANCH A WYOMING CONSOLIDATION AND MANAGEMENT IMPROVEMENT.

Notwithstanding any other provision of this Act, section 3014 shall have no force or effect.

SA 4090. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle J of title XXX of division B, add the following:

SEC. 3097. BUREAU OF LAND MANAGEMENT PERMIT PROCESSING.

Notwithstanding any other provision of this Act, section 3021 shall have no force or effect.

SA 4091. Mr. SCHATZ (for himself, Mr. MURPHY, Ms. BALDWIN, Mr. BOOKER, Mrs. GILLIBRAND, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 1209.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry, be authorized to meet during the session of the Senate on December 10, 2014, at 10 a.m., in room SR–328A of the Russell Senate Office Building, to conduct a hearing entitled "The Commodity Futures Trading Commission: Effective Enforcement and the Future of Derivatives Regulation."

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on December 10, 2014, at 10 a.m., to conduct a hearing entitled “Cybersecurity: Enhancing Coordination To Protect the Financial Sector.”

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on December 10, 2014, at 2:30 p.m., in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled ‘‘Passenger Rail: Investing in our Nation’s Future.’’

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on December 10, 2014, at 10 a.m., to hold a Subcommittee on African Affairs hearing entitled, ‘‘The Ebola Epidemic: The Keys to Success for the International Response.’’

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 10, 2014, at 10:30 a.m., to hold a Subcommittee on African Affairs hearing entitled, ‘‘The President’s Executive Action On Immigration And The Need To Pass Comprehensive Reform.’’

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

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on December 10, 2014, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Executive Nominations.”

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

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on December 10, 2014, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Keeping Families Together: The President’s Executive Action On Immigration And The Need To Pass Comprehensive Reform.”

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