SA 2542. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2502 submitted by Ms. BALDWIN and intended to be proposed to the bill S. 1197, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 2442.** Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1237. STRATEGY TO SUPPORT CONSOLIDATION OF SECURITY AND GOVERNANCE GAINS IN SOMALIA.**

(a) REQUIREMENT FOR STRATEGY.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate committees of Congress a strategy to guide future United States action in support of the Government and people of Somalia to foster economic growth and opportunity, counter armed threats to stability, and develop credible, transparent, and representative government systems and institutions.

(b) CONTENT OF STRATEGY.—The strategy required under subsection (a) should include the following elements:

(1) A clearly stated policy toward Somalia on supporting the consolidation of political gains at the national level, while also encouraging and supporting complementary processes at the local and regional levels.

(2) Measures to support the development goals identified by the people and Government of Somalia.

(3) Plans for strengthening efforts by the Government of Somalia, the African Union, and regional governments to stabilize the security situation within Somalia and further degrade al-Shabaab's capabilities, in order to enable the eventual transfer of security operations to Somali security forces capable of—

(A) maintaining and expanding security within Somalia;

(B) confronting international security threats; and

(C) preventing human rights abuses.

(4) Plans for supporting the development and professionalization of regionally and ethnically representative Somali security forces, including the infrastructure and procedures required to ensure chain of custody and the safe storage of military equipment and an assessment of the benefits and risks of the provision of weaponry to the Somali security forces by the United States.

(5) A description of United States national security objectives addressed through military-to-military cooperation activities with Somali security forces.

(6) A description of security risks to United States personnel conducting security cooperation activities within Somalia and plans to assist the Somali security forces in preventing infiltration and insider attacks, including through the application of lessons learned in United States military training efforts in Afghanistan.

(7) A description of United States tools for monitoring and responding to violations of the United Nations Security Council arms embargo, charcoal ban, and other international agreements affecting the stability of Somalia.

(8) A description of mechanisms for coordinating United States military and non-military assistance with other international donors, regional governments, and relevant multilateral organizations.

(9) Plans to increase United States diplomatic engagement with Somalia, including through the future establishment of an embassy or other diplomatic posts in Mogadishu.

(10) Any other element the President determines appropriate.

(c) REPORTS.—Not later than 180 days from the submission of the strategy required under subsection (a), and annually thereafter for three years, the President shall submit to the appropriate committees of Congress an update on implementation of the strategy and progress made in Somalia in security, stability, development, and governance.

(d) FORM.—The strategy under this section shall be submitted in unclassified form, but may include a classified annex. The reports may take the form of a briefing, unclassified report, or unclassified report with a classified annex.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to authorize any use of military force in Somalia.

(f) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee Intelligence of the Senate; and

(2) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

**SA 2443.** Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1066. REPORT ON UNMANNED AIRCRAFT SYSTEMS.**

(a) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services of the Senate;

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

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Armed Services of the House of Representatives;

(E) the Committee on Transportation and Infrastructure of the House of Representatives;

(F) the Committee on Science, Space, and Technology of the House of Representatives; and

(G) the Committee on Appropriations of the House of Representatives.

(2) The term ''UAS Executive Committee'' means the Department of Defense-Federal Aviation Administration executive committee described in section 1036(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4596) established by the Secretary of Defense and the Administrator of the Federal Aviation Administration.

(b) REPORT ON COLLABORATION, DEMONSTRATION, AND USE CASES AND DATA SHARING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of Transportation, the Administrator of the Federal Aviation Administration, and the Administrator of the National Aeronautics and Space Administration, on behalf of the UAS Executive Committee, shall jointly submit a report to the appropriate congressional committees that describes the following:

(1) The collaboration, demonstrations, and initial fielding of unmanned aircraft systems at test sites within and outside of restricted airspace.

(2) The progress being made to develop public and civil sense-and-avoid and command-and-control technology, including the human factors and other technological challenges identified in the Integration of Civil Unmanned Aircraft Systems in the National Airspace System Roadmap, published by the Federal Aviation Administration on November 7, 2013 (referred to in this subsection as the ''NAS Roadmap''), and what role the test sites can play in overcoming those challenges.

(3) An assessment on the sharing of operational, programmatic, and research data relating to unmanned aircraft systems operations by the Federal Aviation Administration, the Department of Defense, and the National Aeronautics and Space Administration to help the Federal Aviation Administration establish civil unmanned aircraft systems certification standards, pilot certification and licensing, and air traffic control procedures, including identifying the locations selected to collect, analyze, and store the data.

(4) The strategy to improve the effectiveness of government-industry collaboration between UAS Executive Committee members and relevant stakeholders regarding National Airspace System integration, and how the test sites can be used to improve this collaboration.

(5) An evaluation of how best to overcome the national security challenges identified in the NAS Roadmap referred to in paragraph (2).

**SA 2444.** Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

**TITLE ____—CYBERSECURITY ACT OF 2013**

**SEC. ____01. SHORT TITLE.**

This title may be cited as the ''Cybersecurity Act of 2013''.

**SEC. ____02. DEFINITIONS.**

In this title:

(1) CYBERSECURITY MISSION.—The term ''cybersecurity mission'' means activities that encompass the full range of threat reduction, vulnerability reduction, deterrence, international engagement, incident response, resiliency, and recovery policies and activities, including computer network operations, information assurance, law enforcement, diplomacy, military, and intelligence missions as such activities relate to the security and stability of cyberspace.

(2) INFORMATION INFRASTRUCTURE.—The term ''information infrastructure'' means the underlying framework that information

systems and assets rely on to process, transmit, receive, or store information electronically, including programmable electronic devices, communications networks, and industrial or supervisory control systems and any associated hardware, software, or data.

(3) INFORMATION SYSTEM.—The term ''information system'' has the meaning given that term in section 3502 of title 44, United States Code.

**SEC. ___03. NO REGULATORY AUTHORITY.**

Nothing in this title shall be construed to confer any regulatory authority on any Federal, State, tribal, or local department or agency.

**Subtitle A—Public-private Collaboration on Cybersecurity**

**SEC. ___11. PUBLIC-PRIVATE COLLABORATION ON CYBERSECURITY.**

(a) CYBERSECURITY.—Section 2(c) of the National Institute of Standards and Technology Act (15 U.S.C. 272(c)) is amended—

(1) by redesignating paragraphs (15) through (22) as paragraphs (16) through (23), respectively; and

(2) by inserting after paragraph (14) the following:

''(15) on an ongoing basis, facilitate and support the development of a voluntary, industry-led set of standards, guidelines, best practices, methodologies, procedures, and processes to reduce cyber risks to critical infrastructure (as defined under subsection (e));''.

(b) SCOPE AND LIMITATIONS.—Section 2 of the National Institute of Standards and Technology Act (15 U.S.C. 272) is amended by adding at the end the following:

''(e) CYBER RISKS.—

''(1) IN GENERAL.—In carrying out the activities under subsection (c)(15), the Director—

''(A) shall—

''(i) coordinate closely and continuously with relevant private sector personnel and entities, critical infrastructure owners and operators, sector coordinating councils, Information Sharing and Analysis Centers, and other relevant industry organizations, and incorporate industry expertise;

''(ii) consult with the heads of agencies with national security responsibilities, sector-specific agencies, State and local governments, the governments of other nations, and international organizations;

''(iii) identify a prioritized, flexible, repeatable, performance-based, and cost-effective approach, including information security measures and controls, that may be voluntarily adopted by owners and operators of critical infrastructure to help them identify, assess, and manage cyber risks;

''(iv) include methodologies—

''(I) to identify and mitigate impacts of the cybersecurity measures or controls on business confidentiality; and

''(II) to protect individual privacy and civil liberties;

''(v) incorporate voluntary consensus standards and industry best practices;

''(vi) align with voluntary international standards to the fullest extent possible;

''(vii) prevent duplication of regulatory processes and prevent conflict with or superseding of regulatory requirements, mandatory standards, and related processes; and

''(viii) include such other similar and consistent elements as the Director considers necessary; and

''(B) shall not prescribe or otherwise require—

''(i) the use of specific solutions;

''(ii) the use of specific information or communications technology products or services; or

''(iii) that information or communications technology products or services be designed, developed, or manufactured in a particular manner.

''(2) LIMITATION.—Information shared with or provided to the Institute for the purpose of the activities described under subsection (c)(15) shall not be used by any Federal, State, tribal, or local department or agency to regulate the activity of any entity.

''(3) DEFINITIONS.—In this subsection:

''(A) CRITICAL INFRASTRUCTURE.—The term 'critical infrastructure' has the meaning given the term in section 1016(e) of the USA PATRIOT Act of 2001 (42 U.S.C. 5195c(e)).

''(B) SECTOR-SPECIFIC AGENCY.—The term 'sector-specific agency' means the Federal department or agency responsible for providing institutional knowledge and specialized expertise as well as leading, facilitating, or supporting the security and resilience programs and associated activities of its designated critical infrastructure sector in the all-hazards environment.''.

(c) STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study that assesses—

(A) the progress made by the Director of the National Institute of Standards and Technology in facilitating the development of standards and procedures to reduce cyber risks to critical infrastructure in accordance with section 2(c)(15) of the National Institute of Standards and Technology Act, as added by this section;

(B) the extent to which the Director's facilitation efforts are consistent with the directive in such section that the development of such standards and procedures be voluntary and led by industry representatives;

(C) the extent to which sectors of critical infrastructure (as defined in section 1016(e) of the USA PATRIOT Act of 2001 (42 U.S.C. 5195c(e))) have adopted a voluntary, industry-led set of standards, guidelines, best practices, methodologies, procedures, and processes to reduce cyber risks to critical infrastructure in accordance with such section 2(c)(15);

(D) the reasons behind the decisions of sectors of critical infrastructure (as defined in subparagraph (C)) to adopt or to not adopt the voluntary standards described in subparagraph (C); and

(E) the extent to which such voluntary standards have proved successful in protecting critical infrastructure from cyber threats.

(2) REPORTS.—Not later than 1 year after the date of the enactment of this Act, and every 2 years thereafter for the following 6 years, the Comptroller General shall submit a report, which summarizes the findings of the study conducted under paragraph (1), to—

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

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

(C) the Committee on Science, Space, and Technology of the House of Representatives.

**Subtitle B—Cybersecurity Research and Development**

**SEC. ___21. FEDERAL CYBERSECURITY RESEARCH AND DEVELOPMENT.**

(a) FUNDAMENTAL CYBERSECURITY RESEARCH.—

(1) IN GENERAL.—The Director of the Office of Science and Technology Policy, in coordination with the head of any relevant Federal agency, shall build upon programs and plans in effect as of the date of enactment of this Act to develop a Federal cybersecurity research and development plan to meet objectives in cybersecurity, such as—

(A) how to design and build complex software-intensive systems that are secure and reliable when first deployed;

(B) how to test and verify that software and hardware, whether developed locally or obtained from a third party, is free of significant known security flaws;

(C) how to test and verify that software and hardware obtained from a third party correctly implements stated functionality, and only that functionality;

(D) how to guarantee the privacy of an individual, including that individual's identity, information, and lawful transactions when stored in distributed systems or transmitted over networks;

(E) how to build new protocols to enable the Internet to have robust security as one of the key capabilities of the Internet;

(F) how to determine the origin of a message transmitted over the Internet;

(G) how to support privacy in conjunction with improved security;

(H) how to address the growing problem of insider threats;

(I) how improved consumer education and digital literacy initiatives can address human factors that contribute to cybersecurity;

(J) how to protect information processed, transmitted, or stored using cloud computing or transmitted through wireless services; and

(K) any additional objectives the Director of the Office of Science and Technology Policy, in coordination with the head of any relevant Federal agency and with input from stakeholders, including appropriate national laboratories, industry, and academia, determines appropriate.

(2) REQUIREMENTS.—

(A) IN GENERAL.—The Federal cybersecurity research and development plan shall identify and prioritize near-term, mid-term, and long-term research in computer and information science and engineering to meet the objectives under paragraph (1), including research in the areas described in section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)).

(B) PRIVATE SECTOR EFFORTS.—In developing, implementing, and updating the Federal cybersecurity research and development plan, the Director of the Office of Science and Technology Policy shall work in close cooperation with industry, academia, and other interested stakeholders to ensure, to the extent possible, that Federal cybersecurity research and development is not duplicative of private sector efforts.

(3) TRIENNIAL UPDATES.—

(A) IN GENERAL.—The Federal cybersecurity research and development plan shall be updated triennially.

(B) REPORT TO CONGRESS.—The Director of the Office of Science and Technology Policy shall submit the plan, not later than 1 year after the date of enactment of this Act, and each updated plan under this section to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

(b) CYBERSECURITY PRACTICES RESEARCH.—The Director of the National Science Foundation shall support research that—

(1) develops, evaluates, disseminates, and integrates new cybersecurity practices and concepts into the core curriculum of computer science programs and of other programs where graduates of such programs have a substantial probability of developing software after graduation, including new practices and concepts relating to secure coding education and improvement programs; and

(2) develops new models for professional development of faculty in cybersecurity education, including secure coding development.

(c) CYBERSECURITY MODELING AND TEST BEDS.—

(1) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Director the National Science Foundation, in coordination with the Director of the Office of Science and Technology Policy, shall conduct a review of cybersecurity test beds in existence on the date of enactment of this Act to inform the grants under paragraph (2). The review shall include an assessment of whether a sufficient number of cybersecurity test beds are available to meet the research needs under the Federal cybersecurity research and development plan.

(2) ADDITIONAL CYBERSECURITY MODELING AND TEST BEDS.—

(A) IN GENERAL.—If the Director of the National Science Foundation, after the review under paragraph (1), determines that the research needs under the Federal cybersecurity research and development plan require the establishment of additional cybersecurity test beds, the Director of the National Science Foundation, in coordination with the Secretary of Commerce and the Secretary of Homeland Security, may award grants to institutions of higher education or research and development non-profit institutions to establish cybersecurity test beds.

(B) REQUIREMENT.—The cybersecurity test beds under subparagraph (A) shall be sufficiently large in order to model the scale and complexity of real-time cyber attacks and defenses on real world networks and environments.

(C) ASSESSMENT REQUIRED.—The Director of the National Science Foundation, in coordination with the Secretary of Commerce and the Secretary of Homeland Security, shall evaluate the effectiveness of any grants awarded under this subsection in meeting the objectives of the Federal cybersecurity research and development plan under subsection (a) no later than 2 years after the review under paragraph (1) of this subsection, and periodically thereafter.

(d) COORDINATION WITH OTHER RESEARCH INITIATIVES.—In accordance with the responsibilities under section 101 of the High-Performance Computing Act of 1991 (15 U.S.C. 5511), the Director the Office of Science and Technology Policy shall coordinate, to the extent practicable, Federal research and development activities under this section with other ongoing research and development security-related initiatives, including research being conducted by—

(1) the National Science Foundation;

(2) the National Institute of Standards and Technology;

(3) the Department of Homeland Security;

(4) other Federal agencies;

(5) other Federal and private research laboratories, research entities, and universities;

(6) institutions of higher education;

(7) relevant nonprofit organizations; and

(8) international partners of the United States.

(e) NATIONAL SCIENCE FOUNDATION COMPUTER AND NETWORK SECURITY RESEARCH GRANT AREAS.—Section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)) is amended—

(1) in subparagraph (H), by striking ''and'' at the end;

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

(3) by adding at the end the following:

''(J) secure fundamental protocols that are integral to inter-network communications and data exchange;

''(K) secure software engineering and software assurance, including—

''(i) programming languages and systems that include fundamental security features;

''(ii) portable or reusable code that remains secure when deployed in various environments;

''(iii) verification and validation technologies to ensure that requirements and specifications have been implemented; and

''(iv) models for comparison and metrics to assure that required standards have been met;

''(L) holistic system security that—

''(i) addresses the building of secure systems from trusted and untrusted components;

''(ii) proactively reduces vulnerabilities;

''(iii) addresses insider threats; and

''(iv) supports privacy in conjunction with improved security;

''(M) monitoring and detection;

''(N) mitigation and rapid recovery methods;

''(O) security of wireless networks and mobile devices; and

''(P) security of cloud infrastructure and services.''.

(f) RESEARCH ON THE SCIENCE OF CYBERSECURITY.—The head of each agency and department identified under section 101(a)(3)(B) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(a)(3)(B)), through existing programs and activities, shall support research that will lead to the development of a scientific foundation for the field of cybersecurity, including research that increases understanding of the underlying principles of securing complex networked systems, enables repeatable experimentation, and creates quantifiable security metrics.

**SEC. ____22. COMPUTER AND NETWORK SECURITY RESEARCH CENTERS.**

Section 4(b) of the Cyber Security Research and Development Act (15 U.S.C. 7403(b)) is amended—

(1) in paragraph (3), by striking ''the research areas'' and inserting the following: ''improving the security and resiliency of information infrastructure, reducing cyber vulnerabilities, and anticipating and mitigating consequences of cyber attacks on critical infrastructure, by conducting research in the areas'';

(2) by striking ''the center'' in paragraph (4)(D) and inserting ''the Center''; and

(3) in paragraph (5)—

(A) by striking ''and'' at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting a semicolon; and

(C) by adding at the end the following:

''(E) the demonstrated capability of the applicant to conduct high performance computation integral to complex computer and network security research, through on-site or off-site computing;

''(F) the applicant's affiliation with private sector entities involved with industrial research described in subsection (a)(1);

''(G) the capability of the applicant to conduct research in a secure environment;

''(H) the applicant's affiliation with existing research programs of the Federal Government;

''(I) the applicant's experience managing public-private partnerships to transition new technologies into a commercial setting or the government user community;

''(J) the capability of the applicant to conduct interdisciplinary cybersecurity research, basic and applied, such as in law, economics, or behavioral sciences; and

''(K) the capability of the applicant to conduct research in areas such as systems security, wireless security, networking and protocols, formal methods and high-performance computing, nanotechnology, or industrial control systems.''.

**Subtitle C—Education and Workforce Development**

**SEC. ____31. CYBERSECURITY COMPETITIONS AND CHALLENGES.**

(a) IN GENERAL.—The Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security, in consultation with the Director of the Office of Personnel Management, shall—

(1) support competitions and challenges under section 105 of the America COMPETES Reauthorization Act of 2010 (124 Stat. 3989) or any other provision of law, as appropriate—

(A) to identify, develop, and recruit talented individuals to perform duties relating to the security of information infrastructure in Federal, State, and local government agencies, and the private sector; or

(B) to stimulate innovation in basic and applied cybersecurity research, technology development, and prototype demonstration that has the potential for application to the information technology activities of the Federal Government; and

(2) ensure the effective operation of the competitions and challenges under this section.

(b) PARTICIPATION.—Participants in the competitions and challenges under subsection (a)(1) may include—

(1) students enrolled in grades 9 through 12;

(2) students enrolled in a postsecondary program of study leading to a baccalaureate degree at an institution of higher education;

(3) students enrolled in a post baccalaureate program of study at an institution of higher education;

(4) institutions of higher education and research institutions;

(5) veterans; and

(6) other groups or individuals that the Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security determine appropriate.

(c) AFFILIATION AND COOPERATIVE AGREEMENTS.—Competitions and challenges under this section may be carried out through affiliation and cooperative agreements with—

(1) Federal agencies;

(2) regional, State, or school programs supporting the development of cyber professionals;

(3) State, local, and tribal governments; or

(4) other private sector organizations.

(d) AREAS OF SKILL.—Competitions and challenges under subsection (a)(1)(A) shall be designed to identify, develop, and recruit exceptional talent relating to—

(1) ethical hacking;

(2) penetration testing;

(3) vulnerability assessment;

(4) continuity of system operations;

(5) security in design;

(6) cyber forensics;

(7) offensive and defensive cyber operations; and

(8) other areas the Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security consider necessary to fulfill the cybersecurity mission.

(e) TOPICS.—In selecting topics for competitions and challenges under subsection (a)(1), the Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security—

(1) shall consult widely both within and outside the Federal Government; and

(2) may empanel advisory committees.

(f) INTERNSHIPS.—The Director of the Office of Personnel Management may support, as appropriate, internships or other work experience in the Federal Government to the winners of the competitions and challenges under this section.

**SEC. ____32. FEDERAL CYBER SCHOLARSHIP-FOR-SERVICE PROGRAM.**

(a) IN GENERAL.—The Director of the National Science Foundation, in coordination

with the Director of the Office of Personnel Management and Secretary of Homeland Security, shall continue a Federal Cyber Scholarship-for-Service program to recruit and train the next generation of information technology professionals, industrial control system security professionals, and security managers to meet the needs of the cybersecurity mission for Federal, State, local, and tribal governments.

(b) PROGRAM DESCRIPTION AND COMPONENTS.—The Federal Cyber Scholarship-for-Service program shall—

(1) provide scholarships to students who are enrolled in programs of study at institutions of higher education leading to degrees or specialized program certifications in the cybersecurity field;

(2) provide the scholarship recipients with summer internship opportunities or other meaningful temporary appointments in the Federal information technology workforce; and

(3) provide a procedure by which the National Science Foundation or a Federal agency, consistent with regulations of the Office of Personnel Management, may request and fund security clearances for scholarship recipients, including providing for clearances during internships or other temporary appointments and after receipt of their degrees.

(c) SCHOLARSHIP AMOUNTS.—Each scholarship under subsection (b) shall be in an amount that covers the student's tuition and fees at the institution under subsection (b)(1) and provides the student with an additional stipend.

(d) SCHOLARSHIP CONDITIONS.—Each scholarship recipient, as a condition of receiving a scholarship under the program, shall enter into an agreement under which the recipient agrees to work in the cybersecurity mission of a Federal, State, local, or tribal agency for a period equal to the length of the scholarship following receipt of the student's degree.

(e) HIRING AUTHORITY.—

(1) APPOINTMENT IN EXCEPTED SERVICE.—Notwithstanding any provision of chapter 33 of title 5, United States Code, governing appointments in the competitive service, an agency shall appoint in the excepted service an individual who has completed the academic program for which a scholarship was awarded.

(2) NONCOMPETITIVE CONVERSION.—Except as provided in paragraph (4), upon fulfillment of the service term, an employee appointed under paragraph (1) may be converted noncompetitively to term, career-conditional or career appointment.

(3) TIMING OF CONVERSION.—An agency may noncompetitively convert a term employee appointed under paragraph (2) to a career-conditional or career appointment before the term appointment expires.

(4) AUTHORITY TO DECLINE CONVERSION.—An agency may decline to make the noncompetitive conversion or appointment under paragraph (2) for cause.

(f) ELIGIBILITY.—To be eligible to receive a scholarship under this section, an individual shall—

(1) be a citizen or lawful permanent resident of the United States;

(2) demonstrate a commitment to a career in improving the security of information infrastructure; and

(3) have demonstrated a high level of proficiency in mathematics, engineering, or computer sciences.

(g) REPAYMENT.—If a scholarship recipient does not meet the terms of the program under this section, the recipient shall refund the scholarship payments in accordance with rules established by the Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management and Secretary of Homeland Security.

(h) EVALUATION AND REPORT.—The Director of the National Science Foundation shall evaluate and report periodically to Congress on the success of recruiting individuals for scholarships under this section and on hiring and retaining those individuals in the public sector workforce.

**SEC. ___33. STUDY AND ANALYSIS OF EDUCATION, ACCREDITATION, TRAINING, AND CERTIFICATION OF INFORMATION INFRASTRUCTURE AND CYBERSECURITY PROFESSIONALS.**

(a) STUDY.—The Director of the National Science Foundation, the Director of the Office of Personnel Management, and the Secretary of Homeland Security shall undertake to enter into appropriate arrangements with the National Academy of Sciences to conduct a comprehensive study of government, academic, and private-sector education, accreditation, training, and certification programs for the development of professionals in information infrastructure and cybersecurity. The agreement shall require the National Academy of Sciences to consult with sector coordinating councils and relevant governmental agencies, regulatory entities, and nongovernmental organizations in the course of the study.

(b) SCOPE.—The study shall include—

(1) an evaluation of the body of knowledge and various skills that specific categories of professionals in information infrastructure and cybersecurity should possess in order to secure information systems;

(2) an assessment of whether existing government, academic, and private-sector education, accreditation, training, and certification programs provide the body of knowledge and various skills described in paragraph (1);

(3) an evaluation of—

(A) the state of cybersecurity education at institutions of higher education in the United States;

(B) the extent of professional development opportunities for faculty in cybersecurity principles and practices;

(C) the extent of the partnerships and collaborative cybersecurity curriculum development activities that leverage industry and government needs, resources, and tools;

(D) the proposed metrics to assess progress toward improving cybersecurity education; and

(E) the descriptions of the content of cybersecurity courses in undergraduate computer science curriculum;

(4) an analysis of any barriers to the Federal Government recruiting and hiring cybersecurity talent, including barriers relating to compensation, the hiring process, job classification, and hiring flexibility; and

(5) an analysis of the sources and availability of cybersecurity talent, a comparison of the skills and expertise sought by the Federal Government and the private sector, an examination of the current and future capacity of United States institutions of higher education, including community colleges, to provide current and future cybersecurity professionals, through education and training activities, with those skills sought by the Federal Government, State and local entities, and the private sector.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the National Academy of Sciences shall submit to the President and Congress a report on the results of the study. The report shall include—

(1) findings regarding the state of information infrastructure and cybersecurity education, accreditation, training, and certification programs, including specific areas of deficiency and demonstrable progress; and

(2) recommendations for further research and the improvement of information infrastructure and cybersecurity education, accreditation, training, and certification programs.

**Subtitle D—Cybersecurity Awareness and Preparedness**

**SEC. ___41. NATIONAL CYBERSECURITY AWARENESS AND PREPAREDNESS CAMPAIGN.**

(a) NATIONAL CYBERSECURITY AWARENESS AND PREPAREDNESS CAMPAIGN.—The Director of the National Institute of Standards and Technology (referred to in this section as the ''Director''), in consultation with appropriate Federal agencies, shall continue to coordinate a national cybersecurity awareness and preparedness campaign, such as—

(1) a campaign to increase public awareness of cybersecurity, cyber safety, and cyber ethics, including the use of the Internet, social media, entertainment, and other media to reach the public;

(2) a campaign to increase the understanding of State and local governments, institutions of higher education, and private sector entities of—

(A) the benefits of ensuring effective risk management of the information infrastructure versus the costs of failure to do so; and

(B) the methods to mitigate and remediate vulnerabilities;

(3) support for formal cybersecurity education programs at all education levels to prepare skilled cybersecurity and computer science workers for the private sector and Federal, State, and local government; and

(4) initiatives to evaluate and forecast future cybersecurity workforce needs of the Federal government and develop strategies for recruitment, training, and retention.

(b) CONSIDERATIONS.—In carrying out the authority described in subsection (a), the Director, in consultation with appropriate Federal agencies, shall leverage existing programs designed to inform the public of safety and security of products or services, including self-certifications and independently verified assessments regarding the quantification and valuation of information security risk.

(c) STRATEGIC PLAN.—The Director, in cooperation with relevant Federal agencies and other stakeholders, shall build upon programs and plans in effect as of the date of enactment of this Act to develop and implement a strategic plan to guide Federal programs and activities in support of the national cybersecurity awareness and preparedness campaign under subsection (a).

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Director shall transmit the strategic plan under subsection (c) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

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**SA 2445.** Mr. BENNET (for himself, Mr. COBURN, Mr. CARPER, and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 93, strike lines 17 through 19, and insert the following:

**SEC. 334. FEDERAL DATA CENTER CONSOLIDATION.**

(a) SHORT TITLE.—This section may be cited as the ''Data Center Consolidation Act of 2013''.

(b) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator for the Office of E-Government and Information Technology within the Office of Management and Budget.

(2) COVERED AGENCY.—The term ''covered agency'' means the following (including all associated components of the agency):

(A) Department of Agriculture;

(B) Department of Commerce;

(C) Department of Defense;

(D) Department of Education;

(E) Department of Energy;

(F) Department of Health and Human Services;

(G) Department of Homeland Security;

(H) Department of Housing and Urban Development;

(I) Department of the Interior;

(J) Department of Justice;

(K) Department of Labor;

(L) Department of State;

(M) Department of Transportation;

(N) Department of Treasury;

(O) Department of Veterans Affairs;

(P) Environmental Protection Agency;

(Q) General Services Administration;

(R) National Aeronautics and Space Administration;

(S) National Science Foundation;

(T) Nuclear Regulatory Commission;

(U) Office of Personnel Management;

(V) Small Business Administration;

(W) Social Security Administration; and

(X) United States Agency for International Development.

(3) FDCCI.—The term ''FDCCI'' means the Federal Data Center Consolidation Initiative described in the Office of Management and Budget Memorandum on the Federal Data Center Consolidation Initiative, dated February 26, 2010, or any successor thereto.

(4) GOVERNMENT-WIDE DATA CENTER CONSOLIDATION AND OPTIMIZATION METRICS.—The term ''Government-wide data center consolidation and optimization metrics'' means the metrics established by the Administrator under subsection (c)(2)(G).

(c) FEDERAL DATA CENTER CONSOLIDATION INVENTORIES AND STRATEGIES.—

(1) IN GENERAL.—

(A) ANNUAL REPORTING.—Except as provided in subparagraph (C), beginning in the first fiscal year after the date of enactment of this Act and each fiscal year thereafter, the head of each covered agency, assisted by the Chief Information Officer of the agency, shall submit to the Administrator—

(i) a comprehensive inventory of the data centers owned, operated, or maintained by or on behalf of the agency; and

(ii) a multi-year strategy to achieve the consolidation and optimization of the data centers inventoried under clause (i), that includes—

(I) performance metrics—

(aa) that are consistent with the Government-wide data center consolidation and optimization metrics; and

(bb) by which the quantitative and qualitative progress of the agency toward the goals of the FDCCI can be measured;

(II) a timeline for agency activities to be completed under the FDCCI, with an emphasis on benchmarks the agency can achieve by specific dates;

(III) year-by-year calculations of investment and cost savings for the period beginning on the date of enactment of this Act and ending on the date described in subsection (f), broken down by each year, including a description of any initial costs for data center consolidation and optimization and life cycle cost savings and other improvements, with an emphasis on—

(aa) meeting the Government-wide data center consolidation and optimization metrics; and

(bb) demonstrating the amount of agency-specific cost savings each fiscal year achieved through the FDCCI; and

(IV) any additional information required by the Administrator.

(B) USE OF OTHER REPORTING STRUCTURES.—The Administrator may require a covered agency to include the information required to be submitted under this subsection through reporting structures determined by the Administrator to be appropriate.

(C) DEPARTMENT OF DEFENSE REPORTING.—For any year that the Department of Defense is required to submit a performance plan for reduction of resources required for data servers and centers, as required under section 2867(b) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note), the Department of Defense—

(i) may submit to the Administrator, in lieu of the multi-year strategy required under subparagraph (A)(ii)—

(I) the defense-wide plan required under section 2867(b)(2) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note); and

(II) the report on cost savings required under section 2867(d) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note); and

(ii) shall submit the comprehensive inventory required under subparagraph (A)(i), unless the defense-wide plan required under section 2867(b)(2) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note)—

(I) contains a comparable comprehensive inventory; and

(II) is submitted under clause (i).

(D) STATEMENT.—Beginning in the first fiscal year after the date of enactment of this Act and each fiscal year thereafter, the head of each covered agency, acting through the Chief Information Officer of the agency, shall—

(i)(I) submit a statement to the Administrator stating whether the agency has complied with the requirements of this section; and

(II) make the statement submitted under subclause (I) publically available; and

(ii) if the agency has not complied with the requirements of this section, submit a statement to the Administrator explaining the reasons for not complying with such requirements.

(E) AGENCY IMPLEMENTATION OF STRATEGIES.—

(i) IN GENERAL.—Each covered agency, under the direction of the Chief Information Officer of the agency, shall—

(I) implement the strategy required under subparagraph (A)(ii); and

(II) provide updates to the Administrator, on a quarterly basis, of —

(aa) the completion of activities by the agency under the FDCCI;

(bb) any progress of the agency towards meeting the Government-wide data center consolidation and optimization metrics; and

(cc) the actual cost savings and other improvements realized through the implementation of the strategy of the agency.

(ii) DEPARTMENT OF DEFENSE.—For purposes of clause (i)(I), implementation of the defense-wide plan required under section 2867(b)(2) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note) by the Department of Defense shall be considered implementation of the strategy required under subparagraph (A)(ii).

(F) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the reporting of information by a covered agency to the Administrator, the Director of the Office of Management and Budget, or Congress.

(2) ADMINISTRATOR RESPONSIBILITIES.—The Administrator shall—

(A) establish the deadline, on an annual basis, for covered agencies to submit information under this section;

(B) establish a list of requirements that the covered agencies must meet to be considered in compliance with paragraph (1);

(C) ensure that information relating to agency progress towards meeting the Government-wide data center consolidation and optimization metrics is made available in a timely manner to the general public;

(D) review the inventories and strategies submitted under paragraph (1) to determine whether they are comprehensive and complete;

(E) monitor the implementation of the data center strategy of each covered agency that is required under paragraph (1)(A)(ii);

(F) update, on an annual basis, the cumulative cost savings realized through the implementation of the FDCCI; and

(G) establish metrics applicable to the consolidation and optimization of data centers Government-wide, including metrics with respect to—

(i) costs;

(ii) efficiencies, including at least server efficiency; and

(iii) any other metrics the Administrator establishes under this subparagraph.

(3) COST SAVING GOAL AND UPDATES FOR CONGRESS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop, and make publically available, a goal, broken down by year, for the amount of planned cost savings and optimization improvements achieved through the FDCCI during the period beginning on the date of enactment of this Act and ending on the date described in subsection (f).

(B) ANNUAL UPDATE.—

(i) IN GENERAL.—Not later than 1 year after the date on which the goal described in subparagraph (A) is made publically available, and each year thereafter, the Administrator shall aggregate the reported cost savings of each covered agency and optimization improvements achieved to date through the FDCCI and compare the savings to the projected cost savings and optimization improvements developed under subparagraph (A).

(ii) UPDATE FOR CONGRESS.—The goal required to be developed under subparagraph (A) shall be submitted to Congress and shall be accompanied by a statement describing—

(I) whether each covered agency has in fact submitted a comprehensive asset inventory, including an assessment broken down by agency, which shall include the specific numbers, utilization, and efficiency level of data centers; and

(II) whether each covered agency has submitted a comprehensive consolidation strategy with the key elements described in paragraph (1)(A)(ii).

(4) GAO REVIEW.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Comptroller General of the United States shall review and verify the quality and completeness of the asset inventory and strategy of each covered agency required under paragraph (1)(A).

(B) REPORT.—The Comptroller General of the United States shall, on an annual basis, publish a report on each review conducted under subparagraph (A).

(d) ENSURING CYBERSECURITY STANDARDS FOR DATA CENTER CONSOLIDATION AND CLOUD COMPUTING.—

(1) IN GENERAL.—In implementing a data center consolidation and optimization strategy under this section, a covered agency shall do so in a manner that is consistent with Federal guidelines on cloud computing security, including—

(A) applicable provisions found within the Federal Risk and Authorization Management Program (FedRAMP); and

(B) guidance published by the National Institute of Standards and Technology.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of the Director of the Office of Management and Budget to update or modify the Federal guidelines on cloud computing security.

(e) WAIVER OF DISCLOSURE REQUIREMENTS.—The Director of National Intelligence may waive the applicability to any element (or component of an element) of the intelligence community of any provision of this section if the Director of National Intelligence determines that such waiver is in the interest of national security. Not later than 30 days after making a waiver under this subsection, the Director of National Intelligence shall submit to the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate and the Committee on Oversight and Government Reform and the Permanent Select Committee on Intelligence of the House of Representatives a statement describing the waiver and the reasons for the waiver.

(f) SUNSET.—This section is repealed effective on October 1, 2018.

**SEC. 335. MODIFICATION OF ANNUAL CORROSION CONTROL AND PREVENTION REPORTING REQUIREMENTS.**

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**SA 2446.** Mr. CHAMBLISS (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 529. SENSE OF SENATE ON FUNDING FOR THE UNITED STATES NAVAL SEA CADET CORPS.**

(a) FINDINGS.—The Senate makes the following findings:

(1) The United States Naval Sea Cadet Corps, chartered by Congress in 1962, focuses on the development of youth ages 11 through 17, and has trained more than 150,000 young Americans since its creation.

(2) The United States Naval Sea Cadet Corps directly enhances the primary recruiting goal of the Navy of ensuring awareness of the Navy and its mission.

(3) The Navy has not increased funding for the United States Naval Sea Cadet Corps since fiscal year 2006.

(b) SENSE OF SENATE.—It is the sense of the Senate that, in the absence of sequestration, the Secretary of the Navy should fully fund the United States Naval Sea Cadet Corps during fiscal year 2014.

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**SA 2447.** Mr. COATS (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1025. TRANSFER OF NAVAL VESSELS TO CERTAIN FOREIGN RECIPIENTS.**

(a) TRANSFERS BY GRANT.—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), as follows:

(1) MEXICO.—To the Government of Mexico, the OLIVER HAZARD PERRY class guided missile frigates USS CURTS (FFG–38) and USS MCCLUSKY (FFG–41).

(2) THAILAND.—To the Government of Thailand, the OLIVER HAZARD PERRY class guided missile frigates USS RENTZ (FFG–46) and USS VANDEGRIFT (FFG–48).

(b) TRANSFER BY SALE.—The President is authorized to transfer the OLIVER HAZARD PERRY class guided missile frigates USS TAYLOR (FFG–50), USS GARY (FFG–51), USS CARR (FFG–52), and USS ELROD (FFG–55) to the Taipei Economic and Cultural Representative Office of the United States (which is the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act (22 U.S.C. 3309(a))) on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(c) ALTERNATIVE TRANSFER AUTHORITY.—Notwithstanding the authority provided in subsections (a) and (b) to transfer specific vessels to specific countries, the President is authorized, subject to the same conditions that would apply for such country under this Act, to transfer any vessel named in this Act to any country named in this Act such that the total number of vessels transferred to such country does not exceed the total number of vessels authorized for transfer to such country by this Act.

(d) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of a vessel transferred to another country on a grant basis pursuant to authority provided by subsection (a) or (c) shall not be counted against the aggregate value of excess defense articles transferred in any fiscal year under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(e) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)).

(f) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the recipient to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that recipient, performed at a shipyard located in the United States, including a United States Navy shipyard.

(g) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the 3-year period beginning on the date of the enactment of this Act.

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**SA 2448.** Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 153. PROCUREMENT OF PERSONAL PROTECTIVE EQUIPMENT.**

(a) PROHIBITION ON USE OF CERTAIN SOURCE SELECTION MECHANISMS FOR CERTAIN ITEMS.—The Department of Defense may not use a reverse auction or lowest price–technically acceptable (LPTA) source selection process or technique to procure an item of personal protective equipment (PPE) if the item was designed to or modified to meet a specific military requirement.

(b) INTERAGENCY PROCUREMENT.—The requirements of this section shall apply to any department or agency of the United States that procures clothing and individual equipment on behalf of the Department of Defense.

(c) DEFINITIONS.—In this section:

(1) The term ''personal protective equipment'' means the following:

(A) Body armor components.

(B) Combat helmets.

(C) Combat protective eyewear.

(D) Environmental and fire resistant clothing.

(E) Footwear.

(F) Organizational clothing and individual equipment.

(G) Such other items as the Secretary of Defense shall designate for purposes of this section.

(2) The term ''reverse auction'' means, with respect to procurement by the Department of Defense, a real-time auction on the Internet between a group of offerors who compete against each other by submitting bids for a contract or task or delivery order with the ability to submit revised bids throughout course of the auction, and the award being made to the offeror who submits the lowest bid.

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**SA 2449.** Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 153. PERSONAL PROTECTION EQUIPMENT PROCUREMENT.**

(a) FUNDS AVAILABLE FOR PROCUREMENT.—Personal protection equipment may be procured using funds authorized to be appropriated by this Act only using the funds as follows:

(1) Amounts authorized to be appropriated by section 101 and available for procurement as specified in the funding table in section 4101.

(2) Amounts authorized to be appropriated by section 1502 and available for procurement for overseas contingency operations as specified in the funding table in section 4102.

(b) PROCUREMENT LINE ITEM.—In the budget materials submitted to the President by the Secretary of Defense in connection with the submittal to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for each fiscal year after fiscal

year 2014, the Secretary shall ensure that within each military department procurement account, a separate, dedicated procurement line item is designated for personal protection equipment.

(c) PERSONAL PROTECTION EQUIPMENT DEFINED.—In this section, the term ''personal protection equipment'' means the following:

(1) Body armor components.

(2) Combat helmets.

(3) Combat protective eyewear.

(4) Environmental and fire resistant clothing.

(5) Organizational clothing and individual equipment.

(6) Any other items designated by the Secretary for purposes of this paragraph.

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**SA 2450.** Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 864. PERSONAL PROTECTION EQUIPMENT INDUSTRIAL BASE MATTERS.**

(a) STUDY ON COMPETITION AND INNOVATION IN PERSONAL PROTECTION EQUIPMENT INDUSTRIAL BASE.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with a federally funded research and development center to conduct a study to identify and assess alternative and effective means for stimulating competition and innovation in the personal protection equipment industrial base.

(2) REPORT ON STUDY.—Not later than 180 days after the date of the enactment of this Act, the federally funded research and development center conducting the study pursuant to paragraph (1) shall submit to the Secretary the study, including any findings and recommendations.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study conducted pursuant to subsection (a)(1).

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) The study, findings, and recommendations submitted to the Secretary pursuant to subsection (a)(2).

(B) An assessment of current and future technologies that could markedly improve body armor, including by decreasing weight, increasing survivability, and making other relevant improvements.

(C) An analysis of the capability of the personal protection equipment industrial base to leverage such technologies to produce the next generation body armor.

(D) An assessment of alternative body armor acquisition models, including different types of contracting and budgeting practices of the Department of Defense.

(c) PERSONAL PROTECTION EQUIPMENT DEFINED.—In this section, the term ''personal protection equipment'' includes body armor, protective eyewear, environmental and fire resistant clothing systems, and other individual personal protection equipment.

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**SA 2451.** Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1082. LIMITATION ON USE OF FUNDS TO CARRY OUT CERTAIN FOREIGN INTELLIGENCE SURVEILLANCE COURT ORDERS.**

(a) IN GENERAL.—None of the funds made available by this Act may be used to carry out an order of the Foreign Intelligence Surveillance Court issued pursuant to section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) unless such order includes the following sentence: ''This Order limits the collection of any tangible things (including telephone numbers dialed, telephone numbers of incoming calls, and the duration of calls) authorized to be collected pursuant to this Order to those tangible things that pertain to a person who is the subject of an investigation described in section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861).''.

(b) FOREIGN INTELLIGENCE SURVEILLANCE COURT DEFINED.—In this section, the term ''Foreign Intelligence Surveillance Court'' means the court established under section 103(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803(a)).

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**SA 2452.** Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1082. PROTECTION OF CONSUMER PRIVACY.**

Section 1027 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5517) is amended by adding at the end the following:

''(t) CONSUMER PRIVACY.—Notwithstanding any other provision of this Act, any provision of the enumerated consumer laws, or any other provision of Federal law, the Bureau may not investigate an individual transaction to which a consumer is a party without the written permission of the consumer.''.

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**SA 2453.** Mr. LEE (for himself, Mrs. FISCHER, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1046. SENSE OF CONGRESS ON FURTHER NUCLEAR ARMS REDUCTIONS WITH THE RUSSIAN FEDERATION.**

It is the sense of Congress that, if the United States seeks further nuclear arms reductions with the Russian Federation, below the levels of the New START Treaty, such reductions—

(1) should be pursued through mutual negotiated agreement with the Russian Federation;

(2) should be verifiable;

(3) should be made pursuant to the treaty-making power of the President as set forth in Article II, section 2, clause 2 of the Constitution of the United States; and

(4) should take into account the full range of nuclear weapons capabilities that threaten the United States, its forward-deployed forces, and its allies, including non-strategic nuclear weapons.

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**SA 2454.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

**SEC. 1208. SENSE OF CONGRESS ON SUPPORT TO ISRAEL TO ADDRESS IRANIAN AND SYRIAN THREATS.**

It is the sense of Congress that—

(1) the United States should ensure that Israel, as a critical United States ally, is able to adequately address an existential Iranian nuclear threat, and the Secretary of Defense should seek related opportunities for defense cooperation and partnership on military capabilities where appropriate; and

(2) the delivery of the S-300 air defense system to Syria would pose a grave risk to Israel, and the United States supports Israel's right to respond to this grave threat as needed.

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**SA 2455.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1082. DEPARTMENT OF VETERANS AFFAIRS STUDY ON MATTERS RELATING TO CLAIMING AND INTERRING UNCLAIMED REMAINS OF VETERANS.**

(a) STUDY AND REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) complete a study on matters relating to the identification, claiming, and interring of unclaimed remains of veterans; and

(2) submit to Congress a report on the findings of the Secretary with respect to the study required under paragraph (1).

(b) MATTERS STUDIED.—The matters studied under subsection (a)(1) shall include the following:

(1) Determining the scope of issues relating to unclaimed remains of veterans, including an estimate of the number of unclaimed remains of veterans on the day before the date of the enactment of this Act.

(2) Assessing the effectiveness of the procedures of the Department of Veterans Affairs for claiming and interring unclaimed remains of veterans.

(3) Identifying and assessing State and local laws that affect the ability of the Secretary to identify, claim, and inter unclaimed remains of veterans.

(4) Developing recommendations for such legislative or administrative action as the Secretary considers appropriate

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**SA 2456.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IX, add the following:

**SEC. 935. REPORT ON RAND CORPORATION STUDY OF THE NATIONAL SECURITY IMPLICATIONS OF CONTINUING TO USE FOREIGN COMPONENT AND PROPULSION SYSTEMS FOR THE LAUNCH VEHICLES UNDER THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.**

The Comptroller General of the United States shall submit to the congressional defense committees a report reviewing the report prepared by the Rand Corporation pursuant to section 916 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1878).

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**SA 2457.** Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ____. CHALLENGES TO GOVERNMENT SURVEILLANCE.**

(a) CHALLENGES TO ORDERS TO PRODUCE CERTAIN BUSINESS RECORDS.—

(1) IN GENERAL.—Title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) is amended by adding at the end the following:

**"SEC. 503. CHALLENGES TO ORDERS TO PRODUCE CERTAIN BUSINESS RECORDS.**

''(a) APPEAL.—

''(1) IN GENERAL.—A person who is required to produce any tangible thing pursuant to an order issued under section 501 may appeal the order to a United States court of appeals on the basis that the order violates the Constitution of the United States.

''(2) VENUE.—An appeal filed pursuant to paragraph (1) may be filed—

''(A) in the United States court of appeals for a circuit embracing a judicial district in which venue would be proper for a civil action under section 1391 of title 28, United States Code; or

''(B) United States Court of Appeals for the District of Columbia.

''(b) SUPREME COURT REVIEW.—A person may seek a writ of certiorari from the Supreme Court of the United States for review of a decision of an appeal filed under subsection (a)(1).''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 is amended by adding after the item relating to section 502 the following:

''Sec. 503. Challenges to orders to produce certain business records.''.

(b) CHALLENGES TO GOVERNMENT SURVEILLANCE TARGETING OF CERTAIN PERSONS OUTSIDE THE UNITED STATES.—Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) is amended by adding at the end the following:

''(m) CHALLENGES TO GOVERNMENT SURVEILLANCE.—

''(1) INJURY IN FACT.—In any claim in a civil action brought in a court of the United States relating to surveillance conducted under this section, the person asserting the claim has suffered an injury in fact if the person—

''(A) has a reasonable basis to believe that the person's communications will be acquired under this section; and

''(B) has taken objectively reasonable steps to avoid surveillance under this section.

''(2) REASONABLE BASIS.—A person shall be presumed to have demonstrated a reasonable basis to believe that the communications of the person will be acquired under this section if the profession of the person requires the person regularly to communicate foreign intelligence information with persons who—

''(A) are not United States persons; and

''(B) are located outside the United States.

''(3) OBJECTIVE STEPS.—A person shall be presumed to have taken objectively reasonable steps to avoid surveillance under this section if the person demonstrates that the steps were taken in reasonable response to rules of professional conduct or analogous professional rules.

''(n) APPEALS.—

''(1) IN GENERAL.—A person who is subject to an order issued under this section may appeal the order to a United States court of appeals on the basis that the order violates the Constitution of the United States.

''(2) VENUE.—An appeal filed pursuant to paragraph (1) may be filed—

''(A) in the United States court of appeals for a circuit embracing a judicial district in which venue would be proper for a civil action under section 1391 of title 28, United States Code; or

''(B) United States Court of Appeals for the District of Columbia.

''(3) SUPREME COURT REVIEW.—A person may seek a writ of certiorari from the Supreme Court of the United States for review of a decision of an appeal filed under paragraph (1).''.

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**SA 2458.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 398, between lines 14 and 15, insert the following:

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

''(i) SUNSET.—All applications for special immigrant status under this section shall be submitted on or before September 30, 2014.''; and

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**SA 2459.** Mr. BOOZMAN (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1082. NATIONAL DESERT STORM AND DESERT SHIELD MEMORIAL.**

(a) DEFINITIONS.—In this section:

(1) ASSOCIATION.—The term ''Association'' means the National Desert Storm Memorial Association, a corporation that is—

(A) organized under the laws of the State of Arkansas; and

(B)(i) described in section 501(c)(3) of the Internal Revenue Code of 1986; and

(ii) exempt from taxation under 501(a) of that Code.

(2) MEMORIAL.—The term ''memorial'' means the National Desert Storm and Desert Shield Memorial authorized to be established under subsection (b).

(b) AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK.—The Association may establish the National Desert Storm and Desert Shield Memorial as a commemorative work, on Federal land in the District of Columbia to commemorate and honor the members of the Armed Forces that served on active duty in support of Operation Desert Storm or Operation Desert Shield.

(c) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS ACT.—The establishment of the memorial under this section shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the ''Commemorative Works Act'').

(d) USE OF FEDERAL FUNDS PROHIBITED.—

(1) IN GENERAL.—Federal funds may not be used to pay any expense of the establishment of the memorial under this section.

(2) RESPONSIBILITY OF ASSOCIATION.—The Association shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the memorial.

(e) DEPOSIT OF EXCESS FUNDS.—If, on payment of all expenses for the establishment of the memorial (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), or on expiration of the authority for the memorial under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the memorial, the Association shall transmit the amount of the balance to the Secretary of the Interior for deposit in the account provided for in section 8906(b)(3) of title 40, United States Code.

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**SA 2460.** Mr. BOOZMAN (for himself, Mr. MANCHIN, and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 514. CONTENTS OF TRANSITION ASSISTANCE PROGRAM.**

(a) IN GENERAL.—Section 1144 of title 10, United States Code, is amended—

(1) in subsection (b), by adding at the end the following new paragraph:

''(9) Provide information about disability-related employment and education protections.''.

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

(3) by inserting after subsection (b) the following new subsection (c):

''(c) ADDITIONAL ELEMENTS OF PROGRAM.—The mandatory program carried out by this section shall include—

''(1) for any such member who plans to use the member's entitlement to educational assistance under title 38—

''(A) instruction providing an overview of the use of such entitlement; and

''(B) courses of post-secondary education appropriate for the member, courses of post-secondary education compatible with the member's education goals, and instruction on how to finance the member's post-secondary education; and

''(2) instruction in the benefits under laws administered by the Secretary of Veterans Affairs and in other subjects determined by the Secretary concerned.''.

(b) DEADLINE FOR IMPLEMENTATION.—The program carried out under section 1144 of title 10, United States Code, shall comply with the requirements of subsections (b)(9) and (c) of such section, as added by subsection (a), by not later than April 1, 2015.

(c) FEASIBILITY STUDY.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs and the Committee on Armed Services of the Senate and the Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives the results of a study carried out by the Secretary to determine the feasibility of providing the instruction described in subsection (b) of section 1142 of title 10, United States Code, at all overseas locations where such instruction is provided by entering into a contract jointly with the Secretary of Labor for the provision of such instruction.

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**SA 2461.** Mr. PORTMAN (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 237. BRIEFINGS ON STATUS OF IMPLEMENTATION OF CERTAIN MISSILE DEFENSE REQUIREMENTS.**

Not later than 180 days after the completion of the site evaluation study required by subsection (a) of section 227 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1678), and one year thereafter, the Secretary of Defense shall provide to the congressional defense committees a detailed briefing on the current status of efforts and plans to implement the requirements of such section, including progress and plans toward preparation of the environmental impact statement required by subsection (b) of such section, and the development of the contingency plan for deployment of an additional homeland missile defense interceptor site in case the President determines to proceed with such an additional deployment as required by subsection (d) of such section.

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**SA 2462.** Mr. CARDIN (for himself, Mr. MCCAIN, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1237. VIETNAM EDUCATION FOUNDATION.**

(a) FINDINGS.—Congress makes the following findings:

(1) The Secretary of Defense has called for more high-level exchanges and enhanced defense cooperation between the United States and Vietnam.

(2) Vietnam plays a major role in the President's strategic priority to rebalance United States policies toward Asia (popularly known as the ''Asia pivot'').

(3) The Department of Defense is increasing its United States force posture in Asia to achieve more geographical distribution, operational resilience, and politically sustainability.

(4) The Secretary of Defense and the Minister of Defense of the Socialist Republic of Vietnam have agreed to develop cooperation in the following 5 areas:

(A) High-level dialogues.

(B) Maritime security.

(C) Search and rescue operations.

(D) Peacekeeping operations.

(E) Humanitarian assistance and disaster relief.

(5) The Secretary of Defense has emphasized that enhanced defense cooperation must be accompanied by reform and liberalization in other sectors.

(b) GRANTS AUTHORIZED.—

(1) ESTABLISHMENT OF HIGHER EDUCATION INSTITUTION IN VIETNAM.—In order to support Vietnam's socioeconomic transition and promote the values of intellectual freedom and open enquiry, the Secretary of State may award 1 or more grants to not-for-profit organizations engaged in promoting institutional innovation in Vietnamese higher education to establish an independent, not-for-profit, higher education institution in Vietnam.

(2) USE OF FUNDS.—Grant funds awarded under this subsection shall be used to support the establishment of an independent, not-for-profit academic institution to be built in Vietnam, which shall—

(A) achieve standards comparable to those required for accreditation in the United States;

(B) offer graduate and undergraduate level teaching and research programs in a broad range of fields, including public policy, management, and engineering; and

(C) establish a policy of academic freedom and prohibit the censorship of dissenting or critical views.

(3) APPLICATION.—Eligible not-for-profit organizations desiring a grant under this subsection shall submit an application to the Secretary of State at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(4) REPORT ON GRANTEE APPLICATION CRITERIA.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit the criteria established for grantee applications, including commitments to ensure academic freedom, to the appropriate congressional committees.

(5) FUNDING.—The Secretary of State may use amounts from the Vietnam Debt Repayment Fund made available under section 207(c) of the Vietnam Education Foundation Act of 2000 (22 U.S.C. 2452 note) for grants authorized under this subsection.

(6) ANNUAL REPORT.—The Secretary of State shall submit an annual report to the appropriate congressional committees on the activities carried out under this subsection during the most recent fiscal year that includes—

(A) a list of grantees and educational proposals;

(B) an assessment of the grantees' ability to meet comparable United States academic standards; and

(C) an assessment of the grantees' efforts and commitment to academic freedom in Vietnam.

(c) TRANSFER OF FUNCTIONS AND ASSETS.—All functions and assets of the Vietnam Education Foundation, as of the day before the date of the enactment of this Act, are transferred to the Bureau of Educational and Cultural Affairs of the Department of State.

(d) VIETNAM DEBT REPAYMENT FUND.—Section 207(c) of the Vietnam Education Foundation Act of 2000 (22 U.S.C. 2452 note) is amended to read as follows:

''(c) AVAILABILITY OF FUNDS.—

''(1) AMOUNTS TRANSFERRED TO THE FOUNDATION.—Except as provided in paragraph (2), for each of the fiscal years 2014 through 2018, $5,000,000 of the amounts deposited into the Fund (or accrued interest) shall be transferred to the Foundation to carry out the fellowship program described in section 206.

''(2) AMOUNTS ALLOTTED FOR GRANTS TO ESTABLISH AN INDEPENDENT, NOT-FOR-PROFIT, HIGHER EDUCATION INSTITUTION IN VIETNAM.—Notwithstanding paragraph (1), the Secretary of State may expend any amounts deposited into the Fund (or accrued interest) to carry out the grant program established under section 1237(b) of the National Defense Authorization Act for Fiscal Year 2014, to support the establishment of an independent, not-for-profit academic institution in Vietnam offering graduate and undergraduate level programs in a broad range of fields, including public policy, management, and engineering.

''(3) DISPOSITION OF EXCESS FUNDS.—For each of the fiscal years 2014 through 2018, the Secretary of the Treasury shall deposit all amounts in the Fund in excess of the amounts transferred or expended under paragraphs (1) and (2) for such year as miscellaneous receipts into the General Fund of the Treasury of the United States.''.

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**SA 2463.** Ms. MIKULSKI (for herself, Mr. COATS, Mr. WYDEN, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1082. APPOINTMENT OF THE DIRECTOR OF THE NATIONAL SECURITY AGENCY.**

(a) DIRECTOR OF THE NATIONAL SECURITY AGENCY.—Section 2 of the National Security Agency Act of 1959 (50 U.S.C. 3602) is amended—

(1) by inserting ''(b)'' before ''There''; and

(2) by inserting before subsection (b), as so designated by paragraph (1), the following:

''(a)(1) There is a Director of the National Security Agency.

''(2) The Director of the National Security Agency shall be appointed by the President, by and with the advice and consent of the Senate.

''(3) The Director of the National Security Agency shall be the head of the National Security Agency and shall discharge such functions and duties as are provided by this Act or otherwise by law or executive order.''.

(b) POSITION OF IMPORTANCE AND RESPONSIBILITY.—The President may designate the Director of the National Security Agency as a position of importance and responsibility under section 601 of title 10, United States Code.

(c) EFFECTIVE DATE AND APPLICABILITY.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply upon the earlier of—

(A) the date of the nomination by the President of an individual to serve as the Director of the National Security Agency, except that the individual serving as such Director as of the date of the enactment of this Act may continue to perform such duties after such date of nomination and until the individual appointed as such Director, by and with the advice and consent of the Senate, assumes the duties of such Director; or

(B) the date of the cessation of the performance of the duties of such Director by the individual performing such duties as of the date of the enactment of this Act.

(2) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Subsection (b) shall take effect on the date of the enactment of this Act.

**SEC. 1083. APPOINTMENT OF THE INSPECTOR GENERAL OF THE NATIONAL SECURITY AGENCY.**

(a) IN GENERAL.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 8G(a)(2), by striking ''the National Security Agency,''; and

(2) in section 12—

(A) in paragraph (1), by striking ''or the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code'' and inserting ''the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code; or the Director of the National Security Agency''; and

(B) in paragraph (2), by striking ''or the Commissions established under section 15301 of title 40, United States Code'' and inserting ''the Commissions established under section 15301 of title 40, United States Code, or the National Security Agency''.

(b) EFFECTIVE DATE; INCUMBENT.—

(1) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date on which the first Director of the National Security Agency takes office on or after the date of the enactment of this Act.

(2) INCUMBENT.—The individual serving as Inspector General of the National Security Agency on the date of the enactment of this Act shall be eligible to be appointed by the President to a new term of service under section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), by and with the advice and consent of the Senate.

**SEC. 1084. RESPONSIBILITY OF COMMITTEES IN ADVICE AND CONSENT OF SENATE TO INTELLIGENCE APPOINTMENTS.**

(a) IN GENERAL.—Section 17 of Senate Resolution 400 agreed to May 19, 1976 (94th Congress) is amended to read as follows:

''SEC. 17. (a)(1) Except as provided in subsections (b) and (c), the Select Committee shall have jurisdiction to review, hold hearings, and report the nominations of civilian individuals for positions in the intelligence community for which appointments are made by the President, by and with the advice and consent of the Senate.

''(2) Except as provided in subsections (b) and (c), other committees with jurisdiction over the department or agency of the Executive Branch which contain a position referred to in paragraph (1) may hold hearings and interviews with individuals nominated for such position, but only the Select Committee shall report such nomination.

''(3) In this subsection, the term 'intelligence community' means an element of the intelligence community specified in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

''(b)(1) With respect to the confirmation of the Assistant Attorney General for National Security, or any successor position, the nomination of any individual by the President to serve in such position shall be referred to the Committee on the Judiciary and, if and when reported, to the Select Committee for not to exceed 20 calendar days, except that in cases when the 20-day period expires while the Senate is in recess, the Select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination.

''(2) If, upon the expiration of the period described in paragraph (1), the Select Committee has not reported the nomination, such nomination shall be automatically discharged from the Select Committee and placed on the Executive Calendar.

''(c)(1) With respect to the confirmation of appointment to the position of Director of the National Security Agency or Inspector General of the National Security Agency or any successor position to such a position, the nomination of any individual by the President to serve in such position, who at the time of the nomination is a member of the Armed Forces on active duty, shall be referred to the Committee on Armed Services and, if and when reported, to the Select Committee for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Select Committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination.

''(2) With respect to the confirmation of appointment to the position of Director of the National Security Agency or Inspector General of the National Security Agency, or any successor to such a position, the nomination of any individual by the President to serve in such position, who at the time of the nomination is not a member of the Armed Forces on active duty, shall be referred to the Select Committee and, if and when reported, to the Committee on Armed Services for not to exceed 30 calendar days, except that in cases when the 30-day period expires while the Senate is in recess, the Committee on Armed Services shall have an additional 5 calendar days after the Senate reconvenes to report the nomination.

''(3) If, upon the expiration of the period of sequential referral described in paragraphs (1) and (2), the committee to which the nomination was sequentially referred has not reported the nomination, the nomination shall be automatically discharged from that committee and placed on the Executive Calendar.''.

(b) RULEMAKING AUTHORITY OF THE SENATE.—The amendment made by subsection (a) is enacted—

(1) as an exercise of the rulemaking power of the Senate; and

(2) with full recognition of the constitutional right of the Senate to change the rules of the Senate at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

**SA 2464.** Mr. KAINE (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1066. STUDY OF EFFECTS OF RELOCATION OF AIR FORCE OFFICE OF SCIENTIFIC RESEARCH.**

(a) IN GENERAL.—The Secretary of the Air Force shall seek to enter into an arrangement with the National Research Council of the National Academies to conduct a study of the positive and negative effects of the potential relocation of the Air Force Office of Scientific Research from its location as of the date of the enactment of this Act to Wright-Patterson Air Force Base, Dayton, Ohio.

(b) ELEMENTS.—The study conducted under subsection (a) shall include, at a minimum, an assessment of the following:

(1) The rationale for the relocation.

(2) The effects of the relocation on employees of the Air Force Office of Scientific Research.

(3) The effects of the relocation on interactions with domestic and international scientific and technical academic communities.

(4) The costs of the relocation.

(5) The effects of the relocation on the execution of the basic research program of the Air Force.

(c) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the National Research Council shall submit to the congressional defense committees a report on the study conducted under subsection (a).

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**SA 2465.** Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

**SEC. 1109. MODIFICATION TO DEFENSE ADVANCED RESEARCH PROJECTS AGENCY EXPERIMENTAL PERSONNEL MANAGEMENT PROGRAM FOR TECHNICAL PERSONNEL.**

Section 1101(b)(1) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note) is amended, in the matter preceding subparagraph (A), by striking ''and uniformed services (as such terms are'' and inserting ''(as such term is''.

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**SA 2466.** Mr. LEVIN (for himself, Mr. MCCAIN, Mr. ROCKEFELLER, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for

other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1237. ACTIONS TO ADDRESS ECONOMIC OR INDUSTRIAL ESPIONAGE IN CYBERSPACE.**

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report on foreign economic and industrial espionage in cyberspace during the 12-month period preceding the submission of the report that—

(A) identifies—

(i) foreign countries that engage in economic or industrial espionage in cyberspace with respect to trade secrets or proprietary information owned by United States persons;

(ii) foreign countries identified under clause (i) that the President determines engage in the most egregious economic or industrial espionage in cyberspace with respect to such trade secrets or proprietary information (in this section referred to as ''priority foreign countries'');

(iii) technologies or proprietary information developed by United States persons that—

(I) are targeted for economic or industrial espionage in cyberspace; and

(II) to the extent practicable, have been appropriated through such espionage;

(iv) articles manufactured or otherwise produced using technologies or proprietary information described in clause (iii)(II); and

(v) services provided using such technologies or proprietary information;

(B) describes the economic or industrial espionage engaged in by the foreign countries identified under clauses (i) and (ii) of subparagraph (A); and

(C) describes—

(i) actions taken by the President to decrease the prevalence of economic or industrial espionage in cyberspace; and

(ii) the progress made in decreasing the prevalence of such espionage.

(2) DETERMINATION OF FOREIGN COUNTRIES ENGAGING IN ECONOMIC OR INDUSTRIAL ESPIONAGE IN CYBERSPACE.—For purposes of clauses (i) and (ii) of paragraph (1)(A), the President shall identify a foreign country as a foreign country that engages in economic or industrial espionage in cyberspace with respect to trade secrets or proprietary information owned by United States persons if the government of the foreign country—

(A) engages in economic or industrial espionage in cyberspace with respect to trade secrets or proprietary information owned by United States persons; or

(B) facilitates, supports, fails to prosecute, or otherwise permits such espionage by—

(i) individuals who are citizens or residents of the foreign country; or

(ii) entities that are organized under the laws of the foreign country or are otherwise subject to the jurisdiction of the government of the foreign country.

(3) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(b) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—The President may block and prohibit all transactions in all property and interests in property of each person described in paragraph (2) pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) PERSONS DESCRIBED.—A person described in this paragraph is a foreign person the President determines knowingly requests, engages in, supports, facilitates, or benefits from the significant appropriation, through economic or industrial espionage in cyberspace, of technologies or proprietary information developed by United States persons.

(3) EXCEPTION.—The authority to impose sanctions under paragraph (1) shall not include the authority to impose sanctions on the importation of goods.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Homeland Security and Governmental Affairs, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Homeland Security, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) CYBERSPACE.—The term ''cyberspace''—

(A) means the interdependent network of information technology infrastructures; and

(B) includes the Internet, telecommunications networks, computer systems, and embedded processors and controllers.

(3) ECONOMIC OR INDUSTRIAL ESPIONAGE.—The term ''economic or industrial espionage'' means—

(A) stealing a trade secret or proprietary information or appropriating, taking, carrying away, or concealing, or by fraud, artifice, or deception obtaining, a trade secret or proprietary information without the authorization of the owner of the trade secret or proprietary information;

(B) copying, duplicating, downloading, uploading, destroying, transmitting, delivering, sending, communicating, or conveying a trade secret or proprietary information without the authorization of the owner of the trade secret or proprietary information; or

(C) knowingly receiving, buying, or possessing a trade secret or proprietary information that has been stolen or appropriated, obtained, or converted without the authorization of the owner of the trade secret or proprietary information.

(4) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(5) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(6) OWN.—The term ''own'', with respect to a trade secret or proprietary information, means to hold rightful legal or equitable title to, or license in, the trade secret or proprietary information.

(7) PERSON.—The term ''person'' means an individual or entity.

(8) PROPRIETARY INFORMATION.—The term ''proprietary information'' means competitive bid preparations, negotiating strategies, executive emails, internal financial data, strategic business plans, technical designs, manufacturing processes, source code, data derived from research and development investments, and other commercially valuable information that a person has developed or obtained if—

(A) the person has taken reasonable measures to keep the information confidential; and

(B) the information is not generally known or readily ascertainable through proper means by the public.

(9) TECHNOLOGY.—The term ''technology'' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(10) TRADE SECRET.—The term ''trade secret'' has the meaning given that term in section 1839 of title 18, United States Code.

(11) UNITED STATES PERSON.—The term ''United States person'' means—

(A) an individual who is a citizen or resident of the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States.

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**SA 2467.** Mr. ROCKEFELLER (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 514. PHYSICAL EXAMINATIONS AND MENTAL HEALTH SCREENINGS FOR CERTAIN MEMBERS UNDERGOING SEPARATION FROM THE ARMED FORCES WHO ARE NOT OTHERWISE ELIGIBLE FOR SUCH EXAMINATIONS.**

(a) IN GENERAL.—The Secretary of the military department concerned shall provide a physical examination and a mental health screening to each member of the Armed Forces who, after a period of active duty of more than 180 days, is undergoing separation from the Armed Forces and is not otherwise provided such an examination or screening in connection with such separation from the Department of Defense or the Department of Veterans Affairs.

(b) NO RIGHT TO HEALTH CARE BENEFITS.—The provision of a physical examination or mental health screening to a member under subsection (a) shall not, by itself, entitle the member to any other health care benefits from the Department of Defense or the Department of Veterans Affairs.

(c) FUNDING.—Funds for the provision of physical examinations and mental health screenings under this section shall be derived from funds otherwise authorized to be appropriated for the military department concerned for the provision of health care to members of the Armed Forces.

**SEC. 515. REPORT ON CAPACITY OF DEPARTMENT OF DEFENSE TO PROVIDE ELECTRONIC COPY OF MEMBER SERVICE TREATMENT RECORDS TO MEMBERS SEPARATING FROM THE ARMED FORCES.**

(a) REPORT REQUIRED.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth an assessment of the capacity of the Department of Defense to provide each member of the Armed Forces who is undergoing separation from the Armed Forces an electronic copy of the member's service treatment record at the time of separation.

(b) MATTERS RELATING TO THE NATIONAL GUARD.—The assessment under subsection (a) with regards to members of the National

Guard shall include an assessment of the capacity of the Department to ensure that the electronic copy of a member's service treatment record includes health records maintained by each State or territory in which the member served.

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**SA 2468.** Mr. MARKEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 126. UPDATE OF COST ESTIMATES FOR SSBN(X) SUBMARINE PROGRAM ALTERNATIVES.**

(a) REPORT ON UPDATE REQUIRED.—

(1) IN GENERAL.—Not later than March 31, 2014, the Secretary of the Navy shall submit to the congressional defense committees a report setting forth an update of the cost estimates prepared under subsection (a)(1) section 242 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1343) for each option considered under subsection (b) of that section for purposes of the report under that section on the Ohio-class replacement ballistic missile submarine. The update shall specify how the cost updates account for differences in survivability, targeting responsiveness and flexibility, responsiveness to future threats, and such other matters as the Secretary considers important in comparing the options.

(2) FORM.—Each updated cost estimate in the report under paragraph (1) shall be submitted in an unclassified form that may be made available to the public. Other information from the update may be submitted in classified form.

(b) COMPTROLLER GENERAL REPORT.—Not later than 90 days after the date of the submittal under subsection (a) of the report required by that subsection, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an assessment by the Comptroller General of the accuracy of the updated cost estimates in the report under subsection (a).

(c) SENSE OF CONGRESS ON NEED FOR SSBN(X).—

(1) FINDING.—Congress finds that the Chief of Naval Operations has assessed the SSBN(X) program as the highest priority of the Navy.

(2) SENSE OF CONGRESS.—It is the sense of Congress that continuing the SSBN(X) program is critical to modernizing the nuclear deterrent fleets of the United States and the United Kingdom.

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**SA 2469.** Mr. CASEY (for himself, Mr. TOOMEY, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1534. ELECTRICAL AND FIRE SAFETY ENHANCEMENT.**

(a) REVIEW.—The Secretary of Defense shall conduct a review of electrical safety and fire prevention incidents in United States controlled and occupied non-permanent facilities in the United States Central Command area of responsibility since 2001 and use the resulting lessons learned to develop necessary policy, training, and doctrine for purposes of institutionalizing this knowledge for current and future combat operations.

(b) ELEMENTS.—The review required under subsection (a) shall include the following elements:

(1) An assessment of all known electrical or fire related deaths of members of the Armed Forces that have occurred in United States controlled and occupied non-permanent facilities in Afghanistan and Iraq.

(2) Recommendations for improving electrical and fire protection safety in United States controlled and occupied non-permanent facilities used in overseas military operations.

(c) REVISED GUIDELINES FOR UNIFORM FACILITIES CRITERIA.—Not later than 90 days after completion of the review required under subsection (a), the findings and recommendations of the review shall be incorporated, as appropriate, in revised guidelines in the Uniform Facilities Criteria, or other relevant policy, training, and doctrine publications, governing non-permanent facilities in support of military operations.

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the review conducted under subsection (a).

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**SA 2470.** Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**TITLE ____—FISA IMPROVEMENTS ACT OF 2013**

**SEC. ____01. SHORT TITLE.**

This title may be cited as the ''FISA Improvements Act of 2013''.

**SEC. ____02. SUPPLEMENTAL PROCEDURES FOR ACQUISITION OF CERTAIN BUSINESS RECORDS FOR COUNTERTERRORISM PURPOSES.**

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

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

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

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

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

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

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

''(ii) may be extended by the court on the same basis as an original order upon an application under this title for an extension and new findings by the court in accordance with subsection (c).

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

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

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

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

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

''(2) RECORD REQUIREMENT.—

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

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

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

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

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

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

''(4) LIMITS ON PERSONNEL AUTHORIZED TO MAKE DETERMINATIONS OR PERFORM QUERIES.—A court order issued pursuant to an application made under subsection (a), and

subject to the requirements of this subsection, shall impose strict, reasonable limits, consistent with operational needs, on the number of Government personnel authorized to make a determination or perform a query pursuant to paragraph (1)(D)(i). The Director of National Intelligence shall ensure that each such personnel receives comprehensive training on the applicable laws, policies, and procedures governing such determinations and queries prior to exercising such authority.

''(5) AUTOMATED REPORTING.—

''(A) REQUIREMENT FOR AUTOMATED REPORTING.—The Director of the National Intelligence, in consultation with the head of the agency responsible for acquisitions pursuant to orders subject to the requirements of this subsection, shall establish a technical procedure whereby the aggregate number of queries performed pursuant to this subsection in the previous quarter shall be recorded automatically, and subsequently reported to the appropriate committees of Congress.

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

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

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

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

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

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

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

''(6) COURT REVIEW OF RECORDS.—

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

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

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

''(7) RECORD RETENTION AND QUERY RESTRICTIONS.—

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

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

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

''(9) DEFINITIONS.—In this subsection:

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

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

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

''(B) CONTENT.—The term 'content', with respect to a communication—

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

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

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

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

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

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

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

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

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

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

(3) by adding at the end the following:

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

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

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

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

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

**SEC. ____03. ENHANCED CRIMINAL PENALTIES FOR UNAUTHORIZED ACCESS TO COLLECTED DATA.**

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

(1) Subsection (a) is amended—

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

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

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

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

(2) Subsection (c) is amended—

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

(B) by adding at the end the following:

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

**SEC. ____04. APPOINTMENT OF AMICUS CURIAE.**

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

''(i) AMICUS CURIAE.—

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

''(2) DEFINITIONS.—In this subsection:

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

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

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

''(B) COVERED APPLICATION.—The term 'covered application' means an application for an order or review made to a court established under subsection (a) or (b)—

''(i) that, in the opinion of such a court, presents a novel or significant interpretation of the law; and

''(ii) that is—

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

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

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

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

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

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

''(6) NOTIFICATION.—A court established under subsection (a) or (b) shall notify the

Attorney General of each exercise of the authority to appoint an amicus curiae under paragraph (1).

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

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

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

**SEC. ___05. CONSOLIDATION OF CONGRESSIONAL OVERSIGHT PROVISIONS UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.**

(a) REPEAL OF CONGRESSIONAL OVERSIGHT PROVISIONS.—

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

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

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

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

''(a) IN GENERAL.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

''(e) PUBLIC REPORT.—

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

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

''(f) CONSTRUCTION.—Nothing in this title may be construed to limit the authority and responsibility of an appropriate committee of Congress to obtain any information required by such committee to carry out its functions and duties.

''(g) DEFINITIONS.—In this section:

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

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

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

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

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

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

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

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

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

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

(c) AVAILABILITY OR REPORTS AND SUBMISSIONS.—

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

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

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

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

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

''Sec. 602. Availability of reports and submissions.''.

**SEC. ___06. RESTRICTIONS ON QUERYING THE CONTENTS OF CERTAIN COMMUNICATIONS.**

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

''(m) QUERIES.—

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

''(2) RECORD.—

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

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

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

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

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

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

''(4) DEFINITIONS.—In this subsection:

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

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

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

''(B) CONTENT.—The term 'content', with respect to a communication—

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

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

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

**SEC. ___07. TEMPORARY TARGETING OF PERSONS OTHER THAN UNITED STATES PERSONS TRAVELING INTO THE UNITED STATES.**

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

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

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

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

''(A) there is reason to believe that the target of the acquisition has communicated or received or will communicate or receive foreign intelligence information relevant to the exigent circumstance; and

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

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

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

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

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

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

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

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

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

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

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

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

**SEC. ___08. CONFIRMATION OF APPOINTMENT OF THE DIRECTOR OF THE NATIONAL SECURITY AGENCY.**

(a) DIRECTOR OF THE NATIONAL SECURITY AGENCY.—Section 2 of the National Security Agency Act of 1959 (50 U.S.C. 3602) is amended—

(1) by inserting ''(b)'' before ''There''; and

(2) by inserting before subsection (b), as so designated by paragraph (1), the following:

''(a)(1) There is a Director of the National Security Agency.

''(2) The Director of the National Security Agency shall be appointed by the President, by and with the advice and consent of the Senate.

''(3) The Director of the National Security Agency shall be the head of the National Security Agency and shall discharge such functions and duties as are provided by this Act or otherwise by law or executive order.''.

(b) POSITION OF IMPORTANCE AND RESPONSIBILITY.—The President may designate the Director of the National Security Agency as a position of importance and responsibility under section 601 of title 10, United States Code.

(c) EFFECTIVE DATE AND APPLICABILITY.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply upon the earlier of—

(A) the date of the nomination by the President of an individual to serve as the Director of the National Security Agency, except that the individual serving as such Director as of the date of the enactment of this Act may continue to perform such duties after such date of nomination and until the individual appointed as such Director, by and with the advice and consent of the Senate, assumes the duties of such Director; or

(B) the date of the cessation of the performance of the duties of such Director by the individual performing such duties as of the date of the enactment of this Act.

(2) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Subsection (b) shall take effect on the date of the enactment of this Act.

**SEC. ___09. PRESIDENTIAL APPOINTMENT AND SENATE CONFIRMATION OF THE INSPECTOR GENERAL OF THE NATIONAL SECURITY AGENCY.**

(a) IN GENERAL.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 8G(a)(2), by striking ''the National Security Agency,''; and

(2) in section 12—

(A) in paragraph (1), by striking ''or the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code'' and inserting ''the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code; or the Director of the National Security Agency''; and

(B) in paragraph (2), by striking ''or the Commissions established under section 15301 of title 40, United States Code'' and inserting ''the Commissions established under section 15301 of title 40, United States Code, or the National Security Agency''.

(b) EFFECTIVE DATE; INCUMBENT.—

(1) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date on which the first Director of the National Security Agency takes office on or after the date of the enactment of this Act.

(2) INCUMBENT.—The individual serving as Inspector General of the National Security Agency on the date of the enactment of this Act shall be eligible to be appointed by the President to a new term of service under section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), by and with the advice and consent of the Senate.

**SEC. ___10. ANNUAL REPORTS ON VIOLATIONS OF LAW OR EXECUTIVE ORDER.**

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

**"SEC. 509. ANNUAL REPORT ON VIOLATIONS OF LAW OR EXECUTIVE ORDER.**

''(a) ANNUAL REPORTS REQUIRED.—Not later than April 1 of each year, the Director of National Intelligence shall submit to the congressional intelligence committees a report on violations of law or executive order by personnel of an element of the intelligence community that were identified during the previous calendar year.

''(b) ELEMENTS.—Each report required subsection (a) shall include a description of any violation of law or executive order (including Executive Order No. 12333 (50 U.S.C. 3001 note)) by personnel of an element of the intelligence community in the course of such employment that, during the previous calendar year, was determined by the director, head, general counsel, or inspector general of any element of the intelligence community to have occurred.''.

(b) CLERICAL AMENDMENT.—The table of sections in the first section of the National Security Act of 1947 is amended by adding after the section relating to section 508 the following:

''Sec. 509. Annual report on violations of law or executive order.''.

**SEC. ___11. PERIODIC REVIEW OF INTELLIGENCE COMMUNITY PROCEDURES FOR THE ACQUISITION, RETENTION, AND DISSEMINATION OF INTELLIGENCE.**

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), as amended by section ___10, is further amended by adding at the end the following:

**"SEC. 510. PERIODIC REVIEW OF INTELLIGENCE COMMUNITY PROCEDURES FOR THE ACQUISITION, RETENTION, AND DISSEMINATION OF INTELLIGENCE.**

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

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

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

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

''(1) REQUIREMENT FOR IMMEDIATE REVIEW.—Each head of an element of the intelligence community that has not obtained the approval of the Attorney General for the procedures, in their entirety, required by section 2.3 of Executive Order 12333 (50 U.S.C. 3001 note) within 5 years prior to the date of the enactment of the FISA Improvements Act of 2013, shall initiate, not later than 180 days after such date of enactment, a review of the procedures for such element, in accordance with paragraph (3).

''(2) REQUIREMENT FOR REVIEW.—Not less frequently than once every 5 years, each head of an element of the intelligence community shall conduct a review of the procedures approved by the Attorney General for such element that are required by section 2.3 of Executive Order 12333 (50 U.S.C. 3001 note), or any successor order, in accordance with paragraph (3).

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

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

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

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

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

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

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

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

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

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

(b) CLERICAL AMENDMENT.—The table of sections in the first section of the National Security Act of 1947, as amended by section ___10, is further amended by adding after the section relating to section 509 the following:

''Sec. 510. Periodic review of intelligence community procedures for the acquisition, retention, and dissemination of intelligence.''.

**SEC. ___12. PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD ENHANCEMENTS RELATING TO THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.**

(a) DEFINITIONS.—In this section:

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

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

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

(A) that—

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

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

(B) that is—

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

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

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

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

(b) NOTICE OF SUBMISSIONS AND ORDERS.—

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

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

(c) DISCRETIONARY ASSESSMENT OF THE BOARD.—

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

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

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

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

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

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

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

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

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

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

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**SA 2471.** Mr. LEAHY (for himself, Ms. COLLINS, Mr. COONS, Mr. BLUMENTHAL, Ms. LANDRIEU, Mr. WHITEHOUSE, Mr. MERKLEY, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1082. BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM REAUTHORIZATION.**

(a) SHORT TITLE.—This section may be cited as the ''Bulletproof Vest Partnership Grant Program Reauthorization Act of 2013''.

(b) FINDINGS.—Congress finds that—

(1) according to a report published by the Government Accountability Office—

(A) since 1987, body armor has saved the lives of more than 3,000 law enforcement officers, and continues to serve as a critical safety measure for law enforcement officers; and

(B) law enforcement officers who do not wear body armor are 3.4 times more likely to sustain a fatal injury from a gunshot to the torso than officers who do;

(2) during the tragic shooting at the Washington Navy Yard Naval Sea Systems Command on September 16, 2013, a Washington, D.C. law enforcement officer was shot twice in the torso and was saved by his protective vest;

(3) in 2012, protective vests were directly responsible for saving the lives of at least 33 law enforcement officers;

(4) body armor is an effective tool in helping to protect law enforcement officers; and

(5) since 1999, the Bulletproof Vest Partnership has helped State and local law enforcement agencies purchase more than 1,000,000 protective vests.

(c) EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM.—Section 1001(a)(23) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(23)) is amended by striking ''part Y,'' and all that follows and inserting the following: ''part Y—

''(A) $15,000,000 for each of fiscal years 2014 and 2015; and

''(B) $30,000,000 for each of fiscal years 2016, 2017, and 2018.''.

(d) EXPIRATION OF PREVIOUSLY APPROPRIATED FUNDS.—Section 2501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll) is amended by adding at the end the following:

''(h) EXPIRATION OF PREVIOUSLY APPROPRIATED FUNDS.—

''(1) DEFINITION.—In this subsection, the term 'previously appropriated funds' means any amounts that—

''(A) were appropriated for any of fiscal years 1999 through 2012 to carry out this part; and

''(B) on the date of enactment of the Bulletproof Vest Partnership Grant Program Reauthorization Act of 2013, are available to be expended and have not been expended, including funds that were previously obligated but undisbursed.

''(2) EXPIRATION.—All previously appropriated funds that are not expended by September 30, 2015 shall be transferred to the General Fund of the Treasury not later than January 15, 2016.''.

(e) SENSE OF CONGRESS ON 2-YEAR LIMITATION ON FUNDS.—It is the sense of Congress that amounts made available to carry out part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll et seq.) should be made available through the end of the first fiscal year following the fiscal year for which the amounts are appropriated and should not be made available until expended.

(f) MATCHING FUNDS LIMITATION.—Section 2501(f) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll(f)) is amended—

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

(2) by inserting after paragraph (2) the following:

''(3) LIMITATION ON STATE MATCHING FUNDS.—A State, unit of local government, or Indian tribe may not use funding received under any other Federal grant program to pay or defer the cost, in whole or in part, of the matching requirement under paragraph (1).''.

(g) APPLICATION OF BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM REQUIREMENTS TO ANY ARMOR VEST OR BODY ARMOR PURCHASED WITH FEDERAL GRANT FUNDS.—Section 521 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3766a) is amended by adding at the end the following:

''(c)(1) Notwithstanding any other provision of law, a grantee that uses funds made available under this part to purchase an armor vest or body armor shall—

''(A) comply with any requirements established for the use of grants made under part Y;

''(B) have a written policy requiring uniformed patrol officers to wear an armor vest or body armor; and

''(C) use the funds to purchase armor vests or body armor that meet any performance standards established by the Director of the Bureau of Justice Assistance.

''(2) In this subsection, the terms 'armor vest' and 'body armor' have the same meanings given the terms in section 2503.''.

(h) UNIQUELY FITTED ARMOR VESTS.—Section 2501(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll(c)) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking ''; or'' and inserting ''; and'';

(3) by redesignating paragraph (4) as paragraph (5); and

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

''(4) provides armor vests to law enforcement officers that are uniquely fitted for such officers, including vests uniquely fitted to individual female law enforcement officers; or''.

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**SA 2472.** Ms. LANDRIEU (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 509 and insert the following:

**SEC. 509. NATIONAL GUARD YOUTH CHALLENGE PROGRAM.**

Section 509 of title 32, United States Code, is amended—

(1) in subsection (a), by striking ''Secretary of Defense may use'' and inserting ''Chief of the National Guard Bureau shall use'';

(2) in subsection (b)—

(A) by striking ''Secretary of Defense'' each place it appears and inserting ''Chief of the National Guard Bureau'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''Secretary'' and inserting ''Chief of the National Guard Bureau''; and

(ii) in subparagraph (A), by striking '', except that'' and all that follows through ''$62,500,000''; and

(C) in paragraph (4), by striking ''Secretary may use'' and inserting ''Chief of the National Guard Bureau shall use'';

(3) in subsection (c)(2), by striking ''Secretary'' and inserting ''Chief of the National Guard Bureau'';

(4) in subsection (d)(1), by striking ''Secretary of Defense'' and inserting ''Chief of the National Guard Bureau'';

(5) in subsection (e), by striking ''Secretary of Defense'' and inserting ''Chief of the National Guard Bureau'';

(6) in subsection (f)(1), by striking ''Secretary of Defense'' and inserting ''Chief of the National Guard Bureau'';

(7) in subsection (k)—

(A) by striking ''Secretary of Defense'' and inserting ''Chief of the National Guard Bureau''; and

(B) by striking ''Secretary'' and inserting ''Chief of the National Guard Bureau''; and

(8) in subsection (m), by striking ''Secretary of Defense'' and inserting ''Chief of the National Guard Bureau''.

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**SA 2473.** Mr. UDALL of Colorado (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1066. REPORT ON HEALTH AND SAFETY RISKS ASSOCIATED WITH EJECTION SEATS.**

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report setting forth an assessment of the risks to the health and safety of members of the Armed Forces of the ejection seats currently in operational use by the Air Force.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment whether aircrew members wearing advanced helmets, night vision systems, helmet-mounted cueing systems, or other helmet-mounted devices or attachments are at increased risk of serious injury or death during a high-speed ejection sequence.

(2) An analysis of how ejection seats currently in operational use provide protection against head, neck, and spinal cord injuries during an ejection sequence.

(3) An analysis of initiatives currently underway within the Air Force to decrease the risk of death or serious injury in an ejection sequence.

(4) An analysis of programs or initiatives not currently underway within the Air Force that could decrease the risk of death or serious injury in an ejection sequence.

(5) The status of any testing or qualifications on upgraded ejection seats that may reduce the risk of death or serious injury in an ejection sequence.

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**SA 2474.** Mr. TESTER (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

**SEC. 1109. DUE PROCESS FOR FEDERAL EMPLOYEES SERVING IN SENSITIVE POSITIONS.**

(a) AMENDMENTS.—Section 7701 of title 5, United States Code, is amended—

(1) by redesignating subsection (k) as subsection (l); and

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

''(k)(1) The Board has authority to review on the merits an appeal by an employee or applicant for employment of an action arising from a determination that the employee or applicant for employment is ineligibility for a sensitive position if—

''(A) the sensitive position does not require a security clearance or access to classified information; and

''(B) such action is otherwise appealable.

''(2) In this subsection, the term 'sensitive position' means a position designated as a sensitive position under Executive Order 10450 (5 U.S.C. 7311 note), or any successor thereto.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to any appeal that is pending on, or commenced on or after, the date of enactment of this Act.

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**SA 2475.** Mr. MCCAIN (for himself, Mr. LEVIN, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

**SEC. 1208. ASSISTANCE TO FOSTER NEGOTIATED SETTLEMENT TO SYRIA CONFLICT.**

(a) STATEMENT OF POLICY.—It is the policy of the United States to change the military momentum on the battlefield in Syria so as to create favorable conditions for a negotiated settlement that ends the conflict and leads to a democratic government in Syria.

(b) AUTHORITY TO PROVIDE ASSISTANCE.—Subject to the requirements in subsections (d) and (e), the Secretary of Defense may, with the concurrence of the Secretary of State, provide equipment, supplies, and training to vetted units of the Free Syrian Army, the Supreme Military Council, and other Syrian forces opposed to the government of Bashar al-Assad and the Islamic State of Iraq and Syria (ISIS) for the purpose of conducting military operations inside Syria, with funds made available for foreign assistance.

(c) FUNDING.—Not more than $100,000,000 of the amounts authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2014 may be used to implement the authority provided under subsection (b).

(d) CERTIFICATION REQUIREMENT.—Not later than 15 days before obligating or providing the assistance as authorized in subsection (b), the Secretary shall certify to the appropriate congressional committees that—

(1) based on the information available to the United States Government, the unit or units, including the senior leaders of such unit or units, to whom assistance is being provided, or is planned to be provided, is—

(A) not an organization or person that has been designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) or a ''Specifically Designated Global Terrorist'' pursuant to Executive Order 13224 (66 Fed. Reg. 49079);

(B) committed to rejecting terrorism, and cooperating with international counterterrorism and nonproliferation efforts;

(C) opposed to sectarian violence and revenge killings;

(D) committed to establishing a peaceful, pluralistic, and democratic Syria that respects the human rights and fundamental freedoms of all its citizens; and

(E) committed to civilian rule, including subordinating the military to civilian authority, and the rule of law for Syria;

(2) assistance shall be provided in a manner that promotes observance of and respect for human rights and fundamental freedoms, military professionalism, respect for rule of law and the importance of civilian control of the military, rejection of terrorism and extremism, and safeguarding the distribution of humanitarian aid; and

(3) assistance provided under this section to any specific individual or entity shall immediately be terminated if the United States Government receives credible information that demonstrates that such individual or entity is not in compliance with the terms defined in this subsection.

(e) RESTRICTION ON ANTI-AIRCRAFT DEFENSIVE SYSTEMS.—In addition to the requirements provided in subsection (d), anti-aircraft defensive systems may only be transferred as part of the assistance authorized under subsection (b) if the Secretary certifies to the appropriate congressional committees not later than 15 days before providing such systems that—

(1) the provision of such systems is in the national security interest of the United States;

(2) the individual to whom anti-aircraft defensive systems are planned to be provided and the unit or entity of which such individual is a member, including the senior leaders of that unit or entity, have no operational ties and no ongoing operational coordination with an organization or person that has been designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

(3) all necessary steps have been taken to mitigate the risks to United States national security and the national security of United States partners and allies associated with the transfer of such systems, and to ensure effective end use monitoring, including appropriate disposition of systems; and

(4) the United States has consulted with regional partners and allies regarding the systems provided.

(f) REPORTING REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a classified report on—

(1) vetting procedures to satisfy the certification requirement in subsection (d)(1);

(2) an assessment of the current military capacity of opposition forces that are or would be receiving assistance;

(3) an assessment of the ability of opposition groups to conduct effective military operations and establish effective military control over Syria;

(4) a description of the financial and material resources currently available to opposition forces;

(5) an assessment of the extent to which the program is making progress in achieving the stated policy in subsection (a), and furthering the interests of the United States; and

(6) an outline of the plan to provide assistance to vetted armed opposition that complies with the vetting procedures outlined in paragraph (1).

(g) DONATIONS.—The Secretary of Defense may accept donations from foreign states to conduct activities pursuant to subsection (a).

(h) THIRD COUNTRY ASSISTANCE.—The Secretary of Defense may provide assistance to a third country to conduct training under subsection (a).

(i) SUNSET PROVISION.—Unless specifically renewed, the authority described in subsection (a) shall terminate on December 31, 2015.

(j) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

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**SA 2476.** Ms. WARREN (for herself and Mr. RUBIO) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1083. PROTECTION OF INDIVIDUALS ELIGIBLE FOR INCREASED PENSION UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS ON BASIS OF NEED FOR REGULAR AID AND ATTENDANCE.**

(a) DEVELOPMENT AND IMPLEMENTATION OF STANDARDS.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall work with the heads of Federal agencies, States, and such experts as the Secretary considers appropriate to develop and implement Federal and State standards that protect individuals from dishonest, predatory, or otherwise unlawful practices relating to increased pension available to such individuals under chapter 15 of title 38, United States Code, on the basis of need for regular aid and attendance.

(2) SUBMITTAL TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives the standards developed under paragraph (1).

(b) CONDITIONAL RECOMMENDATION BY COMPTROLLER GENERAL.—If the Secretary does not, on or before the date that is 180 days after the date of the enactment of this Act, submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives standards that are developed under subsection (a)(1), the Comptroller General of the United States shall, not later than the date that is 1 year after the date of the enactment of this Act, submit to such committees a report containing standards that the Comptroller General determines are standards that would be effective in protecting individuals as described in such subsection.

(c) STUDY BY COMPTROLLER GENERAL.—Not later than 540 days after the date of the enactment of this Act, the Comptroller General of the United States shall complete a study on standards implemented under this section to protect individuals as described in subsection (a)(1) and submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing the

findings of the Comptroller General with respect to such study.

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**SA 2477.** Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1237. REPORT ON TEAR GAS AND OTHER RIOT CONTROL ITEMS TRANSFERRED OR SOLD BY THE DEPARTMENT OF DEFENSE TO FOREIGN GOVERNMENTS.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the tear gas and other riot control items transferred or sold by the Department of Defense to foreign governments during the five-year period ending on the date of the report.

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**SA 2478.** Mr. REED (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXVIII, add the following:

**SEC. 2842. FOX POINT HURRICANE BARRIER, PROVIDENCE, RHODE ISLAND.**

Section 2866(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2499) is amended by striking ''operation and maintenance of the Fox Point Hurricane Barrier in Providence, Rhode Island.'' and inserting ''operation and maintenance of the Fox Point Hurricane Barrier in Providence, Rhode Island, including operation and maintenance in support of public events requiring specific river elevations in the City of Providence, Rhode Island, except that the City of Providence shall be responsible for paying to the New England District the costs incurred by the District for carrying out operation and maintenance activities required for such public events.''.

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**SA 2479.** Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXXV, add the following:

**SEC. 3502. REPORT ON THE READY RESERVE FORCE OF THE MARITIME ADMINISTRATION.**

(a) FINDINGS.—Congress finds the following:

(1) It is in the interest of United States national security that the United States merchant marine, both ships and mariners, serve as a naval auxiliary in times of war or national emergency.

(2) It is important to augment the readiness of the United States merchant fleet with a Government-owned reserve fleet comprised of ships with national defense features that may not be available immediately in sufficient numbers or types in the active United States-owned, United States-flagged, and United States-crewed commercial industry.

(3) The Ready Reserve Force of the Maritime Administration, a component of the National Defense Reserve Fleet, plays an important role in United States national security by providing necessary readiness and efficiency in the form of a Government-owned sealift fleet.

(4) A successful dual-use vessel program could provide—

(A) private sector benefits for the domestic shipbuilding and maritime freight industries; and

(B) an opportunity to outfit vessels with natural gas engines, lowering long-term fuel costs and emissions.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should maintain a shipbuilding base to meet United States national security requirements;

(2) the Ready Reserve Force of the Maritime Administration should remain capable, modern, and efficient in order to best serve the national security needs of the United States in times of war or national emergency;

(3) Federal agencies should consider investment options for replacing aging vessels within the Ready Reserve Force to meet future operational commitments; and

(4) investment in recapitalizing the Ready Reserve Force should include—

(A) construction of dual-use vessels, based on need, for use in the America's Marine Highway Program of the Department of Transportation, as a recent study performed under a cooperative agreement between the Maritime Administration and the Navy demonstrated that dual-use vessels transporting domestic freight between United States ports could be called upon to supplement sealift capacity;

(B) construction of tanker vessels to meet military transport needs; and

(C) construction of vessels for use in transporting potential new energy exports.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation and the Secretary of the Navy, jointly, shall submit to the congressional defense committees and the Committee on Commerce, Science, and Transportation of the Senate a report on the cost-effectiveness of the recapitalizing methods for the Ready Reserve Force described under subsection (b)(4) that includes an assessment of the risks involved with Federal financing of dual-use vessels.

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**SA 2480.** Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

**TITLE XVI—MILITARY VOTING**

**SEC. 1601. SHORT TITLE.**

This title may be cited as the ''Protect Military and Overseas Voters Act''.

**Subtitle A—Absent Uniformed Services Voters and Overseas Voters**

**SEC. 1611. SHORT TITLE.**

This subtitle may be cited as the ''Absent Uniformed Services Voters and Overseas Voters Act''.

**SEC. 1612. EXTENDING GUARANTEE OF RESIDENCY FOR VOTING PURPOSES TO FAMILY MEMBERS OF ABSENT MILITARY PERSONNEL.**

(a) IN GENERAL.—Subsection (b) of section 705 of the Servicemembers Civil Relief Act (50 U.S.C. App. 595) is amended—

(1) by striking ''a person who is absent from a State because the person is accompanying the persons's spouse who is absent from that same State in compliance with military or naval orders shall not, solely by reason of that absence'' and inserting ''a dependent of a person who is absent from a State in compliance with military orders shall not, solely by reason of absence, whether or not accompanying that person''; and

(2) in the heading by striking ''SPOUSES'' and inserting ''DEPENDENTS''.

(b) CONFORMING AMENDMENT.—The heading of section 705 of such Act (50 U.S.C. App 595) is amended by striking ''**SPOUSES**'' and inserting ''**DEPENDENTS**''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to absences from States described in section 705(b) of the Servicemembers Civil Relief Act (50 U.S.C. App. 595(b)), as amended by subsection (a), after the date of the enactment of this Act, regardless of the date of the military orders concerned.

**SEC. 1613. PRE-ELECTION REPORTS ON AVAILABILITY AND TRANSMISSION OF ABSENTEE BALLOTS.**

Section 102(c) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1(c)) is amended to read as follows:

''(c) REPORTS ON TRANSMISSION AND RECEIPT OF ABSENTEE BALLOTS.—

''(1) IN GENERAL.—Not later than 90 days after the date of each regularly scheduled general election for Federal office, each State and unit of local government which administered the election shall (through the State, in the case of a unit of local government) submit a report to the Attorney General, the Commission, and the Presidential Designee with respect to the transmission to, and receipt of absentee ballots from, uniformed services voters and overseas voters for such election, and shall make such report available to the general public that same day.

''(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following information:

''(A) The combined number of absentee ballots transmitted to absent uniformed services voters and overseas voters for the election and the combined number of such ballots which were returned by such voters and cast in the election.

''(B) Whether the State failed to transmit any absentee ballots to such voters before the date that is 46 days before the election, and the reason for any such failure.''.

**SEC. 1614. ENFORCEMENT.**

(a) AVAILABILITY OF CIVIL PENALTIES AND PRIVATE RIGHTS OF ACTION.—Section 105 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff—4) is amended to read as follows:

**''SEC. 105. ENFORCEMENT.**

''(a) ACTION BY ATTORNEY GENERAL.—

''(1) IN GENERAL.—The Attorney General may bring civil action in an appropriate district court for such declaratory or injunctive

relief as may be necessary to carry out this title.

''(2) PENALTY.—In a civil action brought under paragraph (1), if the court finds that the State violated any provision of this title, it may, to vindicate the public interest, assess a civil penalty against the State—

''(A) in an amount not to exceed $30,000 for each such violation, in the case of a first violation; or

''(B) in an amount not to exceed $60,000 for each such violation, for any subsequent violation.

''(3) REPORT TO CONGRESS.—Not later than December 31 of each year, the Attorney General shall submit to Congress an annual report on any civil action brought under paragraph (1) during the preceding year.

''(b) STATE AS ONLY NECESSARY DEFENDANT.—In any action brought under this section, the only necessary party defendant is the State, and it shall not be a defense to any such action that a local election official or a unit of local government is not named as a defendant, notwithstanding that a State has exercised the authority described in section 576 of the Military and Overseas Voter Empowerment Act to delegate to another jurisdiction in the State any duty or responsibility which is the subject of an action brought under this section.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations alleged to have occurred on or after the date of the enactment of this Act.

**SEC. 1615. REVISIONS TO 45-DAY ABSENTEE BALLOT TRANSMISSION RULE.**

(a) MODIFICATION OF TIME-PERIOD TO AVOID WEEKEND DEADLINES.—Section 102(a)(8) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff—1(a)(8)(A)) is amended by striking ''45 days'' each place it appears and inserting ''46 days''.

(b) REQUIRING USE OF EXPRESS DELIVERY IN CASE OF FAILURE TO MEET REQUIREMENT.—Section 102 of such Act (42 U.S.C. 1973ff—1) is amended by adding at the end the following new subsection:

''(j) REQUIRING USE OF EXPRESS DELIVERY IN CASE OF FAILURE TO TRANSMIT BALLOTS WITHIN DEADLINES.—

''(1) TRANSMISSION OF BALLOT BY EXPRESS DELIVERY.—If a State fails to meet the requirement of subsection (a)(8)(A) to transmit a validly requested absentee ballot to an absent uniformed services voter or overseas voter not later than 46 days before the election (in the case in which the request is received at least 46 days before the election) and no waiver is granted under subsection (g)—

''(A) the State shall transmit the ballot to the voter by express delivery; or

''(B) in the case of a voter who has designated that absentee ballots be transmitted electronically in accordance with subsection (f)(1), the State shall transmit the ballot to the voter electronically.

''(2) SPECIAL RULE FOR TRANSMISSION FEWER THAN 40 DAYS BEFORE THE ELECTION.—If, in carrying out paragraph (1), a State transmits an absentee ballot to an absent uniformed services voter or overseas voter fewer than 40 days before the election and no waiver is granted under subsection (g), the State shall enable the ballot to be returned by the voter by express delivery, except that in the case of an absentee ballot of an absent uniformed services voter for a regularly scheduled general election for Federal office, the State may satisfy the requirement of this paragraph by notifying the voter of the procedures for the collection and delivery of such ballots under section 103A.''.

**SEC. 1616. USE OF SINGLE ABSENTEE BALLOT APPLICATION FOR SUBSEQUENT ELECTIONS.**

(a) IN GENERAL.—Section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-3) is amended to read as follows:

**''SEC. 104. USE OF SINGLE APPLICATION FOR SUBSEQUENT ELECTIONS.**

''(a) IN GENERAL.—If a State accepts and processes a request for an absentee ballot by an absent uniformed services voter or overseas voter and the voter requests that the application be considered an application for an absentee ballot for each subsequent election for Federal office held in the State through the next regularly scheduled general election for Federal office (including any runoff elections which may occur as a result of the outcome of such general election), the State shall provide an absentee ballot to the voter for each such subsequent election.

''(b) EXCEPTION FOR VOTERS CHANGING REGISTRATION.—Subsection (a) shall not apply with respect to a voter registered to vote in a State for any election held after the voter notifies the State that the voter no longer wishes to be registered to vote in the State or after the State determines that the voter has registered to vote in another State or is otherwise no longer eligible to vote in the State.

''(c) PROHIBITION OF REFUSAL OF APPLICATION ON GROUNDS OF EARLY SUBMISSION.—A State may not refuse to accept or to process, with respect to any election for Federal office, any otherwise valid voter registration application or absentee ballot application (including the postcard form prescribed under section 101) submitted by an absent uniformed services voter or overseas voter on the grounds that the voter submitted the application before the first date on which the State otherwise accepts or processes such applications for that election which are submitted by absentee voters who are not members of the uniformed services or overseas citizens.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to voter registration and absentee ballot applications which are submitted to a State or local election official on or after the date of the enactment of this Act.

**SEC. 1617. APPLICABILITY TO COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.**

Paragraph (6) and (8) of section 107 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–6(6)) are each amended by striking ''and American Samoa'' and inserting ''American Samoa, and the Commonwealth of the Northern Mariana Islands''.

**SEC. 1618. EFFECTIVE DATE.**

Except as otherwise provided in this subtitle, the amendments made by this subtitle shall apply with respect to elections occurring on or after January 1, 2014.

**Subtitle B—Voter Registration Modernization**

**SEC. 1621. SHORT TITLE.**

This subtitle may be cited as the ''Voter Registration Modernization Act''.

**SEC. 1622. REQUIRING AVAILABILITY OF INTERNET FOR VOTER REGISTRATION.**

(a) REQUIRING AVAILABILITY OF INTERNET FOR REGISTRATION.—The National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.) is amended by inserting after section 6 the following new section:

**''SEC. 6A. INTERNET REGISTRATION.**

''(a) REQUIRING AVAILABILITY OF INTERNET FOR ONLINE REGISTRATION.—

''(1) AVAILABILITY OF ONLINE REGISTRATION.—Each State, acting through the chief State election official, shall ensure that the following services are available to the public at any time on the official public websites of the appropriate State and local election officials in the State, in the same manner and subject to the same terms and conditions as the services provided by voter registration agencies under section 7(a):

''(A) Online application for voter registration.

''(B) Online assistance to applicants in applying to register to vote.

''(C) Online completion and submission by applicants of the mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2), including assistance with providing a signature in electronic form as required under subsection (c).

''(D) Online receipt of completed voter registration applications.

''(b) ACCEPTANCE OF COMPLETED APPLICATIONS.—A State shall accept an online voter registration application provided by an individual under this section, and ensure that the individual is registered to vote in the State, if—

''(1) the individual meets the same voter registration requirements applicable to individuals who register to vote by mail in accordance with section 6(a)(1) using the mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2); and

''(2) the individual provides a signature in electronic form in accordance with subsection (c) (but only in the case of applications submitted during or after the second year in which this section is in effect in the State).

''(c) SIGNATURES IN ELECTRONIC FORM.—For purposes of this section, an individual provides a signature in electronic form by—

''(1) electronically signing the document in the manner required by the State for purposes of submitting online applications for voter registration before the date of the enactment of this section;

''(2) executing a computerized mark in the signature field on an online voter registration application; or

''(3) submitting with the application an electronic copy of the individual's handwritten signature through electronic means.

''(d) PROVISION OF SERVICES IN NONPARTISAN MANNER.—The services made available under subsection (a) shall be provided in a manner that ensures that, consistent with section 7(a)(5)—

''(1) the online application does not seek to influence an applicant's political preference or party registration; and

''(2) there is no display on the website promoting any political preference or party allegiance, except that nothing in this paragraph may be construed to prohibit an applicant from registering to vote as a member of a political party.

''(e) PROTECTION OF SECURITY OF INFORMATION.—In meeting the requirements of this section, the State shall establish appropriate technological security measures to prevent to the greatest extent practicable any unauthorized access to information provided by individuals using the services made available under subsection (a).

''(f) USE OF ADDITIONAL TELEPHONE-BASED SYSTEM.—A State shall make the services made available online under subsection (a) available through the use of an automated telephone-based system, subject to the same terms and conditions applicable under this section to the services made available online, in addition to making the services available online in accordance with the requirements of this section.

''(g) NONDISCRIMINATION AMONG REGISTERED VOTERS USING MAIL AND ONLINE REGISTRATION.—In carrying out this Act, the Help America Vote Act of 2002, or any other Federal, State, or local law governing the treatment of registered voters in the State or the administration of elections for public office in the State, a State shall treat a registered voter who registered to vote online in

accordance with this section in the same manner as the State treats a registered voter who registered to vote by mail.''.

(b) TREATMENT AS INDIVIDUALS REGISTERING TO VOTE BY MAIL FOR PURPOSES OF FIRST-TIME VOTER IDENTIFICATION REQUIREMENTS.—Section 303(b)(1)(A) of the Help America Vote Act of 2002 (42 U.S.C. 15483(b)(1)(A)) is amended by striking ''by mail'' and inserting ''by mail or online under section 6A of the National Voter Registration Act of 1993''.

(c) CONFORMING AMENDMENTS.—

(1) TIMING OF REGISTRATION.—Section 8(a)(1) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6(a)(1)) is amended—

(A) by striking ''and'' at the end of subparagraph (C);

(B) by redesignating subparagraph (D) as subparagraph (E); and

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

''(D) in the case of online registration through the official public website of an election official under section 6A, if the valid voter registration application is submitted online not later than the lesser of 30 days, or the period provided by State law, before the date of the election (as determined by treating the date on which the application is sent electronically as the date on which it is submitted); and''.

(2) INFORMING APPLICANTS OF ELIGIBILITY REQUIREMENTS AND PENALTIES.—Section 8(a)(5) of such Act (42 U.S.C. 1973gg–6(a)(5)) is amended by striking ''and 7'' and inserting ''6A, and 7''.

**SEC. 1623. USE OF INTERNET TO UPDATE REGISTRATION INFORMATION.**

(a) IN GENERAL.—

(1) UPDATES TO INFORMATION CONTAINED ON COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST.—Section 303(a) of the Help America Vote Act of 2002 (42 U.S.C. 15483(a)) is amended by adding at the end the following new paragraph:

''(6) USE OF INTERNET BY REGISTERED VOTERS TO UPDATE INFORMATION.—

''(A) IN GENERAL.—The appropriate State or local election official shall ensure that any registered voter on the computerized list may at any time update the voter's registration information, including the voter's address and electronic mail address, online through the official public website of the election official responsible for the maintenance of the list, so long as the voter attests to the contents of the update by providing a signature in electronic form in the same manner required under section 6A(c) of the National Voter Registration Act of 1993.

''(B) PROCESSING OF UPDATED INFORMATION BY ELECTION OFFICIALS.—If a registered voter updates registration information under subparagraph (A), the appropriate State or local election official shall—

''(i) revise any information on the computerized list to reflect the update made by the voter; and

''(ii) if the updated registration information affects the voter's eligibility to vote in an election for Federal office, ensure that the information is processed with respect to the election if the voter updates the information not later than the lesser of 30 days, or the period provided by State law, before the date of the election.''.

(2) CONFORMING AMENDMENT RELATING TO EFFECTIVE DATE.—Section 303(d)(1)(A) of such Act (42 U.S.C. 15483(d)(1)(A)) is amended by striking ''subparagraph (B)'' and inserting ''subparagraph (B) and subsection (a)(6)''.

(b) ABILITY OF REGISTRANT TO USE ONLINE UPDATE TO PROVIDE INFORMATION ON RESIDENCE.—Section 8(d)(2)(A) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6(d)(2)(A)) is amended—

(1) in the first sentence, by inserting after ''return the card'' the following: ''or update the registrant's information on the computerized Statewide voter registration list using the online method provided under section 303(a)(6) of the Help America Vote Act of 2002''; and

(2) in the second sentence, by striking ''returned,'' and inserting the following: ''returned or if the registrant does not update the registrant's information on the computerized Statewide voter registration list using such online method,''.

**SEC. 1624. STUDY ON BEST PRACTICES FOR INTERNET REGISTRATION.**

(a) IN GENERAL.—The Director of the National Institute of Standards and Technology shall conduct an ongoing study on best practices for implementing the requirements for Internet registration under section 6A of the National Voter Registration Act of 1993 (as added by section 1622) and the requirement to permit voters to update voter registration information online under section 303(a)(6) of the Help America Vote Act of 2002 (as added by section 1623).

(b) REPORT.—

(1) IN GENERAL.—Not later than 4 months after the date of the enactment of this Act, the Director of the National Institute of Standards and Technology shall make publicly available a report on the study conducted under subsection (a).

(2) QUADRENNIAL UPDATE.—The Director of the National Institute of Standards and Technology shall review and update the report made under paragraph (1).

(c) USE OF BEST PRACTICES IN EAC VOLUNTARY GUIDANCE.—Subsection (a) of section 311 of the Help America Vote Act of 2002 (42 U.S.C. 15501(a)) is amended by adding at the end the following new sentence: ''Such voluntary guidance shall utilize the best practices developed by the Director of the National Institute of Standards and Technology under section 1624 of the Voter Registration Modernization Act for the use of the Internet in voter registration.''.

**SEC. 1625. PROVISION OF ELECTION INFORMATION BY ELECTRONIC MAIL TO INDIVIDUALS REGISTERED TO VOTE.**

(a) INCLUDING OPTION ON VOTER REGISTRATION APPLICATION TO PROVIDE E-MAIL ADDRESS AND RECEIVE INFORMATION.—

(1) IN GENERAL.—Section 9(b) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–7(b)) is amended—

(A) by striking ''and'' at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting ''; and''; and

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

''(5) shall include a space for the applicant to provide (at the applicant's option) an electronic mail address, together with a statement that, if the applicant so requests, instead of using regular mail the appropriate State and local election officials shall provide to the applicant, through electronic mail sent to that address, the same voting information (as defined in section 302(b)(2) of the Help America Vote Act of 2002) which the officials would provide to the applicant through regular mail.''.

(2) PROHIBITING USE FOR PURPOSES UNRELATED TO OFFICIAL DUTIES OF ELECTION OFFICIALS.—Section 9 of such Act (42 U.S.C. 1973gg–7) is amended by adding at the end the following new subsection:

''(c) PROHIBITING USE OF ELECTRONIC MAIL ADDRESSES FOR OTHER THAN OFFICIAL PURPOSES.—The chief State election official shall ensure that any electronic mail address provided by an applicant under subsection (b)(5) is used only for purposes of carrying out official duties of election officials and is not transmitted by any State or local election official (or any agent of such an official, including a contractor) to any person who does not require the address to carry out such official duties and who is not under the direct supervision and control of a State or local election official.''.

(b) REQUIRING PROVISION OF INFORMATION BY ELECTION OFFICIALS.—Section 302(b) of the Help America Vote Act of 2002 (42 U.S.C. 15482(b)) is amended by adding at the end the following new paragraph:

''(3) PROVISION OF OTHER INFORMATION BY ELECTRONIC MAIL.—If an individual who is a registered voter has provided the State or local election official with an electronic mail address for the purpose of receiving voting information (as described in section 9(b)(5) of the National Voter Registration Act of 1993), the appropriate State or local election official, through electronic mail transmitted not later than 30 days before the date of the election involved, shall provide the individual with information on how to obtain the following information by electronic means:

''(A) The name and address of the polling place at which the individual is assigned to vote in the election.

''(B) The hours of operation for the polling place.

''(C) A description of any identification or other information the individual may be required to present at the polling place.''.

**SEC. 1626. CLARIFICATION OF REQUIREMENT REGARDING NECESSARY INFORMATION TO SHOW ELIGIBILITY TO VOTE.**

Section 8 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6) is amended—

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting after subsection (i) the following new subsection:

''(j) REQUIREMENT FOR STATE TO REGISTER APPLICANTS PROVIDING NECESSARY INFORMATION TO SHOW ELIGIBILITY TO VOTE.—For purposes meeting the requirement of subsection (a)(1) that an eligible applicant is registered to vote in an election for Federal office within the deadlines required under such subsection, the State shall consider an applicant to have provided a 'valid voter registration form' if—

''(1) the applicant has accurately completed the application form and attested to the statement required by section 9(b)(2); and

''(2) in the case of an applicant who registers to vote online in accordance with section 6A, the applicant provides a signature in accordance with subsection (c) of such section.''.

**SEC. 1627. EFFECTIVE DATE.**

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this subtitle (other than the amendments made by section 1625) shall take effect January 1, 2016.

(b) WAIVER.—Subject to the approval of the Election Assistance Commission, if a State certifies to the Election Assistance Commission that the State will not meet the deadline referred to in subsection (a) because of extraordinary circumstances and includes in the certification the reasons for the failure to meet the deadline, subsection (a) shall apply to the State as if the reference in such subsection to ''January 1, 2016'' were a reference to ''January 1, 2018''.

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**SA 2481.** Mr. MANCHIN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and

for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

**SEC. 573. NOTICE TO COMMANDING OFFICERS ON CHILD ABUSE COMMITTED BY MEMBERS OF THE ARMED FORCES.**

Upon notification of a reportable incident of child abuse committed by a member of the Armed Forces, notice on such incident shall be submitted to an officer in grade O–6 in the chain of command of the member committing such abuse.

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**SA 2482.** Mr. CARPER (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1082. CYBERSECURITY RECRUITMENT AND RETENTION.**

(a) IN GENERAL.—At the end of subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.), add the following:

**"SEC. 226. CYBERSECURITY RECRUITMENT AND RETENTION.**

''(a) DEFINITIONS.—In this section:

''(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' 'means the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives.'

''(2) COLLECTIVE BARGAINING AGREEMENT.—The term 'collective bargaining agreement' has the meaning given that term in section 7103(a)(8) of title 5, United States Code.

''(3) EXCEPTED SERVICE.—The term 'excepted service' has the meaning given that term in section 2103 of title 5, United States Code.

''(4) PREFERENCE ELIGIBLE.—The term 'preference eligible' has the meaning given that term in section 2108 of title 5, United States Code.

''(5) QUALIFIED POSITION.—The term 'qualified position' means a position, designated by the Secretary for the purpose of this section, in which the incumbent performs, manages, or supervises functions that execute the responsibilities of the Department relating to cybersecurity.

''(6) SENIOR EXECUTIVE SERVICE.—The term 'Senior Executive Service' has the meaning given that term in section 2101a of title 5, United States Code.

''(b) GENERAL AUTHORITY.—

''(1) ESTABLISH POSITIONS, APPOINT PERSONNEL, AND FIX RATES OF PAY.—

''(A) GENERAL AUTHORITY.—The Secretary may—

''(i) establish, as positions in the excepted service, such qualified positions in the Department as the Secretary determines necessary to carry out the responsibilities of the Department relating to cybersecurity, including—

''(I) senior level positions designated under section 5376 of title 5, United States Code; and

''(II) positions in the Senior Executive Service;

''(ii) appoint an individual to a qualified position (after taking into consideration the availability of preference eligibles for appointment to the position); and

''(iii) subject to the requirements of paragraphs (2) and (3), fix the compensation of an individual for service in a qualified position.

''(B) CONSTRUCTION WITH OTHER LAWS.—The authority of the Secretary under subsection (a) applies without regard to the provisions of any other law relating to the appointment, number, classification, or compensation of employees.

''(2) BASIC PAY.—

''(A) AUTHORITY TO FIX RATES OF BASIC PAY.—In accordance with this section, the Secretary shall fix the rates of basic pay for any qualified position established under paragraph (1) in relation to the rates of pay provided for employees in comparable positions in the Department of Defense and subject to the same limitations on maximum rates of pay established for such employees by law or regulation.

''(B) PREVAILING RATE SYSTEMS.—The Secretary may, consistent with section 5341 of title 5, United States Code, adopt such provisions of that title as provide for prevailing rate systems of basic pay and may apply those provisions to qualified positions for employees in or under which the Department may employ individuals described by section 5342(a)(2)(A) of that title.

''(3) ADDITIONAL COMPENSATION, INCENTIVES, AND ALLOWANCES.—

''(A) ADDITIONAL COMPENSATION BASED ON TITLE 5 AUTHORITIES.—The Secretary may provide employees in qualified positions compensation (in addition to basic pay), including benefits, incentives, and allowances, consistent with, and not in excess of the level authorized for, comparable positions authorized by title 5, United States Code.

''(B) ALLOWANCES BASED ON LIVING COSTS AND ENVIRONMENT.—

''(i) IN GENERAL.—In addition to basic pay, employees in qualified positions who are citizens or nationals of the United States and are stationed outside the continental United States or in Alaska may be paid an allowance, in accordance with regulations prescribed by the Secretary, while they are so stationed.

''(ii) DUTY STATIONS COVERED.—An allowance under this subparagraph shall be limited to duty stations where—

''(I) living costs are substantially higher than in the District of Columbia; or

''(II) conditions of environment—

''(aa) differ substantially from conditions of environment in the continental United States, and

''(bb) warrant an allowance as a recruitment incentive.

''(iii) LIMITATION.—An allowance under this subparagraph may not exceed the allowance authorized to be paid under section 5941(a) of title 5, United States Code, for employees whose rates of basic pay are fixed by statute.

''(4) PLAN FOR EXECUTION OF AUTHORITIES.—Not later than 120 days after the date of enactment of this section, the Secretary shall submit a report to the appropriate committees of Congress with a plan for the use of the authorities provided under this subsection.

''(5) COLLECTIVE BARGAINING AGREEMENTS.—Nothing in paragraph (1) may be construed to impair the continued effectiveness of a collective bargaining agreement with respect to an office, component, subcomponent, or equivalent of the Department that is a successor to an office, component, subcomponent, or equivalent of the Department covered by the agreement before the succession.

''(6) REQUIRED REGULATIONS.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall prescribe regulations for the administration of this section.

''(c) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this section, and every year thereafter for 4 years, the Secretary shall submit to the appropriate committees of Congress a detailed report that—

''(1) discusses the process used by the Secretary in accepting applications, assessing candidates, ensuring adherence to veterans' preference, and selecting applicants for vacancies to be filled by an individual for a qualified position;

''(2) describes—

''(A) how the Secretary plans to fulfill the critical need of the Department to recruit and retain employees in qualified positions;

''(B) the measures that will be used to measure progress; and

''(C) any actions taken during the reporting period to fulfill such critical need;

''(3) discusses how the planning and actions taken under paragraph (2) are integrated into the strategic workforce planning of the Department;

''(4) provides metrics on actions occurring during the reporting period, including—

''(A) the number of employees in qualified positions hired by occupation and grade and level or pay band;

''(B) the placement of employees in qualified positions by directorate and office within the Department;

''(C) the total number of veterans hired;

''(D) the number of separations of employees in qualified positions by occupation and grade and level or pay band;

''(E) the number of retirements of employees in qualified positions by occupation and grade and level or pay band; and

''(F) the number and amounts of recruitment, relocation, and retention incentives paid to employees in qualified positions by occupation and grade and level or pay band; and

''(5) describes the training provided to supervisors of employees in qualified positions at the Department on the use of the new authorities.

''(d) THREE-YEAR PROBATIONARY PERIOD.—The probationary period for all employees hired under the authority established in this section shall be not less than 3 years.''.

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

''Sec. 226. Cybersecurity recruitment and retention.''.

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**SA 2483.** Mr. MENENDEZ (for himself, Mr. CORKER, Mr. CARDIN, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

**SEC. 1208. ASSISTANCE FOR THE GOVERNMENT OF BURMA.**

(a) LIMITATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), no funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be made available for

the Government of Burma unless the Secretary of Defense, in concurrence with the Secretary of State, certifies to the appropriate congressional committees that—

(A) the Government of Burma is taking concrete steps toward—

(i) establishing appropriate civilian oversight of the armed forces;

(ii) implementing human rights reform in the Burmese military; and

(iii) terminating military relations with North Korea;

(B) the Government of Burma is taking concrete steps to establish a fair, transparent and inclusive process to amend the Constitution of Burma, towards including the full participation of the political opposition and ethnic minority groups; and

(C) the Burmese military is demonstrating a genuine interest in reform, as reflected by progress towards and adherence to ceasefire agreements, and increased transparency and accountability through activities including establishing or updating a code of conduct, a uniformed code of military justice, an inspector general's office, an ombudsman office, and guidelines for civilian-military relations.

(2) EXCEPTION.—The restriction in paragraph (1) does not apply to—

(A) consultation, education, and training on human rights, the law of armed conflict, civilian control of the military, rule of law, and other legal training;

(B) English-language or medical medicine education;

(C) courses or workshops on regional norms of security cooperation, defense institution reform, and transnational issues such as human trafficking and international crime;

(D) observation of bilateral or multilateral military exercises;

(E) the development of Burmese military capability for humanitarian assistance and disaster relief; and

(F) aid or support for the Government of Burma in the event of a humanitarian crisis or natural disaster.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in concurrence with the Secretary of State, shall submit to the appropriate congressional committees a report, in both classified and unclassified form, on the strategy and plans for military-to-military engagement between the United States Armed Forces and the Burmese military.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A description and assessment of the Government of Burma's strategy for security sector reform.

(B) The United States strategy for the military-military relationship between the United States and Burma.

(C) An assessment of the progress of the Burmese military towards implementing human rights reforms, including cooperation with civilian authorities to investigate and resolve cases of human rights violations, including steps taken to demonstrate respect for laws of war and human rights provisions and a description of the elements of the military-to-military engagement between the United States and Burma that promote such implementation.

(D) A list of ongoing military-to-military activities conducted by the United States Government, including a description of each such activity.

(E) An update on activities that were listed in previous reporting.

(F) A list of activities that are planned to occur over the upcoming year, with a description of each.

(G) An assessment of progress on the peaceful settlement of armed conflicts between the Government of Burma and ethnic minority groups, including reducing the military's footprint in conflict areas and a withdrawal to key bases, and shifting internal security duties to the police and other law enforcement entities, and an assessment of Burma's military.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the congressional defense committees and the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

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**SA 2484.** Ms. KLOBUCHAR (for herself, Mr. SCHUMER, Mr. COONS, and Mr. HOEVEN) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division C, add the following:

## TITLE XXXVI—THEFT OF METAL

**SEC. 3601. SHORT TITLE.**

This title may be cited as the ''Metal Theft Prevention Act of 2013''.

**SEC. 3602. DEFINITIONS.**

In this title—

(1) the term ''critical infrastructure'' has the meaning given the term in section 1016(e) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (42 U.S.C. 5195c(e));

(2) the term ''specified metal'' means metal that—

(A)(i) is marked with the name, logo, or initials of a city, county, State, or Federal government entity, a railroad, an electric, gas, or water company, a telephone company, a cable company, a retail establishment, a beer supplier or distributor, or a public utility; or

(ii) has been altered for the purpose of removing, concealing, or obliterating a name, logo, or initials described in clause (i) through burning or cutting of wire sheathing or other means; or

(B) is part of—

(i) a street light pole or street light fixture;

(ii) a road or bridge guard rail;

(iii) a highway or street sign;

(iv) a water meter cover;

(v) a storm water grate;

(vi) unused or undamaged building construction or utility material;

(vii) a historical marker;

(viii) a grave marker or cemetery urn;

(ix) a utility access cover; or

(x) a container used to transport or store beer with a capacity of 5 gallons or more;

(C) is a wire or cable commonly used by communications and electrical utilities; or

(D) is copper, aluminum, and other metal (including any metal combined with other materials) that is valuable for recycling or reuse as raw metal, except for—

(i) aluminum cans; and

(ii) motor vehicles, the purchases of which are reported to the National Motor Vehicle Title Information System (established under section 30502 of title 49); and

(3) the term ''recycling agent'' means any person engaged in the business of purchasing specified metal for reuse or recycling, without regard to whether that person is engaged in the business of recycling or otherwise processing the purchased specified metal for reuse.

**SEC. 3603. THEFT OF SPECIFIED METAL.**

(a) OFFENSE.—It shall be unlawful to knowingly steal specified metal—

(1) being used in or affecting interstate or foreign commerce; and

(2) the theft of which is from and harms critical infrastructure.

(b) PENALTY.—Any person who commits an offense described in subsection (a) shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both.

**SEC. 3604. DOCUMENTATION OF OWNERSHIP OR AUTHORITY TO SELL.**

(a) OFFENSES.—

(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for a recycling agent to purchase specified metal described in subparagraph (A) or (B) of section 3602(2), unless—

(A) the seller, at the time of the transaction, provides documentation of ownership of, or other proof of the authority of the seller to sell, the specified metal; and

(B) there is a reasonable basis to believe that the documentation or other proof of authority provided under subparagraph (A) is valid.

(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth a requirement on recycling agents to obtain documentation of ownership or proof of authority to sell specified metal before purchasing specified metal.

(3) RESPONSIBILITY OF RECYCLING AGENT.—A recycling agent is not required to independently verify the validity of the documentation or other proof of authority described in paragraph (1).

(4) PURCHASE OF STOLEN METAL.—It shall be unlawful for a recycling agent to purchase any specified metal that the recycling agent—

(A) knows to be stolen; or

(B) should know or believe, based upon commercial experience and practice, to be stolen.

(b) CIVIL PENALTY.—A person who knowingly violates subsection (a) shall be subject to a civil penalty of not more than $10,000 for each violation.

**SEC. 3605. TRANSACTION REQUIREMENTS.**

(a) RECORDING REQUIREMENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), a recycling agent shall maintain a written or electronic record of each purchase of specified metal.

(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth recording requirements that are substantially similar to the requirements described in paragraph (3) for the purchase of specified metal.

(3) CONTENTS.—A record under paragraph (1) shall include—

(A) the name and address of the recycling agent; and

(B) for each purchase of specified metal—

(i) the date of the transaction;

(ii) a description of the specified metal purchased using widely used and accepted industry terminology;

(iii) the amount paid by the recycling agent;

(iv) the name and address of the person to which the payment was made;

(v) the name of the person delivering the specified metal to the recycling agent, including a distinctive number from a Federal

or State government-issued photo identification card and a description of the type of the identification; and

(vi) the license plate number and State-of-issue, make, and model, if available, of the vehicle used to deliver the specified metal to the recycling agent.

(4) REPEAT SELLERS.—A recycling agent may comply with the requirements of this subsection with respect to a purchase of specified metal from a person from which the recycling agent has previously purchased specified metal by—

(A) reference to the existing record relating to the seller; and

(B) recording any information for the transaction that is different from the record relating to the previous purchase from that person.

(5) RECORD RETENTION PERIOD.—A recycling agent shall maintain any record required under this subsection for not less than 2 years after the date of the transaction to which the record relates.

(6) CONFIDENTIALITY.—Any information collected or retained under this section may be disclosed to any Federal, State, or local law enforcement authority or as otherwise directed by a court of law.

(b) PURCHASES IN EXCESS OF $100.—

(1) IN GENERAL.—Except as provided in paragraph (2), a recycling agent may not pay cash for a single purchase of specified metal of more than $100. For purposes of this paragraph, more than 1 purchase in any 48-hour period from the same seller shall be considered to be a single purchase.

(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth a maximum amount for cash payments for the purchase of specified metal.

(3) PAYMENT METHOD.—

(A) OCCASIONAL SELLERS.—Except as provided in subparagraph (B), for any purchase of specified metal of more than $100 a recycling agent shall make payment by check that—

(i) is payable to the seller; and

(ii) includes the name and address of the seller.

(B) ESTABLISHED COMMERCIAL TRANSACTIONS.—A recycling agent may make payments for a purchase of specified metal of more than $100 from a governmental or commercial supplier of specified metal with which the recycling agent has an established commercial relationship by electronic funds transfer or other established commercial transaction payment method through a commercial bank if the recycling agent maintains a written record of the payment that identifies the seller, the amount paid, and the date of the purchase.

(c) CIVIL PENALTY.—A person who knowingly violates subsection (a) or (b) shall be subject to a civil penalty of not more than $5,000 for each violation, except that a person who commits a minor violation shall be subject to a penalty of not more than $1,000.

**SEC. 3606. ENFORCEMENT BY ATTORNEY GENERAL.**

The Attorney General may bring an enforcement action in an appropriate United States district court against any person that engages in conduct that violates this title.

**SEC. 3607. ENFORCEMENT BY STATE ATTORNEYS GENERAL.**

(a) IN GENERAL.—An attorney general or equivalent regulator of a State may bring a civil action in the name of the State, as parens patriae on behalf of natural persons residing in the State, in any district court of the United States or other competent court having jurisdiction over the defendant, to secure monetary or equitable relief for a violation of this title.

(b) NOTICE REQUIRED.—Not later than 30 days before the date on which an action under subsection (a) is filed, the attorney general or equivalent regulator of the State involved shall provide to the Attorney General—

(1) written notice of the action; and

(2) a copy of the complaint for the action.

(c) ATTORNEY GENERAL ACTION.—Upon receiving notice under subsection (b), the Attorney General shall have the right—

(1) to intervene in the action;

(2) upon so intervening, to be heard on all matters arising therein;

(3) to remove the action to an appropriate district court of the United States; and

(4) to file petitions for appeal.

(d) PENDING FEDERAL PROCEEDINGS.—If a civil action has been instituted by the Attorney General for a violation of this title, no State may, during the pendency of the action instituted by the Attorney General, institute a civil action under this title against any defendant named in the complaint in the civil action for any violation alleged in the complaint.

(e) CONSTRUCTION.—For purposes of bringing a civil action under subsection (a), nothing in this section regarding notification shall be construed to prevent the attorney general or equivalent regulator of the State from exercising any powers conferred under the laws of that State to—

(1) conduct investigations;

(2) administer oaths or affirmations; or

(3) compel the attendance of witnesses or the production of documentary and other evidence.

**SEC. 3608. DIRECTIVE TO SENTENCING COMMISSION.**

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission, shall review and, if appropriate, amend the Federal Sentencing Guidelines and policy statements applicable to a person convicted of a criminal violation of section 3603 or any other Federal criminal law based on the theft of specified metal by such person.

(b) CONSIDERATIONS.—In carrying out this section, the Sentencing Commission shall—

(1) ensure that the sentencing guidelines and policy statements reflect the—

(A) serious nature of the theft of specified metal; and

(B) need for an effective deterrent and appropriate punishment to prevent such theft;

(2) consider the extent to which the guidelines and policy statements appropriately account for—

(A) the potential and actual harm to the public from the offense, including any damage to critical infrastructure;

(B) the amount of loss, or the costs associated with replacement or repair, attributable to the offense;

(C) the level of sophistication and planning involved in the offense; and

(D) whether the offense was intended to or had the effect of creating a threat to public health or safety, injury to another person, or death;

(3) account for any additional aggravating or mitigating circumstances that may justify exceptions to the generally applicable sentencing ranges;

(4) assure reasonable consistency with other relevant directives and with other sentencing guidelines and policy statements; and

(5) assure that the sentencing guidelines and policy statements adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

**SEC. 3609. STATE AND LOCAL LAW NOT PREEMPTED.**

Nothing in this title shall be construed to preempt any State or local law regulating the sale or purchase of specified metal, the reporting of such transactions, or any other aspect of the metal recycling industry.

**SEC. 3610. EFFECTIVE DATE.**

This title shall take effect 180 days after the date of the enactment of this Act.

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**SA 2485.** Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 529. DISESTABLISHMENT OF ARMY SENIOR RESERVE OFFICERS' TRAINING CORPS UNITS FOR LACK OF EFFECTIVE MANAGEMENT.**

(a) CONFORMITY WITH APPLICABLE REGULATIONS REQUIRED.—The Secretary of the Army may not disestablish a unit of the Senior Reserve Officers' Training Corp (SROTC) of the Army for lack of effective management except in strict accordance with the provisions of section 2–12 of section III of chapter 2 of Army Regulation 145–1.

(b) NOTICE TO CONGRESS ON MODIFICATION OF REGULATIONS.—The Secretary shall submit to the congressional defense committees written notice of any modification of section 2–12 of the Regulation referred to in subsection (a) that occurs after the date of the enactment of this Act.

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**SA 2486.** Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1066. REPORT ON TRANSITION OF AIR FORCE RESERVE AND AIR NATIONAL GUARD UNITS FROM FLYING MISSIONS TO NON-FLYING MISSIONS.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall, in consultation with the Chief of the National Guard Bureau and the Chief of the Air Force Reserve, submit to the congressional defense committees a report on the transition of units in the Air Force Reserve and the Air National Guard from flying missions to non-flying missions.

(b) ELEMENTS.—The report required by subsection (a) shall set forth, for each Air Force Reserve unit or Air National Guard unit that is transitioning from a flying mission to a non-flying mission, the following:

(1) The plan of the Air Force for—

(A) providing any new equipment, facilities, or other support to enable the unit to conduct the non-flying mission; and

(B) training the unit to execute the non-flying mission.

(2) An identification of any gaps in conducting an orderly transition from the flying mission to the non-flying mission.

(3) A description of the actions required to mitigate the gaps, if any, identified pursuant to paragraph (2).

(4) A description and assessment of the national security implications of the gaps, if any, identified pursuant to paragraph (2).

(c) GAP DEFINED.—In this section, the term ''gap'', with respect to a unit transitioning from a flying mission to a non-flying mission, means any time between—

(1) the date that is 37 months after the beginning of the transition; and

(2) the date the unit reaches initial operating capability in its non-flying mission.

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**SA 2487.** Mr. CARDIN (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. _____. RESOLVING MARITIME DISPUTES IN THE ASIA-PACIFIC REGION.**

(a) FINDINGS.—Congress makes the following findings:

(1) Relevant parties in the Asia-Pacific maritime region should be encouraged to explore cooperative arrangements for the responsible exploitation of energy and fishery resources in order to promote peaceful coexistence and economic growth. Such arrangements should not impinge upon sovereignty claims and should be negotiated in a mutually agreeable manner.

(2) Congress welcomes formal consultations between the Association of Southeast Asian Nations (ASEAN) and the People's Republic of China on the Code of Conduct for the South China Sea, welcomes ASEAN's leadership, and strongly supports the 23rd ASEAN Summit's chairman's October 9, 2013 statement, more than 10 years after the Declaration on the Conduct of Parties in the South China Sea, which—

(A) ''reaffirmed the importance of maintaining peace, stability, and maritime security in the region. . .''; and

(B) calls for ''intensifying official consultations with China on the development of the Code of Conduct in the South China Sea (COC) with a view to its early conclusion.''.

(b) STATEMENT OF UNITED STATES POLICY.—Congress declares that the United States—

(1) has a national interest in—

(A) the freedom of navigation and overflight in the Asia-Pacific maritime domains;

(B) supporting the peaceful resolution of territorial, sovereignty, and jurisdictional disputes in the Asia-Pacific maritime domains in accordance with international law, including through international arbitration;

(C) condemning the use of coercion, threats, or force in the South China Sea, the East China Sea, or other maritime areas in the Asia-Pacific region to assert disputed maritime or territorial claims or alter the status quo;

(D) urging all parties to maritime and territorial disputes in the Asia-Pacific region to exercise self-restraint in the conduct of activities that would undermine stability or complicate or escalate disputes;

(E) continuing to develop partnerships with other countries for maritime domain awareness and capacity building in the Asia-Pacific region; and

(F) continuing the operations of the United States Armed Forces in the Asia-Pacific region, including in partnership with the armed forces of other countries to promote peace, stability, and unimpeded lawful commerce in the Asia-Pacific region;

(2) declares that the United States does not take a position on competing territorial claims over land features and has no territorial ambitions in the South China Sea; and

(3) strongly supports the ASEAN member states and the Government of the People's Republic of China as they seek to develop a code of conduct of parties in the South China Sea.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit a classified report on the United States strategy to ensure maritime security in the Asia-Pacific region to—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Armed Services of the House of Representatives.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) a description of the security situation in the maritime domains of Asia-Pacific;

(B) a description of the initiatives and efforts by the Department of State, the Department of Defense, and other relevant agencies to implement the United States strategy, including—

(i) maritime domain awareness and capacity building efforts;

(ii) support for United States Armed Forces operations in the region;

(iii) efforts to support ASEAN and all claimants in concluding a Code of Conduct with the People's Republic of China;

(iv) efforts to support collaborative diplomatic processes by all claimants in the South China Sea; and

(v) an assessment of the impact of those initiatives and efforts; and

(C) a description of projected efforts planned to continue the implementation of the strategy.

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**SA 2488.** Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1237. MODIFICATION OF PROHIBITION ON PROCUREMENTS FROM CHINESE COMPANIES.**

Section 1211 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 10 U.S.C. 2302 note) is amended—

(1) in subsection (b), by inserting ''or in the 600 series of the Commerce Control List of the Export Administration Regulations'' after ''International Trafficking in Arms Regulations''; and

(2) in subsection (e)(2)—

(A) by inserting ''or in the 600 series of the Commerce Control List of the Export Administration Regulations'' after ''International Trafficking in Arms Regulations''; and

(B) by adding before the period at the end the following: ''and the 600 series of the Commerce Control List contained in Supplement No. 1 to part 774 of subtitle B of title 15 of the Code of Federal Regulations''.

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**SA 2489.** Mr. BAUCUS (for himself, Mr. ENZI, Mr. TESTER, Ms. HEITKAMP, Mr. HOEVEN, Mr. BARRASSO, Mrs. FISCHER, Mr. HATCH, and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1046. LIMITATION ON USE OF FUNDS FOR ENVIRONMENTAL ASSESSMENTS WITH RESPECT TO MINUTEMAN III SILOS.**

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended for any environmental assessment carried out pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a Minuteman III silo that contains a missile as of the date of the enactment of this Act until the Secretary of Defense submits to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives the plan required by section 1042(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1575).

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**SA 2490.** Ms. CANTWELL (for herself, Mr. BEGICH, Ms. MURKOWSKI, and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 126. MULTIYEAR PROCUREMENT AUTHORITY FOR POLAR ICEBREAKERS.**

(a) MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy shall enter into multiyear contracts, beginning with the fiscal year 2014 program year, for the procurement of up to four heavy duty polar icebreakers and any systems and equipment associated with those vessels.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary may enter into one or more contracts, beginning in fiscal year 2014, for advance procurement associated with the vessels, systems, and equipment for which authorization to enter into a multiyear contract is provided under subsection (a).

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2014 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(d) MEMORANDUM OF AGREEMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Department in which the Coast Guard is operating shall enter into a memorandum of agreement establishing a process by which the Navy, in concurrence with the Coast Guard, shall—

(1) identify the vessel specifications, capabilities, systems, equipment, and other details required for the design of heavy polar icebreakers capable of fulfilling Navy and Coast Guard mission requirements;

(2) oversee the construction of heavy polar icebreakers authorized to be procured under this section; and

(3) to the extent not adequately addressed in the 1965 Revised Memorandum of Agreement between the Department of the Navy and the Department of the Treasury on the Operation of Icebreakers, transfer heavy polar icebreakers procured through contracts authorized under this section from the Navy to the Coast Guard to be maintained and operated by the Coast Guard.

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**SA 2491.** Ms. CANTWELL (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXXI, add the following:

**Subtitle E—Other Matters**

**SEC. 3141. CONVEYANCE OF LAND AT THE HANFORD SITE, RICHLAND, WASHINGTON.**

(a) CONVEYANCE REQUIRED.—

(1) IN GENERAL.—The Secretary of Energy shall convey, for consideration at the estimated fair market value or, in accordance with paragraph (2), below such value, to the Community Reuse Organization of the Hanford Site, Richland, Washington (in this section referred to as the ''Organization'') all right, title, and interest of the United States in and to the real property, including any improvements thereon, described in paragraph (3).

(2) CONSIDERATION.—The Secretary may convey real property pursuant to paragraph (1) for consideration below the estimated fair market value of the real property, or without consideration, only if the Organization—

(A) agrees that the net proceeds from any sale or lease of the real property (or any portion of the real property) received by the Organization during at least the seven-year period beginning on the date of the conveyance will be used to support economic redevelopment of, or related to, the Hanford Site; and

(B) executes the agreement for the conveyance and accepts control of the real property within a reasonable time.

(3) REAL PROPERTY DESCRIBED.—The real property described in this paragraph is the real property consisting of two parcels of land of approximately 1,341 acres and 300 acres, respectively, of the Hanford Site, as requested by the Organization on May 31, 2011, and October 13, 2011, and as depicted within the proposed boundaries on the map titled ''Attachment 2—Revised Map'' included in the letter sent by the Organization to the Department of Energy on October 13, 2011.

(4) ALTERNATIVE REAL PROPERTY.—At the discretion of the Secretary, the real property described in paragraph (3) may be exchanged for equivalent parcels of land that are mutually agreed upon by the Secretary and the Organization.

(5) REAL PROPERTY EXCLUDED.—Any real property or associated subsurface right that is deemed to be not suitable for conveyance by the Secretary shall not be conveyed.

(6) TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance described in paragraph (1) as the Secretary considers appropriate to protect the interests of the United States.

(b) COMPLIANCE WITH EXISTING LAW.—The Secretary shall carry out the conveyance described in subsection (a) in accordance with all applicable Federal laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(c) DEADLINE FOR COMPLETION.—It is the intent of Congress that the conveyance described in subsection (a) shall be completed not later than one year after the date of the enactment of this Act.

(d) INDEMNIFICATION.—It is the intent of Congress that the Secretary of Energy should, as authorized by law, hold harmless and indemnify the Organization against any claim for injury to person or property that results from the release or threatened release of a hazardous substance, pollutant, or contaminant as a result of activities of the Department of Energy at the Hanford Site.

(e) NOTICE TO CONGRESS.—The enactment of this section shall satisfy any notice to Congress otherwise required for the conveyance described in subsection (a).

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**SA 2492.** Ms. CANTWELL (for herself, Mr. HEINRICH, Mrs. MURRAY, and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXXI, add the following:

**Subtitle E—Other Matters**

**SEC. 3141. MANHATTAN PROJECT NATIONAL HISTORICAL PARK.**

(a) FINDINGS.—Congress finds that—

(1) the Manhattan Project was an unprecedented top-secret program implemented during World War II to produce an atomic bomb before Nazi Germany;

(2) a panel of experts convened by the President's Advisory Council on Historic Preservation in 2001—

(A) stated that ''the development and use of the atomic bomb during World War II has been called 'the single most significant event of the 20th century' ''; and

(B) recommended that nationally significant sites associated with the Manhattan Project be formally established as a collective unit and be administered for preservation, commemoration, and public interpretation in cooperation with the National Park Service;

(3) the Manhattan Project National Historical Park Study Act (Public Law 108–340; 118 Stat. 1362) directed the Secretary of the Interior, in consultation with the Secretary of Energy, to conduct a special resource study of the historically significant sites associated with the Manhattan Project to assess the national significance, suitability, and feasibility of designating 1 or more sites as a unit of the National Park System;

(4) after significant public input, the National Park Service study found that ''including Manhattan Project-related sites in the national park system will expand and enhance the protection and preservation of such resources and provide for comprehensive interpretation and public understanding of this nationally significant story in the 20th century American history'';

(5) the Department of the Interior, with the concurrence of the Department of Energy, recommended the establishment of a Manhattan Project National Historical Park comprised of resources at—

(A) Oak Ridge, Tennessee;

(B) Los Alamos, New Mexico; and

(C) Hanford, in the Tri-Cities area, Washington;

(6) designation of a Manhattan Project National Historical Park as a unit of the National Park System would improve the preservation of, interpretation of, and access to the nationally significant historic resources associated with the Manhattan Project for present and future generations to gain a better understanding of the Manhattan Project, including the significant, far-reaching, and complex legacy of the Manhattan Project; and

(7) the permanent historical preservation of the B Reactor at Hanford as part of the Manhattan National Historical Park would provide significant savings to the Federal Government relative to placing the reactor into interim safe storage and subsequently dismantling the reactor—

(A) as determined as part of the Record of Decision entitled ''Decommissioning of Eight Surplus Production 3 Reactors at the Hanford Site, Richland, WA''; and

(B) as included within milestone M–093–00 of the Hanford Federal Facility Agreement and Consent Order.

(b) PURPOSES.—The purposes of this section are—

(1) to preserve and protect for the benefit and education of present and future generations the nationally significant historic resources associated with the Manhattan Project;

(2) to improve public understanding of the Manhattan Project and the legacy of the Manhattan Project through interpretation of the historic resources associated with the Manhattan Project;

(3) to enhance public access to the Historical Park, consistent with protection of public safety, national security, and other aspects of the mission of the Department of Energy; and

(4) to assist the Department of Energy, Historical Park communities, historical societies, and other interested organizations and individuals in efforts to preserve and protect the historically significant resources associated with the Manhattan Project.

(c) DEFINITIONS.—In this section:

(1) HISTORICAL PARK.—The term ''Historical Park'' means the Manhattan Project National Historical Park established under subsection (d).

(2) MANHATTAN PROJECT.—The term ''Manhattan Project'' means the Federal program to develop an atomic bomb ending on December 31, 1946.

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

(d) ESTABLISHMENT OF MANHATTAN PROJECT NATIONAL HISTORICAL PARK.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—Subject to subparagraph (B), there is established in the States of Washington, New Mexico, and Tennessee a unit of the National Park System to be known as the ''Manhattan Project National Historical Park''.

(B) DETERMINATION BY SECRETARY REQUIRED.—The Historical Park shall not be established until the date on which the Secretary determines that—

(i) sufficient land or interests in land have been acquired from among the sites described in paragraph (2) to constitute a manageable park unit; or

(ii) the Secretary has entered into an agreement with the Secretary of Energy in accordance with subsection (e).

(2) ELIGIBLE AREAS.—The Historical Park may be comprised of 1 or more of the following areas or portions of the areas, as generally depicted on the map entitled ''Manhattan Project National Historical Park Sites'', numbered 540/108,834–C (4 pages), and dated September 2012:

(A) OAK RIDGE, TENNESSEE.—Facilities, land, or interests in land that are—

(i) at Buildings 9204–3 and 9731 at the Y–12 National Security Complex;

(ii) at the X–10 Graphite Reactor at the Oak Ridge National Laboratory;

(iii) at the K–25 Building site at the East Tennessee Technology Park;

(iv) at the former Guest House located at 210 East Madison Road; and

(v) at other sites within the boundary of the city of Oak Ridge, Tennessee, that are not depicted on the map described in this paragraph, but are determined by the Secretary to be suitable and appropriate for inclusion, except that sites owned or managed by the Secretary of Energy may be included only with the concurrence of the Secretary of Energy.

(B) LOS ALAMOS, NEW MEXICO.—Facilities, land, or interests in land that are—

(i) in the Los Alamos Scientific Laboratory National Historic Landmark District or any addition to the Landmark District proposed in the National Historic Landmark Nomination—Los Alamos Scientific Laboratory (LASL) NHL District (Working Draft of NHL Revision), Los Alamos National Laboratory document LA–UR 12–00387 (January 26, 2012);

(ii) at the former East Cafeteria located at 1670 Nectar Street; and

(iii) at the former dormitory located at 1725 17th Street.

(C) HANFORD, WASHINGTON.—Facilities, land, or interests in land that are—

(i) in the B Reactor National Historic Landmark;

(ii) at the Hanford High School in the town of Hanford and Hanford Construction Camp Historic District;

(iii) at the White Bluffs Bank building in the White Bluffs Historic District;

(iv) at the warehouse in the Bruggemann's Agricultural Complex;

(v) at the Hanford Irrigation District Pump House; and

(vi) at the T Plant (221–T Process Building).

(3) AVAILABILITY OF MAP.—The map described in paragraph (2) shall be kept on file and available for public inspection in the appropriate offices of the National Park Service and the Department of Energy.

(e) AGREEMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Secretary of Energy (acting through the Oak Ridge, Richland, and Los Alamos site offices) shall enter into an agreement governing the respective roles of the Secretary and the Secretary of Energy in administering the facilities, land, or interests in land under the administrative jurisdiction of the Department of Energy that is to be included in the Historical Park, including provisions for public access, management, interpretation, and historic preservation.

(2) RESPONSIBILITIES OF THE SECRETARY.—Any agreement under paragraph (1) shall provide that the Secretary shall—

(A) have decisionmaking authority for the content of historic interpretation of the Manhattan Project for purposes of administering the Historical Park; and

(B) ensure that the agreement provides an appropriate role for the National Park Service in preserving the historic resources covered by the agreement.

(3) RESPONSIBILITIES OF THE SECRETARY OF ENERGY.—Any agreement under paragraph (1) shall provide that the Secretary of Energy—

(A) shall ensure that the agreement appropriately protects public safety, national security, and other aspects of the ongoing mission of the Department of Energy at the Los Alamos National Laboratory, Hanford Site, and Oak Ridge Reservation;

(B) may consult with and provide historical information to the Secretary concerning the Manhattan Project; and

(C) shall retain responsibility, in accordance with applicable law, for any environmental remediation and structural safety that may be necessary in or around the facilities, land, or interests in land governed by the agreement.

(4) AMENDMENTS.—The agreement under paragraph (1) may be amended, including to add to the Historical Park facilities, land, or interests in land described in subsection (d)(2) that are under the jurisdiction of the Secretary of Energy.

(f) PUBLIC PARTICIPATION.—

(1) IN GENERAL.—The Secretary shall consult with interested State, county, and local officials, organizations, and interested members of the public—

(A) before executing any agreement under subsection (e); and

(B) in the development of the general management plan under subsection (g)(2).

(2) NOTICE OF DETERMINATION.—Not later than 30 days after the date on which an agreement under subsection (e) is executed, the Secretary shall publish in the Federal Register notice of the establishment of the Historical Park, including an official boundary map.

(3) AVAILABILITY OF MAP.—The official boundary map published under paragraph (2) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(4) ADDITIONS.—Any land, interest in land, or facility within the eligible areas described in subsection (d)(2) that is acquired by the Secretary or included in an amendment to the agreement under subsection (e)(2) shall be added to the Historical Park.

(g) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Historical Park in accordance with—

(A) this section; and

(B) the laws generally applicable to units of the National Park System, including—

(i) the National Park System Organic Act (16 U.S.C. 1 et seq.); and

(ii) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(2) GENERAL MANAGEMENT PLAN.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary, in consultation with the Secretary of Energy, shall complete a general management plan for the Historical Park in accordance with—

(A) section 12(b) of Public Law 91–383 (commonly known as the ''National Park Service General Authorities Act'') (16 U.S.C. 1a–7(b)); and

(B) the agreement established under subsection (e).

(3) INTERPRETIVE TOURS.—The Secretary may, subject to applicable law, provide interpretive tours of historically significant Manhattan Project sites and resources in the States of Tennessee, New Mexico, and Washington that are located outside the boundary of the Historical Park.

(4) LAND ACQUISITION.—

(A) IN GENERAL.—The Secretary may only acquire land and interests in land within the eligible areas described in subsection (d)(2) by—

(i) transfer of administrative jurisdiction from the Department of Energy by agreement between the Secretary and the Secretary of Energy; or

(ii) purchase from willing sellers, donation, or exchange.

(B) FACILITIES.—The Secretary may acquire land or interests in land in the vicinity of Historical Park for visitor and administrative facilities.

(5) DONATIONS; COOPERATIVE AGREEMENTS.—

(A) FEDERAL FACILITIES.—

(i) IN GENERAL.—The Secretary may enter into 1 or more agreements with the head of a Federal agency to provide public access to, and management, interpretation, and historic preservation of, historically significant Manhattan Project resources under the jurisdiction or control of the Federal agency.

(ii) DONATIONS; COOPERATIVE AGREEMENTS.—The Secretary may accept donations from, and enter into cooperative agreements with, State governments, units of local government, tribal governments, organizations, or individuals to further the purpose of an interagency agreement entered into under clause (i).

(B) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to State, local, or tribal governments, organizations, or individuals for the management, interpretation, and historic preservation of historically significant Manhattan Project resources not included within the Historical Park.

(C) DONATIONS TO DEPARTMENT OF ENERGY.—For the purposes of this section, or for the purpose of preserving or providing access to historically significant resources relating to the Manhattan Project, the Secretary of Energy may accept, hold, administer, and use gifts, bequests, and devises (including labor and services).

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**SA 2493.** Mr. KAINE (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1082. PETERSBURG NATIONAL BATTLEFIELD BOUNDARY MODIFICATION.**

(a) IN GENERAL.—The boundary of the Petersburg National Battlefield is modified to include the land and interests in land as generally depicted on the map titled ''Petersburg National Battlefield Boundary Expansion'', numbered 325/80,080, and dated June 2007. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(b) ACQUISITION OF PROPERTIES.—The Secretary of the Interior (referred to in this section as the ''Secretary'') is authorized to acquire the land and interests in land, described in subsection (a), from willing sellers only, by donation, purchase with donated or appropriated funds, exchange, or transfer.

(c) ADMINISTRATION.—The Secretary shall administer any land or interests in land acquired under subsection (b) as part of the Petersburg National Battlefield in accordance with applicable laws and regulations.

(d) ADMINISTRATIVE JURISDICTION TRANSFER.—

(1) IN GENERAL.—There is transferred—

(A) from the Secretary to the Secretary of the Army administrative jurisdiction over the approximately 1.170-acre parcel of land depicted as ''Area to be transferred to Fort Lee Military Reservation'' on the map described in paragraph (2); and

(B) from the Secretary of the Army to the Secretary administrative jurisdiction over the approximately 1.171-acre parcel of land depicted as ''Area to be transferred to Petersburg National Battlefield'' on the map described in paragraph (2).

(2) MAP.—The land transferred is depicted on the map titled ''Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction'', numbered 325/80,801A, dated May 2011. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) CONDITIONS OF TRANSFER.—The transfer of administrative jurisdiction under paragraph (1) is subject to the following conditions:

(A) NO REIMBURSEMENT OR CONSIDERATION.—The transfer is without reimbursement or consideration.

(B) MANAGEMENT.—The land transferred to the Secretary under paragraph (1) shall be included within the boundary of the Petersburg National Battlefield and shall be administered as part of that park in accordance with applicable laws and regulations.

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**SA 2494.** Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

**SEC. 573. SUPPORT FOR EFFORTS TO IMPROVE ACADEMIC ACHIEVEMENT AND TRANSITION OF MILITARY DEPENDENT STUDENTS.**

The Secretary of Defense may make grants to nonprofit organizations that provide services to improve the academic achievement of military dependent students, including those nonprofit organizations whose programs focus on improving the civic responsibility of military dependent students and their understanding of the Federal Government through direct exposure to the operations of the Federal Government.

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**SA 2495.** Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

**SEC. 217. IMPROVED TURBINE ENGINE PROGRAM.**

(a) INCREASE.—The amount authorized to be appropriated for fiscal year 2014 by section 201 and available for Research, Development, Test, and Evaluation, Army for Aviation Advanced Technology (PE 06003A) as specified in the funding table in section 4201 is hereby increased by $1,000,000, with the amount of the increase to be available for the Improved Turbine Engine Program.

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2014 by section 201 and available for Research, Development, Test, and Evaluation, Army as specified in the funding table in section 4201 is hereby decreased by $1,000,000, with the amount of the decrease to be applied to amounts so available for programs, projects, and activities other than the Improved Turbine Engine Program.

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**SA 2496.** Mr. MENENDEZ (for himself and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

**TITLE XVI—EMBASSY SECURITY AND OTHER MATTERS**

**SEC. 1601. DEFINITIONS.**

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) FACILITIES.—The term ''facilities'' encompasses embassies, consulates, expeditionary diplomatic facilities, and any other diplomatic facilities, not in the United States, including those that are intended for temporary use.

**Subtitle A—Embassy Security**

**SEC. 1611. SHORT TITLE.**

This subtitle may be cited as the ''Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty Embassy Security, Threat Mitigation, and Personnel Protection Act of 2013''.

**PART I—FUNDING AUTHORIZATION AND TRANSFER AUTHORITY**

**SEC. 1621. CAPITAL SECURITY COST SHARING PROGRAM.**

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2014 for the Department of State $1,383,000,000, to be available until expended, for the Capital Security Cost Sharing Program, authorized by section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; 113 Stat. 1501A–453; 22 U.S.C. 4865 note).

(b) SENSE OF CONGRESS ON THE CAPITAL SECURITY COST SHARING PROGRAM.—It is the sense of Congress that—

(1) the Capital Security Cost Sharing Program should prioritize the construction of new facilities and the maintenance of existing facilities in high threat, high risk areas in addition to addressing immediate threat mitigation as set forth in section 1612, and should take into consideration the priorities of other government agencies that are contributing to the Capital Security Cost Sharing Program when replacing or upgrading diplomatic facilities; and

(2) all United States Government agencies are required to pay into the Capital Security Cost Sharing Program a percentage of total costs determined by interagency agreements, in order to address immediate threat mitigation needs and increase funds for the Capital Security Cost Sharing Program for fiscal year 2014, including to address inflation and increased construction costs.

(c) RESTRICTION ON CONSTRUCTION OF OFFICE SPACE.—Section 604(e)(2) of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; 113 Stat. 1501A–453; 22 U.S.C. 4865 note) is amended by adding at the end the following: ''A project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by paragraph (1), except that such project may include office space or other accommodations for members of the United States Marine Corps.''.

**SEC. 1622. IMMEDIATE THREAT MITIGATION.**

(a) ALLOCATION OF AUTHORIZED APPROPRIATIONS.—In addition to any funds otherwise made available for such purposes, the Department of State shall, notwithstanding any other provision of law except as provided in subsection (d), use $300,000,000 of the funding provided in section 1621 for immediate threat mitigation projects, with priority given to facilities determined to be ''high threat, high risk'' pursuant to section 1652.

(b) ALLOCATION OF FUNDING.—In allocating funding for threat mitigation projects, the Secretary of State shall prioritize funding for—

(1) the construction of safeguards that provide immediate security benefits;

(2) the purchasing of additional security equipment, including additional defensive weaponry;

(3) the paying of expenses of additional security forces, with an emphasis on funding United States security forces where practicable; and

(4) any other purposes necessary to mitigate immediate threats to United States personnel serving overseas.

(c) TRANSFER.—The Secretary may transfer and merge funds authorized under subsection (a) to any appropriation account of the Department of State for the purpose of carrying out the threat mitigation projects described in subsection (b).

(d) USE OF FUNDS FOR OTHER PURPOSES.—Notwithstanding the allocation requirement under subsection (a), funds subject to such requirement may be used for other authorized purposes of the Capital Security Cost Sharing Program if, not later than 15 days prior to such use, the Secretary certifies in writing to the appropriate congressional committees that—

(1) high threat, high risk facilities are being secured to the best of the United States Government's ability; and

(2) the Secretary of State will make funds available from the Capital Security Cost Sharing Program or other sources to address any changed security threats or risks, or new or emergent security needs, including immediate threat mitigation.

**SEC. 1623. LANGUAGE TRAINING.**

(a) IN GENERAL.—Title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851 et seq.) is amended by adding at the end the following new section:

**''SEC. 416. LANGUAGE REQUIREMENTS FOR DIPLOMATIC SECURITY PERSONNEL ASSIGNED TO HIGH THREAT, HIGH RISK POSTS.**

''(a) IN GENERAL.—Diplomatic security personnel assigned permanently to, or who are serving in, long-term temporary duty status

as designated by the Secretary of State at a high threat, high risk post should receive language training described in subsection (b) in order to prepare such personnel for duty requirements at such post.

''(b) LANGUAGE TRAINING DESCRIBED.—Language training referred to in subsection (a) should prepare personnel described in such subsection—

''(1) to speak the language at issue with sufficient structural accuracy and vocabulary to participate effectively in most formal and informal conversations on subjects germane to security; and

''(2) to read within an adequate range of speed and with almost complete comprehension on subjects germane to security.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 annually for fiscal years 2014 and 2015 to carry out this section.

(c) INSPECTOR GENERAL REVIEW.—The Inspector General of the Department of State and Broadcasting Board of Governors shall, at the end of fiscal years 2014 and 2015, review the language training conducted pursuant to this section and make the results of such reviews available to the Secretary of State and the appropriate congressional committees.

**SEC. 1624. FOREIGN AFFAIRS SECURITY TRAINING.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Department of State employees and their families deserve improved and efficient programs and facilities for high threat training and training on risk management decision processes;

(2) improved and efficient high threat, high risk training is consistent with the Benghazi Accountability Review Board (ARB) recommendation number 17;

(3) improved and efficient security training should take advantage of training synergies that already exist, like training with, or in close proximity to, Fleet Antiterrorism Security Teams (FAST), special operations forces, or other appropriate military and security assets; and

(4) the Secretary of State should undertake temporary measures, including leveraging the availability of existing government and private sector training facilities, to the extent appropriate to meet the critical security training requirements of the Department of State.

(b) AUTHORIZATION OF APPROPRIATIONS FOR IMMEDIATE SECURITY TRAINING FOR HIGH THREAT, HIGH RISK ENVIRONMENTS.—There is authorized to be appropriated for the Department of State $100,000,000 for improved immediate security training for high threat, high risk security environments, including through the utilization of government or private sector facilities to meet critical security training requirements.

(c) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS FOR LONG-TERM SECURITY TRAINING FOR HIGH THREAT, HIGH RISK ENVIRONMENTS.—

(1) IN GENERAL.—There is authorized to be appropriated $350,000,000 for the acquisition, construction, and operation of a new Foreign Affairs Security Training Center or expanding existing government training facilities, subject to the certification requirement in paragraph (2).

(2) REQUIRED CERTIFICATION.—Not later than 15 days prior to the obligation or expenditure of any funds authorized to be appropriated pursuant to paragraph (1), the President shall certify to the appropriate congressional committees that the acquisition, construction, and operation of a new Foreign Affairs Security Training Center, or the expansion of existing government training facilities, is necessary to meet long-term security training requirements for high threat, high risk environments.

(3) EFFECT OF CERTIFICATION.—If the certification in paragraph (2) is made—

(A) up to $100,000,000 of the funds authorized to be appropriated under subsection (b) shall also be authorized for the purposes set forth in paragraph (1); or

(B) up to $100,000,000 of funds available for the acquisition, construction, or operation of Department of State facilities may be transferred and used for the purposes set forth in paragraph (1).

(d) USE OF FUNDS APPROPRIATED UNDER THE AMERICAN REINVESTMENT AND RECOVERY ACT OF 2009.—Of the funds appropriated to the Department of State under title XI of the American Reinvestment and Recovery Act of 2009 (Public Law 111–5), $54,545,177 is to remain available until September 30, 2016, for activities consistent with subsections (b) and (c).

**SEC. 1625. TRANSFER AUTHORITY.**

Section 4 of the Foreign Service Buildings Act of 1926 (22 U.S.C. 295) is amended by adding at the end the following new subsections:

''(j)(1) In addition to exercising any other transfer authority available to the Secretary of State, and subject to subsection (k), the Secretary may transfer to, and merge with, any appropriation for embassy security, construction, and maintenance such amounts appropriated for any other purpose related to diplomatic and consular programs on or after October 1, 2013, as the Secretary determines are necessary to provide for the security of sites and buildings in foreign countries under the jurisdiction and control of the Secretary.

''(2) Any funds transferred under the authority provided in paragraph (1) shall be merged with funds in the heading to which transferred, and shall be available subject to the same terms and conditions as the funds with which merged.

''(k) Not later than 15 days before any transfer of funds under subsection (j), the Secretary shall notify the Committees on Foreign Relations and Appropriations of the Senate and the Committees on Foreign Affairs and Appropriations of the House of Representatives.''.

## PART II—CONTRACTING AND OTHER MATTERS

**SEC. 1631. LOCAL GUARD CONTRACTS ABROAD UNDER DIPLOMATIC SECURITY PROGRAM.**

(a) IN GENERAL.—Section 136(c)(3) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864(c)(3)) is amended to read as follows:

''(3) in evaluating proposals for such contracts, award contracts to technically acceptable firms offering the lowest evaluated price, except that—

''(A) the Secretary may award contracts on the basis of best value (as determined by a cost-technical tradeoff analysis); and

''(B) proposals received from United States persons and qualified United States joint venture persons shall be evaluated by reducing the bid price by 10 percent;''.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report that includes—

(1) an explanation of the implementation of paragraph (3) of section 136(c) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, as amended by subsection (a); and

(2) for each instance in which an award is made pursuant to subparagraph (A) of such paragraph, as so amended, a written justification and approval, providing the basis for such award and an explanation of the inability to satisfy the needs of the Department of State by technically acceptable, lowest price evaluation award.

**SEC. 1632. DISCIPLINARY ACTION RESULTING FROM UNSATISFACTORY LEADERSHIP IN RELATION TO A SECURITY INCIDENT.**

Section 304(c) of the Diplomatic Security Act (22 U.S.C. 4834 (c)) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the right;

(2) by striking ''RECOMMENDATIONS'' and inserting the following: ''RECOMMENDATIONS.—

''(1) IN GENERAL.—Whenever''; and

(3) by inserting at the end the following new paragraph:

''(2) CERTAIN SECURITY INCIDENTS.—Unsatisfactory leadership by a senior official with respect to a security incident involving loss of life, serious injury, or significant destruction of property at or related to a United States Government mission abroad may be grounds for disciplinary action. If a Board finds reasonable cause to believe that a senior official provided such unsatisfactory leadership, the Board may recommend disciplinary action subject to the procedures in paragraph (1).''.

**SEC. 1633. MANAGEMENT AND STAFF ACCOUNTABILITY.**

(a) AUTHORITY OF SECRETARY OF STATE.—Nothing in this subtitle or any other provision of law shall be construed to prevent the Secretary of State from using all authorities invested in the office of Secretary to take personnel action against any employee or official of the Department of State that the Secretary determines has breached the duty of that individual or has engaged in misconduct or unsatisfactorily performed the duties of employment of that individual, and such misconduct or unsatisfactory performance has significantly contributed to the serious injury, loss of life, or significant destruction of property, or a serious breach of security, even if such action is the subject of an Accountability Review Board's examination under section 304(a) of the Diplomatic Security Act (22 U.S.C. 4834(a)).

(b) ACCOUNTABILITY.—Section 304 of the Diplomatic Security Act (22 U.S.C. 4834) is amended—

(1) in subsection (c), by inserting after ''breached the duty of that individual'' the following: ''or has engaged in misconduct or unsatisfactorily performed the duties of employment of that individual, and such misconduct or unsatisfactory performance has significantly contributed to the serious injury, loss of life, or significant destruction of property, or the serious breach of security that is the subject of the Board's examination as described in subsection (a),'';

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following new subsection:

''(d) MANAGEMENT ACCOUNTABILITY.—Whenever a Board determines that an individual has engaged in any conduct addressed in subsection (c), the Board shall evaluate the level and effectiveness of management and oversight conducted by employees or officials in the management chain of such individual.''.

**SEC. 1634. SECURITY ENHANCEMENTS FOR SOFT TARGETS.**

Section 29 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2701) is amended in the third sentence by inserting ''physical security enhancements and'' after ''Such assistance may include''.

**SEC. 1635. REEMPLOYMENT OF ANNUITANTS.**

Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is amended—

(1) in paragraph (1)(B), by striking ''to facilitate the'' and all that follows through ''Afghanistan, if'' and inserting ''to facilitate the assignment of persons to high threat, high risk posts or to posts vacated by members of the Service assigned to high threat, high risk posts, if'';

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

''(2) The Secretary shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the incurred costs over the prior fiscal year of the total compensation and benefit payments to annuitants reemployed by the Department pursuant to this section.''; and

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

''(4) In the event that an annuitant qualified for compensation or payments pursuant to this subsection subsequently transfers to a position for which the annuitant would not qualify for a waiver under this subsection, the Secretary may no longer waive the application of subsections (a) through (d) with respect to such annuitant.

''(5) The authority of the Secretary to waive the application of subsections (a) through (d) for an annuitant pursuant to this subsection shall terminate on October 1, 2019.''.

## PART III—EXPANSION OF THE MARINE CORPS SECURITY GUARD DETACHMENT PROGRAM

### SEC. 1641. MARINE CORPS SECURITY GUARD PROGRAM.

(a) IN GENERAL.—Pursuant to the responsibility of the Secretary of State for diplomatic security under section 103 of the Diplomatic Security Act (22 U.S.C. 4802), the Secretary of State, in coordination with the Secretary of Defense, shall—

(1) develop and implement a plan to incorporate the additional Marine Corps Security Guard personnel authorized pursuant to section 404 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 5983 note) at United States embassies, consulates, and other facilities; and

(2) conduct an annual review of the Marine Corps Security Guard Program, including—

(A) an evaluation of whether the size and composition of the Marine Corps Security Guard Program is adequate to meet global diplomatic security requirements;

(B) an assessment of whether Marine Corps security guards are appropriately deployed among facilities to respond to evolving security developments and potential threats to United States interests abroad; and

(C) an assessment of the mission objectives of the Marine Corps Security Guard Program and the procedural rules of engagement to protect diplomatic personnel under the Program.

(b) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for three years, the Secretary of State, in coordination with the Secretary of Defense, shall submit to the appropriate congressional committees an unclassified report, with a classified annex as necessary, that addresses the requirements set forth in subsection (a)(2).

## PART IV—REPORTING ON THE IMPLEMENTATION OF THE ACCOUNTABILITY REVIEW BOARD RECOMMENDATIONS

### SEC. 1651. DEPARTMENT OF STATE IMPLEMENTATION OF THE RECOMMENDATIONS PROVIDED BY THE ACCOUNTABILITY REVIEW BOARD CONVENED AFTER THE SEPTEMBER 11–12, 2012, ATTACKS ON UNITED STATES GOVERNMENT PERSONNEL IN BENGHAZI, LIBYA.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees an unclassified report, with a classified annex, on the implementation by the Department of State of the recommendations of the Accountability Review Board convened pursuant to title III of the Omnibus Diplomatic and Antiterrorism Act of 1986 (22 U.S.C. 4831 et seq.) to examine the facts and circumstances surrounding the September 11–12, 2012, killings of four United States Government personnel in Benghazi, Libya.

(b) CONTENT.—The report required under subsection (a) shall include the following elements:

(1) An assessment of the overall state of the Department of State's diplomatic security to respond to the evolving global threat environment, and the broader steps the Department of State is taking to improve the security of United States diplomatic personnel in the aftermath of the Accountability Review Board Report.

(2) A description of the specific steps taken by the Department of State to address each of the 29 recommendations contained in the Accountability Review Board Report, including—

(A) an assessment of whether implementation of each recommendation is ''complete'' or is still ''in progress''; and

(B) if the Secretary of State determines not to fully implement any of the 29 recommendations in the Accountability Review Board Report, a thorough explanation as to why such a decision was made.

(3) An enumeration and assessment of any significant challenges that have slowed or interfered with the Department of State's implementation of the Accountability Review Board recommendations, including—

(A) a lack of funding or resources made available to the Department of State;

(B) restrictions imposed by current law that in the Secretary of State's judgment should be amended; and

(C) difficulties caused by a lack of coordination between the Department of State and other United States Government agencies.

### SEC. 1652. DESIGNATION AND REPORTING FOR HIGH THREAT, HIGH RISK FACILITIES.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Director of National Intelligence and the Secretary of Defense, shall submit to the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Armed Services of the Senate and the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Armed Services of the House of Representatives a classified report, with an unclassified summary, evaluating Department of State facilities that the Secretary of State determines to be ''high threat, high risk'' in accordance with subsection (c).

(b) CONTENT.—For each facility determined to be ''high threat, high risk'' pursuant to subsection (a), the report submitted under such subsection shall also include—

(1) a narrative assessment describing the security threats and risks facing posts overseas and the overall threat level to United States personnel under chief of mission authority;

(2) the number of diplomatic security personnel, Marine Corps security guards, and other Department of State personnel dedicated to providing security for United States personnel, information, and facilities;

(3) an assessment of host nation willingness and capability to provide protection in the event of a security threat or incident, pursuant to the obligations of the United States under the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, and the 1961 Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961;

(4) an assessment of the quality and experience level of the team of United States senior security personnel assigned to the facility, considering collectively the assignment durations and lengths of government experience;

(5) the number of Foreign Service Officers who have received Foreign Affairs Counter Threat training;

(6) a summary of the requests made during the previous calendar year for additional resources, equipment, or personnel related to the security of the facility and the status of such requests;

(7) an assessment of the ability of United States personnel to respond to and survive a fire attack, including—

(A) whether the facility has adequate fire safety and security equipment for safehavens and safe areas; and

(B) whether the employees working at the facility have been adequately trained on the equipment available;

(8) for each new facility that is opened, a detailed description of the steps taken to provide security for the new facility, including whether a dedicated support cell was established in the Department of State to ensure proper and timely resourcing of security; and

(9) a listing of any ''high-threat, high-risk'' facilities where the Department of State and other government agencies' facilities are not collocated including—

(A) a rationale for the lack of collocation; and

(B) a description of what steps, if any, are being taken to mitigate potential security vulnerabilities associated with the lack of collocation.

(c) DETERMINATION OF HIGH THREAT, HIGH RISK FACILITY.—In determining what facilities constitute ''high threat, high risk facilities'' under this section, the Secretary shall take into account with respect to each facility whether there are—

(1) high to critical levels of political violence or terrorism;

(2) national or local governments with inadequate capacity or political will to provide appropriate protection; and

(3) in locations where there are high to critical levels of political violence or terrorism or national or local governments lack the capacity or political will to provide appropriate protection—

(A) mission physical security platforms that fall well below the Department of State's established standards; or

(B) security personnel levels that are insufficient for the circumstances.

(d) INSPECTOR GENERAL REVIEW AND REPORT.—The Inspector General for the Department of State and the Broadcasting Board of Governors shall, on an annual basis—

(1) review the determinations of the Department of State with respect to high threat, high risk facilities, including the basis for making such determinations;

(2) review contingency planning for high threat, high risk facilities and evaluate the measures in place to respond to attacks on such facilities;

(3) review the risk mitigation measures in place at high threat, high risk facilities to determine how the Department of State evaluates risk and whether the measures put in place sufficiently address the relevant risks;

(4) review early warning systems in place at high threat, high risk facilities and evaluate the measures being taken to preempt and disrupt threats to such facilities; and

(5) provide to the appropriate congressional committees an assessment of the determinations of the Department of State with respect to high threat, high risk facilities, including recommendations for additions or changes to the list of such facilities, and a report regarding the reviews and evaluations undertaken pursuant to paragraphs (1) through (4) and this paragraph.

**SEC. 1653. DESIGNATION AND REPORTING FOR HIGH-RISK COUNTERINTELLIGENCE THREAT POSTS.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in conjunction with appropriate officials in the intelligence community and the Secretary of Defense, shall submit to the appropriate committees of Congress a report assessing the counterintelligence threat to United States diplomatic facilities in Priority 1 Counterintelligence Threat Nations, including—

(1) an assessment of the use of locally employed staff and guard forces and a listing of diplomatic facilities in Priority 1 Counterintelligence Threat Nations without controlled access areas; and

(2) recommendations for mitigating any counterintelligence threats and for any necessary facility upgrades, including costs assessment of any recommended mitigation or upgrades so recommended.

(b) DEFINITIONS.—In this section:

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

(A) the Committee on Foreign Relations, the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) PRIORITY 1 COUNTERINTELLIGENCE THREAT NATION.—The term ''Priority 1 Counterintelligence Threat Nation'' means a country designated as such by the October 2012 National Intelligence Priorities Framework (NIPF).

**SEC. 1654. COMPTROLLER GENERAL REPORT ON IMPLEMENTATION OF BENGHAZI ACCOUNTABILITY REVIEW BOARD RECOMMENDATIONS.**

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the progress of the Department of State in implementing the recommendations of the Benghazi Accountability Review Board.

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

(1) an assessment of the progress the Department of State has made in implementing each specific recommendation of the Accountability Review Board; and

(2) a description of any impediments to recommended reforms, such as budget constraints, bureaucratic obstacles within the Department or in the broader interagency community, or limitations under current law.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

**SEC. 1655. SECURITY ENVIRONMENT THREAT LIST BRIEFINGS.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and upon each subsequent update of the Security Environment Threat List (SETL), the Bureau of Diplomatic Security shall provide classified briefings to the appropriate congressional committees on the SETL.

(b) CONTENT.—The briefings required under subsection (a) shall include—

(1) an overview of the SETL; and

(2) a summary assessment of the security posture of those facilities where the SETL assesses the threat environment to be most acute, including factors that informed such assessment.

## PART V—ACCOUNTABILITY REVIEW BOARDS

**SEC. 1661. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) the Accountability Review Board mechanism as outlined in section 302 of the Omnibus Diplomatic Security and Antiterrorism Act (22 U.S.C. 4832) is an effective tool to collect information about and evaluate adverse incidents that occur in a world that is increasingly complex and dangerous for United States diplomatic personnel; and

(2) the Accountability Review Board should provide information and analysis that will assist the Secretary, the President, and Congress in determining what contributed to an adverse incident as well as what new measures are necessary in order to prevent the recurrence of such incidents.

**SEC. 1662. PROVISION OF COPIES OF ACCOUNTABILITY REVIEW BOARD REPORTS TO CONGRESS.**

Not later than 2 days after an Accountability Review Board provides its report to the Secretary of State in accordance with title III of the Omnibus Diplomatic and Antiterrorism Act of 1986 (22 U.S.C. 4831 et seq.), the Secretary shall provide copies of the report to the appropriate congressional committees for retention and review by those committees.

**SEC. 1663. CHANGES TO EXISTING LAW.**

(a) MEMBERSHIP.—Section 302(a) of the Omnibus Diplomatic Security and Antiterrorism Act (22 U.S.C. 4832(a)) is amended by inserting ''one of which shall be a former Senate-confirmed Inspector General of a Federal department or agency,'' after ''4 appointed by the Secretary of State,''.

(b) STAFF.—Section 302(b)(2) of the Omnibus Diplomatic Security and Antiterrorism Act (22 U.S.C. 4832(b)(2)) is amended by adding at the end the following: ''Such persons shall be drawn from bureaus or other agency sub-units that are not impacted by the incident that is the subject of the Board's review.''.

## PART VI—OTHER MATTERS

**SEC. 1671. ENHANCED QUALIFICATIONS FOR DEPUTY ASSISTANT SECRETARY OF STATE FOR HIGH THREAT, HIGH RISK POSTS.**

The Omnibus Diplomatic Security and Antiterrorism Act of 1986 is amended by inserting after section 206 (22 U.S.C. 4824) the following new section:

**''SEC. 207. DEPUTY ASSISTANT SECRETARY OF STATE FOR HIGH THREAT, HIGH RISK POSTS.**

''The individual serving as Deputy Assistant Secretary of State for High Threat, High Risk Posts shall have one or more of the following qualifications:

''(1) Service during the last six years at one or more posts designated as High Threat, High Risk by the Department of State at the time of service.

''(2) Previous service as the office director or deputy director of one or more of the following Department of State offices or successor entities carrying out substantively equivalent functions:

''(A) The Office of Mobile Security Deployments.

''(B) The Office of Special Programs and Coordination.

''(C) The Office of Overseas Protective Operations.

''(D) The Office of Physical Security Programs.

''(E) The Office of Intelligence and Threat Analysis.

''(3) Previous service as the Regional Security Officer at two or more overseas posts.

''(4) Other government or private sector experience substantially equivalent to service in the positions listed in paragraphs (1) through (3).''.

## Subtitle B—Naval Vessel Transfers and Security Enhancement

**SEC. 1681. SHORT TITLE.**

This subtitle may be cited as the ''Naval Vessel Transfer and Security Enhancement Act of 2013''.

**SEC. 1682. TRANSFER OF NAVAL VESSELS TO CERTAIN FOREIGN RECIPIENTS.**

(a) TRANSFERS BY GRANT.—

(1) AUTHORITY.—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), subject to paragraph (2), as follows:

(A) MEXICO.—To the Government of Mexico, the OLIVER HAZARD PERRY class guided missile frigates USS CURTS (FFG–38) and USS MCCLUSKY (FFG–41).

(B) THAILAND.—To the Government of Thailand, the OLIVER HAZARD PERRY class guided missile frigates USS RENTZ (FFG–46) and USS VANDEGRIFT (FFG–48).

(b) TRANSFER BY SALE TO THE TAIPEI ECONOMIC AND CULTURAL REPRESENTATIVE OFFICE IN THE UNITED STATES.—The President is authorized to transfer the OLIVER HAZARD PERRY class guided missile frigates USS TAYLOR (FFG–50), USS GARY (FFG–51), USS CARR (FFG–52), and USS ELROD (FFG–55) to the Taipei Economic and Cultural Representative Office in the United States (which is the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act (22 U.S.C. 3309(a))) on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(c) TRANSFER TO PAKISTAN BY GRANT UPON CERTIFICATIONS.—

(1) AUTHORITY.—The President is authorized in each of fiscal years 2014 through 2016 to transfer to the Government of Pakistan one of the OLIVER HAZARD PERRY class guided missile frigates USS KLAKRING (FFG–42), USS DE WERT (FFG–45), and USS ROBERT G. BRADLEY (FFG–49) on a grant basis under section 516 of the Foreign Assistance Act (22 U.S.C. 2321j), 15 days after certifying to the appropriate congressional committees that the Government of Pakistan is—

(A) cooperating with the United States Government in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, al Qaeda, and other domestic and foreign terrorist organizations, including taking concrete and measurable steps to—

(i) end Government of Pakistan support for such groups;

(ii) prevent such groups from basing and operating in Pakistan; and

(iii) prevent such groups from carrying out cross-border attacks into neighboring countries;

(B) not supporting terrorist activities against United States or coalition forces or United States citizens in Afghanistan or elsewhere, or any organizations planning, conducting, or advocating such activities;

(C) taking concrete and measurable steps to dismantle improvised explosive device (IED) networks and interdict precursor chemicals used in the manufacture of IEDs;

(D) not engaging in, and taking concrete and measurable steps to prevent the proliferation of nuclear-related material, equipment, technology, and expertise;

(E) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts, assistance programs, and Department of State operations in Pakistan;

(F) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict;

(G) taking steps towards releasing Dr. Shakil Afridi from prison and clearing him of all charges; and

(H) ensuring that the military and intelligence agencies of the Government of Pakistan are not intervening into political and judicial processes in Pakistan.

(2) WAIVER.—

(A) IN GENERAL.—The President may waive the certification requirements under paragraph (1) in any of fiscal years 2014 through 2016 if the President determines, and notifies the appropriate congressional committees, that it is in the national security interests of the United States to waive such requirement.

(B) EFFECTIVE DATE OF WAIVER.—The waiver shall become effective 45 days after the President provides to the appropriate congressional committees a report detailing the reasons for making the determination and an analysis of the degree to which the actions of the Government of Pakistan do or do not satisfy the criteria in subparagraphs (A)–(H) of paragraph (1).

(d) ALTERNATIVE TRANSFER AUTHORITY.—Notwithstanding the authority provided in subsections (a), (b), and (c) to transfer specific vessels to specific countries, the President is authorized to transfer any vessel named in this title to any country named in this section, subject to the same conditions that would apply for such country under this section, such that the total number of vessels transferred to such country does not exceed the total number of vessels authorized for transfer to such country by this section.

(e) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of a vessel transferred to another country on a grant basis pursuant to authority provided by subsection (a) or (c) shall not be counted against the aggregate value of excess defense articles transferred in any fiscal year under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(f) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)).

(g) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the recipient to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that recipient, performed at a shipyard located in the United States.

(h) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the 3-year period beginning on the date of the enactment of this Act.

**SEC. 1683. ENHANCED CONGRESSIONAL OVERSIGHT OF FOREIGN MILITARY SALES.**

Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended by adding at the end the following new subsection:

''(i) PRIOR NOTIFICATION OF SHIPMENT OF ARMS.—At least 30 days prior to a shipment of defense articles subject to the requirements of subsection (b) to countries other than a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, Israel, the Republic of Korea, or New Zealand at the joint request of the Chairman and Ranking Member of the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives, the Secretary of State shall provide notification of such pending shipment, in unclassified form, with a classified annex as necessary, to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.''.

**SEC. 1684. INCREASE IN ANNUAL LIMITATION ON TRANSFER OF EXCESS DEFENSE ARTICLES.**

Section 516(g)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(g)(1)) is amended by striking ''$425,000,000'' and inserting ''$500,000,000''.

**SEC. 1685. INTEGRATED AIR AND MISSILE DEFENSE PROGRAMS AT TRAINING LOCATIONS IN SOUTHWEST ASIA.**

(a) AUTHORITY.—Notwithstanding section 544(c)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2347(c)(1)), for fiscal years 2014 through 2016, the President is authorized to enter into cooperative arrangements providing for the participation of foreign and United States military and civilian defense personnel for integrated air and missile defense programs in Southwest Asia without charge to participating countries and, notwithstanding section 632(d) of such Act (22 U.S.C. 2392(d)), without charge to the fund available to carry out chapter II of part II of the Foreign Assistance Act (22 U.S.C. 2311 et seq.).

(b) REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter until a final summary report is submitted after the end of fiscal year 2016, the President shall submit to the Committees on Armed Services of the Senate and the House of Representatives and the appropriate congressional committees a report on the implementation of the authority provided under subsection (a), including a description of the numbers of such participating foreign personnel, the cost of such non-reimbursable arrangements, and prospects for equitable contributions from such countries in the future.

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**SA 2497.** Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 301, between lines 16 and 17 insert the following:

**SECTION 945. MAJOR CYBER INCIDENTS INVOLVING NETWORKS OF THE DEPARTMENT OF DEFENSE.**

(a) REPORTS REQUIRED.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to Congress a report on major cyber incidents involving networks of the Department of Defense.

(b) ELEMENTS.—Each report required under subsection (a) shall include the following:

(1) A summary of major cyber incidents against networks of the Department of Defense and the military departments.

(2) Aggregate statistics on the number of breaches against networks of the Department of Defense and the military departments, the volume of data exfiltrated, and the estimated cost of remedying the breaches.

(3) A discussion of the risk of cyber sabotage against the networks of the Department of Defense and the military departments.

(c) FORM.—Each report submitted under this section shall be submitted in unclassified form, but may include a classified annex.

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**SA 2498.** Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1237. CONTROL OF ARMS EXPORTS OF SUBSTANTIAL MILITARY OR INTELLIGENCE UTILITY.**

Section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)) is amended by inserting after ''for the purposes of this section'' the following: ''and which are in the President's judgment of substantial military utility or capability such that they warrant special controls to ensure that the export of such items do not provide a substantial military or intelligence capability to foreign countries or to foreign persons to the detriment of the national security of friends and allies of the United States or the achievement of the foreign policy and national security objectives of the United States,''.

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**SA 2499.** Mr. MCCAIN (for himself, Mrs. FEINSTEIN, Mr. COCHRAN, Ms. CANTWELL, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1082. TRANSFER OF AIRCRAFT TO OTHER DEPARTMENTS FOR WILDFIRE SUPPRESSION PURPOSES.**

(a) TRANSFER OF HC–130H AIRCRAFT.—

(1) TRANSFER BY DEPARTMENT OF HOMELAND SECURITY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of Agriculture, shall transfer, without reimbursement—

(A) 7 HC–130H aircraft to the Secretary of the Air Force; and

(B) initial spares and necessary ground support equipment for HC–130H aircraft to the Secretary of Agriculture for use by the Forest Service Director of Aviation and Fire Management as large air tanker wildfire suppression aircraft.

(2) AIR FORCE ACTIONS.—Subject to the availability of funds provided by the Undersecretary of Defense, Comptroller, to the Secretary of the Air Force for HC–130H modifications, the Secretary of the Air Force shall—

(A) accept the HC–130H aircraft transferred by the Secretary of Homeland Security under paragraph (1);

(B) at the first available opportunity, promptly schedule and serially synchronize with the Secretary of Homeland Security and the Secretary of Agriculture the induction of HC–130H aircraft to minimize maintenance induction on-ramp wait time of HC–

130H aircraft, while also affording the Secretary of Homeland Security reasonable access to operational aircraft prior to the aircraft's induction into maintenance functions described in subparagraph (C);

(C) perform center and outer wingbox replacement modifications, progressive fuselage structural inspections, and configuration modifications necessary to convert each HC–130H aircraft as large air tanker wildfire suppression aircraft; and

(D) after modifications described in subparagraph (C) are completed for each HC–130H aircraft, the Secretary of the Air Force shall transfer each aircraft without reimbursement to the Secretary of Agriculture for use by the Forest Service Director of Aviation and Fire Management as large air tanker wildfire suppression aircraft.

(3) REIMBURSEMENT.—The Undersecretary of Defense, Comptroller, shall promptly reimburse the Secretary of the Air Force for all fiscal resources utilized by the Department of the Air Force to perform the HC–130H modifications described under paragraph (2).

(b) TRANSFER OF C–23B+ SHERPA AIRCRAFT.—The Secretary of the Army shall transfer, without reimbursement—

(1) up to 15 C–23B+ Sherpa aircraft in fiscal year 2014 to the Secretary of Agriculture, subject to the quantity of C–23B+ Sherpa aircraft that the Forest Service Director of Aviation and Fire Management determines are required to meet fire-fighting requirements; and

(2) initial spares and necessary ground support equipment for operation of C–23B+ Sherpa aircraft to the Secretary of Agriculture for use by the Forest Service Director of Aviation and Fire Management.

(c) CONDITIONS OF CERTAIN TRANSFERS.—Aircraft transferred to the Secretary of Agriculture under this section—

(1) may be used only for wildfire suppression purposes;

(2) may not be flown outside of, or otherwise removed from, the United States unless dispatched by the National Interagency Fire Center in support of an international agreement to assist in wildfire suppression efforts or for other purposes approved by the Secretary of Agriculture in writing in advance; and

(3) may not be sold by the Secretary of Agriculture after transfer.

(d) COSTS AFTER TRANSFER.—Any costs of operation, maintenance, sustainment, and disposal of excess aircraft, initial spares, and ground support equipment transferred to the Secretary of Agriculture under this section that are incurred after the date of transfer shall be borne by the Secretary of Agriculture.

(e) TRANSFER OF C–27J AIRCRAFT.—Immediately following the certification requirement under subsection (f), the Secretary of Defense shall transfer, without reimbursement—

(A) 14 C–27J aircraft to the Secretary of Homeland Security; and (B) initial spares and necessary ground support equipment for 14C–27J aircraft to the Secretary of Homeland Security for use by the Commandant of the Coast Guard as maritime patrol aircraft.

(f) CERTIFICATION REQUIREMENT.—Notwithstanding any other provision of law, the Secretary of Defense shall not transfer any aircraft to either the Secretary of Agriculture or the Secretary of Homeland Security until the Secretary of Defense and the Director of the Office of Management and Budget certify to the congressional defense committees that adequate funding has been transferred to the Secretary of the Air Force for the purpose of modifying all 7 HC–130H aircraft identified in subsection (a) aircraft as large air tanker wildfire suppression aircraft.

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**SA 2500.** Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1082. REQUIREMENT FOR PROMPT RESPONSES FROM SECRETARY OF DEFENSE WHEN SECRETARY OF VETERANS AFFAIRS REQUESTS INFORMATION NECESSARY TO ADJUDICATE BENEFITS CLAIMS.**

(a) DEADLINE FOR PROMPT RESPONSE.—Whenever the Secretary of Veterans Affairs submits a request to the Secretary of Defense for information that the Secretary of Veterans Affairs determines is necessary to adjudicate a claim for a benefit under a law administered by the Secretary of Veterans Affairs, the Secretary of Defense shall attempt to furnish such information to the Secretary of Veterans Affairs by not later than 45 days after receiving the request from the Secretary of Veterans Affairs.

(b) EXTENSION OF DEADLINE.—In a case in which the Secretary of Defense is unable to furnish the Secretary of Veterans Affairs with information requested under subsection (a) within the 45-day period set forth in such subsection, the Secretary of Defense shall furnish the Secretary of Veterans Affairs with the information requested by not later than 15 days after the end of the 45-day period set forth in such subsection.

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**SA 2501.** Mr. HELLER (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. _____. DETERMINATION OF CERTAIN SERVICE IN PHILIPPINES DURING WORLD WAR II.**

(a) IN GENERAL.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense and such military historians as the Secretary of Defense recommends, shall review the process used to determine whether a covered individual served as described in subsection (a) or (b) of section 107 of title 38, United States Code, for purposes of determining whether such covered individual is eligible for benefits described in such subsections.

(b) COVERED INDIVIDUALS.—For purposes of this section, a covered individual is any individual who—

(1) claims service described in subsection (a) or (b) of section 107 of title 38, United States Code; and

(2) is not included in the Approved Revised Reconstructed Guerilla Roster of 1948, known as the ''Missouri List''.

(c) PROHIBITION ON BENEFITS FOR DISQUALIFYING CONDUCT UNDER NEW PROCESS.—If pursuant to the review conducted under subsection (a) the Secretary of Veterans Affairs determines to establish a new process for determining whether a covered individual is eligible for benefits described in subsection (a) or (b) of section 107 of such title, such process shall include a mechanism to ensure that a covered individual is not treated as an individual eligible for a benefit described in subsection (a) or (b) of section 107 of such title if such covered individual engaged in any disqualifying conduct during service described in such subsections, including collaboration with the enemy or criminal conduct.

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**SA 2502.** Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXVIII, add the following:

**SEC. 2842. RESPONSIBILITY FOR ENVIRONMENTAL REMEDIATION AT BADGER ARMY AMMUNITION PLANT, BARABOO, WISCONSIN.**

(a) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) PLANT.—The term ''plant'' means the Badger Army Ammunition Plant near Baraboo, Wisconsin.

(3) PROPERTY.—The term ''property'' includes—

(A) the plant;

(B) any land located in Sauk County, Wisconsin, and managed by the Federal Government relating to the plant; and

(C) any structure on the land described in subparagraph (B).

(b) RETENTION OF ENVIRONMENTAL LIABILITY.—

(1) IN GENERAL.—Subject to paragraph (2), if administrative jurisdiction over the property is transferred to another Federal agency to be held in trust, the Department of Defense shall retain sole and exclusive Federal responsibility and liability to fund and implement any action required under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), or any other applicable Federal or State law.

(2) LIMITATION.—The liability described in paragraph (1) is limited to the remediation of environmental contamination caused by the activities of the Department of Defense that existed before the date on which the property is transferred.

(c) EFFECT.—Except as otherwise provided in this section, nothing in this section—

(1) relieves the Secretary of Defense, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, or any other person from any obligation or liability under any Federal or State law with respect to the plant;

(2) affects or limits the application of, or any obligation to comply with, any environmental law, including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(B) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.); or

(3) prevents the United States from bringing a cost recovery, contribution, or any other action that would otherwise be available under any Federal or State law.

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**SA 2503.** Ms. MURKOWSKI submitted an amendment intended to be proposed

by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1082. FORT WAINWRIGHT, ALASKA.**

Notwithstanding any other provision of law, the Secretary of the Army shall, on a nonreimbursable basis—

(1) continue to provide, maintain, and sustain the Bureau of Land Management Alaska Fire Service facilities at Fort Wainwright, Alaska, as the facilities existed on May 1, 2013; and

(2) provide the Alaska Fire Service any access to any facilities and services at Fort Wainwright, Alaska, that the Alaska Fire Service may require for the fulfillment of the mission of the Alaska Fire Service.

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**SA 2504.** Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1237. ANNUAL REPORT ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.**

(a) IN GENERAL.—Not later than March 1, 2014, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on allied contributions to the common defense.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A comparison of the fair and equitable shares of the mutual defense burdens of alliances with NATO member nations and other allied nations that should be borne by the United States, by other member nations of NATO, and by other allied nations, based upon economic strength and other relevant factors, and the actual defense efforts of each nation together with an explanation of disparities that currently exist and their impact on mutual defense efforts.

(2) A description of efforts by the United States and the efforts of other members of the alliances to eliminate any existing disparities.

(3) Projected estimates of the real growth in defense spending for the fiscal year in which the report is submitted for each NATO member nation and other allied nations.

(4) A description of the defense-related initiatives undertaken by each NATO member nation and other allied nations within the real growth in defense spending of such nation in the fiscal year immediately preceding the fiscal year in which the report is submitted.

(5) An explanation of those instances in which the commitments to real growth in defense spending have not been realized and a description of efforts being made by the United States to ensure fulfillment of these important NATO and other alliance commitments.

(6) A description of the activities of each NATO member and other allied nations to enhance the security an stability of the Southwest Asia region and to assume additional missions for their own defense as the United States allocates additional resources to the mission of protecting Western interests in world areas not covered by existing alliances.

(7) A description of what additional actions the President plans to take should the efforts by the United States referred to in paragraphs (2) and (5) fail, and, in those instances where such additional actions do not include consideration of the repositioning of the United States Armed Forces, a detailed explanation as to why such repositioning is not being so considered.

(8) A description of the United States military forces assigned to permanent duty ashore in European member nations of NATO and an analysis of the cost of providing and maintaining such forces in such assignment primarily for support of NATO roles and missions.

(9) A description of the United States military forces assigned to permanent duty ashore in European member nations of NATO primarily in support of other United States interests in other regions of the world and an analysis of the cost of providing and maintaining such forces in such assignment primarily for that purpose.

(10) A specific enumeration and description of the offsets to United States costs of providing and maintaining United States military forces in Europe that the United States received from other NATO member nations in the fiscal year covered by the report, set out by country and by type of assistance, including both in-kind assistance and direct cash reimbursement, and the projected offsets for the five fiscal years following the fiscal year covered by the report.

(c) FORM.—The report required under this section shall be submitted in unclassified form, but may include a classified annex as necessary.

(d) OTHER ALLIED NATIONS DEFINED.—In this section, the term ''other allied nations'' means the member nations of—

(1) the Australia, New Zealand, and United States Security Treaty;

(2) the Treaty of Mutual Cooperation and Security between the United States and Japan;

(3) the Mutual Defense Treaty Between the United States and the Republic of Korea; and

(4) the Cooperation Council for the Arab States of the Gulf.

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**SA 2505.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

**SEC. 1220. REPORT ON RELOCATION PLAN FOR RESIDENTS OF CAMP LIBERTY, IRAQ.**

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State, the Secretary of Homeland Security, and the Attorney General shall jointly submit to the specified congressional committees a report on the current situation at Camp Liberty, Iraq, and provide a strategy on the relocation of camp residents to other countries.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) Information on how many residents are still located at Camp Liberty.

(2) A description of the United Nations High Commissioner on Refugees (UNHCR) refugee process, the degree of resident cooperation with the process, and when the process is expected to be completed.

(3) Information on how many residents have been given refugee status.

(4) Information on how many residents have been relocated, and to which countries.

(5) A detailed description of the current living conditions, including the security situation, disposition of security resources, and decisions by camp residents on how to use those resources.

(6) Information on those countries that would be willing and able to take residents.

(7) A relocation plan, including a detailed outline of the steps that would need to be taken by the recipient countries, the UNHCR, and the camp residents to relocate the residents to other countries.

(c) SPECIFIED CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''specified congressional committees'' means—

(1) the Committees on Foreign Relations, Armed Services, Homeland Security and Governmental Affairs, and Judiciary of the Senate; and

(2) the Committees on Foreign Affairs, Armed Services, Homeland Security, and Judiciary of the House of Representatives.

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**SA 2506.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 126. LIMITATION ON AVAILABILITY OF FUNDS FOR LITTORAL COMBAT SHIP.**

The Secretary of the Navy may not obligate or expend funds for construction or advanced procurement of materials for the Littoral Combat Ships (LCS) designated as LCS 25 or LCS 26 until the Secretary submits to Congress each of the following:

(1) The report required by section 125(a).

(2) A coordinated determination by the Director of Operational Test and Evaluation and the Under Secretary of Defense for Acquisition, Technology, and Logistics that successful completion of the test evaluation master plan for both seaframes and each mission module will demonstrate operational effectiveness and operational suitability.

(3) A certification that the Joint Requirements Oversight Council—

(A) has reviewed the capabilities of the legacy systems that the Littoral Combat Ship is planned to replace and has compared these capabilities to those to be provided by the Littoral Combat Ship;

(B) has assessed the adequacy of the current Capabilities Development Document (CDD) for the Littoral Combat Ship to meet combatant command requirements and to address future threats as reflected in the latest assessment by the defense intelligence community; and

(C) has either validated the current Capabilities Development Document or directed the Secretary to update the current Capabilities Development Document based on the performance of the Littoral Combat Ship and mission modules to date.

(4) A report on the expected performance of each seaframe variant and mission module against the current or updated Capabilities Development Document.

(6) Certification that a Capability Production Document will be completed for each mission module before operational testing.

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**SA 2507.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1237. PROHIBITION ON PROVISION OF ASSISTANCE TO GOVERNMENT OF SYRIA DURING DESTRUCTION OF SYRIAN CHEMICAL WEAPONS PROGRAM.**

During fiscal years 2014 and 2015, the United States Government—

(1) may not provide any equipment to the Government of Syria that will not be used exclusively for the purposes of the destruction of the Syrian chemical weapons program, or that will remain in Syria after all the chemical weapons, facilities, and materials are either removed from Syria or destroyed in Syria; and

(2) shall take appropriate steps to ensure that any United States Government equipment provided to any other nation or entity for the purposes of the destruction of the Syrian chemical weapons program shall not remain in Syria after all the chemical weapons, facilities, and materials are either removed from Syria or destroyed in Syria.

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**SA 2508.** Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XIV, add the following:

**Subtitle C—National Rare Earth Refinery Cooperative**

**SEC. 1431. SHORT TITLE.**

This subtitle may be cited as the ''National Rare Earth Cooperative Act of 2013''.

**SEC. 1432. FINDINGS; STATEMENT OF POLICY.**

(a) FINDINGS.—Congress makes the following findings:

(1) Heavy rare earth elements are critical for the national defense of the United States, advanced energy technologies, and other desirable commercial and industrial applications.

(2) The Government Accountability Office has confirmed that the monopoly control of the People's Republic of China over the rare earth value chain has resulted in vulnerabilities in the procurement of multiple United States weapons systems.

(3) China has leveraged its monopoly control over the rare earth value chain to force United States, European, Japanese, and Korean corporations to transfer manufacturing facilities, technology, and jobs to China in exchange for secure supply contracts.

(4) China's increasingly aggressive mercantile behavior has resulted in involuntary transfers of technology, manufacturing, and jobs resulting in onerous trade imbalances with the United States and trading partners of the United States.

(5) Direct links exist between heavy rare earth mineralogy and thorium.

(6) Thorium is a mildly radioactive element commonly associated with the lanthanide elements in the most heavy rare earth deposits that are located in the United States and elsewhere.

(7) Regulations regarding thorium represent a barrier to the development of a heavy rare earth industry that is based in the United States.

(8) Balancing the strategic national interest objectives of the United States against economic and environmental risks are best met through the creation of a rare earth cooperative.

(9) A rare earth cooperative could—

(A) greatly increase rare earth production;

(B) ensure environmental safety; and

(C) lower the cost of the production and financial risks faced by rare earth producers in the United States.

(10) Historically, agricultural and electric cooperatives have stood as one of the greatest success stories of the United States.

(b) STATEMENT OF POLICY.—It is the policy of the United States to advance domestic refining of heavy rare earth materials and the safe storage of thorium in anticipation of the potential future industrial uses of thorium, including energy, as—

(1) thorium has a mineralogical association with valuable heavy rare earth elements;

(2) there is a great need to develop domestic refining capacity to process domestic heavy rare earth deposits; and

(3) the economy of the United States would benefit from the rapid development and control of intellectual property relating to the commercial development of technology utilizing thorium.

**SEC. 1433. DEFINITIONS.**

In this subtitle:

(1) ACTINIDE.—The term ''actinide'' means a natural element associated with any of the 15 rare earth minerals with atomic number 43 and atomic numbers 84 through 93 on the periodic table.

(2) CONSUMER MEMBER.—

(A) IN GENERAL.—The term ''consumer member'' means a member of the Cooperative that is—

(i) an entity that is part of, or has a role in, the value chain for rare earth materials or rare earth products, including from the refined oxide stage to the stage in which the rare earth elements are finished in any physical or chemical form (including oxides, metals, alloys, catalysts, or components); or

(ii) a consumer of rare earth products.

(B) INCLUSIONS.—The term ''consumer member'' includes—

(i) a producer of or other entity that is part of the value chain for rare earth materials, including original equipment manufacturer producers, whose place of business is located in or outside the United States;

(ii) a defense contractor in the United States; and

(iii) any agency in the United States or outside the United States that invests in the Cooperative.

(3) COOPERATIVE.—The term ''Cooperative'' means the Thorium-Bearing Rare Earth Refinery Cooperative established by section 1434(a)(1).

(4) COOPERATIVE BOARD.—The term ''Cooperative Board'' means the Board of Directors of the Cooperative established under section 1434(b)(2).

(5) CORPORATION.—The term ''Corporation'' means the Thorium Storage, Energy, and Industrial Products Corporation established under section 1435(a)(1).

(6) CORPORATION BOARD.—The term ''Corporation Board'' means the Board of Directors of the Corporation established under section 1435(b)(1).

(7) EXECUTIVE COMMITTEE.—The term ''Executive Committee'' means the executive committee established under section 1435(b)(2).

(8) INITIAL BOARD OF DIRECTORS.—The term ''Initial Board of Directors'' means the initial Board of Directors for the Cooperative established under section 1434(b)(1)(A).

(9) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given that term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(10) NATIONAL LABORATORY.—The term ''national laboratory'' has the meaning given that term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(11) SECRETARY.—The term ''Secretary'' means the Secretary of Defense.

(12) SUPPLIER MEMBER.—The term ''supplier member'' means a rare earth producer that enters into a contract to supply the Cooperative with rare earth concentrates.

(13) TOLLING.—The term ''tolling'' means a fee-for-services contract between the Cooperative and a primary rare earth producer under which—

(A) the producer retains ownership and control of the finished product; and

(B) pays to the Cooperative a fee for services rendered by the Cooperative.

**SEC. 1434. THORIUM-BEARING RARE EARTH REFINERY COOPERATIVE.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established a Cooperative, to be known as the ''Thorium-Bearing Rare Earth Refinery Cooperative'', to provide for the domestic processing of thorium-bearing rare earth concentrates.

(2) FEDERAL CHARTER; OWNERSHIP.—The Cooperative shall operate under a Federal charter.

(3) MEMBERSHIP.—

(A) COMPOSITION.—The Cooperative shall be comprised of—

(i) supplier members; and

(ii) consumer members.

(B) SUPPLIER MEMBERS.—

(i) IN GENERAL.—As a condition of entering into a contract to supply the Cooperative with rare earth concentrates, supplier members shall provide rare earth concentrates to the Cooperative at market price.

(ii) CAPITAL CONTRIBUTIONS.—Any supplier member that makes significant capital contributions to the Cooperative, as determined by the Cooperative Board, may become a consumer member for purposes of the distribution of profits of the Cooperative under subparagraph (D).

(C) CONSUMER MEMBER.—A consumer member—

(i) shall make capital contributions to the Cooperative in exchange for entering into negotiated supply agreements; and

(ii) in accordance with the agreements entered into under clause (i), may acquire finished rare earth products from the Cooperative at market price.

(D) DISTRIBUTION OF PROFITS.—Any profits of the Cooperative shall be distributed between supplier members and consumer members in accordance with a formula established by the Cooperative Board.

(b) MANAGEMENT.—

(1) INITIAL BOARD OF DIRECTORS.—

(A) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary shall appoint the Initial Board of Directors for the Cooperative, comprised of 5 members, of whom—

(i) 1 member shall represent the Defense Logistics Agency Strategic Materials program of the Department of Defense;

(ii) 1 member shall represent the Assistant Secretary of Defense for Research and Engineering;

(iii) 1 member shall represent United States advocacy groups for rare earth producers and original equipment manufacturing interests;

(iv) 1 member shall represent the United States Geological Survey; and

(v) 1 member who shall—

(I) not be affiliated with a Federal agency; and

(II) be recommended for appointment by a majority vote of the other members of the Initial Board of Directors appointed under clauses (i) through (iv).

(B) DUTIES.—The Initial Board of Directors shall—

(i) establish a charter, bylaws, and rules of governance for the Cooperative;

(ii) make formative business decisions on behalf of the Cooperative; and

(iii) assist in the formation of, and the provision of tasks and assignments to, the Corporation.

(C) STANDING MEMBER.—The member appointed under subparagraph (A)(v) shall remain on the Cooperative Board and Corporation Board, until such time as—

(i) the member voluntarily resigns; or

(ii) a majority of the members of the Cooperative Board and a majority of the members of the Corporation Board vote to remove the member from the Cooperative Board and the Corporation Board.

(D) TERMINATION.—The Initial Board of Directors shall terminate on the date on which the initial members of the Cooperative Board are appointed under paragraph (2).

(2) BOARD OF DIRECTORS.—

(A) IN GENERAL.—The Board of Directors of the Cooperative shall be comprised of 9 members, to be selected in accordance with the bylaws of the Cooperative established under paragraph (1)(B)(i), of whom—

(i) 5 members shall be consumer members;

(ii) 2 members shall be supplier members;

(iii) 1 member shall represent an advocacy group for defense contractors, other rare earth consumers, and suppliers who are not represented by the Board or through direct ownership in the Cooperative; and

(iv) 1 member shall be the member of the Initial Board of Directors appointed under paragraph (1)(A)(v).

(B) POWERS.—The Cooperative Board may—

(i) prescribe the manner in which business shall be conducted by the Cooperative;

(ii) determine pay-out ratio formulas for consumer members and supplier members, based on—

(I) the capital stock ratios of consumer members; and

(II) the value of supply member contracts, as determined based on the volume, term, and distributions of rare earth concentrates relative to processing costs; and

(iii) evaluate technologies and processes for the efficient extraction and refining of rare earth materials from various source materials.

(C) REFINERY AND OFFICE LOCATIONS.—The Cooperative Board shall establish the refinery and offices for the Cooperative at any locations determined to be appropriate by the Cooperative Board.

(c) POWERS; DUTIES.—

(1) INVESTMENT PARTNERSHIPS.—The Cooperative shall seek to enter into domestic and international investment partnerships for the development of the refinery.

(2) AGREEMENTS; DIRECT SALES.—The Cooperative may—

(A) enter into equity, financial, and supply-based agreements or arrangements with value-added intermediaries, equipment manufacturers, consumers of rare earth products, and Federal, State, or local agencies to provide economic incentives, leases, or public financing; and

(B) engage in direct market sales of rare earth products.

(3) SUPPLY CONTRACTS AND TOLLING SERVICES.—

(A) IN GENERAL.—The Cooperative may—

(i) directly purchase rare earth materials obtained from any byproduct producers of rare earths;

(ii) offer supplier members short-term or direct purchase contracts; and

(iii) allow primary rare earth producers to be tolling customers of the Cooperative.

(B) REQUIREMENTS.—A tolling customer under subparagraph (A)(iii) shall—

(i) retain control of the rare earth products during the processing, refining, or value adding of the rare earth products by the Cooperative; and

(ii) take possession of the rare earth products after—

(I) tolling services are rendered by the Cooperative; and

(II) the Cooperative has received payment in full for the tolling services rendered.

(C) FEE.—The Cooperative may charge tolling customers under subparagraph (A)(iii) a tolling fee not to exceed the sum of—

(i) the amount equal to 110 percent of the total cost for tolling services rendered by the Cooperative on behalf of the tolling customer; and

(ii) the amount equal to 5 percent of the market value of the finished product provided to the tolling customer by the Cooperative.

(D) APPLICABLE LAW.—Any contract among consumer members, supplier members, tolling customers, and direct purchase suppliers entered into under subparagraph (A)(iii) shall be protected as provided in subsection 552(b)(4) of title 5, United States Code.

(E) LIMITATIONS.—A direct purchase consumer under subparagraph (A)(ii) or a tolling customer under subparagraph (A)(iii)—

(i) shall not be considered to be a supplier member or otherwise be considered a member of the Cooperative for purposes of this subtitle; and

(ii) shall not participate in Cooperative profits or have voting rights with respect to the Cooperative.

(d) AUDITS.—

(1) IN GENERAL.—The Cooperative shall retain an independent auditor to evaluate the extent to which Federal funds, if any, made available to the Cooperative for research and development activities have been expended in a manner that is consistent with the purposes of this subtitle and the charter, bylaws, and rules of the Cooperative.

(2) REPORTS.—The auditor retained under paragraph (1) shall submit to the Secretary of Defense, the Cooperative, and the Comptroller General of the United States an annual report containing the findings and determinations of the auditor.

(3) REVIEW BY COMPTROLLER GENERAL.—The Comptroller General of the United States shall—

(A) review each annual report submitted to the Comptroller General by the auditor under paragraph (2); and

(B) submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report containing the comments of the Comptroller General on the accuracy and completeness of the report and any other matters relating to the report that the Comptroller General considers appropriate.

(e) REIMBURSEMENT OF FEDERAL GOVERNMENT.—Not later than 7 years of the date of the enactment of this Act, the Cooperative shall reimburse the Federal Government for administrative costs associated with the establishment of its charter.

**SEC. 1435. THORIUM STORAGE, ENERGY, AND INDUSTRIAL PRODUCTS CORPORATION.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Cooperative Board, in consultation with the Secretary of Defense, shall establish the Thorium Storage, Energy, and Industrial Products Corporation to develop uses and markets for thorium, including energy.

(2) FEDERAL CHARTER.—The Corporation shall operate under a Federal charter.

(b) MANAGEMENT.—

(1) BOARD OF DIRECTORS.—

(A) IN GENERAL.—The Board of Directors of the Corporation shall be composed of 5 members.

(B) INITIAL MEMBERS.—The initial members of the Corporation Board shall consist of the following members, to be appointed by the Secretary of Defense:

(i) 1 member, who shall represent the Assistant Secretary of Defense for Research and Engineering.

(ii) 1 member, who shall represent the Advanced Energy Program of the Defense Advanced Research Project Agency.

(iii) 1 member, who shall represent United States advocacy groups for commercial development of thorium in nuclear energy systems.

(iv) 1 member, who shall represent a national laboratory.

(v) 1 member, who is the member of the Initial Board of Directors appointed under section 1434(b)(1)(A)(v).

(C) SUBSEQUENT MEMBERS.—Subject to subparagraphs (A) and (D), subsequent members of the Corporation Board and Executive Committee shall be appointed in accordance with the bylaws of the Corporation established under paragraph (2)(B)(i).

(D) STANDING MEMBERS.—The initial members appointed under clauses (iv) and (v) of subparagraph (B) shall remain on the Corporation Board and the Executive Committee, until such time as—

(i) the members voluntarily resign;

(ii) in the case of a member appointed under subparagraph (B)(iv), a majority of the members of the Corporation Board vote to remove the member from the Corporation Board; or

(iii) in the case of a member appointed under subparagraph (B)(v), a majority of the members of the Corporation Board and a majority of the members of the Cooperative Board vote to remove the member from the Corporation Board and the Cooperative Board.

(2) EXECUTIVE COMMITTEE.—

(A) IN GENERAL.—The Executive Committee for the Corporation shall be composed of the initial members of the Corporation Board appointed under clauses (iv) and (v) of paragraph (1)(B).

(B) DUTIES.—The Executive Committee shall—

(i) establish the charter, rules of governance, bylaws, and corporate structure for the Corporation; and

(ii) make formative business decisions with respect to the Corporation.

(c) POWERS.—

(1) ESTABLISHMENT OF SUBSEQUENT ENTITIES.—

(A) IN GENERAL.—The Corporation may establish 1 or more entities, to be known as an ''Industrial Products Corporation'', for the certification, licensing, insuring, and commercial development of all non-energy uses

for thorium (including thorium isotopes and thorium daughter elements), including—

(i) alloys;

(ii) catalysts;

(iii) medical isotopes; and

(iv) other products.

(B) AUTHORITY OF ENTITIES.—The entities described in subparagraph (A) may—

(i) develop standards, procedures, and protocols for the approval of commercial and industrial applications for thorium;

(ii) carry out directly the production and sale of thorium-related non-energy products; and

(iii) sell or license any production or sales rights to third parties.

(C) SALE OR DISTRIBUTION OF INDUSTRIAL PRODUCTS CORPORATION; CREATION OF BUSINESSES AND PARTNERSHIPS.—To develop and commercialize non-energy uses for thorium, the Corporation Board may—

(i) create, sell, or distribute the equity of an entity described in subparagraph (A); and

(ii) establish partnerships with Federal agencies, foreign governments, and private entities relating to businesses and activities of the entity.

(2) SALE OR DISTRIBUTION OF CORPORATION EQUITY; CREATION OF PARTNERSHIPS.—To develop and commercialize thorium energy, the Corporation may sell or distribute equity and establish partnerships with the United States and foreign governments and private entities—

(A) to create capital;

(B) to develop intellectual property;

(C) to acquire technology;

(D) to establish business partnerships and raw material supply chains;

(E) to commercially develop thorium energy systems;

(F) to commercially develop systems for the reduction of spent fuel;

(G) to develop hardened energy systems for the United States military; and

(H) to develop process heat technologies systems for coal-to-liquid fuel separation, desalinization, chemical synthesis, and other applications.

(d) DUTIES.—

(1) OWNERSHIP OF THORIUM AND RELATED ACTINIDES.—The Corporation shall—

(A) on a preprocessing basis, assume liability for and ownership of all thorium and mineralogically associated or related actinides and decay products contained within the monazite and other rare earth concentrates in the possession of the Cooperative;

(B) after the Cooperative has separated the thorium from the rare earth concentrates, take physical possession and safely store all thorium-containing actinide byproducts, with the costs of the storage to be paid by the Corporation from fees charged or revenue from sales of other valuable actinides;

(C) develop new markets and uses for thorium;

(D) develop energy systems from thorium; and

(E) develop, manage, and control national and international energy leasing and distribution platforms related to thorium energy systems.

(2) SAFE, LONG-TERM STORAGE; DEVELOPMENT OF USES AND MARKETS.—The Corporation shall—

(A) in consultation with the Administrator of the Environmental Protection Agency and the Secretary of Energy, be responsible for the safe, long-term storage for all thorium byproducts generated through the Cooperative, consistent with part 192 of title 40, Code of Federal Regulations (as in effect on the date of the enactment of this Act), while taking into account the low relative risks relating to thorium; and

(B) develop uses and markets for thorium, including energy, including by coordinating and structuring domestic and international investment partnerships for the development of commercial and industrial uses for thorium.

(e) AUDITS.—

(1) IN GENERAL.—The Corporation shall retain an independent auditor to evaluate the extent to which Federal funds, if any, made available to the Corporation for research and development activities have been expended in a manner that is consistent with the purposes of this subtitle and the charter, bylaws, and rules of the Corporation.

(2) REPORTS.—The auditor retained under paragraph (1) shall submit to the Secretary of Defense, the Corporation, and the Comptroller General of the United States an annual report containing the findings and determinations of the auditor.

(3) REVIEW BY COMPTROLLER GENERAL.—The Comptroller General of the United States shall—

(A) review each annual report submitted to the Comptroller General by the auditor under paragraph (2); and

(B) submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report containing the comments of the Comptroller General on the accuracy and completeness of the report and any other matters relating to the report that the Comptroller General considers appropriate.

(f) REIMBURSEMENT OF FEDERAL GOVERNMENT.—Not later than 7 years of the date of the enactment of this Act, the Corporation shall reimburse the Federal Government for administrative costs associated with the establishment of its charter.

**SEC. 1436. DUTIES OF SECRETARY OF DEFENSE.**

(a) ADVANCEMENT OF RARE EARTH INITIATIVES.—The Secretary shall coordinate with other Federal agencies to advance and protect—

(1) domestic rare earth mining;

(2) the refining of rare earth elements;

(3) basic rare earth metals production; and

(4) the development and commercialization of thorium, including—

(A) energy technologies and products; and

(B) products containing thorium.

(b) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report that, for the period covered by the report—

(1) contains a description of the progress in the development of—

(A) a domestic rare earth refining capacity;

(B) commercial uses and energy-related uses for thorium; and

(2) takes into account each report submitted to the Secretary by the Cooperative and the Corporation.

(c) FEDERAL AGENCIES; NATIONAL LABORATORIES.—Each Federal agency (including the Nuclear Regulatory Commission and the Defense Advanced Research Projects Agency), each national laboratory, and each facility funded by the Federal Government shall provide assistance to the Cooperative and the Corporation under this subtitle.

(d) INSTITUTIONS OF HIGHER EDUCATION.—Each institution of higher education is encouraged—

(1) to develop training and national expertise in the field of thorium development; and

(2) to promote—

(A) the marketing of thorium;

(B) the advancement of the strategic uses of thorium; and

(C) salt chemistry science and radio chemists.

**SEC. 1437. AUTHORIZATION OF DEPARTMENT OF DEFENSE TO ESTABLISH EQUITY STAKE IN COOPERATIVE.**

The Secretary may acquire and maintain a 10 percent equity stake in the Cooperative in accordance with the provisions of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.) for the purpose of accessing strategic rare earth materials and eliminating the need to acquire such materials under that Act.

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**SA 2509.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 2833. TRANSFER OF ADMINISTRATIVE JURISDICTION, CAMP GRUBER, OKLAHOMA.**

(a) TRANSFER AUTHORIZED.—Upon a determination by the Secretary of the Army that the parcel of property at Camp Gruber, Oklahoma, conveyed by the war asset deed dated June 29, 1949, between the United States of America and the State of Oklahoma, or any portion thereof, is needed for national defense purposes, including military training, and the Secretary determines that the transfer of the parcel is in the best interest of the Department of the Army, the Administrator of General Services shall execute the reversionary clause in the deed and immediately transfer administrative jurisdiction to the Department of the Army.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of any real property to be transferred under subsection (a) may be determined by a survey satisfactory to the Secretary of the Army.

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

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**SA 2510.** Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1082. COMPLIANCE AUTHORITY FOR CERTAIN REPORTING REQUIREMENTS.**

(a) COMPLIANCE WITH REPORTING REQUIREMENTS ON MONETARY INSTRUMENT TRANSACTIONS.—Section 5318(a) of title 31, United States Code, is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

''(6) rely on examinations conducted by a State supervisory agency of a category of financial institution, if the Secretary determines that, under the laws of the State—

''(A) the category of financial institution is required to comply with this subchapter

and regulations prescribed under this subchapter; or

''(B) the State supervisory agency is authorized to ensure that the category of financial institution complies with this subchapter and regulations prescribed under this subchapter; and''.

(b) COMPLIANCE WITH REPORTING REQUIREMENTS OF OTHER FINANCIAL INSTITUTIONS.—Section 128 of Public Law 91–508 (12 U.S.C. 1958) is amended—

(1) by striking ''this title'' and inserting ''this chapter and section 21 of the Federal Deposit Insurance Act (12 U.S.C. 1829b)''; and

(2) by inserting at the end the following: ''The Secretary may rely on examinations conducted by a State supervisory agency of a category of financial institution, if the Secretary determines that under the laws of the State, the category of financial institution is required to comply with this chapter and section 21 of the Federal Deposit Insurance Act (and regulations prescribed under this chapter and section 21 of the Federal Deposit Insurance Act), or the State supervisory agency is authorized to ensure that the category of financial institution complies with this chapter and section 21 of the Federal Deposit Insurance Act (and regulations prescribed under this chapter and section 21 of the Federal Deposit Insurance Act).''.

(c) CONSULTATION WITH STATE AGENCIES.—In issuing rules to carry out section 5318(a)(6) of title 31, United States Code, and section 128 of Public Law 91–508 (12 U.S.C. 1958), the Secretary of the Treasury shall consult with State supervisory agencies.

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**SA 2511.** Mr. CRUZ (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1035. REWARDS AUTHORIZED.**

In accordance with the Rewards for Justice program authorized under section 36(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708), the Secretary of State is authorized to pay a reward of not more than $10,000,000 to any individual who furnishes information leading to the arrest of any individual who committed, conspired to commit, attempted to commit, or aided or abetted the commission of the September 11-12, 2012 terrorist attack on the Special Mission Compound and Annex in Benghazi, Libya.

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**SA 2512.** Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1237. IRAN NUCLEAR COMPLIANCE.**

(a) EFFECTIVE ENFORCEMENT OF INTERIM AGREEMENT.—

(1) IN GENERAL.—During the 240-day period beginning on the date of the enactment of this Act, the President may not, in connection with the ongoing nuclear negotiations with Iran, exercise a waiver of, suspend, or otherwise reduce any sanctions imposed in relation to Iran, whether imposed directly by statute or through an executive order, unless, not later than 15 days before the waiver, suspension, or other reduction takes effect, the President submits to the appropriate congressional committees the certification described in paragraph (2).

(2) CERTIFICATION DESCRIBED.—The certification described in this paragraph is a certification with respect to the waiver, suspension, or other reduction of sanctions under paragraph (1) that—

(A) it is in the vital national security interests of the United States to waive, suspend, or otherwise reduce those sanctions; and

(B) Iran is in full compliance with the terms of any interim agreement between the United States, the United Kingdom, France, Russia, China, Germany, and Iran relating to Iran's nuclear program.

(3) EXPIRATION OF INTERIM RELIEF AND REINSTATEMENT OF SANCTIONS.—Any sanctions imposed in relation to Iran that have been waived, suspended, or otherwise reduced in connection with the ongoing nuclear negotiations with Iran, regardless whether the waiver, suspension, or other reduction of those sanctions took effect before or after the date of the enactment of this Act, shall be immediately reinstated on the date that is 240 days after such date of enactment.

(b) EFFECTIVE ENFORCEMENT OF FINAL AGREEMENT AND LIMITATIONS.—

(1) IN GENERAL.—On and after the date that is 240 days after the date of the enactment of this Act, the President may not, in connection with the ongoing nuclear negotiations with Iran, exercise a waiver of, suspend, or otherwise reduce any sanctions imposed in relation to Iran, whether imposed directly by statute or through an executive order, unless, not later than 15 days before the waiver, suspension, or other reduction takes effect, the President submits to the appropriate congressional committees the certification described in paragraph (2).

(2) CERTIFICATION.—The certification described in this paragraph is a certification that—

(A) the conditions for a temporary waiver, suspension, or other reduction of sanctions pursuant to subsection (a) continue to be met;

(B) Iran is in full compliance with the terms of all agreements between the United States, the United Kingdom, France, Russia, China, Germany, and Iran relating to Iran's nuclear program;

(C) Iran is in full compliance with terms of United Nations Security Council Resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), 1835 (2008), and 1929 (2010); and

(D) Iran has provided a full accounting of all of its nuclear weaponization and related activities, has committed, in writing, to suspend all such activities, and is making substantial efforts to do so.

(c) REINSTATEMENT OF SANCTIONS UPON NONCOMPLIANCE.—If the President receives information from any person, including the International Atomic Energy Agency, the Secretary of Defense, the Secretary of State, the Secretary of Energy, or the Director of National Intelligence, that Iran has failed to comply with the terms of any agreement between the United States, the United Kingdom, France, Russia, China, Germany, and Iran with respect to Iran's nuclear program or has refused to cooperate in any way with appropriate requests of the International Atomic Energy Agency, the President shall—

(1) not later than 10 days after receiving that information, determine whether the information is credible and accurate;

(2) notify the appropriate congressional committees of that determination; and

(3) if the President determines that the information is credible and accurate, not later than 5 days after making that determination, reinstate all sanctions imposed in relation to Iran that have been waived, suspended, or otherwise reduced in connection with the ongoing nuclear negotiations with Iran, without regard to whether the waiver, suspension, or other reduction of those sanctions took effect before or after the date of the enactment of this Act.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

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**SA 2513.** Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

**SEC. 1220. DEVELOPMENT OF A COMPREHENSIVE ANTI-CORRUPTION STRATEGY IN AFGHANISTAN.**

(a) FINDINGS.—Congress makes the following findings:

(1) According to the Special Inspector General for Afghanistan Reconstruction (SIGAR), as of September 30, 2013, the United States had appropriated approximately $96,600,000,000 for relief and reconstruction assistance in Afghanistan since 2002. The SIGAR report actually finds, ''Since 2002, the United States has appropriated over $96 billion for reconstruction assistance in Afghanistan and, as part of that assistance, has designated numerous programs or activities to directly or indirectly help strengthen the ability of Afghan government institutions to combat corruption.'' It also finds, ''U.S. anti-corruption activities in Afghanistan are not guided by a comprehensive U.S. strategy or related guidance that defines clear goals and objectives for U.S. efforts to strengthen the Afghan government's capability to combat corruption and increase accountability.''

(2) To improve the capability to achieve a long-term secure, stable, and successful Afghanistan, the Government of Afghanistan, in coordination with the Department of State and the Department of Defense, must improve its capacity to combat corruption.

(b) COMPREHENSIVE STRATEGY AND PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense and in consultation with the Government of Afghanistan, shall submit to the appropriate congressional committees a report on anti-corruption activities and plans in Afghanistan.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) an assessment of the sectors of the Government of Afghanistan that are most susceptible to corruption;

(B) a description of the goals and measurable outcomes for reducing corruption in the most vulnerable sectors of the government identified in subparagraph (A);

(C) plan for the implementation of the anti-corruption goals that identifies objectives, benchmarks, and timelines; and

(D) a resourcing plan that includes personnel and funding requirements.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

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**SA 2514.** Mr. KING (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1082. HUBZONES.**

(a) IN GENERAL.—Section 3(p)(5)(A)(i)(I) of the Small Business Act (15 U.S.C. 632(p)(5)(A)(i)(I)) is amended—

(1) in item (aa), by striking ''or'' at the end;

(2) by redesignating item (bb) as item (cc); and

(3) by inserting after item (aa) the following:

''(bb) pursuant to subparagraph (A), (B), (C), (D), or (E) of paragraph (3), that its principal office is located in a HUBZone described in paragraph (1)(E) (relating to base closure areas) (in this item referred to as the 'base closure HUBZone'), and that not fewer than 35 percent of its employees reside in—

''(AA) a HUBZone;

''(BB) the census tract in which the base closure HUBZone is wholly contained;

''(CC) a census tract the boundaries of which intersect the boundaries of the base closure HUBZone; or

''(DD) a census tract the boundaries of which are contiguous to a census tract described in subitem (BB) or (CC); or''.

(b) PERIOD FOR BASE CLOSURE AREAS.—

(1) AMENDMENT.—Section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note) is amended by striking ''for a period of 5 years'' and inserting ''during the 5-year period beginning on the date of the final deed transfer''.

(2) EFFECTIVE DATE; APPLICABILITY.—The amendment made by paragraph (1) shall—

(A) take effect on the date of enactment of this Act; and

(B) apply to—

(i) a base closure area (as defined in section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D))) that, on the day before the date of enactment of this Act, is treated as a HUBZone described in section 3(p)(1)(E) of the Small Business Act (15 U.S.C. 632(p)(1)(E)) under—

(I) section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note); or

(II) section 1698(b)(2) of National Defense Authorization Act for Fiscal Year 2013 (15 U.S.C. 632 note); and

(ii) a base closure area relating to the closure of a military instillation under the authority described in clauses (i) through (iv) of section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D)) that occurs on or after the date of enactment of this Act.

**SA 2515.** Mr. KING (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1082. HUBZONES.**

(a) IN GENERAL.—Section 3(p)(5)(A)(i)(I) of the Small Business Act (15 U.S.C. 632(p)(5)(A)(i)(I)) is amended—

(1) in item (aa), by striking ''or'' at the end;

(2) by redesignating item (bb) as item (cc); and

(3) by inserting after item (aa) the following:

''(bb) pursuant to subparagraph (A), (B), (C), (D), or (E) of paragraph (3), that its principal office is located in a HUBZone described in paragraph (1)(E) (relating to base closure areas) (in this item referred to as the 'base closure HUBZone'), and that not fewer than 35 percent of its employees reside in—

''(AA) a HUBZone;

''(BB) the census tract in which the base closure HUBZone is wholly contained;

''(CC) a census tract the boundaries of which intersect the boundaries of the base closure HUBZone; or

''(DD) a census tract the boundaries of which are contiguous to a census tract described in subitem (BB) or (CC); or''.

(b) PERIOD FOR BASE CLOSURE AREAS.—

(1) AMENDMENTS.—

(A) IN GENERAL.—Section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note) is amended by striking ''5 years'' and inserting ''8 years''.

(B) CONFORMING AMENDMENT.—Section 1698(b)(2) of National Defense Authorization Act for Fiscal Year 2013 (15 U.S.C. 632 note) is amended by striking ''5 years'' and inserting ''8 years''.

(2) EFFECTIVE DATE; APPLICABILITY.—The amendments made by paragraph (1) shall—

(A) take effect on the date of enactment of this Act; and

(B) apply to—

(i) a base closure area (as defined in section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D))) that, on the day before the date of enactment of this Act, is treated as a HUBZone described in section 3(p)(1)(E) of the Small Business Act (15 U.S.C. 632(p)(1)(E)) under—

(I) section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note); or

(II) section 1698(b)(2) of National Defense Authorization Act for Fiscal Year 2013 (15 U.S.C. 632 note); and

(ii) a base closure area relating to the closure of a military instillation under the authority described in clauses (i) through (iv) of section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D)) that occurs on or after the date of enactment of this Act.

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**SA 2516.** Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**DIVISION E—NUCLEAR TERRORISM CONVENTIONS IMPLEMENTATION AND SAFETY OF MARITIME NAVIGATION ACT**

**SECTION 5001. SHORT TITLE.**

This division may be cited as the ''Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act of 2013''.

**TITLE L—SAFETY OF MARITIME NAVIGATION**

**SEC. 5101. AMENDMENT TO SECTION 2280 OF TITLE 18, UNITED STATES CODE.**

Section 2280 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)(i), by striking ''a ship flying the flag of the United States'' and inserting ''a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46)'';

(B) in paragraph (1)(A)(ii), by inserting '', including the territorial seas'' after ''in the United States''; and

(C) in paragraph (1)(A)(iii), by inserting '', by a United States corporation or legal entity,'' after ''by a national of the United States'';

(2) in subsection (c), by striking ''section 2(c)'' and inserting ''section 13(c)'';

(3) by striking subsection (d);

(4) by striking subsection (e) and inserting after subsection (c):

''(d) DEFINITIONS.—As used in this section, section 2280a, section 2281, and section 2281a, the term—

''(1) 'applicable treaty' means—

''(A) the Convention for the Suppression of Unlawful Seizure of Aircraft, done at The Hague on 16 December 1970;

''(B) the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971;

''(C) the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973;

''(D) International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979;

''(E) the Convention on the Physical Protection of Nuclear Material, done at Vienna on 26 October 1979;

''(F) the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 24 February 1988;

''(G) the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March 1988;

''(H) International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997; and

''(I) International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1999;

''(2) 'armed conflict' does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature;

''(3) 'biological weapon' means—

''(A) microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that

have no justification for prophylactic, protective, or other peaceful purposes; or

''(B) weapons, equipment, or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict;

''(4) 'chemical weapon' means, together or separately—

''(A) toxic chemicals and their precursors, except where intended for—

''(i) industrial, agricultural, research, medical, pharmaceutical, or other peaceful purposes;

''(ii) protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;

''(iii) military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare; or

''(iv) law enforcement including domestic riot control purposes,

as long as the types and quantities are consistent with such purposes;

''(B) munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in subparagraph (A), which would be released as a result of the employment of such munitions and devices; and

''(C) any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph (B);

''(5) 'covered ship' means a ship that is navigating or is scheduled to navigate into, through or from waters beyond the outer limit of the territorial sea of a single country or a lateral limit of that country's territorial sea with an adjacent country;

''(6) 'explosive material' has the meaning given the term in section 841(c) and includes explosive as defined in section 844(j) of this title;

''(7) 'infrastructure facility' has the meaning given the term in section 2332f(e)(5) of this title;

''(8) 'international organization' has the meaning given the term in section 831(f)(3) of this title;

''(9) 'military forces of a state' means the armed forces of a state which are organized, trained, and equipped under its internal law for the primary purpose of national defense or security, and persons acting in support of those armed forces who are under their formal command, control, and responsibility;

''(10) 'national of the United States' has the meaning stated in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22));

''(11) 'Non-Proliferation Treaty' means the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow on 1 July 1968;

''(12) 'Non-Proliferation Treaty State Party' means any State Party to the Non-Proliferation Treaty, to include Taiwan, which shall be considered to have the obligations under the Non-Proliferation Treaty of a party to that treaty other than a Nuclear Weapon State Party to the Non-Proliferation Treaty;

''(13) 'Nuclear Weapon State Party to the Non-Proliferation Treaty' means a State Party to the Non-Proliferation Treaty that is a nuclear-weapon State, as that term is defined in Article IX(3) of the Non-Proliferation Treaty;

''(14) 'place of public use' has the meaning given the term in section 2332f(e)(6) of this title;

''(15) 'precursor' has the meaning given the term in section 229F(6)(A) of this title;

''(16) 'public transport system' has the meaning given the term in section 2332f(e)(7) of this title;

''(17) 'serious injury or damage' means—

''(A) serious bodily injury,

''(B) extensive destruction of a place of public use, State or government facility, infrastructure facility, or public transportation system, resulting in major economic loss, or

''(C) substantial damage to the environment, including air, soil, water, fauna, or flora;

''(18) 'ship' means a vessel of any type whatsoever not permanently attached to the sea-bed, including dynamically supported craft, submersibles, or any other floating craft, but does not include a warship, a ship owned or operated by a government when being used as a naval auxiliary or for customs or police purposes, or a ship which has been withdrawn from navigation or laid up;

''(19) 'source material' has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956;

''(20) 'special fissionable material' has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956;

''(21) 'territorial sea of the United States' means all waters extending seaward to 12 nautical miles from the baselines of the United States determined in accordance with international law;

''(22) 'toxic chemical' has the meaning given the term in section 229F(8)(A) of this title;

''(23) 'transport' means to initiate, arrange or exercise effective control, including decisionmaking authority, over the movement of a person or item; and

''(24) 'United States', when used in a geographical sense, includes the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and all territories and possessions of the United States.''; and

(5) by inserting after subsection (d) (as added by paragraph (4) of this section) the following:

''(e) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(f) DELIVERY OF SUSPECTED OFFENDER.—The master of a covered ship flying the flag of the United States who has reasonable grounds to believe that there is on board that ship any person who has committed an offense under section 2280 or section 2280a may deliver such person to the authorities of a country that is a party to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. Before delivering such person to the authorities of another country, the master shall notify in an appropriate manner the Attorney General of the United States of the alleged offense and await instructions from the Attorney General as to what action to take. When delivering the person to a country which is a state party to the Convention, the master shall, whenever practicable, and if possible before entering the territorial sea of such country, notify the authorities of such country of the master's intention to deliver such person and the reasons therefor. If the master delivers such person, the master shall furnish to the authorities of such country the evidence in the master's possession that pertains to the alleged offense.

''(g)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.''.

**SEC. 5102. NEW SECTION 2280[A] OF TITLE 18, UNITED STATES CODE.**

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2280 the following new section:

**''§ 2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction**

''(a) OFFENSES.—

''(1) IN GENERAL.—Subject to the exceptions in subsection (c), a person who unlawfully and intentionally—

''(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

''(i) uses against or on a ship or discharges from a ship any explosive or radioactive material, biological, chemical, or nuclear weapon or other nuclear explosive device in a manner that causes or is likely to cause death to any person or serious injury or damage;

''(ii) discharges from a ship oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration that causes or is likely to cause death to any person or serious injury or damage; or

''(iii) uses a ship in a manner that causes death to any person or serious injury or damage;

''(B) transports on board a ship—

''(i) any explosive or radioactive material, knowing that it is intended to be used to cause, or in a threat to cause, death to any person or serious injury or damage for the purpose of intimidating a population, or compelling a government or an international organization to do or to abstain from doing any act;

''(ii) any biological, chemical, or nuclear weapon or other nuclear explosive device, knowing it to be a biological, chemical, or nuclear weapon or other nuclear explosive device;

''(iii) any source material, special fissionable material, or equipment or material especially designed or prepared for the processing, use, or production of special fissionable material, knowing that it is intended to be used in a nuclear explosive activity or in any other nuclear activity not under safeguards pursuant to an International Atomic Energy Agency comprehensive safeguards agreement, except where—

''(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

''(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of the Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

''(iv) any equipment, materials, or software or related technology that significantly contributes to the design or manufacture of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, except where—

''(I) the country to the territory of which or under the control of which such item is

transferred is a Nuclear Weapon State Party to the Non-Proliferation Treaty; and

''(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of a Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

''(v) any equipment, materials, or software or related technology that significantly contributes to the delivery of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, except where—

''(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

''(II) such item is intended for the delivery system of a nuclear weapon or other nuclear explosive device of a Nuclear Weapon State Party to the Non-Proliferation Treaty; or

''(vi) any equipment, materials, or software or related technology that significantly contributes to the design, manufacture, or delivery of a biological or chemical weapon, with the intention that it will be used for such purpose;

''(C) transports another person on board a ship knowing that the person has committed an act that constitutes an offense under section 2280 or subparagraph (A), (B), (D), or (E) of this section or an offense set forth in an applicable treaty, as specified in section 2280(d)(1), and intending to assist that person to evade criminal prosecution;

''(D) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraphs (A) through (C), or subsection (a)(2), to the extent that the subsection (a)(2) offense pertains to subparagraph (A); or

''(E) attempts to do any act prohibited under subparagraph (A), (B) or (D), or conspires to do any act prohibited by subparagraphs (A) through (E) or subsection (a)(2),

shall be fined under this title, imprisoned not more than 20 years, or both; and if the death of any person results from conduct prohibited by this paragraph, shall be imprisoned for any term of years or for life.

''(2) THREATS.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A) shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) JURISDICTION.—There is jurisdiction over the activity prohibited in subsection (a)—

''(1) in the case of a covered ship, if—

''(A) such activity is committed—

''(i) against or on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) at the time the prohibited activity is committed;

''(ii) in the United States, including the territorial seas; or

''(iii) by a national of the United States, by a United States corporation or legal entity, or by a stateless person whose habitual residence is in the United States;

''(B) during the commission of such activity, a national of the United States is seized, threatened, injured, or killed; or

''(C) the offender is later found in the United States after such activity is committed;

''(2) in the case of a ship navigating or scheduled to navigate solely within the territorial sea or internal waters of a country other than the United States, if the offender is later found in the United States after such activity is committed; or

''(3) in the case of any vessel, if such activity is committed in an attempt to compel the United States to do or abstain from doing any act.

''(c) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(d)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2280 the following new item:

''2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction.''.

**SEC. 5103. AMENDMENTS TO SECTION 2281 OF TITLE 18, UNITED STATES CODE.**

Section 2281 of title 18, United States Code, is amended—

(1) in subsection (c), by striking ''section 2(c)'' and inserting ''section 13(c)'';

(2) in subsection (d), by striking the definitions of ''national of the United States,'' ''territorial sea of the United States,'' and ''United States''; and

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

''(e) EXCEPTIONS.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.''.

**SEC. 5104. NEW SECTION 2281A OF TITLE 18, UNITED STATES CODE.**

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2281 the following new section:

**''§ 2281a. Additional offenses against maritime fixed platforms**

''(a) OFFENSES.—

''(1) IN GENERAL.—A person who unlawfully and intentionally—

''(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

''(i) uses against or on a fixed platform or discharges from a fixed platform any explosive or radioactive material, biological, chemical, or nuclear weapon in a manner that causes or is likely to cause death or serious injury or damage; or

''(ii) discharges from a fixed platform oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration that causes or is likely to cause death or serious injury or damage;

''(B) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraph (A); or

''(C) attempts or conspires to do anything prohibited under subparagraph (A) or (B),

shall be fined under this title, imprisoned not more than 20 years, or both; and if death results to any person from conduct prohibited by this paragraph, shall be imprisoned for any term of years or for life.

''(2) THREAT TO SAFETY.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A), shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) JURISDICTION.—There is jurisdiction over the activity prohibited in subsection (a) if—

''(1) such activity is committed against or on board a fixed platform—

''(A) that is located on the continental shelf of the United States;

''(B) that is located on the continental shelf of another country, by a national of the United States or by a stateless person whose habitual residence is in the United States; or

''(C) in an attempt to compel the United States to do or abstain from doing any act;

''(2) during the commission of such activity against or on board a fixed platform located on a continental shelf, a national of the United States is seized, threatened, injured, or killed; or

''(3) such activity is committed against or on board a fixed platform located outside the United States and beyond the continental shelf of the United States and the offender is later found in the United States.

''(c) EXCEPTIONS.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(d) DEFINITIONS.—In this section—

''(1) 'continental shelf' means the sea-bed and subsoil of the submarine areas that extend beyond a country's territorial sea to the limits provided by customary international law as reflected in Article 76 of the 1982 Convention on the Law of the Sea; and

''(2) 'fixed platform' means an artificial island, installation, or structure permanently attached to the sea-bed for the purpose of exploration or exploitation of resources or for other economic purposes.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2281 the following new item:

''2281a. Additional offenses against maritime fixed platforms.''.

**SEC. 5105. ANCILLARY MEASURE.**

Section 2332b(g)(5)(B) of title 18, United States Code, is amended by inserting ''2280a (relating to maritime safety),'' before ''2281'', and by striking ''2281'' and inserting ''2281 through 2281a''.

## TITLE LI—PREVENTION OF NUCLEAR TERRORISM

**SEC. 5201. NEW SECTION 2332[I] OF TITLE 18, UNITED STATES CODE.**

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding after section 2332h the following:

**''§ 2332i. Acts of nuclear terrorism**

''(a) OFFENSES.—

''(1) IN GENERAL.—Whoever knowingly and unlawfully—

''(A) possesses radioactive material or makes or possesses a device—

''(i) with the intent to cause death or serious bodily injury; or

''(ii) with the intent to cause substantial damage to property or the environment; or

''(B) uses in any way radioactive material or a device, or uses or damages or interferes with the operation of a nuclear facility in a manner that causes the release of or increases the risk of the release of radioactive material, or causes radioactive contamination or exposure to radiation—

''(i) with the intent to cause death or serious bodily injury or with the knowledge that such act is likely to cause death or serious bodily injury;

''(ii) with the intent to cause substantial damage to property or the environment or with the knowledge that such act is likely to cause substantial damage to property or the environment; or

''(iii) with the intent to compel a person, an international organization or a country to do or refrain from doing an act,

shall be punished as prescribed in subsection (c).

''(2) THREATS.—Whoever, under circumstances in which the threat may reasonably be believed, threatens to commit an offense under paragraph (1) shall be punished as prescribed in subsection (c). Whoever demands possession of or access to radioactive material, a device or a nuclear facility by threat or by use of force shall be punished as prescribed in subsection (c).

''(3) ATTEMPTS AND CONSPIRACIES.—Whoever attempts to commit an offense under paragraph (1) or conspires to commit an offense under paragraph (1) or (2) shall be punished as prescribed in subsection (c).

''(b) JURISDICTION.—Conduct prohibited by subsection (a) is within the jurisdiction of the United States if—

''(1) the prohibited conduct takes place in the United States or the special aircraft jurisdiction of the United States;

''(2) the prohibited conduct takes place outside of the United States and—

''(A) is committed by a national of the United States, a United States corporation or legal entity or a stateless person whose habitual residence is in the United States;

''(B) is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed; or

''(C) is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States;

''(3) the prohibited conduct takes place outside of the United States and a victim or an intended victim is a national of the United States or a United States corporation or legal entity, or the offense is committed against any state or government facility of the United States; or

''(4) a perpetrator of the prohibited conduct is found in the United States.

''(c) PENALTIES.—Whoever violates this section shall be fined not more than $2,000,000 and shall be imprisoned for any term of years or for life.

''(d) NONAPPLICABILITY.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(e) DEFINITIONS.—As used in this section, the term—

''(1) 'armed conflict' has the meaning given that term in section 2332f(e)(11) of this title;

''(2) 'device' means:

''(A) any nuclear explosive device; or

''(B) any radioactive material dispersal or radiation-emitting device that may, owing to its radiological properties, cause death, serious bodily injury or substantial damage to property or the environment;

''(3) 'international organization' has the meaning given that term in section 831(f)(3) of this title;

''(4) 'military forces of a state' means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

''(5) 'national of the United States' has the meaning given that term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22));

''(6) 'nuclear facility' means:

''(A) any nuclear reactor, including reactors on vessels, vehicles, aircraft or space objects for use as an energy source in order to propel such vessels, vehicles, aircraft or space objects or for any other purpose;

''(B) any plant or conveyance being used for the production, storage, processing or transport of radioactive material; or

''(C) a facility (including associated buildings and equipment) in which nuclear material is produced, processed, used, handled, stored or disposed of, if damage to or interference with such facility could lead to the release of significant amounts of radiation or radioactive material;

''(7) 'nuclear material' has the meaning given that term in section 831(f)(1) of this title;

''(8) 'radioactive material' means nuclear material and other radioactive substances that contain nuclides that undergo spontaneous disintegration (a process accompanied by emission of one or more types of ionizing radiation, such as alpha-, beta-, neutron particles and gamma rays) and that may, owing to their radiological or fissile properties, cause death, serious bodily injury or substantial damage to property or to the environment;

''(9) 'serious bodily injury' has the meaning given that term in section 831(f)(4) of this title;

''(10) 'state' has the same meaning as that term has under international law, and includes all political subdivisions thereof;

''(11) 'state or government facility' has the meaning given that term in section 2332f(e)(3) of this title;

''(12) 'United States corporation or legal entity' means any corporation or other entity organized under the laws of the United States or any State, Commonwealth, territory, possession or district of the United States;

''(13) 'vessel' has the meaning given that term in section 1502(19) of title 33; and

''(14) 'vessel of the United States' has the meaning given that term in section 70502 of title 46.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 113B of title 18, United States Code, is amended by inserting after section 2332h the following:

''2332i. Acts of nuclear terrorism.''.

(c) DISCLAIMER.—Nothing contained in this section is intended to affect the applicability of any other Federal or State law that might pertain to the underlying conduct.

(d) INCLUSION IN DEFINITION OF FEDERAL CRIMES OF TERRORISM.—Section 2332b(g)(5)(B) of title 18, United States Code, is amended by inserting ''2332i (relating to acts of nuclear terrorism),'' before ''2339 (relating to harboring terrorists)''.

**SEC. 5202. AMENDMENT TO SECTION 831 OF TITLE 18 OF THE UNITED STATES CODE.**

Section 831 of title 18, United States Code, is amended—

(a) in subsection (a)—

(1) by redesignating paragraphs (3) through (8) as (4) through (9);

(2) by inserting after paragraph (2) the following:

''(3) without lawful authority, intentionally carries, sends or moves nuclear material into or out of a country;'';

(3) in paragraph (8), as redesignated, by striking ''an offense under paragraph (1), (2), (3), or (4)'' and inserting ''any act prohibited under paragraphs (1) through (5)''; and

(4) in paragraph (9), as redesignated, by striking ''an offense under paragraph (1), (2), (3), or (4)'' and inserting ''any act prohibited under paragraphs (1) through (7)'';

(b) in subsection (b)—

(1) in paragraph (1), by striking ''(7)'' and inserting ''(8)''; and

(2) in paragraph (2), by striking ''(8)'' and inserting ''(9)'';

(c) in subsection (c)—

(1) in subparagraph (2)(A), by adding after ''United States'' the following: ''or a stateless person whose habitual residence is in the United States'';

(2) by striking paragraph (5);

(3) in paragraph (4), by striking ''or'' at the end; and

(4) by inserting after paragraph (4), the following:

''(5) the offense is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed;

''(6) the offense is committed outside the United States and against any state or government facility of the United States; or

''(7) the offense is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States.'';

(d) by redesignating subsections (d) through (f) as (e) through (g), respectively;

(e) by inserting after subsection (c):

''(d) NONAPPLICABILITY.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.''; and

(f) in subsection (g), as redesignated—

(1) in paragraph (6), by striking ''and'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by inserting after paragraph (7), the following:

''(8) the term 'armed conflict' has the meaning given that term in section 2332f(e)(11) of this title;

''(9) the term 'military forces of a state' means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

''(10) the term 'state' has the same meaning as that term has under international law, and includes all political subdivisions thereof;

''(11) the term 'state or government facility' has the meaning given that term in section 2332f(e)(3) of this title; and

''(12) the term 'vessel of the United States' has the meaning given that term in section 70502 of title 46.''.

**SA 2517.** Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title III, add the following:

**SEC. 353. CODIFICATION OF NATIONAL GUARD STATE PARTNERSHIP PROGRAM.**

(a) STATE PARTNERSHIP PROGRAM.—

(1) IN GENERAL.—Chapter 1 of title 32, United States Code, is amended by adding at the end the following new section:

**''§ 116. State Partnership Program**

''(a) AVAILABILITY OF APPROPRIATED FUNDS.—(1) Funds appropriated to the Department of Defense, including for the Air and Army National Guard, shall be available for the payment of costs to conduct activities under the State Partnership Program, whether inside the United States or outside the United States, for purposes as follows:

''(A) To support the objectives of the commander of the combatant command for the theater of operations in which such activities are conducted.

''(B) To support the objectives of the United States chief of mission of the partner nation with which such activities are conducted.

''(C) To build international partnerships and defense and security capacity.

''(D) To strengthen cooperation between the departments and agencies of the United States Government and agencies of foreign governments to support building of defense and security capacity.

''(E) To facilitate intergovernmental collaboration between the United States Government and foreign governments in the areas of defense and security.

''(F) To facilitate and enhance the exchange of information between the United States Government and foreign governments on matters relating to defense and security.

''(2) Costs under paragraph (1) may include costs as follows:

''(A) Costs of pay and allowances of members of the National Guard.

''(B) Travel and necessary expenses of United States personnel outside of the Department of Defense in the State Partnership Program.

''(C) Travel and necessary expenses of foreign participants directly supporting activities under the State Partnership Program.

''(b) LIMITATIONS.—(1) Funds shall not be available under subsection (a) for activities described in that subsection that are conducted in a foreign country unless jointly approved by the commander of the combatant command concerned and the chief of mission concerned.

''(2) Funds shall not be available under subsection (a) for the participation of a member of the National Guard in activities described in that subsection in a foreign country unless the member is on active duty in the armed forces at the time of such participation.

''(3) Funds shall not be available under subsection (a) for interagency activities involving United States civilian personnel or foreign civilian personnel unless the participation of such personnel in such activities—

''(A) contributes to responsible management of defense resources;

''(B) fosters greater respect for and understanding of the principle of civilian control of the military;

''(C) contributes to cooperation between United States military and civilian governmental agencies and foreign military and civilian government agencies; or

''(D) improves international partnerships and capacity on matters relating to defense and security.

''(c) REIMBURSEMENT.—In the event of the participation of United States Government participants (other than personnel of the Department of Defense) in activities for which payment is made under subsection (a), the head of the department or agency concerned shall reimburse the Secretary of Defense for the costs associated with the participation of such personnel in such contacts and activities. Amounts reimbursed the Department of Defense under this subsection shall be deposited in the appropriation or account from which amounts for the payment concerned were derived. Any amounts so deposited shall be merged with amounts in such appropriation or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such appropriation or account.

''(d) DEFINITIONS.—In this section:

''(1) The term 'State Partnership Program' means a program that establishes a defense and security relationship between the National Guard of a State or territory and the military and security forces, and related disaster management, emergency response, and security ministries, of a foreign country.

''(2) The term 'activities', for purposes of the State Partnership Program, means any military-to-military activities or interagency activities for a purpose set forth in subsection (a)(1).

''(3) The term 'interagency activities' means the following:

''(A) Contacts between members of the National Guard and foreign civilian personnel outside the ministry of defense of the foreign country concerned on matters within the core competencies of the National Guard.

''(B) Contacts between United States civilian personnel and members of the Armed Forces of a foreign country on matters within such core competencies.

''(4) The term 'matter within the core competencies of the National Guard' means matters with respect to the following:

''(A) Disaster response and mitigation.

''(B) Defense support to civil authorities.

''(C) Consequence management and installation protection.

''(D) Response to a chemical, biological, radiological, nuclear, or explosives (CBRNE) event.

''(E) Border and port security and cooperation with civilian law enforcement.

''(F) Search and rescue.

''(G) Medicine.

''(H) Counterdrug and counternarcotics activities.

''(I) Public affairs.

''(J) Employer support and family support for reserve forces.

''(5) The term 'United States civilian personnel' means the following:

''(A) Personnel of the United States Government (including personnel of departments and agencies of the United States Government other than the Department of Defense) and personnel of State and local governments of the United States.

''(B) Members and employees of the legislative branch of the United States Government.

''(C) Nongovernmental individuals.

''(6) The term 'foreign civilian personnel' means the following:

''(A) Civilian personnel of a foreign government at any level (including personnel of ministries other than ministries of defense).

''(B) Nongovernmental individuals of a foreign country.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by adding at the end the following new item:

''116. State Partnership Program.''.

(b) REPEAL OF SUPERSEDED AUTHORITY.—Section 1210 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2517; 32 U.S.C. 107 note) is repealed.

**SA 2518.** Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 157, between the matter preceding line 1 and line 1, insert the following:

(e) DUTIES ON RETALIATION AND RETRIBUTION FOR REPORTING OF SEXUAL ASSAULT.—

(1) TRAINING.—Individuals serving as Special Victims' Counsels shall be provided training on retaliation and retribution against victims for reporting crimes.

(2) ADDITIONAL DUTIES.—In addition to the duties specified in subsection (a)(3), the duties of a Special Victims' Counsel shall include the provision of legal advice and assistance regarding acts of retaliation and retribution resulting from reporting a sexual assault.

**SA 2519.** Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle E of title V, add the following:

**SEC. 547. DISSEMINATION AND TRACKING OF COMMAND CLIMATE SURVEYS AND UNIT CLIMATE ASSESSMENTS.**

(a) DISSEMINATION OF RESULTS.—The results of each command climate survey or unit climate assessment required to be performed pursuant to regulations of the military department having jurisdiction over the command or unit concerned shall be provided to the following:

(1) In the case of a command or unit under the command of a commanding officer in grade O–6 or above, to the commander in the next higher level in the chain of command of such commanding officer.

(2) In the case of a command or unit under the command of a commanding officer in grade O–5 or below, to the commanders in the next two higher levels in the chain of command of such commanding officer.

(b) TRACKING OF UNIT PROGRESS.—The results of surveys and assessments described in subsection (a) shall be maintained for each command or unit concerned in order to permit an ongoing evaluation of the climate of such command or unit and an assessment of the progress made by such command or unit on matters covered by the surveys and assessments.

(c) AVAILABILITY OF RESULTS FOR PROMOTION SELECTION BOARDS.—Under regulations prescribed by the Secretary of Defense, the results of surveys and assessments described in subsection (a) regarding the command or unit of an officer being considered for selection for promotion or selection for command shall be made available to the promotion selection board or command selection board, as applicable, for consideration for selection in such manner as the Secretary shall provide in such regulations.

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**SA 2520.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ___. REPORT ON PLANS FOR THE DISPOSITION OF C–27A AIRCRAFT ACQUIRED FOR THE AFGHAN NATIONAL SECURITY FORCES.**

Not later than 180 days after the enactment of this act. The Secretary of Defense shall submit to the Congressional Defense Committees a report on the plans of the Department of Defense for the final disposition of the C–27A aircraft acquired to build the capabilities of the Afghan National Security Forces.

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**SA 2521.** Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

**Subtitle D—Syria Transition Support**

**SEC. 1241. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**

In this subtitle, except as specifically provided in part III of this subtitle, the term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 1242. PURPOSES OF ASSISTANCE.**

The purposes of assistance authorized by this subtitle are—

(1) to support transition from the current regime to a just and democratic state that is inclusive and protects the rights of all Syrians regardless of religion, ethnicity, or gender;

(2) to assist the people of Syria, especially internally displaced persons and refugees, in meeting basic needs including access to food, health care, shelter, and clean drinking water;

(3) to provide political and economic support to those neighboring countries who are hosting refugees fleeing Syria and to international organizations that are providing assistance and coordinating humanitarian relief efforts;

(4) to oppose the unlawful use of violence against civilians by all parties to the conflict in Syria;

(5) to use a broad array of instruments of national power to expedite a negotiated solution to the conflict in Syria, including the departure of Bashar al-Assad;

(6) to recognize the National Coalition for Syrian Revolutionary and Opposition Forces (in this subtitle referred to as the ''Syrian Opposition Coalition'') as a legitimate representative of the Syrian people;

(7) to engage with opposition groups that reflect United States interests and values, most notably the Syrian Opposition Coalition, any legitimate successor groups, including appropriate subgroups within the opposition that are representative of the Syrian people, as well as the broader international community, that are committed to facilitating an orderly transition to a more stable democratic political order, including—

(A) protecting human rights, expanding political participation, and providing religious freedom to all Syrians, irrespective of religion, ethnicity, or gender;

(B) supporting the rule of law;

(C) rejecting terrorism and extremist ideologies;

(D) subordinating the military to civilian authority;

(E) protecting the Syrian population against sectarian violence and reprisals;

(F) cooperating with international counterterrorism and nonproliferation efforts;

(G) supporting regional stability and avoiding interference in the affairs of neighboring countries; and

(H) establishing a strong justice system and ensuring accountability for conflict-related crimes;

(8) to promote the territorial integrity of Syria and continuity of the Syrian state by supporting a post-Assad government that is capable of providing security, services, and political and religious rights to its people;

(9) to support efforts to identify and document the activities of those individuals who target or lead units or organizations that target civilian populations and vulnerable populations, including women and children, or have engaged in otherwise unlawful acts, and to ensure that they are held accountable for their actions; and

(10) to ensure a stable and appropriate political transition in Syria and limit the threats posed by extremist groups, weapons proliferation, sectarian and ethnic violence, and refugee flows in the aftermath of the current conflict.

**SEC. 1243. NO AUTHORIZATION FOR THE USE OF MILITARY FORCE.**

Nothing in this subtitle shall be construed as providing authorization for the use of military force by the United States Armed Forces.

**PART I—UNITED STATES STRATEGY AND CONGRESSIONAL OVERSIGHT**

**SEC. 1251. REPORT ON UNITED STATES STRATEGY ON SYRIA.**

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees an unclassified report, with an classified annex, as necessary, on an integrated United States Government strategy to achieve the purposes set forth in section 1242.

(b) METRICS.—The strategy referenced in subsection (a) should include specific proposed actions to be taken by each relevant government agency, a timeframe for beginning and completing such actions, and metrics for evaluating the success of each proposed action relative to the purpose of such action.

(c) INTERNATIONAL ENGAGEMENT STRATEGY.—The strategy referenced in subsection (a) should specifically include sections describing specific United States Government programs and efforts—

(1) to establish international consensus on the transition and post-transition period and government in Syria;

(2) to work with the Government of Russia on the situation in Syria and the transition and post-transition period and government in Syria, including how such programs can leverage the shared interests of the United States and Russia in avoiding the expansion of extremist ideologies and terrorist groups in Syria and the region;

(3) to work with the Friends of Syria group to ensure that extremist and terrorist groups in Syria are isolated and that the core of the opposition can be brought to the negotiating table; and

(4) to build an international consensus to limit and, to the greatest extent possible eliminate, support from the Government of Iran for the Syrian regime, including a potential ban on all commercial flights between Iran and Syria.

(d) CONGRESSIONAL CONSULTATION.—The President shall actively consult with the appropriate congressional committees prior to the submission of the report required under subsection (a).

**SEC. 1252. CONGRESSIONAL OVERSIGHT OF UNITED STATES GOVERNMENT ACTIVITIES IN SYRIA.**

(a) IN GENERAL.—The President shall keep Congress, through the appropriate congressional committees, fully and currently informed of all United States Government activities with respect to Syria, including activities and programs conducted or funded pursuant to this subtitle.

(b) REPORTING.—The President shall provide a classified briefing not less than on a quarterly basis to the appropriate congressional committees detailing all United States Government activities with respect to Syria, including activities and programs conducted or funded pursuant to this subtitle.

**PART II—HUMANITARIAN ASSISTANCE**

**SEC. 1261. HUMANITARIAN ASSISTANCE TO THE PEOPLE OF SYRIA.**

(a) AUTHORITY.—Notwithstanding any other provision of law that restricts the provision of United States economic or other non-military assistance in Syria, the President is authorized to provide economic and other non-military assistance to meet humanitarian needs to the people of Syria, either directly or through appropriate groups and organizations pursuant to the provisions of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) or the Migration and Refugee Assistance Act (22 U.S.C. 2601 et seq.).

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to authorize new or additional funding for humanitarian needs.

**SEC. 1262. SENSE OF CONGRESS.**

Consistent with the policy objectives described in section 1242, it is the sense of Congress that—

(1) the United States should continue to coordinate with other donor nations, the United Nations, other multilateral agencies, and nongovernmental organizations to enhance the effectiveness of humanitarian assistance to the people suffering as a result of the crisis in Syria;

(2) countries hosting Syrian refugees should be commended for their efforts and should be encouraged to maintain an open border policy for fleeing Syrians;

(3) the United States Government should continue to work with these partners to help their national systems accommodate the population influx and also maintain delivery of basic services to their own citizens; and

(4) the United States Government should seek to identify humanitarian assistance as

originating from the American people wherever possible and to the fullest extent practicable, while maintaining consideration for the health and safety of the implementers and recipients of that assistance and the achievement of United States policy goals and the purposes set forth in section 1242.

**SEC. 1263. REPORT ON STRATEGY TO COMMUNICATE TO THE SYRIAN PEOPLE ABOUT ASSISTANCE PROVIDED BY THE UNITED STATES GOVERNMENT.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees an unclassified report with a classified annex, as necessary, on an integrated United States Government strategy to ensure that the people of Syria people are made aware to the maximum extent possible of the assistance that the United States Government provides to Syrians both inside Syria and those seeking refuge in neighboring countries.

(b) CONTENT.—The report should include the following elements:

(1) A discussion of how the United States balances three imperatives of—

(A) maximizing the efficacy of aid provided to the people of Syria;

(B) ensuring that there is awareness among the people of Syria on the amount and nature of this aid; and

(C) leveraging this aid to improve the credibility of the Syrian Opposition Coalition amongst the people of Syria.

(2) Methods by which the United States Government and its partners plan to communicate to the people of Syria what assistance the United States has provided.

(3) A plan, with specific action, timelines, and evaluation metrics for promoting awareness of the United States Government's assistance to the maximum extent possible while taking into consideration and ensuring the safety of its implementing partners and personnel providing that assistance and the achievement of the United States policy goals and the purposes set forth in section 1242.

(4) An assessment of the Syrian Opposition Coalition's Assistance Coordination Unit (ACU)'s, or any appropriate successor entity's, capacity to participate in the distribution of assistance, and a description of steps the United States Government is taking to increase their profile so as to help build their credibility among Syrians.

## PART III—SYRIA SANCTIONS

**SEC. 1271. DEFINITIONS.**

In this part:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Finance, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Ways and Means, and the Committee on Financial Services of the House of Representatives.

(2) DEFENSE ARTICLE; DEFENSE SERVICE.—The terms ''defense article'' and ''defense service'' have the meanings given those terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(3) PERSON.—The term ''person'' means an individual or entity.

(4) PETROLEUM.—The term ''petroleum'' includes crude oil and any mixture of hydrocarbons that exists in liquid phase in natural underground reservoirs and remains liquid at atmospheric pressure after passing through surface separating facilities.

(5) PETROLEUM PRODUCTS.—The term ''petroleum products'' includes unfinished oils, liquefied petroleum gases, pentanes plus, aviation gasoline, motor gasoline, napthatype jet fuel, kerosene-type jet fuel, kerosene, distillate fuel oil, residual fuel oil, petrochemical feedstocks, special naphthas, lubricants, waxes, petroleum coke, asphalt, road oil, still gas, miscellaneous products obtained from the processing of crude oil (including lease condensate), natural gas, and other hydrocarbon compounds.

(6) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a natural person who is a citizen or resident of the United States or a national of the United States (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))); and

(B) an entity that is organized under the laws of the United States or a jurisdiction within the United States.

**SEC. 1272. IMPOSITION OF SANCTIONS WITH RESPECT TO SELLING, TRANSFERRING, OR TRANSPORTING DEFENSE ARTICLES, DEFENSE SERVICES, OR MILITARY TRAINING TO THE ASSAD REGIME OF SYRIA.**

On or after the date that is 30 days after the date of the enactment of this Act, the President may impose sanctions from among the sanctions described in section 1274 with respect to any person that the President determines has, on or after such date of enactment, knowingly participated in or facilitated a significant transaction related to the sale, transfer, or transportation of defense articles, defense services, or military training to the Assad regime of Syria or any successor regime in Syria that the President determines is not a legitimate transitional or replacement government.

**SEC. 1273. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS PROVIDING PETROLEUM OR PETROLEUM PRODUCTS TO THE ASSAD REGIME OF SYRIA.**

On or after the date that is 30 days after the date of the enactment of this Act, the President shall impose the sanction described in paragraph (5) of section 1274 and 2 or more of the other sanctions described in that section with respect to each person that the President determines has, on or after such date of enactment, knowingly participated in or facilitated a significant transaction related to the sale or transfer of petroleum or petroleum products to the Assad regime of Syria or any successor regime in Syria that the President determines is not a legitimate transitional or replacement government.

**SEC. 1274. SANCTIONS DESCRIBED.**

The sanctions the President may impose with respect to a person under sections 1272 and 1273 are the following:

(1) EXPORT-IMPORT BANK ASSISTANCE.—The President may direct the Export-Import Bank of the United States not to give approval to the issuance of any guarantee, insurance, extension of credit, or participation in the extension of credit in connection with the export of any goods or services to the person.

(2) PROCUREMENT SANCTION.—The President may prohibit the United States Government from procuring, or entering into any contract for the procurement of, any goods or services from the person.

(3) ARMS EXPORT PROHIBITION.—The President may prohibit United States Government sales to the person of any item on the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)) and require termination of sales to the person of any defense articles, defense services, or design and construction services under that Act (22 U.S.C. 2751 et seq.).

(4) DUAL-USE EXPORT PROHIBITION.—The President may deny licenses and suspend existing licenses for the transfer to the person of items the export of which is controlled under the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)) or the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations.

(5) BLOCKING OF ASSETS.—The President may, pursuant to such regulations as the President may prescribe, block and prohibit all transactions in all property and interests in property of the person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(6) VISA INELIGIBILITY.—In the case of a person that is an alien, the President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, the person, subject to regulatory exceptions to permit the United States to comply with the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force November 21, 1947, and other applicable international obligations.

**SEC. 1275. WAIVERS.**

(a) GENERAL WAIVER AUTHORITY.—The President may waive the application of section 1272 or 1273 to a person or category of persons for a period of 180 days, and may renew the waiver for additional periods of 180 days, if the President determines and reports to the appropriate congressional committees every 180 days that the waiver is in the vital national security interests of the United States.

(b) WAIVER FOR HUMANITARIAN NEEDS.—The President may waive the application of section 1273 to a person for a period of 180 days, and may renew the waiver for additional periods of 180 days, if the President determines and reports to the appropriate congressional committees every 180 days that the waiver is to necessary to permit the person to conduct or facilitate a transaction that is necessary to meet humanitarian needs of the people of Syria.

(c) FORM.—Each report submitted under subsection (a) or (b) shall be submitted in unclassified form but may include a classified annex.

**SEC. 1276. SENSE OF CONGRESS ON SANCTIONS.**

It is the sense of Congress that the President should work closely with allies of the United States to obtain broad multilateral support for countries to impose sanctions that are equivalent to the sanctions set forth in this part under the laws of those countries.

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**SA 2522.** Mr. MENENDEZ (for himself and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

### Subtitle D—Egypt Assistance Reform

**SEC. 1241. SHORT TITLE.**

This subtitle may be referred to as the ''Egypt Assistance Reform Act of 2013''.

**PART I—PROHIBITION ON ASSISTANCE TO GOVERNMENTS FOLLOWING COUP D'ÉTATS**

**SEC. 1251. PROHIBITION ON ASSISTANCE TO GOVERNMENTS FOLLOWING COUPS D'ÉTAT.**

Chapter 1 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2301 et seq.) is amended by adding at the end the following new section:

**"SEC. 502C. PROHIBITION ON ASSISTANCE FOLLOWING COUPS D'ÉTAT.**

''(a) IN GENERAL.—After the date of enactment of this Act. Except as provided under subsection (b), no foreign assistance authorized pursuant to this Act or the Arms Export Control Act (22 U.S.C. 2751 et seq.) may be provided to the government of a foreign country, and none of the funds appropriated for such assistance shall be obligated or expended to finance directly any such assistance for such government, whose democratically elected head of government is deposed by coup d'état or decree in which the security services of that country play a decisive role.

''(b) EXCEPTIONS.—The prohibition in subsection (a) shall not apply to humanitarian assistance or assistance to promote democratic elections or public participation in democratic processes.

''(c) DETERMINATION AND PUBLICATION.—

''(1) IN GENERAL.—After the date of enactment of this Act. Not later than 30 days of receiving credible information that the democratically elected head of a national government may have been deposed by coup d'état or decree in which the security services of that country played a decisive role, the Secretary of State shall determine whether the democratically elected head of government was deposed by coup d'état or decree in which the security forces of that country played a decisive role.

''(2) TRANSMISSION OF DETERMINATION.—A determination made under paragraph (1) shall be submitted to the appropriate congressional committees on the day that such determination is made.

''(d) TERMINATION OF RESTRICTION.—The restriction in subsection (a) shall terminate 15 days after the Secretary of State notifies the appropriate congressional committees that a democratically elected government has taken office in such country pursuant to elections determined to be free and fair.

''(e) WAIVER.—

''(1) IN GENERAL.—The President may waive the restrictions in subsection (a) for a 180-day period if, not later than 5 days before the waiver takes effect, the President—

''(A) certifies to the appropriate congressional committees that providing such assistance is in the vital national security interests of the United States, including for the purpose of combatting terrorism; and

''(B) such foreign government is committed to restoring democratic governance and due process of law, and is taking demonstrable steps toward holding free and fair elections in a reasonable timeframe.

''(2) CONSULTATION.—Not later than 30 days prior to the submission of the certification required by subparagraph (A) of paragraph (1), the Secretary of State shall consult with the appropriate congressional committees regarding the use of the waiver authority provided under such paragraph and provide such committees a full briefing on the need for such waiver.

''(3) EXTENSION OF WAIVER.—The Secretary of State may extend the effective period of a waiver under paragraph (1) for an additional 180-day period if, not later than 5 days before the extension takes effect, the Secretary of State submits to the appropriate congressional committees an updated certification meeting the requirements of subparagraphs (A) and (B) of paragraph (1).

''(f) REPORTING REQUIREMENT.—Any certification submitted pursuant to subsection (e) shall be accompanied by a report describing the types and amounts of assistance to be provided pursuant to the waiver and the justification for the waiver, including a description and analysis of the foreign government's commitment to restoring democratic governance and due process of law and the demonstrable steps being taken by such foreign government toward holding free and fair elections.

''(g) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'appropriate congressional committees' means the Committees on Foreign Relations and Appropriations of the Senate and the Committees on Foreign Affairs and Appropriations of the House of Representatives.''.

**PART II—UNITED STATES ASSISTANCE FOR EGYPT**

**SEC. 1261. SUSPENSION AND REFORM OF ARMS SALES.**

(a) IN GENERAL.—The United States Government may not license, approve, facilitate, or otherwise allow the sale, lease, transfer, retransfer, or delivery of defense articles or defense services to Egypt under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)) until 15 days after the President submits the strategy required under subsection (d) and submits to the appropriate congressional committees a certification that—

(1) providing such assistance is in the national security interests of the United States; and

(2) the Government of Egypt—

(A) continues to implement the Peace Treaty between the State of Israel and the Arab Republic of Egypt, signed at Washington, March 26, 1979;

(B) is taking necessary and appropriate measures to counter terrorism, including measures to counter smuggling into the Gaza Strip by, among other measures, detecting and destroying tunnels between Egypt and the Gaza Strip and securing the Sinai peninsula;

(C) is allowing the United States Armed Forces to transit the territory of Egypt, including through the airspace and territorial waters of Egypt;

(D) is supporting a transition to an inclusive civilian government by demonstrating a commitment to, and making consistent progress toward, holding regular, credible elections that are free, fair, and consistent with internationally accepted standards;

(E) is respecting and protecting the political and economic freedoms of all residents of Egypt, including taking measures to address violence against women and religious minorities; and

(F) is respecting freedom of expression and due process of law, including respecting the rights of women and religious minorities.

(b) EXCEPTION.—The limitation under subsection (a) shall not apply to defense articles and defense services to be used primarily for supporting or enabling counterterrorism, border and maritime security, or special operations capabilities or operations.

(c) WAIVER.—

(1) IN GENERAL.—The President may waive the restrictions in subsection (a) for a 180-day period if, not later than 15 days before the waiver takes effect, the President—

(A) certifies to the appropriate congressional committees that providing such assistance is in the vital national security interests of the United States;

(B) transmits the strategy required under subsection (d) to such committees;

(C) provides to such committees a report detailing the reasons for making the determination that such assistance is in the vital national security interests of the United States; and

(D) submits to such committees an analysis of the degree to which providing such assistance is in the national security interests of the United States and the actions of the Government of Egypt do or do not satisfy each of the criteria contained in subparagraphs (A) through (F) of paragraph (2).

(2) EXTENSION OF WAIVER.—The President may extend the effective period of a waiver under paragraph (1) for an additional 180-day period if, not later than 15 days before the extension takes effect, the President submits to the appropriate congressional committees an updated certification, report, and analysis that meet the requirements of subparagraph (A), (C), and (D), respectively, of paragraph (1).

(d) STRATEGY TO REFORM UNITED STATES MILITARY ASSISTANCE TO EGYPT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a comprehensive strategy for modernizing and improving United States security cooperation with, and assistance for Egypt. The strategy shall seek to—

(A) enhance the ability of the Government of Egypt to detect, disrupt, dismantle, and defeat al Qaeda, its affiliated groups, and other terrorist organizations operating in Egypt, and to counter terrorist ideology and radicalization in Egypt;

(B) improve the capacity of the Government of Egypt to prevent human trafficking and the illicit movement of terrorists, criminals, weapons, and other dangerous material across Egypt's borders or administrative boundaries, especially through illicit points of entry into the Gaza Strip;

(C) improve the Government of Egypt's operational capabilities in counterinsurgency, counterterrorism, and border and maritime security;

(D) enhance the capacity of the Government of Egypt to gather, integrate, analyze, and share intelligence, especially with respect to the threat posed by terrorism and other illicit activity, while also ensuring a proper protection for the civil liberties of Egypt's citizens; and

(E) increase transparency, accountability to civilian authority, respect for human rights, and the rule of law within the armed forces of Egypt.

(2) ELEMENTS.—The strategy required under paragraph (1) shall include the following elements:

(A) A detailed assessment of the mechanism by which military assistance is provided to Egypt and whether such mechanism should be modified.

(B) A detailed summary of the current balance between the levels of economic and military support provided to Egypt, including an assessment of whether funding for economic development and political assistance programs should be increased as a percentage of overall United States foreign assistance to Egypt, and an assessment of whether there should be an increased percentage of foreign military assistance focused on counterinsurgency, counterterrorism, border and maritime security and related training.

(C) A process to assess whether current levels of economic and military support provided to Egypt are achieving United States national security objectives and supporting Egypt's transition to democracy.

(D) An estimated schedule for completing the baseline conventional modernization of the armed forces of Egypt with United States-origin equipment.

(E) An assessment of the extent to which the Government of Egypt is—

(i) implementing the 1979 Egypt-Israel Peace Treaty;

(ii) taking effective steps to combat terrorism on the Sinai Peninsula; and

(iii) taking effective steps to eliminate smuggling networks and to detect and destroy tunnels between Egypt and the Gaza Strip.

(3) CONSULTATION REQUIREMENT.—In developing the strategy required under paragraph (1), the Secretary of State shall consult with, among other relevant parties, the appropriate congressional committees and the Government of Egypt.

(4) REPORT ON CONTRACTS.—The Secretary of State shall submit with the strategy required under paragraph (1) a report containing—

(A) a summary of all contracts with the Government of Egypt funded through United States assistance over the prior 10 years and a projection of such contracts over the next 5 years; and

(B) information on any contracts or purchases made by the Government of Egypt using interest earned from amounts in an interest-bearing account for Egypt related to funds made available under section 23 of the Arms Export Control Act (22 U.S.C. 2763) and whether the use of this interest has furthered the goals described in this section.

**SEC. 1262. SUSPENSION AND REFORM OF UNITED STATES ECONOMIC SUPPORT TO EGYPT.**

(a) IN GENERAL.—No bilateral economic assistance may be made available to the Government of Egypt pursuant to chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the Economic Support Fund) until 15 days after the Secretary of State submits the strategy required under subsection (c) and certifies to the appropriate congressional committees that—

(1) providing such assistance is in the national security interest of the United States; and

(2) the Government of Egypt—

(A) continues to implement the Peace Treaty between the State of Israel and the Arab Republic of Egypt, signed at Washington, March 26, 1979;

(B) is supporting the transition to an inclusive civilian government by demonstrating a commitment to hold regular, credible elections that are free, fair, and consistent with internationally accepted standards;

(C) is respecting and protecting the political, economic, and religious freedoms of all residents of Egypt, including taking measures to address violence against women and religious minorities;

(D) is permitting nongovernmental organizations and civil society groups in Egypt to operate freely and consistent with internationally recognized standards; and

(E) is demonstrating a commitment to implementing economic reforms, including reforms necessary to reduce the deficit and ensure economic stability and growth.

(b) WAIVER.—

(1) IN GENERAL.—The President may waive the limitation under subsection (a) for a 180-day period if, not later than 15 days before the waiver takes effect, the President—

(A) certifies to the appropriate congressional committees that providing such assistance is in the vital national security interests of the United States;

(B) submits to such committees the strategy required under subsection (c);

(C) submits to such committees a report detailing the reasons for making the determination that such assistance is in the vital national security interests of the United States notwithstanding the fact that the certification required by subsection (a) cannot be made; and

(D) an analysis of the degree to which such assistance is in the national security interests of the United States and the actions of the Government of Egypt do, or do not, satisfy the criteria in subsection (a)(2).

(2) EXTENSION OF WAIVER.—The President may extend the effective period of a waiver under paragraph (1) for an additional 180-day period if, not later than 15 days before the extension takes effect, the President submits to the appropriate congressional committees an updated certification, report, and analysis that meet the requirements of subparagraphs (A), (C), and (D), respectively, of paragraph (1).

(c) STRATEGY.—

(1) IN GENERAL.—The Secretary of State shall separately provide to Congress a comprehensive foreign assistance strategy for Egypt that—

(A) addresses how United States foreign assistance can most effectively—

(i) respond to the political and economic development concerns and aspirations of the people of Egypt, and seek to advance the United States' strategic objective of a secure, democratic, civilian-led, and prosperous Egypt that is a partner of the United States and advances peace and security in the region;

(ii) support regional stability and cooperation by strengthening the political and economic relationships between Egypt and her neighbors;

(iii) encourage and support efforts by the Government and people of Egypt to foster democratic norms and institutions, including rule of law, transparent and accountable governance, an independent legislature and judiciary, regular conduct of free and fair elections, an inclusive political process, and effective, law-abiding public security forces;

(iv) support economic reforms by the Government of Egypt to encourage private sector-led growth and job creation, create a favorable climate for business and investment, fight corruption, and expand international trade;

(v) seek to foster a vibrant civil society in Egypt, including the unencumbered operation of nongovernmental organizations, a free and independent media, respect for women, and protections for the political, economic, and religious freedoms and rights of all citizens and residents of Egypt; and

(vi) seek to support security sector reform, particularly regarding civilian police forces;

(B) includes an assessment of what actions the Government of Egypt has taken, in law and practice, that advance or inhibit the interests, principles, and goals described within this strategy, including the ability of Egyptian and international nongovernmental organizations to operate inside Egypt, especially for the purposes of promoting political, economic, and religious freedoms and rights, democracy, and education, and what actions the Secretary of State has taken to further the same interests, principles, and goals in Egypt;

(C) is based on the best principles and practices of effective international development, the provision of matching funds by the host government, leveraging assistance for greater impact together with the private sector, and the goal of graduation from assistance; and

(D) includes a detailed assessment of resources and amounts that will be necessary to achieve the set forth in this subsection over the next five fiscal years.

(2) CONSIDERATION OF CERTAIN ELEMENTS.—The strategy required by paragraph (1) shall include consideration of—

(A) measures to promote and protect foreign direct investment in the economy of Egypt;

(B) programs to assist regional economic engagement by the Government of Egypt and job creation in that country through, among other things, assisting in the establishment of free trade zones in Egypt along the Suez Canal Zone;

(C) efforts to improve the business climate in Egypt, including by promoting United States trade with Egypt and investment in that country; and

(D) efforts to promote market-based economic reforms and to identify barriers to entry in the economy of Egypt that prevent the efficient flow of capital, goods, and services.

(3) CONSULTATION REQUIREMENT.—In developing the strategy required by paragraph (1), the Secretary of State shall consult with, among other relevant parties, the appropriate congressional committees, the Government of Egypt, political opposition groups in Egypt, private sector leaders, nongovernmental organizations, religious and secular groups, women's organizations, and civil society groups, as well as relevant international nongovernmental organizations.

(d) FUNDING FOR DEMOCRACY AND GOVERNANCE PROGRAMS.—

(1) IN GENERAL.—If, in any fiscal year, bilateral economic assistance is provided to Egypt pursuant to chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the Economic Support Fund), not less than $50,000,000 of that assistance shall be provided through the Department of State and the National Endowment for Democracy for democracy and governance programs in Egypt.

(2) ADDITIONAL FUNDING IF WAIVER AUTHORITY INVOKED.—If, in any fiscal year, the President exercises the waiver authority under subsection (b) and bilateral economic assistance is provided to Egypt pursuant to chapter 4 of part II of the Foreign Assistance Act of 1961, not less than $25,000,000 of that assistance (in addition to the amount provided for under paragraph (1)) shall be provided through the Department of State and the National Endowment for Democracy for democracy and governance programs in Egypt.

**SEC. 1263. TERMINATION.**

The limitations under section 1261 and 1262 shall terminate 15 days after the President certifies to the appropriate congressional committees that a democratically elected government has taken office in Egypt pursuant to elections determined by the President to be free and fair.

**SEC. 1264. ADDITIONAL OVERSIGHT OF ONGOING EGYPT FUNDING.**

Section 7041(a) of the Consolidated Appropriations Act, 2012 (Public Law 112–74; 125 Stat. 1222) is amended by striking ''Committees on Appropriations'' each place it appears and inserting ''Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives''.

**SEC. 1265. SUNSET OF EXISTING AUTHORITY.**

Section 7008 of the Consolidated Appropriations Act, 2012 (Public Law 112–74; 125 Stat. 1195) and similar provision in effect upon the date of enactment this Act is hereby repealed.

**SEC. 1266. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**

In this subtitle, the term ''appropriate congressional committees'' means the Committees on Foreign Relations and Appropriations of the Senate and the Committees on Foreign Affairs and Appropriations of the House of Representatives.

**SA 2523.** Mr. MENENDEZ (for himself, Mr. SCHUMER, Mr. CARDIN, Mr. BLUMENTHAL, Mr. COONS, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

**Subtitle D—Iran Sanctions**

**SEC. 1241. SHORT TITLE.**

This subtitle may be cited as the ''Nuclear Free Iran Act of 2013''.

**PART I—EXPANSION AND IMPOSITION OF SANCTIONS**

**SEC. 1251. APPLICABILITY OF SANCTIONS WITH RESPECT TO PETROLEUM TRANSACTIONS.**

(a) IN GENERAL.—Section 1245(d)(4)(D)(i) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)(i)) is amended—

(1) in subclause (I), by striking ''reduced reduced its volume of crude oil purchases from Iran'' and inserting ''reduced the volume of its purchases of petroleum from Iran or of Iranian origin''; and

(2) in subclause (II), by striking ''crude oil purchases from Iran'' and inserting ''purchases of petroleum from Iran or of Iranian origin''.

(b) DEFINITIONS.—Section 1245(h) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(h)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (2) the following:

''(3) IRANIAN ORIGIN.—The term 'Iranian origin', with respect to petroleum, means extracted, produced, or refined in Iran.

''(4) PETROLEUM.—The term 'petroleum' includes crude oil, lease condensates, fuel oils, and other unfinished oils.''.

(c) CONFORMING AMENDMENTS.—Section 102(b) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8712(b)) is amended—

(1) in paragraph (3)—

(A) by striking ''crude oil purchases from Iran'' and inserting ''purchases of petroleum from Iran or of Iranian origin''; and

(B) by striking ''as amended by section 504,''; and

(2) in paragraph (4), by striking ''crude oil purchases'' and inserting ''purchases of petroleum from Iran or of Iranian origin''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to determinations under section 1245(d)(4)(D)(i) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)(i)) on or after the date that is 90 days after the date of the enactment of this Act.

**SEC. 1252. INELIGIBILITY FOR EXCEPTION TO CERTAIN SANCTIONS FOR COUNTRIES THAT DO NOT REDUCE PURCHASES OF PETROLEUM FROM IRAN OR OF IRANIAN ORIGIN TO A DE MINIMIS LEVEL.**

(a) STATEMENT OF POLICY.—It is the policy of the United States to seek to ensure that all countries reduce their purchases of crude oil, lease condensates, fuel oils, and other unfinished oils from Iran or of Iranian origin to a de minimis level by the end of the 1-year period beginning on the date of the enactment of this Act.

(b) INELIGIBILITY FOR EXCEPTIONS TO SANCTIONS.—Section 1245(d)(4)(D) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)) is amended by adding at the end the following:

''(iii) INELIGIBILITY FOR EXCEPTION.—

''(I) IN GENERAL.—A country that purchased petroleum from Iran or of Iranian origin during the one-year period preceding the date of the enactment of the Nuclear Free Iran Act of 2013 may continue to receive an exception under clause (i) on or after the date that is one year after such date of enactment only—

''(aa) if the country reduces its purchases of petroleum from Iran or of Iranian origin to a de minimis level by the end of the one-year period beginning on such date of enactment; or

''(bb) as provided in subclause (II) or (III).

''(II) COUNTRIES THAT DRAMATICALLY REDUCE PURCHASES.—

''(aa) IN GENERAL.—A country that would otherwise be ineligible pursuant to subclause (I)(aa) to receive an exception under clause (i) may continue to receive such an exception during the one-year period beginning on the date that is one year after the date of the enactment of the Nuclear Free Iran Act of 2013 if the country—

''(AA) dramatically reduced by at least 30 percent its purchases of petroleum from Iran or of Iranian origin during the one-year period beginning on such date of enactment; and

''(BB) is expected to reduce its purchases of petroleum from Iran or of Iranian origin to a de minimis level within a defined period of time that is not later than 2 years after such date of enactment.

''(bb) TERMINATION OF EXCEPTION.—If a country that continues to receive an exception under clause (i) pursuant to item (aa) does not reduce its purchases of petroleum from Iran or of Iranian origin to a de minimis level by the end of the one-year period beginning on the date that is one year after the date of the enactment of the Nuclear Free Iran Act of 2013, that country shall not be eligible for such an exception on or after the date that is 2 years after such date of enactment.

''(III) REINSTATEMENT OF ELIGIBILITY FOR EXCEPTION.—A country that becomes ineligible for an exception under clause (i) pursuant to subclause (I) or (II) shall be eligible for such an exception in accordance with the provisions of clause (i) on and after the date on which the President determines the country has reduced its purchases of petroleum from Iran or of Iranian origin to a de minimis level.''.

(c) CONFORMING AMENDMENT.—Section 1245(d)(4)(D)(i) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)(i)) is amended in the matter preceding subclause (I) by striking ''Sanctions imposed'' and inserting ''Except as provided in clause (iii), sanctions imposed''.

**SEC. 1253. IMPOSITION OF SANCTIONS WITH RESPECT TO PORTS, SPECIAL ECONOMIC ZONES, AND STRATEGIC SECTORS OF IRAN.**

(a) FINDINGS.—Section 1244(a)(1) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803(a)(1)) is amended by striking ''and shipbuilding'' and inserting ''shipbuilding, construction, engineering, and mining''.

(b) EXPANSION OF DESIGNATION OF ENTITIES OF PROLIFERATION CONCERN.—Section 1244(b) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803(b)) is amended by striking ''in Iran and entities in the energy, shipping, and shipbuilding sectors'' and inserting '', special economic zones, or free economic zones in Iran, and entities in strategic sectors''.

(c) EXPANSION OF ENTITIES SUBJECT TO ASSET FREEZE.—Section 1244(c) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803(c)) is amended—

(1) in paragraph (1)(A), by striking ''the date that is 180 days after the date of the enactment of this Act'' and inserting ''the date that is 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013''; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''the date that is 180 days after the date of the enactment of this Act'' and inserting the ''the date that is 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013'';

(B) by striking ''the energy, shipping, or shipbuilding sectors'' each place it appears and inserting ''a strategic sector''; and

(C) by inserting '', special economic zone, or free economic zone'' after ''port'' each place it appears; and

(3) by adding at the end the following:

''(4) STRATEGIC SECTOR DEFINED.—

''(A) IN GENERAL.—In this section, the term 'strategic sector' means—

''(i) the energy, shipping, shipbuilding, and mining sectors of Iran;

''(ii) except as provided in subparagraph (B), the construction and engineering sectors of Iran; and

''(iii) any other sector the President designates as of strategic importance to Iran.

''(B) EXCEPTION FOR CONSTRUCTION AND ENGINEERING OF SCHOOLS, HOSPITALS, AND SIMILAR FACILITIES.—For purposes of this section, a person engaged in the construction or engineering of schools, hospitals, or similar facilities (as determined by the President) shall not be considered part of a strategic sector of Iran.

''(C) NOTIFICATION OF STRATEGIC SECTOR DESIGNATION.—The President shall submit to Congress a notification of the designation of a sector as a strategic sector of Iran for purposes of subparagraph (A)(iii) not later than 5 days after the date on which the President makes the designation.''.

(d) ADDITIONAL SANCTIONS WITH RESPECT TO STRATEGIC SECTORS.—Section 1244(d) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803(d)) is amended—

(1) in paragraph (1)(A), by striking ''the date that is 180 days after the date of the enactment of this Act'' and inserting ''the date that is 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013'';

(2) in paragraph (2), by striking ''the date that is 180 days after the date of the enactment of this Act'' and inserting ''the date that is 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013''; and

(3) in paragraph (3), by striking ''the energy, shipping, or shipbuilding sectors'' and inserting ''a strategic sector''.

(e) SALE, SUPPLY, OR TRANSFER OF CERTAIN MATERIALS TO OR FROM IRAN.—Section 1245 of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8804) is amended—

(1) in subsection (a)(1)—

(A) in the matter preceding subparagraph (A), by striking ''the date that is 180 days after the date of the enactment of this Act'' and inserting ''the date that is 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013''; and

(B) in subparagraph (C)(i)(I), by striking ''the energy, shipping, or shipbuilding sectors'' and inserting ''a strategic sector (as defined in section 1244(c)(4))''; and

(2) in subsection (c), by striking ''the date that is 180 days after the date of the enactment of this Act'' and inserting ''the date that is 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013''.

(f) PROVISION OF INSURANCE TO SANCTIONED PERSONS.—Section 1246(a)(1) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8805(a)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''the date that is 180 days after the date of the enactment of this Act'' and inserting ''the date that is 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013''; and

(2) in subparagraph (B)(i), by striking ''the energy, shipping, or shipbuilding sectors'' and inserting ''a strategic sector (as defined in section 1244(c)(4))''.

(g) CONFORMING AMENDMENTS.—Section 1244 of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803), as amended by subsections (a), (b), (c), and (d), is further amended—

(1) in the section heading, by striking ''**THE ENERGY, SHIPPING, AND SHIPBUILDING**'' and inserting ''**CERTAIN PORTS, ECONOMIC ZONES, AND**'';

(2) in subsection (b), in the subsection heading, by striking ''PORTS AND ENTITIES IN THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS OF IRAN'' and inserting ''CERTAIN ENTITIES'';

(3) in subsection (c), in the subsection heading, by striking ''ENTITIES IN ENERGY, SHIPPING, AND SHIPBUILDING SECTORS'' and inserting ''CERTAIN ENTITIES''; and

(4) in subsection (d), in the subsection heading, by striking ''THE ENERGY, SHIPPING, AND SHIPBUILDING'' and inserting ''STRATEGIC''.

**SEC. 1254. IMPOSITION OF SANCTIONS WITH RESPECT TO TRANSACTIONS IN FOREIGN CURRENCIES WITH OR FOR CERTAIN SANCTIONED PERSONS.**

(a) IN GENERAL.—Title II of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8721 et seq.) is amended—

(1) by inserting after section 221 the following:

**"Subtitle C—Other Matters";**

(2) by redesignating sections 222, 223, and 224 as sections 231, 232, and 233, respectively; and

(3) by inserting after section 221 the following:

**"SEC. 222. IMPOSITION OF SANCTIONS WITH RESPECT TO TRANSACTIONS IN FOREIGN CURRENCIES WITH CERTAIN SANCTIONED PERSONS.**

''(a) IMPOSITION OF SANCTIONS.—

''(1) IN GENERAL.—The President—

''(A) shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that knowingly conducts or facilitates a transaction described in subsection (b)(1); and

''(B) may impose sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) with respect to any other person that knowingly conducts or facilitates such a transaction.

''(2) EXCEPTION.—The authority to impose sanctions under paragraph (1)(B) shall not include the authority to impose sanctions on the importation of goods.

''(b) TRANSACTIONS DESCRIBED.—

''(1) IN GENERAL.—A transaction described in this subsection is a significant transaction conducted or facilitated by a person related to the currency of a country other than the country with primary jurisdiction over the person with, for, or on behalf of—

''(A) the Central Bank of Iran or an Iranian financial institution designated by the Secretary of the Treasury for the imposition of sanctions pursuant to the International Emergency Economic Powers Act; or

''(B) a person described in section 1244(c)(2) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803(c)(2)) (other than a person described in subparagraph (C)(iii) of that subsection).

''(2) PRIMARY JURISDICTION.—For purposes of paragraph (1), a country in which a person operates shall be deemed to have primary jurisdiction over the person only with respect to the operations of the person in that country.

''(c) APPLICABILITY.—Subsection (a) shall apply with respect to a transaction described in subsection (b)(1) conducted or facilitated—

''(1) on or after the date that is 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013 pursuant to a contract entered into on or after such date of enactment; and

''(2) on or after the date that is 180 days after such date of enactment pursuant to a contract entered into before such date of enactment.

''(d) INAPPLICABILITY TO HUMANITARIAN TRANSACTIONS.—The President may not impose sanctions under subsection (a) with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran.

''(e) WAIVER.—

''(1) IN GENERAL.—The President may waive the application of subsection (a) with respect to a person for a period of not more than 180 days, and may renew that waiver for additional periods of not more than 180 days, if the President—

''(A) determines that the waiver is important to the national interest of the United States; and

''(B) not less than 15 days after the waiver or the renewal of the waiver, as the case may be, takes effect, submits a report to the appropriate congressional committees on the waiver and the reason for the waiver.

''(2) FORM OF REPORT.—Each report submitted under paragraph (1)(B) shall be submitted in unclassified form but may contain a classified annex.

''(f) DEFINITIONS.—In this section:

''(1) FINANCIAL INSTITUTION; IRANIAN FINANCIAL INSTITUTION.—The terms 'financial institution' and 'Iranian financial institution' have the meanings given those terms in section 104A(d) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513b(d)).

''(2) TRANSACTION.—The term 'transaction' includes a foreign exchange swap, a foreign exchange forward, and any other type of currency exchange or conversion or derivative instrument.''.

(b) ADDITIONAL DEFINITIONS.—Section 2 of the Iran Threat Reduction and Syria Human Rights Act (22 U.S.C. 8701) is amended—

(1) by redesignating paragraphs (2), (3), and (4) as paragraphs (5), (6), and (9), respectively;

(2) by striking paragraph (1) and inserting the following:

''(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms 'account', 'correspondent account', and 'payable-through account' have the meanings given those terms in section 5318A of title 31, United States Code.

''(2) AGRICULTURAL COMMODITY.—The term 'agricultural commodity' has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

''(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

''(4) DOMESTIC FINANCIAL INSTITUTION; FOREIGN FINANCIAL INSTITUTION.—The terms 'domestic financial institution' and 'foreign financial institution' have the meanings determined by the Secretary of the Treasury pursuant to section 104(i) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(i)).''; and

(3) by inserting after paragraph (6), as redesignated by paragraph (1), the following:

''(7) MEDICAL DEVICE.—The term 'medical device' has the meaning given the term 'device' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

''(8) MEDICINE.—The term 'medicine' has the meaning given the term 'drug' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).''.

(c) CLERICAL AMENDMENT.—The table of contents for the Iran Threat Reduction and Syria Human Rights Act of 2012 is amended by striking the items relating to sections 222, 223, and 224 and inserting the following:

''Sec. 222. Imposition of sanctions with respect to transactions in foreign currencies with certain sanctioned persons.

''Subtitle C—Other Matters

''Sec. 231. Sense of Congress and rule of construction relating to certain authorities of State and local governments.

''Sec. 232. Government Accountability Office report on foreign entities that invest in the energy sector of Iran or export refined petroleum products to Iran.

''Sec. 233. Reporting on the importation to and exportation from Iran of crude oil and refined petroleum products.''.

## PART II—ENFORCEMENT OF SANCTIONS

**SEC. 1261. SENSE OF CONGRESS ON THE PROVISION OF SPECIALIZED FINANCIAL MESSAGING SERVICES TO THE CENTRAL BANK OF IRAN AND OTHER SANCTIONED IRANIAN FINANCIAL INSTITUTIONS.**

It is the sense of Congress that—

(1) the President has been engaged in intensive diplomatic efforts to ensure that sanctions against Iran are imposed and maintained multilaterally to sharply restrict the access of the Government of Iran to the global financial system;

(2) the European Union is to be commended for strengthening the multilateral sanctions regime against Iran by prohibiting all persons subject to the jurisdiction of the European Union from providing specialized financial messaging services to the Central Bank of Iran and other sanctioned Iranian financial institutions;

(3) in order to continue to sharply restrict access by Iran to the global financial system, the President and the European Union must continue to expeditiously address any judicial, administrative, or other decisions in their respective jurisdictions that might weaken the current multilateral sanctions regime, including decisions regarding the designation of financial institutions and global specialized financial messaging service providers for sanctions; and

(4) existing restrictions on the access of Iran to global specialized financial messaging services should be maintained.

**SEC. 1262. INCLUSION OF TRANSFERS OF GOODS, SERVICES, AND TECHNOLOGIES TO STRATEGIC SECTORS OF IRAN FOR PURPOSES OF IDENTIFYING DESTINATIONS OF DIVERSION CONCERN.**

(a) IN GENERAL.—Section 302(b) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8542(b)) is amended—

(1) in paragraph (1)(C)(ii), by striking ''; or'' and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(3) that will be sold, transferred, or otherwise made available to a strategic sector of Iran.''.

(b) STRATEGIC SECTOR DEFINED.—Section 301 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8541) is amended—

(1) by redesignating paragraph (14) as paragraph (15); and

(2) by inserting after paragraph (13) the following:

''(14) STRATEGIC SECTOR.—The term 'strategic sector' has the meaning given that term in section 1244(c)(4) of the Iran Freedom and Counter-Proliferation Act of 2012.''.

(c) SUBMISSION OF REPORT.—Section 302(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8542(a)) is amended by striking ''180 days after the date of the enactment of this Act'' and inserting ''90 days after the date of the enactment of the Nuclear Free Iran Act of 2013''.

**SEC. 1263. AUTHORIZATION OF ADDITIONAL MEASURES WITH RESPECT TO DESTINATIONS OF DIVERSION CONCERN.**

(a) IN GENERAL.—Section 303(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8543(c)) is amended—

(1) by striking ''Not later than'' and inserting the following:

''(1) LICENSING REQUIREMENT.—Not later than''; and

(2) by adding at the end the following

''(2) ADDITIONAL MEASURES.—The President may—

''(A) impose restrictions on United States foreign assistance or measures authorized under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) with respect to a country designated as a Destination of Diversion Concern under subsection (a) if the President determines that those restrictions or measures would prevent the diversion of goods, services, and technologies described in section 302(b) to Iranian end-users or Iranian intermediaries; or

''(B) prohibit the issuance of a license under section 38 of the Arms Export Control Act (22 U.S.C. 2778) for the export to such a country of a defense article or defense service for which a notification to Congress would be required under section 36(b) of that Act (22 U.S.C. 2776(b)).

''(3) EXCEPTION.—The authority under paragraph (1)(A) to impose measures authorized under the International Emergency Economic Powers Act shall not include the authority to impose sanctions on the importation of goods.

''(4) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of the Nuclear Free Iran Act of 2013, and every 90 days thereafter, the President shall submit to the appropriate congressional committees a report—

''(A) identifying countries that have allowed the diversion through the country of goods, services, or technologies described in section 302(b) to Iranian end-users or Iranian intermediaries during the 180-day period preceding the submission of the report;

''(B) identifying the persons that engaged in such diversion during that period; and

''(C) describing the activities relating to diversion in which those countries and persons engaged.''.

(b) CONFORMING AMENDMENTS.—Section 303 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8543) is amended—

(1) in subsection (c), in the subsection heading, by striking ''LICENSING REQUIREMENT'' and inserting ''LICENSING AND OTHER MEASURES''; and

(2) in subsection (d)—

(A) in paragraph (1), by striking ''subsection (c)'' and inserting ''subsection (c)(1)'';

(B) in paragraph (2), by striking ''subsection (c)'' and inserting ''subsection (c)(1)''; and

(C) in paragraph (3), by striking ''is it'' and inserting ''it is''.

**SEC. 1264. INCREASED STAFFING FOR AGENCIES INVOLVED IN THE IMPLEMENTATION AND ENFORCEMENT OF SANCTIONS AGAINST IRAN.**

(a) INCREASED STAFF.—

(1) DEPARTMENT OF THE TREASURY.—The Secretary of the Treasury may increase by 20 the number of employees of the Office of Foreign Assets Control dedicated to the implementation and enforcement of sanctions with respect to Iran relative to the number of such employees on the day before the date of the enactment of this Act.

(2) DEPARTMENT OF STATE.—The Secretary of State may increase by 20 the number of employees of the Department of State dedicated to the implementation and enforcement of sanctions with respect to Iran relative to the number of such employees on the day before the date of the enactment of this Act.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out subsection (a).

## PART III—IMPLEMENTATION OF NEW SANCTIONS

**SEC. 1271. SUSPENSION OF SANCTIONS TO FACILITATE A DIPLOMATIC SOLUTION.**

(a) SUSPENSION OF SANCTIONS AFTER REACHING AN INTERIM AGREEMENT OR ARRANGEMENT.—

(1) IN GENERAL.—The President may suspend the application of sanctions imposed under this subtitle or amendments made by this subtitle (other than sanctions imposed pursuant to the amendments made by sections 1262 and 1263) for not more than 180 days after the date of the enactment of this Act if the President certifies to the appropriate congressional committees every 30 days that—

(A) the United States and its allies have reached a verifiable interim agreement or arrangement with Iran toward the termination of its illicit nuclear activities and related weaponization activities;

(B) the steps being taken by Iran pursuant to the interim agreement or arrangement are transparent and verifiable;

(C) any suspension or relief of sanctions provided to Iran pursuant to the interim agreement or arrangement is temporary, reversible, and proportionate to steps taken by Iran with respect to its illicit nuclear program;

(D) Iran has not breached the terms of or any commitment made pursuant to the interim agreement or arrangement;

(E) Iran is proactively engaged in negotiations toward a final agreement or arrangement to terminate its illicit nuclear activities and related weaponization activities;

(F) the United States is working toward a final agreement or arrangement that will dismantle Iran's nuclear infrastructure in a manner that will ensure that Iran is incapable of obtaining a nuclear weapons capability and that permits daily verification, monitoring, and inspections of suspect facilities in Iran;

(G) Iran has not directly, or through a proxy, supported, financed, or otherwise carried out an act of international terrorism against the United States; and

(H) the suspension of sanctions is vital to the national security interest of the United States.

(2) RENEWAL OF SUSPENSION.—The President may renew a suspension of sanctions under paragraph (1) for 2 additional periods of not more than 30 days if the President submits to the appropriate congressional committees—

(A) a new certification under that paragraph; and

(B) a certification that a final agreement or arrangement with Iran to verifiably terminate its illicit nuclear program and related weaponization activities is imminent.

(b) SUSPENSION FOR A FINAL AGREEMENT OR ARRANGEMENT.—

(1) IN GENERAL.—Unless a joint resolution of disapproval is enacted pursuant to paragraph (2), the President may suspend the application of sanctions imposed under this subtitle or amendments made by this subtitle for an indefinite period of time if the President certifies to the appropriate congressional committees that the United States and its allies have reached a final and verifiable agreement or arrangement with Iran that will—

(A) prevent Iran from achieving a nuclear weapons capability; and

(B) provide for the detection of any attempt by Iran to reinstate or advance its nuclear weapons program.

(2) JOINT RESOLUTION OF DISAPPROVAL.—

(A) IN GENERAL.—In this paragraph, the term ''joint resolution of disapproval'' means only a joint resolution of the 2 Houses of Congress, the sole matter after the resolving clause of which is as follows: ''That Congress disapproves of the suspension of sanctions imposed with respect to Iran pursuant to the certification of the President submitted to Congress on _____ under section 1261(b)(1) of the Nuclear Free Iran Act of 2013.'', with the blank space being filled with the appropriate date.

(B) PROCEDURES FOR CONSIDERING RESOLUTIONS.—

(i) INTRODUCTION.—A joint resolution of disapproval—

(I) may be introduced in the House of Representatives or the Senate during the 15-day period beginning on the date on which the President submits a certification under paragraph (1) to the appropriate congressional committees;

(II) in the House of Representatives, may be introduced by the Speaker or the minority leader or a Member of the House designated by the Speaker or minority leader;

(III) in the Senate, may be introduced by the majority leader or minority leader of the Senate or a Member of the Senate designated by the majority leader or minority leader; and

(IV) may not be amended.

(ii) REFERRAL TO COMMITTEES.—A joint resolution of disapproval introduced in the Senate shall be referred to the Committee on Banking, Housing, and Urban Affairs and a joint resolution of disapproval in the House of Representatives shall be referred to the Committee on Foreign Affairs.

(iii) COMMITTEE DISCHARGE AND FLOOR CONSIDERATION.—The provisions of subsections (c) through (f) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to committee discharge and floor consideration of certain resolutions in the House of Representatives and the Senate) apply to a joint resolution of disapproval under this subsection to the same extent that such subsections apply to joint resolutions under such section 152, except that—

(I) subsection (c)(1) shall be applied and administered by substituting ''10 days'' for ''30 days''; and

(II) subsection (f)(1)(A)(i) shall be applied and administered by substituting ''Committee on Banking, Housing, and Urban Affairs'' for ''Committee on Finance''.

(C) RULES OF THE HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(ii) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

## PART IV—GENERAL PROVISIONS

### SEC. 1281. EXCEPTION FOR AFGHANISTAN RECONSTRUCTION.

The President may provide for an exception from the imposition of sanctions under the provisions of or amendments made by this subtitle for reconstruction assistance or economic development for Afghanistan—

(1) to the extent that the President determines that such an exception is in the national interest of the United States; and

(2) if, not later than 15 days before issuing the exception, the President submits a notification of and justification for the exception to the appropriate congressional committees (as defined in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note)).

### SEC. 1282. APPLICABILITY TO CERTAIN INTELLIGENCE ACTIVITIES.

Nothing in this subtitle or the amendments made by this subtitle shall apply to the authorized intelligence activities of the United States.

### SEC. 1283. APPLICABILITY TO CERTAIN NATURAL GAS PROJECTS.

Nothing in this subtitle or any amendment made by this subtitle shall be construed to apply with respect to any activity relating to a project described in subsection (a) of section 603 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8783) to which the exception under that section applies at the time of the activity.

### SEC. 1284. RULE OF CONSTRUCTION WITH RESPECT TO THE USE OF FORCE AGAINST IRAN.

Nothing in this subtitle or the amendments made by this subtitle shall be construed as a declaration of war or an authorization of the use of force against Iran.

## Subtitle E—Other Matters

### SEC. 1291. AMERICAN HOSTAGES IN IRAN COMPENSATION FUND.

(a) ESTABLISHMENT.—There is established in the Treasury a fund, to be known as the ''American Hostages in Iran Compensation Fund'' (in this section referred to as the ''Fund'') for the purpose of making payments to the 52 Americans held hostage in the United States embassy in Tehran, Iran, between November 3, 1979, and January 20, 1981 (in this section referred to as the ''former hostages'').

(b) FUNDING.—

(1) IMPOSITION OF SURCHARGE.—

(A) IN GENERAL.—There is imposed a surcharge equal to 30 percent of the amount of—

(i) any fine or monetary penalty assessed, in whole or in part, on a person for a violation of a law or regulation specified in subparagraph (B) related to activities undertaken on or after the date of the enactment of this Act; or

(ii) the monetary amount of a settlement entered into by a person with respect to a suspected violation of a law or regulation specified in subparagraph (B) related to activities undertaken on or after such date of enactment.

(B) LAWS AND REGULATIONS SPECIFIED.—A law or regulation specified in this subparagraph is any law or regulation that provides for a civil or criminal fine or other monetary penalty for any economic activity relating to Iran that is administered by the Department of the Treasury, the Department of Justice, or the Department of Commerce.

(C) TERMINATION OF DEPOSITS.—The imposition of the surcharge under subparagraph (A) shall terminate on the date on which all amounts described in subsection (c)(2) have been distributed to all recipients described in that subsection.

(2) DEPOSITS INTO FUND; AVAILABILITY OF AMOUNTS.—

(A) DEPOSITS.—All surcharges collected pursuant to paragraph (1)(A) shall be deposited into the Fund.

(B) PAYMENT OF SURCHARGE.—A person on whom a surcharge is imposed under paragraph (1)(A) shall pay the surcharge to the Fund without regard to whether the fine, penalty, or settlement to which the surcharge applies—

(i) is paid directly to the Federal agency that administers the relevant law or regulation specified in paragraph (1)(B); or

(ii) is deemed satisfied by a payment to another Federal agency.

(C) CONTRIBUTIONS.—The Secretary of State is authorized to accept such amounts as may be contributed by individuals, business concerns, foreign governments, or other entities for payments under this Act. Such amounts shall be deposited directly into the Fund.

(D) AVAILABILITY OF AMOUNTS IN FUND.—Amounts in the Fund shall be available, without further appropriation, to make payments under subsection (c).

(c) DISTRIBUTION OF FUNDS.—

(1) ADMINISTRATION OF FUND.—Payments from the Fund shall be administered by the Secretary of State, pursuant to such rules and processes as the Secretary, in the Secretary's sole discretion, may establish.

(2) PAYMENTS.—Subject to paragraphs (3) and (4), payments shall be made from the Fund to the following recipients in the following amounts:

(A) To each living former hostage, $150,000, plus $5,000 for each day of captivity of the former hostage.

(B) To the estate of each deceased former hostage, $150,000, plus $5,000 for each day of captivity of the former hostage.

(3) PRIORITY.—Payments from the Fund shall be distributed under paragraph (2) in the following order:

(A) First, to each living former hostage described in paragraph (2)(A).

(B) Second, to the estate of each deceased former hostage described in paragraph (2)(B).

(4) CONSENT OF RECIPIENT.—A payment to a recipient from the Fund under paragraph (2) shall be made only after receiving the consent of the recipient.

(d) WAIVER.—A recipient of a payment under subsection (c) shall waive and forever release all existing claims against Iran and the United States arising out of the events described in subsection (a).

(e) NOTIFICATION OF CLAIMANTS; LIMITATION ON REVIEW.—

(1) NOTIFICATION.—The Secretary of State shall notify, in a reasonable manner, each individual qualified to receive a payment under subsection (c) of the status of the individual's claim for such a payment.

(2) SUBMISSION OF ADDITIONAL INFORMATION.—If the claim of an individual to receive a payment under subsection (c) is denied, or is approved for payment of less than the full amount of the claim, the individual shall be entitled to submit to the Secretary additional information with respect to the claim. Upon receipt and consideration of that information, the Secretary may affirm, modify, or revise the former action of the Secretary with respect to the claim.

(3) LIMITATION ON REVIEW.—The actions of the Secretary in identifying qualifying claimants and in disbursing amounts from the Fund shall be final and conclusive on all questions of law and fact and shall not be subject to review by any other official, agency, or establishment of the United States or by any court by mandamus or otherwise.

(f) DEPOSIT OF REMAINING FUNDS INTO THE TREASURY.—

(1) IN GENERAL.—Any amounts remaining in the Fund after the date specified in paragraph (2) shall be deposited in the general fund of the Treasury.

(2) DATE SPECIFIED.—The date specified in this paragraph is the later of—

(A) the date on which all amounts described in subsection (c)(2) have been made to all recipients described in that subsection; or

(B) the date that is 5 years after the date of the enactment of this Act.

(g) REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, and annually thereafter until the date specified in subsection (f)(2), the Secretary of State shall submit to the appropriate congressional committees a report on the status of the Fund, including—

(1) the amounts and sources of money deposited into the Fund;

(2) the rules and processes established to administer the Fund; and

(3) the distribution of payments from the Fund.

(h) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(2) PERSON.—The term ''person'' includes any individual or entity subject to the civil or criminal jurisdiction of the United States.

### SEC. 1292. CATEGORIES OF ALIENS FOR PURPOSES OF REFUGEE DETERMINATIONS.

The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b), by striking paragraph (3); and

(B) in subsection (e)—

(i) in paragraph (1), by striking ''and shall only apply to applications for refugee status submitted before October 1, 2013'' and inserting ''and shall apply to all applications for refugee status submitted after October 1, 2013'';

(ii) in paragraph (2), by striking ''and before October 1, 2013''; and

(iii) in paragraph (3), by striking ''and shall apply only to reapplications for refugee status submitted before October 1, 2013''; and

(2) in section 599E(b)(2) (8 U.S.C. 1255 note), by striking ''during the period beginning on August 15, 1988, and ending on September 30,

2013, after being denied refugee status'' and inserting ''after August 15, 1998, after being denied refugee status''.

**SEC. 1293. ANTITERRORISM AMENDMENTS TO TITLE 18.**

(a) IN GENERAL.—Title 18 of the United States Code is amended—

(1) in section 2333—

(A) in subsection (a), by striking ''national of the United States'' and inserting ''person''; and

(B) by inserting at the end the following:

''(d) LIABILITY.—In an action arising under subsection (a), liability may be asserted as to the person or persons who committed such act of international terrorism or any person or entity that aided, abetted, or conspired with the person or persons who committed such an act of international terrorism.'';

(2) in section 2334, by inserting at the end the following:

''(e) JURISDICTION.—The district courts shall have personal jurisdiction, to the maximum extent permissible under the 5th Amendment to the Constitution, over any person who commits, aids, and abets an act of international terrorism, or provides material support or resources as set forth in section 2339A, 2339B, or 2339C of this title, for acts of international terrorism in which any person suffers injury in his or her person, property, or business by reason of such an act in violation of section 2333.

''(f) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over any civil action brought under section 2333 of this title.'';

(3) in section 2337—

(A) in paragraph (1), by striking ''or'' ;

(B) in paragraph (2), by striking the period and inserting ''; or''; and

(C) by inserting at the end the following:

''(3) a person providing any substantial support or assistance to any person or entity referred to in paragraphs (1) and (2) unless such foreign state, foreign agency, or an officer or employee of foreign government has been designated as a state sponsor of terrorism under section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 24505(j)) or by reason of an Executive Order or through designation by an executive agency of the United States.'';

(4) in section 2339C(a)(1), by striking subparagraph (A) and inserting the following:

''(A) an act which constitutes an act of international terrorism or an offense within the scope of a treaty specified in subsection (e)(7), as implemented by the United States, or''; and

(5) in section 2331, by striking paragraph (4) and inserting the following:

''(4) the term ''act of war''—

''(A) means any act occurring in the course of—

''(i) declared war;

''(ii) armed conflict, whether or not war has been declared, between two or more nations; or

''(iii) armed conflict between military forces of any origin; and

''(B) does not include any act committed by a foreign terrorist organization, as defined under section 219 of the Immigration and Nationality Act, or any agent of a Foreign Terrorist Organization as defined in part 597.301 of title 31, Code of Federal Regulation, of the Foreign Terrorist Organizations Sanctions Regulations, or any act committed by an agent of a state sponsor of terrorism as such term is defined by section 6(j) of the Export Administration Act (50 U.S.C. 2405(j)), section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)), and section 620A of the Foreign Assistance Act (22 U.S.C. 2371); and''.

(b) SEVERABILITY.—If any provision of this section or any amendment made by this section, or the application of a provision or amendment to any person or circumstance, is held to be invalid, the remainder of this section and the amendments made by this section, and the application of the provisions and amendments to any other person not similarly situated or to other circumstances, shall not be affected by the holding.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any claim in any case pending on the date of the enactment of this section arising from an act of international terrorism, whether under section 2333(a) of title 18, United States Code, or any other civil damages provision, and to any claim in any case commenced on or after such date of enactment, resulting from an act of international terrorism.

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**SA 2524.** Mr. KING (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1082. HUBZONES.**

(a) IN GENERAL.—Section 3(p)(5)(A)(i)(I) of the Small Business Act (15 U.S.C. 632(p)(5)(A)(i)(I)) is amended—

(1) in item (aa), by striking ''or'' at the end;

(2) by redesignating item (bb) as item (cc); and

(3) by inserting after item (aa) the following:

''(bb) pursuant to subparagraph (A), (B), (C), (D), or (E) of paragraph (3), that its principal office is located in a HUBZone described in paragraph (1)(E) (relating to base closure areas) (in this item referred to as the 'base closure HUBZone'), and that not fewer than 35 percent of its employees reside in—

''(AA) a HUBZone;

''(BB) the census tract in which the base closure HUBZone is wholly contained;

''(CC) a census tract the boundaries of which intersect the boundaries of the base closure HUBZone; or

''(DD) a census tract the boundaries of which are contiguous to a census tract described in subitem (BB) or (CC); or''.

(b) BASE CLOSURE AREAS.—

(1) DEFINITION.—In this subsection—

(A) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(B) the terms ''base closure area'', ''HUBZone'', and ''HUBZone small business concern'' have the meanings given those terms under section 3(p) of the Small Business Act (15 U.S.C. 632(p)); and

(C) the term ''covered HUBZone area'' means an area that—

(i) is a base closure area;

(ii) on or after the date of enactment of this Act is treated as a HUBZone for purposes of the Small Business Act (15 U.S.C. 631 et seq.) pursuant to—

(I) section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note); or

(II) section 1698(b) of National Defense Authorization Act for Fiscal Year 2013 (15 U.S.C. 632 note);

(iii) after the date of enactment of this Act, ceases to be treated as a HUBZone under the applicable provision of law described in clause (ii); and

(iv) qualifies as a HUBZone under subparagraph (A), (B), (C), or (D) of section 3(p)(1) of the Small Business Act (15 U.S.C. 632(p)(1)).

(2) QUALIFIED HUBZONE SMALL BUSINESS CONCERNS.—A HUBZone small business concern shall be qualified for purposes of the Small Business Act (15 U.S.C. 631 et seq.) if the HUBZone small business concern has certified in writing to the Administrator (or the Administrator otherwise determines, based on information submitted to the Administrator by the HUBZone small business concern, or based on certification procedures, which shall be established by the Administration by regulation) that—

(A) it is a HUBZone small business concern pursuant to subparagraph (A), (B), (C), (D), or (E) of section 3(p)(3) of the Small Business Act (15 U.S.C. 632(p)(3));

(B) its principal office is located in a covered HUBZone area; and

(C) not fewer than 35 percent of its employees reside in—

(i) a HUBZone;

(ii) the census tract in which the covered HUBZone area is wholly contained;

(iii) a census tract the boundaries of which intersect the boundaries of the covered HUBZone area; or

(iv) a census tract the boundaries of which are contiguous to a census tract described in clause (ii) or (iii).

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**SA 2525.** Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Insert after section 4 the following:

**SEC. 5. EFFECTIVE DATE.**

This Act shall take effect on the day after the date of the enactment of this Act.

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**SA 2526.** Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. ____. EXCLUSION OF DISCHARGE OF STUDENT LOANS FOR VETERANS WITH SERVICE-CONNECTED CONDITIONS.**

(a) IN GENERAL.—Paragraph (1) of section 108(f) of the Internal Revenue Code of 1986 is amended by striking ''discharge (in whole or in part) of'' and all that follows and inserting ''discharge (in whole or in part) of—

''(A) any student loan if such discharge was pursuant to a provision of such loan under which all or part of the indebtedness of the individual would be discharged if the individual worked for a certain period of time in certain professions for any of a broad class of employers,

''(B) any loan made, insured, or guaranteed under part B or D of title IV of the Higher Education Act of 1965, if such discharge was pursuant section 437(a) of such Act and due to a determination by the Secretary of Veterans Affairs that the borrower is unemployable due to a service-connected condition,

''(C) any loan made, insured, or guaranteed under part E of title IV of the Higher Education Act of 1965, if such discharge was pursuant to section 464(c)(1)(F)(iv) of such Act, or

''(D) any obligation arising under subpart 9 of part A of title IV of the Higher Education Act of 1965, if such discharge was pursuant to section 420N(d)(2) of such Act and due to a determination by the Secretary of Veterans Affairs that the borrower is unemployable due to a service-connected condition.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to discharges of loans after December 31, 2013.

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**SA 2527.** Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. ___. EXCLUSION OF DISCHARGE OF STUDENT LOANS FOR VETERANS WITH SERVICE-CONNECTED CONDITIONS.**

(a) IN GENERAL.—Paragraph (1) of section 108(f) of the Internal Revenue Code of 1986 is amended by striking ''discharge (in whole or in part) of'' and all that follows and inserting ''discharge (in whole or in part) of—

''(A) any student loan if such discharge was pursuant to a provision of such loan under which all or part of the indebtedness of the individual would be discharged if the individual worked for a certain period of time in certain professions for any of a broad class of employers,

''(B) any loan made, insured, or guaranteed under part B or D of title IV of the Higher Education Act of 1965, if such discharge was pursuant section 437(a) of such Act and due to a determination by the Secretary of Veterans Affairs that the borrower is unemployable due to a service-connected condition,

''(C) any loan made, insured, or guaranteed under part E of title IV of the Higher Education Act of 1965, if such discharge was pursuant to section 464(c)(1)(F)(iv) of such Act, or

''(D) any obligation arising under subpart 9 of part A of title IV of the Higher Education Act of 1965, if such discharge was pursuant to section 420N(d)(2) of such Act and due to a determination by the Secretary of Veterans Affairs that the borrower is unemployable due to a service-connected condition.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to discharges of loans after December 31, 2013.

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**SA 2528.** Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. ___. EXCLUSION OF DISCHARGE OF STUDENT LOANS FOR VETERANS WITH SERVICE-CONNECTED CONDITIONS.**

(a) IN GENERAL.—Paragraph (1) of section 108(f) of the Internal Revenue Code of 1986 is amended by striking ''discharge (in whole or in part) of'' and all that follows and inserting ''discharge (in whole or in part) of—

''(A) any student loan if such discharge was pursuant to a provision of such loan under which all or part of the indebtedness of the individual would be discharged if the individual worked for a certain period of time in certain professions for any of a broad class of employers,

''(B) any loan made, insured, or guaranteed under part B or D of title IV of the Higher Education Act of 1965, if such discharge was pursuant section 437(a) of such Act and due to a determination by the Secretary of Veterans Affairs that the borrower is unemployable due to a service-connected condition,

''(C) any loan made, insured, or guaranteed under part E of title IV of the Higher Education Act of 1965, if such discharge was pursuant to section 464(c)(1)(F)(iv) of such Act, or

''(D) any obligation arising under subpart 9 of part A of title IV of the Higher Education Act of 1965, if such discharge was pursuant to section 420N(d)(2) of such Act and due to a determination by the Secretary of Veterans Affairs that the borrower is unemployable due to a service-connected condition.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to discharges of loans after December 31, 2013.

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**SA 2529.** Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

**Subtitle D—Iran Sanctions**

**SEC. 1241. IMPOSITION OF SANCTIONS WITH RESPECT TO THE SALE, SUPPLY, AND TRANSFER OF NATURAL GAS PRODUCED IN IRAN.**

Section 5(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following:

''(9) SALE, SUPPLY, AND TRANSFER OF NATURAL GAS PRODUCED IN IRAN.—

''(A) IN GENERAL.—Except as provided in subparagraph (C) and subsection (f), the President shall impose 5 or more of the sanctions described in section 6(a) with respect to a person if the President determines that the person knowingly, on or after the date that is 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, conducts or facilitates a significant financial transaction for the sale, supply, or transfer of natural gas produced in Iran to a country that—

''(i) begins importing natural gas produced in Iran after such date of enactment; or

''(ii) during any month that begins on or after the date that is 60 days after such date of enactment, imports natural gas produced in Iran in a volume that exceeds the volume of such natural gas identified under clause (iii)(II) of subparagraph (B) in the most recent report submitted under that subparagraph as the highest volume of natural gas produced in Iran imported by that country in any month during the 2-year period preceding the submission of the report.

''(B) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, and annually thereafter, the Administrator of the Energy Information Administration, in consultation with the Secretary of the Treasury, the Secretary of State, and the Director of National Intelligence, shall submit to Congress a report that includes—

''(i) an assessment of exports of natural gas from Iran during the year preceding the submission of the report;

''(ii) an identification of the countries that imported natural gas produced in Iran during that year;

''(iii) for each such country—

''(I) an assessment of the volume of natural gas produced in Iran imported by that country during each month during the 2-year period preceding the submission of the report;

''(II) an identification of the highest volume of natural gas produced in Iran imported by that country during any such month; and

''(III) an assessment of alternative supplies of natural gas available to that country;

''(iv) an assessment of the impact a reduction in exports of natural gas from Iran would have on global natural gas supplies and the price of natural gas, especially in countries identified under clause (ii); and

''(v) such other information as the Administrator considers appropriate.

''(C) EXCEPTION.—Nothing in this paragraph shall apply with respect to any activity relating to a project described in subsection (a) of section 603 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8783) to which the exception under that section applies at the time of the activity.''.

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**SA 2530.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 411, line 7, insert ''or subcontract'' after ''contract''.

On page 411, beginning on line 12, strike ''if the Secretary'' and all that follows through line 13 and insert ''if the Secretary—

(1) determines that—

(A) an action described in subsection (a) is necessary to meet a valid military requirement; and

(B) there is no feasible alternative to Rosoboronexport for meeting such requirement; or

(2) in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge, Rosoboronexport has ceased the transfer of lethal military equipment to the government of the Syrian Arab Republic.

On page 412, between lines 7 and 8, insert the following:

(d) DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW.—

(1) IN GENERAL.—The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport in which a waiver is issued by the Secretary of Defense pursuant to subsection (b) on or after the date of the enactment of this Act.

(2) ELEMENTS.—A review conducted under paragraph (1) shall assess the accuracy of the factual and legal conclusions made by the

Secretary in the waiver covered by the review, including the following—

(A) whether there is any viable alternative to Rosoboronexport for carrying out the function for which funds will be obligated;

(B) whether the Secretary has previously used an alternative vendor for carrying out the same function regarding the military equipment in question, and what vendor was previously used;

(C) whether other explanations for the issuance of the waiver are supportable; and

(D) any other matter with respect to the waiver the Inspector General considers appropriate.

(3) REPORT.—Not later than 90 days after a waiver is issued by the Secretary pursuant to subsection (b) that is covered by this subsection, the Inspector General shall submit to the congressional defense committees a report containing the results of the review on such waiver conducted under paragraph (1).

**SEC. 1233A. MODIFICATION OF FISCAL YEAR 2013 PROHIBITION ON USE OF FUNDS TO ENTER INTO CONTRACTS OR AGREEMENTS WITH ROSOBORONEXPORT.**

(a) SCOPE OF PROHIBITION.—Subsection (a) of section 1277 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2030) is amended by inserting ''or subcontract'' after ''contract''.

(b) WAIVER AUTHORITY.—Subsection (b) of such section is amended by striking ''if the Secretary'' and all that follows and inserting ''if the Secretary—

''(1) determines that—

''(A) an action described in subsection (a) is necessary to meet a valid military requirement; and

''(B) there is no feasible alternative to Rosoboronexport for meeting such requirement; or

''(2) in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge, Rosoboronexport has ceased the transfer of lethal military equipment to the government of the Syrian Arab Republic.''.

(c) ADDITIONAL LIMITATIONS AND REQUIREMENTS.—Such section is further amended by adding at the end the following new subsections:

''(c) NOTICE TO CONGRESS BEFORE OBLIGATION OF FUNDS.—Not later than 30 days before obligating funds pursuant to any waiver pursuant to subsection (b) that is issued after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of Defense shall submit to Congress a notice on the obligation of funds pursuant to the waiver.

''(d) DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW .—

''(1) IN GENERAL.—The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport in which a waiver is issued by the Secretary of Defense pursuant to subsection (b) on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014.

''(2) ELEMENTS.—A review conducted under paragraph (1) shall assess the accuracy of the factual and legal conclusions made by the Secretary in the waiver covered by the review, including the following—

''(A) whether there is any viable alternative to Rosoboronexport for carrying out the function for which funds will be obligated;

''(B) whether the Secretary has previously used an alternative vendor for carrying out the same function regarding the military equipment in question, and what vendor was previously used;

''(C) whether other explanations for the issuance of the waiver are supportable; and

''(D) any other matter with respect to the waiver the Inspector General considers appropriate.

''(3) REPORT.—Not later than 90 days after a waiver is issued by the Secretary pursuant to subsection (b) that is covered by this subsection, the Inspector General shall submit to the congressional defense committees a report containing the results of the review on such waiver conducted under paragraph (1).''.

**SEC. 1233B. PROHIBITION ON USE OF FISCAL YEAR 2012 FUNDS TO ENTER INTO CONTRACTS OR AGREEMENTS WITH ROSOBORONEXPORT.**

(a) PROHIBITION.—None of the funds authorized to be appropriated for the Department of Defense for fiscal year 2012 by the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) that remain available for obligation or expenditure as of the date of the enactment of this Act may be used to enter into a contract or subcontract, memorandum of understanding, or cooperative agreement with, to make a grant, to, or to provide a loan or loan guarantee to Rosoboronexport.

(b) NATIONAL SECURITY WAIVER AUTHORITY.—The Secretary of Defense may waive the applicability of subsection (a) if the Secretary—

(1) determines that—

(A) an action described in subsection (a) is necessary to meet a valid military requirement; and

(B) there is no feasible alternative to Rosoboronexport for meeting such requirement; or

(2) in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge, Rosoboronexport has ceased the transfer of lethal military equipment to the government of the Syrian Arab Republic.

(c) NOTICE TO CONGRESS BEFORE OBLIGATION OF FUNDS.—Not later than 30 days before obligating funds pursuant to any waiver pursuant to subsection (b), the Secretary of Defense shall submit to Congress a notice on the obligation of funds pursuant to the waiver.

(d) DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW .—

(1) IN GENERAL.—The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport in which a waiver is issued by the Secretary of Defense pursuant to subsection (b).

(2) ELEMENTS.—A review conducted under paragraph (1) shall assess the accuracy of the factual and legal conclusions made by the Secretary in the waiver covered by the review, including the following—

(A) whether there is any viable alternative to Rosoboronexport for carrying out the function for which funds will be obligated;

(B) whether the Secretary has previously used an alternative vendor for carrying out the same function regarding the military equipment in question, and what vendor was previously used;

(C) whether other explanations for the issuance of the waiver are supportable; and

(D) any other matter with respect to the waiver the Inspector General considers appropriate.

(3) REPORT.—Not later than 90 days after a waiver is issued by the Secretary pursuant to subsection (b), the Inspector General shall submit to the congressional defense committees a report containing the results of the review on the waiver conducted under paragraph (1).

**SEC. 1233C. REPORT ON ROSOBORONEXPORT ACTIVITIES.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the following:

(1) A list of the known transfers of lethal military equipment by Rosoboronexport to the Government of the Syrian Arab Republic since March 15, 2011.

(2) A list of the known contracts, if any, that Rosoboronexport has signed with the Government of the Syrian Arab Republic since March 15, 2011.

(3) A detailed list of all existing contracts, subcontracts, memorandums of understanding, cooperative agreements, grants, loans, and loan guarantees between the Department of Defense and Rosoboronexport, including a description of the transaction, signing dates, values, and quantities.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

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**SA 2531.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 411, line 7, insert ''or subcontract'' after ''contract''.

On page 411, beginning on line 12, strike ''if the Secretary'' and all that follows through line 13 and insert ''if the Secretary—

(1) determines that such a waiver is in the national security interests of the United States; or

(2) in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge, Rosoboronexport has ceased the transfer of lethal military equipment to the government of the Syrian Arab Republic.

On page 412, between lines 7 and 8, insert the following:

(d) DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW.—

(1) IN GENERAL.—The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport in which a waiver is issued by the Secretary of Defense pursuant to subsection (b) on or after the date of the enactment of this Act.

(2) ELEMENTS.—A review conducted under paragraph (1) shall assess the accuracy of the factual and legal conclusions made by the Secretary in the waiver covered by the review, including the following—

(A) whether there is any viable alternative to Rosoboronexport for carrying out the function for which funds will be obligated;

(B) whether the Secretary has previously used an alternative vendor for carrying out the same function regarding the military equipment in question, and what vendor was previously used;

(C) whether other explanations for the issuance of the waiver are supportable; and

(D) any other matter with respect to the waiver the Inspector General considers appropriate.

(3) REPORT.—Not later than 90 days after a waiver is issued by the Secretary pursuant to subsection (b) that is covered by this subsection, the Inspector General shall submit

to the congressional defense committees a report containing the results of the review on such waiver conducted under paragraph (1).

**SEC. 1233A. MODIFICATION OF FISCAL YEAR 2013 PROHIBITION ON USE OF FUNDS TO ENTER INTO CONTRACTS OR AGREEMENTS WITH ROSOBORONEXPORT.**

(a) SCOPE OF PROHIBITION.—Subsection (a) of section 1277 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2030) is amended by inserting ''or subcontract'' after ''contract''.

(b) WAIVER AUTHORITY.—Subsection (b) of such section is amended by striking ''if the Secretary'' and all that follows and inserting ''if the Secretary—

''(1) determines that such a waiver is in the national security interests of the United States; or

''(2) in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge, Rosoboronexport has ceased the transfer of lethal military equipment to the government of the Syrian Arab Republic.''.

(c) ADDITIONAL LIMITATIONS AND REQUIREMENTS.—Such section is further amended by adding at the end the following new subsections:

''(c) NOTICE TO CONGRESS BEFORE OBLIGATION OF FUNDS.—Not later than 30 days before obligating funds pursuant to any waiver pursuant to subsection (b) that is issued after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of Defense shall submit to Congress a notice on the obligation of funds pursuant to the waiver.

''(d) DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW .—

''(1) IN GENERAL.—The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport in which a waiver is issued by the Secretary of Defense pursuant to subsection (b) on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014.

''(2) ELEMENTS.—A review conducted under paragraph (1) shall assess the accuracy of the factual and legal conclusions made by the Secretary in the waiver covered by the review, including the following—

''(A) whether there is any viable alternative to Rosoboronexport for carrying out the function for which funds will be obligated;

''(B) whether the Secretary has previously used an alternative vendor for carrying out the same function regarding the military equipment in question, and what vendor was previously used;

''(C) whether other explanations for the issuance of the waiver are supportable; and

''(D) any other matter with respect to the waiver the Inspector General considers appropriate.

''(3) REPORT.—Not later than 90 days after a waiver is issued by the Secretary pursuant to subsection (b) that is covered by this subsection, the Inspector General shall submit to the congressional defense committees a report containing the results of the review on such waiver conducted under paragraph (1).''.

**SEC. 1233B. PROHIBITION ON USE OF FISCAL YEAR 2012 FUNDS TO ENTER INTO CONTRACTS OR AGREEMENTS WITH ROSOBORONEXPORT.**

(a) PROHIBITION.—None of the funds authorized to be appropriated for the Department of Defense for fiscal year 2012 by the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) that remain available for obligation or expenditure as of the date of the enactment of this Act may be used to enter into a contract or subcontract, memorandum of understanding, or cooperative agreement with, to make a grant, to, or to provide a loan or loan guarantee to Rosoboronexport.

(b) NATIONAL SECURITY WAIVER AUTHORITY.—The Secretary of Defense may waive the applicability of subsection (a) if the Secretary—

(1) determines that such a waiver is in the national security interests of the United States; or

(2) in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge, Rosoboronexport has ceased the transfer of lethal military equipment to the government of the Syrian Arab Republic.

(c) NOTICE TO CONGRESS BEFORE OBLIGATION OF FUNDS.—Not later than 30 days before obligating funds pursuant to any waiver pursuant to subsection (b), the Secretary of Defense shall submit to Congress a notice on the obligation of funds pursuant to the waiver.

(d) DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW .—

(1) IN GENERAL.—The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport in which a waiver is issued by the Secretary of Defense pursuant to subsection (b).

(2) ELEMENTS.—A review conducted under paragraph (1) shall assess the accuracy of the factual and legal conclusions made by the Secretary in the waiver covered by the review, including the following—

(A) whether there is any viable alternative to Rosoboronexport for carrying out the function for which funds will be obligated;

(B) whether the Secretary has previously used an alternative vendor for carrying out the same function regarding the military equipment in question, and what vendor was previously used;

(C) whether other explanations for the issuance of the waiver are supportable; and

(D) any other matter with respect to the waiver the Inspector General considers appropriate.

(3) REPORT.—Not later than 90 days after a waiver is issued by the Secretary pursuant to subsection (b), the Inspector General shall submit to the congressional defense committees a report containing the results of the review on the waiver conducted under paragraph (1).

**SEC. 1233C. REPORT ON ROSOBORONEXPORT ACTIVITIES.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the following:

(1) A list of the known transfers of lethal military equipment by Rosoboronexport to the Government of the Syrian Arab Republic since March 15, 2011.

(2) A list of the known contracts, if any, that Rosoboronexport has signed with the Government of the Syrian Arab Republic since March 15, 2011.

(3) A detailed list of all existing contracts, subcontracts, memorandums of understanding, cooperative agreements, grants, loans, and loan guarantees between the Department of Defense and Rosoboronexport, including a description of the transaction, signing dates, values, and quantities.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

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**SA 2532.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1534. COMPREHENSIVE LONG-TERM PLAN FOR AFGHAN NATIONAL SECURITY FORCES AVIATION CAPABILITIES.**

(a) LONG-TERM PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees report setting forth a comprehensive long-term plan for training, equipping, advising, and sustaining the aviation capabilities of the Afghan National Security Forces (ANSF), at a minimum, through 2018.

(b) SCOPE AND COVERAGE.—The plan required by subsection (a) shall cover the plans of the Department of Defense to build the capacity of the Afghan National Security Forces to maintain and sustain a professional and safe military aviation program that includes the Special Mission Wing (SMW) and the Afghan Air Force (AAF).

(c) ELEMENTS.—The plan required by subsection (a) shall include the following:

(1) The manner in which the Department of Defense will maintain and evaluate safety, airworthiness, and pilot proficiency standards of the Afghan National Security Forces.

(2) Means by which the Department will train the Afghan National Security Forces to the necessary aviation proficiency levels.

(3) Means by which the Department will assist the Afghan National Security Forces in recruiting the requisite number of pilots, other crewmembers, and aircraft maintenance personnel.

(4) The type and number of aircraft required to equip each Afghan National Security Forces aviation unit.

(5) The additional aircraft to be procured by the Afghan National Security Forces to meet such requirements.

(6) For each aircraft platform required to equip Afghan National Security Forces aviation units, the date on which the Afghan National Security Forces are expected to be capable of maintaining and operating such platform without oversight from the United States Armed Forces.

(7) The amount required on an annual basis for operations and sustainment of planned aviation units.

(8) The portion of the amount described in paragraph (7) that is anticipated to be provided by the Afghanistan Government and the portion that is anticipated to be provided by international contributions.

(9) Mechanisms for vetting Afghan National Security Forces personnel that will receive training from the United States under the plan.

(10) Mechanisms for end-user monitoring for aircraft and equipment provided the Afghan National Security Forces by the United States.

(d) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW.—Not later than 180 days after the date of the submittal of the report required by subsection (a), the Inspector General of the Department of Defense shall submit to the congressional defense committee a report on the plan covered by such report. The report under this subsection shall include the following:

(1) A review and assessment of the plan by the Inspector General.

(2) Such recommendations for additional actions on training, equipping, advising, and sustaining the aviation capabilities of the Afghan National Security Forces as the Inspector General considers appropriate.

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**SA 2533.** Mr. CORNYN (for himself, Mr. CRUZ, Mr. BOOZMAN, Mr. PRYOR, Mr. HELLER, Mr. MORAN, Ms. COLLINS, and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

**SEC. 585. MEDALS FOR MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE WHO WERE KILLED OR WOUNDED IN AN ATTACK PERPETRATED BY A HOMEGROWN VIOLENT EXTREMIST WHO WAS INSPIRED OR MOTIVATED BY A FOREIGN TERRORIST ORGANIZATION.**

(a) PURPLE HEART.—

(1) AWARD.—

(A) IN GENERAL.—Chapter 57 of title 10, United States Code, is amended by inserting after section 1129 the following new section:

**"§ 1129a. Purple Heart: members killed or wounded in attacks of homegrown violent extremists motivated or inspired by foreign terrorist organizations**

''(a) IN GENERAL.—For purposes of the award of the Purple Heart, the Secretary concerned shall treat a member of the armed forces described in subsection (b) in the same manner as a member who is killed or wounded in action as a result of an act of an enemy of the United States.

''(b) COVERED MEMBERS.—A member described in this subsection is a member on active duty who was killed or wounded in an attack perpetrated by a homegrown violent extremist who was inspired or motivated to engage in violent action by a foreign terrorist organization in circumstances where the death or wound is the result of an attack targeted on the member due to such member's status as a member of the armed forces, unless the death or wound is the result of willful misconduct of the member.

''(c) DEFINITIONS.—In this section:

''(1) The term 'foreign terrorist organization' means an entity designated as a foreign terrorist organization by the Secretary of State pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

''(2) The term 'homegrown violent extremist' shall have the meaning given that term by the Secretary of Defense in regulations prescribed for purposes of this section.''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 57 of such title is amended by inserting after the item relating to section 1129 the following new item:

''1129a. Purple Heart: members killed or wounded in attacks of homegrown violent extremists motivated or inspired by foreign terrorist organizations.''.

(2) RETROACTIVE EFFECTIVE DATE AND APPLICATION.—

(A) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as of September 11, 2001.

(B) REVIEW OF CERTAIN PREVIOUS INCIDENTS.—The Secretaries concerned shall undertake a review of each death or wounding of a member of the Armed Forces that occurred between September 11, 2001, and the date of the enactment of this Act under circumstances that could qualify as being the result of the attack of a homegrown violent extremist as described in section 1129a of title 10, United States Code (as added by paragraph (1)), to determine whether the death or wounding qualifies as a death or wounding resulting from a homegrown violent extremist attack motivated or inspired by a foreign terrorist organization for purposes of the award of the Purple Heart pursuant to such section (as so added).

(C) ACTIONS FOLLOWING REVIEW.—If the death or wounding of a member of the Armed Forces reviewed under subparagraph (B) is determined to qualify as a death or wounding resulting from a homegrown violent extremist attack motivated or inspired by a foreign terrorist organization as described in section 1129a of title 10, United States Code (as so added), the Secretary concerned shall take appropriate action under such section to award the Purple Heart to the member.

(D) SECRETARY CONCERNED DEFINED.—In this paragraph, the term ''Secretary concerned'' has the meaning given that term in section 101(a)(9) of title 10, United States Code.

(b) SECRETARY OF DEFENSE MEDAL FOR THE DEFENSE OF FREEDOM.—

(1) REVIEW OF THE NOVEMBER 5, 2009 ATTACK AT FORT HOOD, TEXAS.—If the Secretary concerned determines, after a review under subsection (a)(2)(B) regarding the attack that occurred at Fort Hood, Texas, on November 5, 2009, that the death or wounding of any member of the Armed Forces in that attack qualified as a death or wounding resulting from a homegrown violent extremist attack motivated or inspired by a foreign terrorist organization as described in section 1129a of title 10, United States Code (as added by subsection (a)), the Secretary of Defense shall make a determination as to whether the death or wounding of any civilian employee of the Department of Defense or civilian contractor in the same attack meets the eligibility criteria for the award of the Secretary of Defense Medal for the Defense of Freedom.

(2) AWARD.—If the Secretary of Defense determines under paragraph (1) that the death or wounding of any civilian employee of the Department of Defense or civilian contractor in the attack that occurred at Fort Hood, Texas, on November 5, 2009, meets the eligibility criteria for the award of the Secretary of Defense Medal for the Defense of Freedom, the Secretary shall take appropriate action to award the Secretary of Defense Medal for the Defense of Freedom to the employee or contractor.

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**SA 2534.** Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 935. REQUIREMENTS RELATED TO DATA FUSION, ANALYSIS, PROCESSING, AND DISSEMINATION SYSTEMS.**

(a) PROJECT CODES FOR BUDGET SUBMISSIONS.—In the budget transmitted by the President to Congress under section 1105 of title 31, United States Code, for fiscal year 2015 and each subsequent fiscal year, each module within the distributed common ground system program shall be set forth as a separate project code within the program element line with supporting justification for each project code within the program element descriptive summary provided to Congress.

(b) REPORT ON CAPABILITIES.—

(1) IN GENERAL.—Not later than March 1, 2014, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on the distributed common ground system program.

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

(A) An assessment of the capability of the program, as currently available to users, to meet current operational and program requirements.

(B) An evaluation of the capability of commercial-off-the-shelf software that meets open architecture standards to meet data fusion, analysis, processing, and dissemination requirements, including the capability of those tools to meet program requirements.

(C) An assessment of total lifecycle costs for each program and commercial-off-the-shelf alternatives, including the methodology utilized to arrive at such costs.

(c) REQUIREMENT FOR COMPETITION.—Full and open competition shall be used to the maximum extent practicable to procure or develop any data fusion, analysis, processing, and dissemination products or cloud computing services of any module covered by subsection (a).

(d) REPORT ON ADOPTION OF INTELLIGENCE COMMUNITY INFORMATION SYSTEMS BY ARMY.—

(1) IN GENERAL.—Not later than March1, 2014, the Secretary of the Army shall submit to the congressional defense committees a report on the interoperability of Army information systems with intelligence community information technology standards.

(2) CONTENTS.—The report required by paragraph (1) shall include, at a minimum, the following:

(A) An assessment of the ability of current information systems of the Army to meet intelligence community requirements.

(B) A list of current requirements for inclusion in systems of the Army designed to interface with intelligence community systems, including the Intelligence Community Information Technology Enterprise.

(C) Identification of the official responsible for determining any requirement or standard for any major function of the Intelligence Community Information Technology Enterprise-Army system.

(D) Definitions, as adopted and utilized by the Army for—

(i) ''open architecture standards''; and

(ii) ''intelligence community standards''.

(e) UPDATED ACQUISITION STRATEGY REQUIRED.—No later than March 1, 2014, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees an updated acquisition strategy for the program described in subsection (a).

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**SA 2535.** Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title III, add the following:

**SEC. 353. UTILIZATION OF NATIONAL GUARD INSTALLATION AIRSPACE.**

(a) IN GENERAL.—The Secretary of Defense shall not prohibit a State National Guard, designated by the Federal Aviation Administration as a Using Agency, from scheduling and activating, for a public purpose, special use airspace associated with State-owned military facility as long as State National Guard use of airspace can only occur when no military mission or Department of Defense activity within the airspace is affected.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to give any State National Guard superiority over the Department of Defense in airspace scheduling and activation.

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**SA 2536.** Mr. BURR (for himself, Mr. COBURN, Mr. CHAMBLISS, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1066. REPORT ON PLANS TO DISRUPT AND DEGRADE HAQQANI NETWORK ACTIVITIES AND FINANCES.**

(a) FINDINGS.—Congress makes the following findings:

(1) The Haqqani Network is a primary partner for the Taliban, al Qaeda, regional militants, and other global Islamic jihadists committing acts of violence, as well as political and economic oppression in Afghanistan and Pakistan.

(2) The Haqqani Network continues to be a strategic threat to the safety, security, and stability of Afghanistan, as well as the broader region.

(3) The Haqqani Network is directly responsible for a significant number of United States casualties and injuries on the battlefield in Afghanistan.

(4) The Haqqani Network continues to actively plan potentially catastrophic attacks against United States interests and personnel in Afghanistan.

(5) On September 19, 2012, the Secretary of State formally designated the Haqqani Network a Foreign Terrorist Organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Administration should urgently prioritize efforts, and utilize its full authority, to disrupt and degrade the Haqqani Network and to deny the organization finances it requires to carry out their activities.

(c) REPORT ON ACTIVITIES AND PLANS TO DISRUPT AND DEGRADE HAQQANI NETWORK ACTIVITIES AND FINANCES.—

(1) REPORT REQUIRED.—The President shall report to the appropriate committees of Congress, not later than 9 months after the date of enactment of their Act, on activities and plans to disrupt and degrade Haqqani Network activities and finances.

(2) COORDINATION.—The report required by paragraph (1) shall be prepared by the Secretary of Defense, in coordination with the Secretary of State, the Secretary of the Treasury, the Attorney General, and the Director of National Intelligence, and any other department or agency of the United States Government involved in activities related to disrupting and degrading the Haqqani Network.

(3) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the current activities of the Department of Defense, the Department of State, the Department of the Treasury, the Department of Justice, and the elements of the intelligence community to disrupt and degrade Haqqani Network activities, finances, and resources.

(B) An assessment of the intelligence community—

(i) of the operations of the Haqqani Network in Afghanistan and Pakistan, and its activities outside the region; and

(ii) of the relationships, networks, and vulnerabilities of the Haqqani Network, including with Pakistan's military, intelligence services, and government officials, including provincial and district officials.

(C) A review of the plans and intentions of the Haqqani Network with respect to the continued drawdown of United States and coalition troops.

(D) A review of the current United States policies, operations, funding, and plans for applying sustained and systemic pressure against the Haqqani Network's financial infrastructure, including—

(i) identification of the agencies that would participate in implementing such plans;

(ii) a description of the legal authorities under which such a plan would be conducted;

(iii) a description of the objectives and desired outcomes of such a plan, including specific steps to achieve these objectives and outcomes;

(iv) metrics to measure the success of the plan; and

(v) the identity of the agency of office to be designated as the lead agency in implementing such a plan.

(E) An examination of the role current United States and coalition contracting processes have in furthering the financial interests of the Haqqani Network, and how such strategy will mitigate the unintended consequences of such processes.

(F) An assessment of formal and informal business sectors penetrated by the Haqqani Network in Afghanistan, Pakistan, and other countries, particularly in the Persian Gulf region, and a description of steps to counter these activities.

(G) An estimate of associated costs required to plan and execute any proposed activities to disrupt and degrade the Haqqani Network's operations and resources.

(H) A description of how activities and plans specified in paragraph (1) fit in the broader United States efforts to stabilize Afghanistan and prevent the region from being a safe haven for al Qaeda and its affiliates.

(4) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

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

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

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**SA 2537.** Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXVIII, add the following:

**SEC. 2842. RESPONSIBILITY FOR ENVIRONMENTAL REMEDIATION AT BADGER ARMY AMMUNITION PLANT, BARABOO, WISCONSIN.**

(a) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) PLANT.—The term ''plant'' means the Badger Army Ammunition Plant near Baraboo, Wisconsin.

(3) PROPERTY.—The term ''property'' includes—

(A) the plant;

(B) any land located in Sauk County, Wisconsin, and managed by the Federal Government relating to the plant; and

(C) any structure on the land described in subparagraph (B).

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) IN GENERAL.—There is transferred from the Secretary of Defense to the Secretary of the Interior administrative jurisdiction over approximately 1,553 acres of land located within the boundary of the property, to be held in trust by the Secretary of the Interior for the benefit of the Ho-Chunk Nation.

(2) DATE OF TRANSFER.—The transfer under paragraph (1) shall be carried out—

(A) not earlier than the date on which environmental remediation activities on the land transferred under paragraph (1) is finalized; and

(B) not later than the earlier of—

(i) the date that is 12 months after the date described in subparagraph (A); and

(ii) the date of enactment of this section.

(c) RETENTION OF ENVIRONMENTAL LIABILITY.—

(1) IN GENERAL.—Subject to paragraph (2), beginning on the date on which the property is transferred to the Secretary of the Interior under subsection (b), the Department of Defense shall retain sole and exclusive Federal responsibility and liability to fund and implement any action required under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), or any other applicable Federal or State law.

(2) LIMITATION.—The liability described in paragraph (1) is limited to the remediation of environmental contamination caused by the activities of the Department of Defense that existed before the date on which the property is transferred.

(d) EFFECT.—Except as otherwise provided in this section, nothing in this section—

(1) relieves the Secretary of Defense, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, or any other person from any obligation or liability under any Federal or State law with respect to the plant;

(2) affects or limits the application of, or any obligation to comply with, any environmental law, including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(B) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.); or

(3) prevents the United States from bringing a cost recovery, contribution, or any other action that would otherwise be available under any Federal or State law.

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**SA 2538.** Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

**SEC. 2815. COMPREHENSIVE REPORT FOR ENERGY REMOTE MILITARY INSTALLATIONS.**

(a) REPORT.—

(1) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Deputy Under Secretary of Defense for Installations and Environment, in conjunction with the Service Assistant Secretaries responsible for Installations and Environment for the military services, shall submit a report to the congressional defense committees detailing the current cost and sources of energy at each military installation in states with energy remote military installations, and viable and feasible options for achieving energy efficiency and cost savings at those military installations.

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

(A) A comprehensive, installation specific assessment of feasible and mission appropriate energy initiatives supporting energy production and consumption at energy remote military installations.

(B) An assessment of current sources of energy in states with energy remote military installations and potential future sources that are technologically feasible, cost effective, and mission appropriate.

(C) A comprehensive implementation strategy to include required investment for feasible energy efficiency options determined to be the most beneficial and cost effective where appropriate and consistent with department priorities.

(D) An explanation on how military services are working collaboratively in order to leverage lessons learned on potential energy efficiency solutions.

(E) An assessment of State and local partnership opportunities that could achieve efficiency and cost savings, and any legislative authorities required to carry out such partnerships or agreements.

(3) UTILIZATION OF OTHER EFFORTS.—In preparing the report required under paragraph (1), the Under Secretary shall take into consideration completed and ongoing efforts by agencies of the Federal Government to analyze and develop energy efficient solutions in states with energy remote military installations, including the Department of Defense information available in the Annual Energy Management Report.

(4) COORDINATION WITH STATE AND LOCAL AND OTHER ENTITIES.—In preparing the report required under paragraph (1), the Under Secretary may encouraged to work in conjunction and coordinate with the states containing energy remote military installations, local communities, and other Federal departments and agencies.

(b) DEFINITIONS.—In this section, the term ''energy remote military installation'' includes military installations in the United States not connected to an extensive electrical energy grid.

**SA 2539.** Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2185 submitted by Mr. WICKER (for himself, Mr. LEE, Mrs. FISCHER, and Mr. CORNYN) and intended to be proposed to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

(c) NATIONAL SECURITY WAIVER.—

(1) IN GENERAL.—The President may waive the certification requirement in subsection (a) if the President, acting jointly through the Secretary of Defense and the Director of National Intelligence, certifies to Congress that the waiver is in the interests of the national security of the United States, provided—

(A) all data collected or transmitted from ground monitoring stations covered by the waiver shall not be encrypted;

(B) all foreign nationals involved in the construction, operation, and maintenance of such ground monitoring stations shall be accompanied by cleared United States persons or United States law enforcement personnel;

(C) such ground monitoring stations shall be not located in geographic proximity to sensitive United States national security sites;

(D) the United States shall approve all equipment to be located at such ground stations; and

(E) appropriate actions are taken to ensure that any such ground monitoring station does not pose a cyber espionage or other cyber threat to the United States.

(2) WAIVER REPORT.—The waiver in this subsection shall be accompanied by a written report to the appropriate congressional committees that sets forth—

(A) the reason why it is not possible to provide the certification in subsection (a);

(B) an assessment of the impact of the waiver on the national security of the United States;

(C) a description of the means to be used to mitigate any such impact to the United States for the duration that such ground monitoring stations are operated on United States Government soil;

(D) to the extent possible, the elements of the report required by subsection (b); and

(E) any other information in connection with the waiver that the President considers appropriate.

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**SA 2540.** Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2100 submitted by Mr. WYDEN (for himself and Mr. HEINRICH) and intended to be proposed to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 37, between lines 14 and 15, insert the following:

(f) PAYMENT FOR ENTITLEMENT LAND.—The land withdrawn under subsection (a) is considered the location of a semi-active installation that the Secretary of the Army keeps for reserve component training, for purposes of chapter 69 of title 31, United States Code.

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**SA 2541.** Mr. UDALL of Colorado (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ___. ESTABLISHMENT OF THE ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.**

(a) ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.—Subtitle B of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l et seq.) is amended by adding at the end the following:

**''SEC. 3632. ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.**

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this section, the President shall establish and appoint an Advisory Board on Toxic Substances and Worker Health (referred to in this section as the 'Board').

''(2) CONSULTATION ON APPOINTMENTS.—The President shall make appointments to the Board in consultation with organizations with expertise on worker health issues in order to ensure that the membership of the Board reflects a proper balance of perspectives from the scientific, medical, legal, worker, worker families, and worker advocate communities.

''(3) CHAIRPERSON.—The President shall designate a Chair of the Board from among its members.

''(b) DUTIES.—The Board shall—

''(1) advise the President concerning the review and approval of the Department of Labor site exposure matrix;

''(2) conduct periodic peer reviews of, and approve, medical guidance for part E claims examiners with respect to the weighing of a claimant's medical evidence;

''(3) obtain periodic expert review of evidentiary requirements for part B claims related to lung disease regardless of approval;

''(4) provide oversight over industrial hygienists, Department of Labor staff physicians, and Department of Labor's consulting physicians and their reports to ensure quality, objectivity, and consistency; and

''(5) coordinate exchanges of data and findings with the Advisory Board on Radiation and Worker Health to the extent necessary (under section 3624).

''(c) STAFF AND POWERS.—

''(1) IN GENERAL.—The President shall appoint a staff to facilitate the work of the Board. The staff of the Board shall be headed by a Director who shall be appointed under subchapter VIII of chapter 33 of title 5, United States Code.

''(2) FEDERAL AGENCY PERSONNEL.—The President may authorize the detail of employees of Federal agencies to the Board as necessary to enable the Board to carry out its duties under this section. The detail of such personnel may be on a non-reimbursable basis.

''(3) POWERS.—The Board shall have same powers that the Advisory Board has under section 3624.

''(4) CONTRACTORS.—The Secretary shall employ outside contractors and specialists selected by the Board to support the work of the Board.

''(d) EXPENSES.—Members of the Board, other than full-time employees of the United States, while attending meetings of the Board or while otherwise serving at the request of the President, and while serving away from their homes or regular place of business, shall be allowed travel and meal expenses, including per diem in lieu of subsistence (as authorized by section 5703 of title 5, United States Code) for individuals in the Federal Government serving without pay.

''(e) SECURITY CLEARANCES.—

''(1) APPLICATION.—The Secretary of Energy shall ensure that the members and staff of the Board, and the contractors performing work in support of the Board, are afforded the opportunity to apply for a security clearance for any matter for which such a clearance is appropriate.

''(2) DETERMINATION.—The Secretary of Energy should, not later than 180 days after receiving a completed application for a security clearance under this subsection, make a determination whether or not the individual concerned is eligible for the clearance.

''(3) REPORT.—For fiscal year 2015, and each fiscal year thereafter, the Secretary of Energy shall include in the budget justification materials submitted to Congress in support of the Department of Energy budget for that fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report specifying the number of applications for security clearances under this subsection, the number of such applications granted, and the number of such applications denied.

''(f) INFORMATION.—The Secretary of Energy shall, in accordance with law, provide to the Board and the contractors of the Board, access to any information that the Board considers relevant to carry out its responsibilities under this section, including information such as restricted data (as defined in section 11(y) of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y))) and information covered by the Privacy Act.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section. The provision of section 151(b) of title I of division B of Public Law 106-554 shall not apply to funding provided to carry out this section.''.

(b) DEPARTMENT OF LABOR RESPONSE TO THE OFFICE OF THE OMBUDSMAN ANNUAL REPORT.—Section 3686 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–15) is amended—

(1) in subsection (e)(1), by striking ''February 15'' and inserting ''July 30''; and

(2) by striking subsection (h) and inserting the following:

''(h) RESPONSE TO REPORT.—Not later than 180 days after the publication of the annual report under subsection (e), the Department of Labor shall submit an answer in writing on whether the Department agrees or disagrees with the specific issues raised by the Ombudsman, if the Department agrees, on the actions to be taken to correct the problems identified by the Ombudsman, and if the Department does not agree, on the reasons therefore. The Department of Labor shall post such answer on the public Internet website of the Department.''.

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**SA 2542.** Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2502 submitted by Ms. BALDWIN and intended to be proposed to the bill S. 1197, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 3 and all that follows through page 3, line 24, and insert the following:

**SEC. 2842. RESPONSIBILITY FOR ENVIRONMENTAL REMEDIATION AT BADGER ARMY AMMUNITION PLANT, BARABOO, WISCONSIN.**

(a) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) PLANT.—The term ''plant'' means the Badger Army Ammunition Plant near Baraboo, Wisconsin.

(3) PROPERTY.—The term ''property'' includes—

(A) the plant;

(B) any land located in Sauk County, Wisconsin, and managed by the Federal Government relating to the plant; and

(C) any structure on the land described in subparagraph (B).

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) IN GENERAL.—There is transferred from the Secretary of Defense to the Secretary of the Interior administrative jurisdiction over approximately 1,553 acres of land located within the boundary of the property, to be held in trust by the Secretary of the Interior for the benefit of the Ho-Chunk Nation.

(2) DATE OF TRANSFER.—The transfer under paragraph (1) shall be carried out—

(A) not earlier than the date on which environmental remediation activities on the land transferred under paragraph (1) is finalized; and

(B) not later than the earlier of—

(i) the date that is 12 months after the date described in subparagraph (A); and

(ii) the date of enactment of this section.

(c) RETENTION OF ENVIRONMENTAL LIABILITY.—

(1) IN GENERAL.—Subject to paragraph (2), beginning on the date on which the property is transferred to the Secretary of the Interior under subsection (b), the Department of Defense shall retain sole and exclusive Federal responsibility and liability to fund and implement any action required under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), or any other applicable Federal or State law.

(2) LIMITATION.—The liability described in paragraph (1) is limited to the remediation of environmental contamination caused by the activities of the Department of Defense that existed before the date on which the property is transferred.

(d) EFFECT.—Except as otherwise provided in this section, nothing in this section—

(1) relieves the Secretary of Defense, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, or any other person from any obligation or liability under any Federal or State law with respect to the plant;

(2) affects or limits the application of, or any obligation to comply with, any environmental law, including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(B) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.); or

(3) prevents the United States from bringing a cost recovery, contribution, or any other action that would otherwise be available under any Federal or State law.

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## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. 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 November 21, 2013, at 10 a.m., to conduct a hearing entitled ''Housing Finance Reform: Powers and Structure of a Strong Regulator.''

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

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. 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 November 21, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

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

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. 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 November 21, 2013, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

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

### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS AND THE SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works and the Subcommittee on Clean Air and Nuclear Safety be authorized to meet during the session of the Senate on November 21, 2013, at 10:15 a.m. in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''Oversight Hearing: NRC's Implementation of the Fukushima Near-Term Task Force Recommendations and other Actions to Enhance and Maintain Nuclear Safety.''

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

### COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 21, 2013, at 9:30 a.m., to hold a hearing entitled ''Convention on the Rights of Persons with Disabilities.''

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

### COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on November 21, 2013, at 10 a.m., in SD–226 of the Dirksen Senate Office Building.