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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC.
September 18, 2014.

I hereby appoint the Honorable DOUG COLLINS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

Reverend Seretta McKnight, Union Baptist Church, Hempstead, New York, offered the following prayer:

Good morning, Lord God. I acknowledge that You are God alone, large and in charge, and I thank You for being a loving, a forgiving, and a just God.

As I stand in these hallowed halls of this House, this chapel of democracy, I ask You to give all those who have the responsibility to represent, provide, and protect we, the people, the courage, conscience, and heart to do the right thing by choosing the principled position over political posturing.

Lord God, allow these to enact the laws that will help and heal, not hurt and harm, we, the people. Give this august body the courage to decrease the divide between the haves and the have-nots, the conscience to consider all of our children as precious, and the heart to lead with love so that this House turns from a house of pain to one of purpose, of promise, and of productivity for we, the people.

Lord God, please bless Speaker BOEHNER; Leader PELOSI; my Congresswoman, Mrs. MCCARTHY; and all those who have the challenge to lead for such a time as this.

Lastly, Lord, before I ask You to continue to bless America, bless our President Barack Obama and all those who are in service to this great Nation. Teach us how to bless You, Lord, so that You, God, may continue to bless America.

It is in the name that is above every name that I offer up this petition to the Throne of Grace. I am speaking of my personal Lord and Savior; Jesus Christ is the name in which I pray.

And we all say together, amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from New York (Mrs. MCCARTHY) come forward and lead the House in the Pledge of Allegiance.

Mrs. MCCARTHY of New York led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND SERETTA MCKNIGHT

The SPEAKER pro tempore. Without objection, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 1 minute.

There was no objection.

Mrs. MCCARTHY of New York. First of all, Mr. Speaker, I would like to certainly welcome the family and friends of our sister, Reverend Seretta McKnight, who just delivered that wonderful prayer opening today's session in the House of Representatives.

Reverend McKnight serves at the Union Baptist Church in Hempstead, New York, on Long Island. She is a product of the Roosevelt Public School System and is a graduate of Syracuse University. Currently, Reverend McKnight is a candidate for a master of divinity degree.

It has been my honor and pleasure to know Reverend McKnight for many years, and I take this time to recognize her for the outstanding service she has provided to local people throughout our unique district and organizations.

I want you to know that she has worked tirelessly with Sisters in the Struggle and several other community-based organizations. She focuses on programs for women and young people. Reverend Seretta McKnight is affectionately known as the ''sister minister'' to all who are enriched by her sermons and wisdom.

Again, I thank Reverend McKnight, her family, her friends, and her mother for traveling to join us today in Washington. I salute her for her years of service to the people of the Fourth Congressional District and to the people of this country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. After consultation among the Speaker and the majority and minority leaders, and with their consent, the Chair announces that, when the two Houses meet in joint meeting to hear an address by His Excellency Petro Poroshenko, President of Ukraine, only the doors immediately opposite the Speaker and those immediately to his left and right will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House. Due to the large attendance that is anticipated, the rule regarding the privilege of the floor must be strictly enforced.

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Children of Members will not be permitted on the floor. The cooperation of all Members is requested.

The practice of reserving seats prior to the joint meeting by placard will not be allowed. Members may reserve their seats by physical presence only following the security sweep of the Chamber.

RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, September 11, 2014, the House stands in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 5 minutes a.m.), the House stood in recess.

□ 0950

JOINT MEETING TO HEAR AN ADDRESS BY HIS EXCELLENCY PETRO POROSHENKO, PRESIDENT OF UKRAINE

During the recess, the House was called to order by the Speaker at 9 o'clock and 50 minutes a.m.

The Assistant Sergeant at Arms, Ms. Kathleen Joyce, announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The joint meeting will come to order.

The Chair appoints as members of the committee on the part of the House to escort His Excellency Petro Poroshenko, President of Ukraine, into the Chamber:

The gentleman from California (Mr. MCCARTHY);

The gentleman from Louisiana (Mr. SCALISE);

The gentlewoman from Washington (Mrs. MCMORRIS RODGERS);

The gentleman from Oregon (Mr. WALDEN);

The gentlewoman from Kansas (Ms. JENKINS);

The gentleman from California (Mr. MCKEON);

The gentleman from California (Mr. ROYCE);

The gentleman from New Jersey (Mr. FRELINGHUYSEN);

The gentlewoman from Texas (Ms. GRANGER);

The gentleman from Michigan (Mr. ROGERS);

The gentleman from Pennsylvania (Mr. GERLACH);

The gentleman from Ohio (Mr. TURNER);

The gentlewoman from California (Ms. PELOSI);

The gentleman from Maryland (Mr. HOYER);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from New York (Mr. ISRAEL);

The gentleman from California (Mr. BECERRA);

The gentlewoman from New York (Ms. SLAUGHTER);

The gentleman from Illinois (Mr. QUIGLEY);

The gentlewoman from Ohio (Ms. KAPTUR);

The gentleman from New Jersey (Mr. PASCRELL);

The gentleman from Michigan (Mr. LEVIN);

The gentlewoman from Florida (Ms. BROWN); and

The gentlewoman from Connecticut (Ms. DELAURO).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort His Excellency Petro Poroshenko, President of Ukraine, into the House Chamber:

The Senator from Nevada (Mr. REID);

The Senator from Illinois (Mr. DURBIN);

The Senator from Washington (Mrs. MURRAY);

The Senator from Michigan (Ms. STABENOW);

The Senator from New Jersey (Mr. MENENDEZ);

The Senator from Connecticut (Mr. MURPHY);

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Texas (Mr. CORNYN);

The Senator from Missouri (Mr. BLUNT);

The Senator from Wyoming (Mr. BARRASSO); and

The Senator from Tennessee (Mr. CORKER).

The Assistant Sergeant at Arms announced the Acting Dean of the Diplomatic Corps, His Excellency H.E. Bockari Kortu Stevens, the Ambassador of the Republic of Sierra Leone.

The Acting Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.

The Assistant Sergeant at Arms announced the Cabinet of the President of the United States.

The Members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 10 o'clock and 12 minutes a.m., the Sergeant at Arms, the Honorable Paul D. Irving, announced His Excellency Petro Poroshenko, President of Ukraine.

The President of Ukraine, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

(Applause, the Members rising.)

The SPEAKER. Members of Congress, I have the high privilege and the distinct honor of presenting to you His Excellency Petro Poroshenko, President of Ukraine.

(Applause, the Members rising.)

President POROSHENKO. Mr. Speaker, Mr. Vice President, Majority Leader, Members of the House, Members of the Senate, ladies and gentlemen, it is impossible to imagine what I am feeling right now. How symbolic is the unity of the United States Congress in solidarity with Ukraine.

This is exactly what Ukraine now needs the most, unity and solidarity, not only with the United States Congress, not only with the United States, but with the whole world.

Let me thank you for your warmth and hospitality. Addressing both Houses of the Congress is one of the highest political privileges.

Standing here, I am grateful and fully aware that this honor goes not to me, but to the people of Ukraine, those brave men and women who are today on the forefront of the global fight for democracy. Forty-five million Ukrainian people are watching this speech in this session of the Congress, seeing and absolutely sure about our solidarity and our joint and common strength. And please allow me to speak on their behalf.

I will focus on the one thing that is at the core of Ukraine's existence today: freedom. There are moments in history when freedom is more than just a political concept. At those moments, freedom becomes the ultimate choice which defines who you are as a person or as a nation.

Ukraine has lived this moment over the last 10 months and became the scene of the most heroic story of the last decade, a synonym for sacrifice, dedication, and the unbreakable will to live free.

The people of Ukraine stood up to the corrupt regime of Yanukovych. They stood their ground during this dramatic winter. More of you were together with us during the last winter, and I thank you for this very important—for us—gesture of solidarity.

The defenders of freedom were willing to sacrifice their lives for the sake of a better future. What is even more amazing is that they and we won. Armed with only sticks and shields, they attacked the special police and chased them away.

The victory gained on Independence Square in Kiev, now known to the whole world as the very international word of ''Maidan,'' was a victory against police brutality, harassment by the state-controlled media, violence, and intimidation.

There is nothing more impressive than seeing hundreds of thousands of peaceful people forcing out a violent dictator and changing the course of history—the second time in our history.

Day after day, week after week, month after month, thousands upon thousands streamed into the streets of Kiev simply because their dignity didn't allow them to remain passive and silent while their liberties were at stake.

The standoff on the Maidan lasted a long 3 months. It culminated on February 20 and 21, when over 100 protesters in 1 day were shot by snipers.

We call them the ''Heavenly Hundred.'' We revere them as true national heroes, and we applaud their heroism.

Dear ladies and gentlemen, in February, when the world saw that no one could take away Ukraine's freedom, an external aggressor decided to take away a part of Ukrainian territory. The annexation of Crimea became one of the most cynical acts of treachery in modern history.

I just want to call your attention to the fact that Ukraine gave up the third largest nuclear potential in exchange for security assurance and was stabbed in the back by one of the countries who gave her that assurance.

Allow me to remind you that 20 years ago—exactly 20 years—in the Budapest Memorandum, Russia, along with the United States, the United Kingdom, France, and China, vowed to provide for the inviolability of Ukraine's state borders and territorial sovereignty.

In reality, what we got from Russia was annexation and a war that has brought Ukraine to the brink of its survival.

The Soviet Union had collapsed too quickly, creating the illusion that this chapter in history was closed and that this story had come to the end; but, unfortunately, in the minds of the people, it has not ended. The imperialistic mindset is still there. Nostalgia for the Soviet Union and the dismissal of the settlement that ended the cold war has been cultivating revisionist instincts.

In the year 2008, Russian troops occupied Abkhazia and South Ossetia. Now, they have invaded Ukraine. The right to protect ethnic Russians and even Russian speakers can and already has become a reason to fan the flames of war. Besides Ukraine, Russian speakers reside now in Moldova, Georgia, Kazakhstan, the Baltic States, Poland—even in Germany there is a very big majority—and Bulgaria.

Moldova, Georgia, Ukraine—who is next? Many things, including the effectiveness of the global nonproliferation system, will be put to a severe test and judged depending on the response of America and of the whole world to this very simple question.

Even NATO allies are at risk. As if to underline this point, 2 days after President Obama's visit to Estonia, the day the NATO summit ended, an Estonian intelligence officer was abducted and accused of espionage.

The security assurances that were extended to Ukraine then have failed to work, proving that no agreements or treaties can secure world order.

So what can bring peace and what can maintain it? Common values, cooperation, interdependence, leadership, and responsibility. These are the things that can defend global security; so I urge you not to let Ukraine stand alone in the face of this aggression.

It is very important that the whole world will see this gesture of solidarity. Ukraine is not alone. We are together, we are united, and we will win because our fighting is fighting for freedom and fighting for democracy. I have absolutely no doubt that our victory will be very close.

I am absolutely sure that the United States made a commitment that it would stand behind Ukraine's territorial integrity, and we hope that it will live up to that promise because it is very simple: democracies must support each other. They must show solidarity in the face of aggression and adversity; otherwise, they will be eliminated one by one.

The aggression against Ukraine has become one of the worst setbacks for the cause of democracy in the world in years. With just one move, the world has been thrown back in time to a reality of territorial claims, zones of influence, criminal aggression, and annexations.

Can you imagine, within 2 weeks, Crimea was invaded and annexed. Why? Because Ukraine simply was not prepared to face this aggression. We were not prepared to face this enemy. That was exactly at the time of the revolution of dignity, and they used this opportunity, without any doubt.

The postwar international system of checks and balances was effectively ruined. The world was plunged into the worst security crisis since the U.S.-USSR standoff of 1962.

Today, we are witnessing another attempt at dividing the world, and Ukraine stands in the center of this attempt.

The outcome of today's war will determine whether we will be forced to accept the reality of a dark, torn, and bitter Europe as part of a new world order.

This Ukrainian Army—imagine these young boys, underequipped and often unappreciated by the world—is the only thing that now stands between the reality of peaceful coexistence and the nightmare of a full relapse into the previous century and into a new cold war.

Ukrainian soldiers, Ukrainian people, and Ukrainian boys and girls are now on the front for freedom and democracy. They need your support.

The war that these young men are fighting today is not only Ukraine's war. Everybody should understand that. It is Europe's, and it is America's war too. It is a war of the free world—and for a free world.

Today, aggression against Ukraine is a threat to the global security everywhere. Hybrid proxy wars, terrorism, national radical and extremist movements, the erosion of national and international agreements, the blurring and even the raising of the national identities, all these threats now challenge Europe. If they are not stopped now, they will cross European borders and spread absolutely throughout the world.

To prevent this, thousands of Ukrainian soldiers are in the line of fire exactly right now when we have a so-called cease-fire. From the date we started the cease-fire, Ukraine lost 17 lives of the Ukrainian soldiers, 67 are wounded. This is the cease-fire. This is the price Ukraine now paid for the peace.

Speaking in the United States Congress, from this high beacon of freedom, I want to thank them for their sacrifice. Thank you for the United States Congress. And I urge the world to recognize and endorse their fight. They need more political support throughout the world. They need more military equipment, both lethal and nonlethal, urgently needed.

Please understand me correctly, blankets, night-vision goggles are also important, but one cannot win the war with blankets. Even more, we cannot keep the peace with a blanket, and this is the most important of our values, of our aim: not to win the war, but keep the peace. For keeping the peace, we should be strong enough, and there is not any doubt that we will be strong because of you, because of our solidarity, and because of the combat, the very strong spirit of the Ukrainian soldiers.

I thank all of those in America who realize and appreciate the historic importance of this fight.

Just like Israel, Ukraine has the right to defend her territory, and it will do so with all the courage of her heart and dedication of her soul.

I urge America to help us and to rise and to be equal to its natural and manifest role. I urge America to lead the way.

Ukraine has a special bond with the United States. Today, Ukraine is taking shape as America's natural and consequential partner in the region. This partnership is not circumstantial. It has not come because we find ourselves ''in the same boat.'' It came about because in the moment of the existential crisis, Ukraine's choice was the same as America's. It is very simple: freedom, democracy, and the rule of law.

In a time of Europe's skepticism and Russia's open, unprovoked hostility, Ukrainian citizens have been ready to give their lives to see Ukraine democratic and free.

Circumstantial ''boats'' can change; the nature of the people cannot.

It is in the nature of the Ukraine people to tolerate no dictators and to strive for their freedom, no matter what. Given today's situation, Ukraine's democracy will have to rely on their own strong army.

In the upcoming years, building a strong military will be another existential test for Ukrainian democracy. I see it as my utmost duty to rectify the damage done to the Ukrainian military and to give Ukraine a strong, modern army that we can be proud of.

With this in mind, I strongly encourage the United States to give Ukraine a special security and defense status, which should reflect the highest level of interaction with non-NATO allies.

I also ask that the United States be forceful and stand by its principles

with respect to further sanctions against the aggressor.

Economic sanctions are important for many reasons. They help to distinguish between good and evil. They help us to defend and stand the moral high ground and not to sink into indifference disguised as pragmatism.

I understand that the wars of the last decade have taken a heavy toll on the economy of the West. And I understand, believe me, that Americans and American citizens and American taxpayers want peace, not war. So do Ukrainian citizens and taxpayers. However, there are moments in history, whose importance cannot be measured solely in percentages of GDP growth.

Ukraine's war is the only war of the last decade that is purely about values. Ukraine's war is the war, again, for the freedom, democracy, and European values, and the best evidence of that is the number of members of the Ukrainian Parliament which fortified our association agreement with the European Union.

Our nation decided to be free and democratic. Another nation decided to punish Ukraine for this. The world simply cannot allow this kind of behavior.

''Values come first''—this is the truth the world and the West would remind Ukraine of over the last years. Now it is Ukraine's turn to remind the West of this truth.

Allow me also to say this. There is no way, at no price, and under no condition that we will ever put up with Crimea's occupation. Ending the occupation and annulling the annexation is not only an integral precondition to a full normalization of the relation between Ukraine and Russia; it is also the integral precondition for Crimea's own prosperity and modernization.

Until this precondition is fulfilled, I urge America and the world to stand united in sending a signal to the aggressors of today and of the future that the policy and practice of annexation will never be tolerated.

And clearly, I am not talking about a military solution of the Crimean problem. This will be a dilemma for many years; a choice between two ways of life; and two political, economic, and social systems. But I have no doubt that in the long run the system that offers the greater freedom will prevail. It always does.

Dear ladies and gentlemen, the last half year has been a time of ultimate challenge for millions of Ukrainians. It was a time for heroism and sacrifice. For too many, it became the ultimate sacrifice. Let me share with you two human stories that illustrate my point.

On March 3, when the occupation of Crimea just started, there was one man in the Crimean city of Simferopol who did the unthinkable. When millions felt paralyzed and stunned at what was unfolding before their eyes, Reshat Ametov, a 39-year-old father of three, decided not to be silent.

This brave son of the Crimean Tatar people went on a one-man protest in front of the occupied city hall. He did nothing more than hold a sheet of paper that said: ''NO to Occupation!'' A group of unknown people arrested him and transported him away—in the plain sight of dozens of witnesses, in front of TV cameras. Two weeks later, he was found tortured and executed—Mafia style.

Just the thought of this man's final tormented minutes sends chills down my spine. I ask myself: what made this hero do what he did? And I can find no other answer than: he did it for freedom, so his children would not face slavery like that of a neo-Stalinist dictatorship.

I am convinced that years from now, when Crimea's occupation will belong to the past, the Crimean people will think about what he did and salute his braveness—just like I do now.

And I assure you that Ukraine will always stand together with the Crimean Tatar people, whose language, rights, and culture are being trampled upon right now—as they were many years ago under Soviet rule.

I urge America and the world not to be silent about these crimes.

It is Ukrainians and Crimean Tatars who are being oppressed in Crimea right now.

And it is time for all the people of goodwill to rephrase John Kennedy's words from over 50 years ago: ''I am a Crimean Tatar''—and there is nothing that would make me give up my freedom.

And let me also commemorate another Ukrainian hero—Volodymyr Rybak, a 42-year-old father of two and a member of the municipal parliament of East Ukrainian Horlivka.

On April 15, he confronted separatists and Russian special operations officers over a separatist flag that they were trying to hoist atop the local administration building. Exactly just like Reshat Ametov, he was abducted and tortured. His last hours must have been unthinkable. His body was badly mutilated.

Today, I stand here in awe of this tragedy and of the courage and sacrifice of this man and of the courage and sacrifice of the millions of Ukrainians.

From the bottom of my heart, I deeply believe that there will be a time—and I am sure very soon—when Horlivka's central square will be named after Volodymyr and when schoolchildren will bring flowers to his monument.

Dear ladies and gentlemen, make no mistake: Europe's, and the world's, choice right now is not the choice between a unipolar and a multipolar order. Neither is it a choice between different kinds of civilizations. It is a choice between civilization and barbarism.

And while standing at this juncture, before this great trial, the democratic world cannot shrink or hesitate. We don't want to see all the democratic accomplishments of the last decades to be erased and to have been for nothing.

The free world must stand its ground. With America's help, it will.

Yes, we live in a world that is mutually reliant and interconnected. In this world, the aggression on one democratic nation is aggression against all of us. We fully understand that.

If anyone had doubts about this—if anyone was hoping ''to sit it out'' while Ukrainians and Russians continue killing each other—this ended on July 17, when a Russian missile launched by a Russian mercenary shot down the civilian Boeing 777 Malaysian flight MH17. Two hundred and ninety-eight innocent, peaceful people, many of whom were flying on their vacations in the south, met their ultimate demise in the steppes of Ukraine.

Their cold-blooded killing—just like the barbaric treatment of their remains afterwards—showed that whoever floods Europe with uncontrolled weapons puts millions of lives at risk for years, for decades.

This was an undisputable brutal act of terror. Unfortunately, it was this tragedy that gave a wake-up call to many in the world about the situation in Ukraine.

Long after wars end, the fear and hate linger on.

How many more deaths will be caused by the handguns handed out, with absolutely no controls or accountability in those regions?

How many innocent children will step on landmines so massively utilized by the separatists?

How many lives will be ruined and souls poisoned by the propaganda machine?

The act of pumping the region full of uncontrolled arms represents a policy of state-funded terrorism—and it needs to stop now.

The cynical downing of the Malaysian Boeing revealed one more important thing: we are now at the forefront of the fight against the terrorism.

And we need to join our efforts to effectively respond to this challenge.

With this said, people throughout the world are asking the same questions:

''Are we on the eve of a new cold war?''

''Is the possibility of a new, terrible, and unimaginable European war there?''

''Is what until recently seemed unthinkable now becoming a reality?''

Sadly, today, the answer to all of these questions is ''yes.''

However, we cannot and must not accept this as an inevitability.

As recently as 2008, the then-President of Russia ran his election campaign under the slogan ''Freedom is better than non-freedom.'' And it was in Russia in the year 2008.

I am sure that, despite the Crimean annexation and the ongoing aggression, millions of Russians still remember that slogan and take it seriously.

Please, let's remind them. Let's show them that freedom is not a luxury—as some try to convince them—but a necessity, and a precondition for the true success of a nation.

I am convinced that the people of Ukraine and the people of Russia have enough goodwill to give peace one last chance and prevail against the spirit of hate between our countries.

That is why my Presidency began with a peace plan and a one-sided cease-fire, which will last a long 10 days, again, paying a very high price of the killing Ukrainian soldiers, hitting Ukrainian planes, and hundreds wounded. We keep this cease-fire a long 10 days.

Unfortunately, this was not accepted by Russian separatists. That is why we are holding our fire now. That is why two armies stand before each other without massively shedding each other's blood. And if things work out right, they will not have to.

I am in daily contact with the leaders of the world, including the leader of Russia.

The dialogue is not easy, believe me. Over these last months, too much goodwill was destroyed. Too much hate was generated, naturally and artificially. Too many people have died.

Based on that, I feel there is a growing mutual recognition that enough is enough. The bloodshed must stop. The pandemic of hate must be localized and contained.

As President, looking in the eyes of the mothers and wives of the dead soldiers and civilians, believe me, this is my hardest duty.

No one can take it lightly. Today, it is my burden and the burden of President Putin. As he lit a candle in a Moscow church to remember those who perished in this war last week, I did the same in Kiev.

And from the bottom of my heart, I deeply, profoundly wish that church candles would be the only things burned in Ukraine from now on.

□ 1050

Over the last months, Ukrainians have shown that they have the courage to stand up to the most powerful enemy. We will never obey or bend to the aggressor. We are ready to fight, but we are a people of peace, and we extend the hand of peace to Russia and to the Russian-inspired separatists.

I am ready to do my utmost to avoid a further escalation and casualties, even at this point, when the war has already started feeding on itself.

Sooner or later, I am absolutely sure peace will return to Ukrainian homes; and, despite the insanity of this war, I am convinced that peace can be achieved sooner rather than later. I am ready to offer the separatists more rights than any part of Ukraine has ever had in the history of the nation.

I am ready to discuss anything—Ukrainian independence, Ukrainian territory, Ukrainian sovereignty—except one thing, Ukraine's dismemberment. I am confident that, if this war is about the rights and not about the geopolitical ambitions, a solution must—and I am sure will—be found.

Ladies and gentlemen, in 1991, independence came to Ukraine at a very low cost and peacefully; yet the more real this independence became, the higher grew its cost. Today, that cost is as high as it gets.

While fighting this war, we learn to value independence and to recognize true friends, and at no point do we ever forget why we need independence. We need it to have a country worthy of the dreams of our ancestors. We need a state that would give its citizens a life of dignity, fairness, and equal opportunity.

To reach this goal, we will have to root out the sins that drained Ukraine's potential for such a long time and made the two decades of independence a time of lost opportunities. We are painfully aware of these sins—largely inherited from the era of Soviet Union decay—corruption, bureaucracy, and the self-preserving cynicism of political elites.

There is a saying that each people deserve the government it gets. Ukraine's two revolutions within a single decade show that Ukraine as a people is much better than Ukraine as a government. It shows that Ukraine needs and deserves deep and profound modernization in absolutely all spheres, of the kind that brought economic success to Poland.

Given the current situation in and around Ukraine, the implementation of comprehensive reforms is not a matter of Ukraine succeeding but of Ukraine surviving. Deeply aware of that, I gave my voters this pledge, and I will stick to it.

With the Ukraine-EU Association Agreement signed and ratified simultaneously in the Ukrainian and the European Parliament, we have a clear path of reforms before us. Never in the history of the European Union was there a document that was paid for so dearly, at such incredible human cost and sacrifice.

This sacrifice, the memory of the hundreds dead and wounded, will be one more reason and incentive to hold to this unique chance to make Ukraine live up to its potential.

Ukraine needs more than governance and noncorrupt public administration. Ukraine needs to delegate more powers to the local communities. Ukraine needs to rely more on its strong, vibrant, and dynamic civil society.

Ukraine is building a new model of managing its state and economic affairs, where merit and hard work are duly rewarded. Ukraine needs know-how, technology, and new startups to become better integrated with the global economy. And, for all that, we need America's help.

In particular, I ask the Congress to create a special fund to support investments of American companies in Ukraine and to help us with reforming our economy and our justice system. I assure you that all aid received from the West will be utilized by noncorrupt institutions and that the new generation of officials will make sure the funds are distributed effectively.

Ladies and gentlemen, we called our revolution the revolution of dignity. Human dignity was the driving force that took people to the streets. This revolution must result in an education of dignity, an economy of dignity, and a society of dignity.

Human dignity is what makes Ukraine's heart beat and Ukraine's mind look toward a new and better version of itself. Human dignity is the one thing we have to oppose the barbarism of those attacking us.

It is the one thing that we can set against the sea of lies in which the highly sophisticated and well-funded machine of Russian propaganda is trying to drown the truth about Ukrainian democracy.

In the coming years, too many things will depend on Ukrainian success. This success will be determined by Ukraine's new leadership, by its new political generation, and by the newly mobilized society of Ukraine. Ukraine truly makes a difference.

By supporting Ukraine, you support a new future for Europe and the entire free world. By supporting Ukraine, you support a nation that has chosen freedom in the most cynical of times.

In Ukraine, you don't build a democracy; it already exists. You just defend it. This is exactly what makes Ukraine unique and its struggle deeply and profoundly different from any other conflicts on the world scene. This is what makes Ukraine the ultimate test of adherence to the ideal of freedom.

''Live free or die'' was one of the mottos of the American Revolutionary War.

''Live free or die'' was the spirit of the revolutionary Maidan during the dramatic winter months of 2014, with the significant presence of the Members of the United States Congress, and we thank you for that.

''Live free or die'' are the words of Ukrainian soldiers standing on the line of freedom in this war.

''Live free'' must be the answer with which Ukraine comes out of this war.

''Live free'' must be the message Ukraine and America send to the world, while standing together in this time of enormous challenge.

Thank you.

(Applause, the Members rising.)

At 11 o'clock and 1 minute a.m., His Excellency Petro Poroshenko, President of Ukraine, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Assistant Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The Members of the President's Cabinet;

The Acting Dean of the Diplomatic Corps.

JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly (at 11 o'clock and 2 minutes a.m.), the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

The SPEAKER. The House will continue in recess subject to the call of the Chair.

□ 1201

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KINGSTON) at 12 o'clock and 1 minute p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2, AMERICAN ENERGY SOLUTIONS FOR LOWER COSTS AND MORE AMERICAN JOBS ACT; PROVIDING FOR CONSIDERATION OF H.R. 4, JOBS FOR AMERICA ACT; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM SEPTEMBER 22, 2014, THROUGH NOVEMBER 11, 2014

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 727 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 727

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2) to remove Federal Government obstacles to the production of more domestic energy; to ensure transport of that energy reliably to businesses, consumers, and other end users; to lower the cost of energy to consumers; to enable manufacturers and other businesses to access domestically produced energy affordably and reliably in order to create and sustain more secure and well-paying American jobs; and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources or their respective designees; and (2) one motion to recommit.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4) to make revisions to Federal law to improve the conditions necessary for economic growth and job creation, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means or their respective designees; and (2) one motion to recommit.

SEC. 3. On any legislative day during the period from September 22, 2014, through November 11, 2014,—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

SEC. 5. Each day during the period addressed by section 3 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 6. Each day during the period addressed by section 3 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), my friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SESSIONS. Mr. Speaker, today, the House is considering a rule for the consideration of two bills, a package to boost America's energy production and a package to jump-start our American economy. Combined, these bills will help get America back to work with an America that we can afford.

First, the rule provides for consideration of H.R. 2, the American Energy Solutions for Lower Costs and More American Jobs Act.

This bill would accomplish three important goals for the American family: first, it would create up to 1.2 million good-paying jobs for Americans who are out of work or who are underemployed; second, it would lower—it would lower—energy prices in America; third, it would draw our country closer to an important goal that we should all share, and that is American energy independence.

Let's start by identifying the problem. The facts of the case are that the Federal Government is standing in the way of an American energy boom. That means they are standing in the way of American progress and progress for Americans to have jobs and a better life.

For over 6 years, the American people have waited for this administration to approve construction of the Keystone pipeline. Unfortunately, the approval process has been marred by indecision and unnecessary delays.

First, opponents of the pipeline argue that it would be an environmental disaster; since then, virtually all of the major environmental concerns surrounding the project have been not only addressed, but debugged.

Second, opponents of the pipeline argue that it was unsafe; yet study after study after study have shown the pipeline to be safe and an effective means to transport much-needed energies for America's resources.

The opponents of the Keystone pipeline have run out of excuses, but they continue to delay a decision.

Then there is the Department of Energy, which has been far too slow in approving applications to export liquefied natural gas. The Department has decided on only nine applications submitted to it for the last 4 years.

Twenty-six applications still await action—many, many of which have been delayed by this administration for purely political reasons—another reason to say they are getting in the way of Americans having jobs today. They are getting in the way of American independence for energy.

As a result of these delays, America is squandering an energy boom that could make America, which is the largest producer of natural gas, even better and add to the American economy.

The Department's broken application process destroys good-paying jobs and hampers our economic growth. The energy revolution already supports 1.7 million high-paying, great jobs in America, and we could add an additional 1.3 million new American high-paying jobs by 2020, but only if the Federal Government will get out of the way of its development.

It also allows our international competitors, such as Russia and Iran, not to be dominant in the marketplace and not to use domination for political power and economic power over other countries in Europe.

The Federal Government has ruled 87 percent of our offshore acreage currently off-limits to energy production. Even worse, the administration doesn't have a plan to develop these resources. In fact, the administration's offshore leasing plan for the next 3 years offers no new areas for lease and includes the lowest number of lease sales in history.

This administration's no new drilling policies have cost Americans jobs. We have forfeited revenue that would help us pay down our national debt and denied access to American oil and natural gas that would lessen dependence on foreign sources. More importantly, the American consumer continues to pay higher prices at the pump, nearly

double from the time this administration took office a scant 5-plus years ago.

My friends in the minority might rightly point out that U.S. oil and natural gas production is growing; however, the growth is entirely due to increased output on State and private lands, not on Federal lands. Our growth in energy production is in spite of the Federal Government, not because of it.

Combined, these policies hurt the American people. They hurt men, women, and families who need to be able to have a stable price at the pump with energy that is available in a constant supply throughout the seasons.

High energy costs drive up prices, they limit what American families can do with their individual resources, and it is a problem in our economy. That means that the American people have less money in their pockets to buy groceries, to pay the mortgage, or to purchase school supplies for their kids.

What are the solutions to these problems? First, the energy package considered under this rule would speed up approval of the Keystone pipeline. When completed, the Keystone pipeline will transport over 800,000 barrels of oil every single day, adding to the supply.

That means that we can wean ourselves off Middle East oil. The equivalent of half of our daily imports comes from the Middle East.

Second, the bill would force the Department of Energy to issue a final decision on applications to export liquefied natural gas within 30 days of completing the environmental review process, an important step in increasing our exports of LNG and adding to the 1.3 million jobs that are awaiting filling as a result of this delay by this administration.

Third, H.R. 2 would expand oil and natural gas production in the United States by rolling back the administration's overzealous environmental policies that have slowed our economic progress and made energy too expensive.

At a time when so many Americans are unemployed and underemployed, this job-creating legislation would unleash our vast energy resources to create these 1.2 million jobs. We need them now. We need America to have stable energy prices.

In short, the bill would finally pave a way forward for energy policies that would lower energy prices, strengthen our economy, create jobs, lessen our dependence on foreign energy sources, and give the American family and worker an opportunity to have gasoline at the pump at a lesser price.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. I thank the gentleman for yielding me the customary 30 minutes. I yield myself such time as I may consume.

□ 1215

Mr. Speaker, I rise today in opposition to the rule and the underlying bills, the so-called American Energy Solutions for Lower Costs and More American Jobs Act—it is H.R. 2—and the Jobs for America, so-called, Act, H.R. 4. Don't let the titles of these bills fool you. H.R. 2 and H.R. 4 won't create any new jobs but would continue to degrade the quality of life and health of the American people.

These bills put more money in the pockets of big industry, corporate welfare, undermine the efficiency of our regulatory activities, and continue to fail to provide opportunities for the middle class, while they continue to enrich international conglomerates and corporations.

Not only are these bills bad, but I should add, Mr. Speaker, the House has already voted on all of these bills that are already included in H.R. 2 and H.R. 4 this session—just another waste of taxpayer time and money here debating and voting on bills that have already been passed. Just as the Republicans have chosen to repeal the Affordable Care Act 53 times, so too we are passing many of these bills for the second time here today if that is the decision the House chooses to make.

Now, I think it is clear, all of us here know, that these bills will not become law, that the Senate did not take them up after the House passed them. There is no indication or reason to believe that in this new configuration and being lumped together in new and more sinister ways that the Senate will react any more positively.

Sadly, it is quite clear that the majority here in the House are either unable or unwilling to bring forth fresh ideas to jump-start the middle class.

These bills instead are bound to political pandering, rewarding of campaign donors and large corporations in advance of elections, instead of taking advantage of our precious few remaining days of session to address the real problems facing our Nation.

I am also dismayed that both of these bills are being reviewed under a closed rule here today. It was fairly recently here on the floor of the House that we celebrated the diamond jubilee of closed rules, 75 closed rules from the Republican Party. H.R. 2 and H.R. 4 are the 76th and 77th closed rules this Congress. Just before this Chamber breaks for a 6-week-long recess, the majority has shut down the process of regular order and not allowed Republicans or Democrats to offer our amendments to improve these bills.

Even though they are not bringing new legislation before us today, we should at least allow—at least allow—Democrats and Republicans to offer their ideas to make these bills better. What is the point in passing the exact same bills without even giving Members of this body the ability to make them better?

I offered two amendments in this bill, which I will speak about later, but, unfortunately, neither was made in order. Other Members of this body also offered great ideas to help improve this legislation, but none were allowed. Instead, we have a restricted rule which has shut out debate from Members on both sides of the aisle. If we can defeat this rule, we can move forward with an open process, encouraging and allowing amendments from both sides of the aisle.

We don't have the precious time left for political posturing. While we were talking here now, I got a text on my phone that votes are, in fact, canceled for tomorrow. I am not sure if my colleague is yet aware of that or if the Speaker is yet aware of that, but this, in fact, may be the last day that we are in session before the election.

And yet instead of dealing with immigration reform, there is a bill to pass of more than two-thirds. Instead of protecting LGBT Americans from being fired from their job just because of who they love or who they are, here we are today bringing forward bills that have already passed in different configurations, that would hurt the quality of life for American families, that would hurt the environment and hurt the health of the American people.

This compilation of bills in H.R. 2 is really an oil and gas industry wish list. Now, of course all of us support responsible energy development on Federal lands and private lands, make sure we balance production with our quality of life and our health. This bill, however, would prioritize development over all other uses of land and all other values that we hold as a country. This bill would also reduce important protections that we have in favor of speculative energy exploration and development.

Now is not the time to pass a massive corporate giveaway bill to the oil and gas industry, an industry that is already very profitable. They don't need more taxpayer subsidies just to add to their bottom line, especially not at the expense of our health, our environment, and the enjoyment of our public lands and our quality of life.

While there are many problematic provisions in the bill, several are particularly concerning. One provision in the bill would streamline pipeline approvals, so would even allow for the automatic approval of natural gas pipeline projects without any impact studies or opportunities for public comment.

This bill would also discourage environmental analysis, undermine agency decisions like curbing carbon pollution, and yet another provision would prevent the Federal Government from overseeing fracking activities on Federal lands, an issue near and dear to the hearts of my constituents in the State of Colorado.

It is particularly egregious that given that this bill has a wish list from the oil and gas industry, that somehow, for those of us who support an all-of-the-above energy approach, it left out the wind energy production tax credit.

The wind production tax credit is a solution that has allowed for rapid scaling of wind power over the past couple of decades. So why would we be doubling down with taxpayer subsidies for the oil and gas industry at the same time we are not even renewing the one important subsidy that wind energy has?

Now, I offered two different solutions for this, and I was hoping either one of them would have been a constructive way to approach this on the floor of the House. I offered an amendment with Mr. PERLMUTTER to simply extend the wind production tax credit for the next 2 years. Now, that would create jobs, encourage private investment, and allow wind energy to compete on a level playing field with the heavily subsidized oil and gas industry.

I also offered another solution—and I am certainly willing to support either—and that solution would be to eliminate the over $40 billion in taxpayer subsidies to the oil and gas industry. If we had gone that route, again, at least wind and solar energy would be able to compete on a level playing field because we would stop doling out our precious taxpayer dollars as subsidies to the legacy interests in the oil and gas industry.

That too was not allowed to even be debated, not for 10 minutes, not for 1 minute. Instead, apparently having Friday off was more important than allowing Democratic and Republican Members of this body to present their ideas on how to make a bad bill better.

H.R. 4, the Jobs for America Act, is a group of 15 bills that have also been previously passed by the House. Many of them serve to attack our processes we have in place to keep American consumers safe. The bill empowers polluters, bogs down agencies that are charged with protecting the public health. None of them have become law, having already been passed, and I think all my colleagues here know that none of them will become law in this new and more sinister configuration.

Now, I would love to see a balanced tax extender package that lowers the Federal deficit, strengthens our economy, can actually pass the Senate and be signed into law, but I think we all know that is not the bill before us today.

H.R. 4 would actually add to the deficit by making tax cuts for many special interests permanent. A $574 billion deficit-busting bill on our last day of session, what a great lead-in to the general election for the Republicans to present a massive, Big Government spending, $574 billion subsidy bill for our consideration. I think the American people understand the contrast and the different approaches that are in play this year.

Now, an amendment I offered with Mr. BLUMENAUER, which I mentioned earlier, would have offset some of that cost by eliminating the oil and gas industry subsidies to the tune of $40 billion. Now, the bill still would have cost $534 billion, but it would have cost $40 billion less if we had eliminated the oil and gas subsidies. But, again, apparently having a Friday off is more important to my colleagues on the other side of the aisle than having a full and open debate of the merits or lack of merits of the proposal I advanced with Mr. BLUMENAUER.

In summary, I oppose the closed rule in addition to the underlying bills.

Now, we could have shown the American people that Congress could end on a positive note, that we could come together and address our broken immigration system, that we could come together to address our deficit; but instead, we are providing yet another example of why Congress continues to have record low approval ratings: rehashed, repackaged, partisan bills costing taxpayers $574 billion, enriching the special interests in corporations, and then going on vacation. And people wonder why the American people aren't thrilled with the United States Congress.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, at this time I yield 5 minutes to the gentleman from Hood River, Oregon (Mr. WALDEN), from the Energy and Commerce Committee.

Mr. WALDEN. Mr. Speaker, the chairman of the Rules Committee has actually read the bills that are in this package and knows that they are much more than what my colleague and friend from Colorado just described. Because actually, the forestry legislation is something that passed this House 363 days ago in a big bipartisan vote, a big portion of which was written by my Democratic friends PETER DEFAZIO and KURT SCHRADER. That is in this package.

We have another bill coming up later that has twice passed this House unanimously. Those aren't partisan bills that are being put out, as you said, Mr. POLIS, to reward donors or anything else. This is about creating jobs in America.

By the way, lots of parts of the world, like my district, need jobs. They need the certainty of jobs. And I don't know about Colorado, but Oregon and California and a lot of places are going up in smoke, choked with smoke because of forest fires.

The legislation in this package that we are going to send back over to the Senate one more time, thanks to this rule and thanks to the leadership of this chairman, would allow us to get people back to work in the woods, address the problems of these fires, produce revenues for schoolteachers, for sheriffs and sheriff's deputies, for search and rescue, for all the basic, fundamental services that matter in rural communities and, I think, matter across the West.

So, if you don't believe in taking care of your forests, then vote ''no'' on this rule.

Mr. Speaker, 363 days ago, the House passed H.R. 1526, the Restoring Healthy Forests for Healthy Communities Act. Two days short of a year, the Senate has done nothing—nothing. They failed to pass a single active forestry bill—nothing. Our forests are going up in smoke. We are spending taxpayer dollars to fight the fires. We are devastating watersheds. This has to change.

The Federal Government controls over 50 percent of the land in Oregon. In 10 of the 20 counties I represent, they control over half of the land. Over the last 30 years, timber harvests on these lands, these Federal lands, has been decreased by 90 percent—nine-zero. Forests aren't static; they keep growing and they keep dying. We get beetle infestations; we get drought; and then we get fire. Nothing happens after the fire, other than the trees sit there and burn. Then they die; then they rot; then they fall over. There is no productive use. All that needs to change.

Ninety percent reduction in harvest of Federal lands.

Do you know what that means out in our areas where the Federal Government is supposed to be the steward? It means that we have lost 300 mills and 30,000 American jobs—30,000 American jobs. These are jobs bills we are talking about here. These same rural areas that I represent have poverty rates at 20, 25, 30, even as high as 33.9 percent in Josephine County, right down in here, 33.9.

You want to do something about poverty? Create a job. You want to do something about getting America on track? Pass these bills. Get the Senate to pass these bills. We will create jobs. We will generate revenue. We will have positive cash flow in this country for once. It doesn't have to be this way. We can put people back to work. So Chairman HASTINGS and Chairman BISHOP and myself and others worked on the bipartisan forestry legislation.

As I mentioned, we actually have run this bill through an independent evaluation process to say what does this mean for the people of Oregon, because there is a portion here that relates just to the O&C lands which are only in Oregon. Democratic Governor—Democratic Governor—John Kitzhaber, his team took a look at our bipartisan bill, and they concluded that it would create or save 3,000 Oregon jobs. These are real jobs. These are real people. These are real families that have been suffering. Three thousand Oregon jobs.

It would generate $100 million in revenue or thereabouts. That would pay—pay—for basic services, pay for basic services. 500 million board-feet of timber a year would be harvested. It would be predictable. You would have a private sector involvement here.

Twenty-nine Oregon counties, from Klamath, to Hood River, to Wallowa, including all 20 in my district, 29 Oregon counties passed resolutions supporting this bipartisan legislation. We passed it 363 days ago. The Senate, I don't know what they do over there, not much productive. We are going to give them another chance.

Yes, we are repackaging these bills. Yes, the House has passed these bills before. Yes, they passed in a bipartisan manner. We are at the end of our legislative session. It is time, one more time, to make another attempt to pass this into law, to wake up the Senate, to get them to do the right thing.

So support the rule. Let's move forward. We don't need more partisan rhetoric here. We need to help America get on its feet. We need to take better care of our forests. We need to take better care of our watersheds. We need to put people back to work in America. And that is what these bills do.

Mr. POLIS. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), my colleague on the Rules Committee.

Mr. MCGOVERN. Mr. Speaker, I rise in opposition to this rule. And for the benefit of my colleagues, I want to be very clear about one of the implications of the language in this rule that is before us.

□ 1230

A vote for this rule is a vote to shut off the mechanisms of the War Powers Resolution for the next 2 months. If any Member of this House has any concerns about the ongoing military operations in Iraq, the potential of U.S. military airstrikes in Syria, or the possible introduction of U.S. combat ground forces into either country, then this rule will tie their hands for the next 2 months.

If any Member introduces a privileged resolution under the terms of the War Powers Resolution, this rule freezes that resolution in place and stops the clock that would normally advance under the War Powers Resolution.

It is perfectly clear that the House will not debate and vote on an authorization on Iraq at this time. Unfortunately, it is not clear if any vote will ever happen at any time in this House, even after we come back in November, even though there is a growing bipartisan consensus that such an authorization is needed.

This rule freezes out each and every Member of this House from taking any action to move forward the possibility of a vote on Iraq or Syria under the terms put in place by the War Powers Resolution.

On August 8, the U.S. began daily bombing in Iraq—at first to protect the Yazidis trapped on Mount Sinjar. But almost immediately, the bombing campaign expanded to include infrastructure, and then to provide air support to ground operations to retake territory by Iraqi and Kurdish military forces, and then to protect more major infrastructure, and this week to dislodge ISIL from the environs of Baghdad. For 6 weeks, I have been waiting patiently for the leadership of this House to recognize that what we all know is true: the United States is engaged in hostilities and carrying out sustained combat operations in Iraq and that it is time for the House to debate and vote on an authorization.

Yesterday, this House voted to authorize training and equipping Syrian opposition forces. But we have yet to debate and vote on an authorization for the combat operations we are already carrying out in Iraq. Over 150 airstrikes—bombs falling nearly every day—in Iraq. And if that doesn't count as sustained combat, then I don't know what the hell does.

I hear the Senate is drafting an authorization, but no such leadership is happening here in the House. The Speaker says he is waiting for the White House to send a request for an authorization to the House. But as I have said before, the President has stated that he thinks he has all the authority in the world that he needs or wants. It is Congress that is failing to carry out its constitutional responsibilities. It is Congress that is shirking its duties. It is Congress that is sniping from the sidelines while avoiding any responsibility for the servicemen and -women that we are placing in harm's way.

In July, this House overwhelmingly passed a resolution that I offered, along with WALTER JONES and BARBARA LEE, requiring the House to vote on an authorization. And I have been waiting—patiently and respectfully—for the Speaker to schedule such a vote.

Instead, this rule goes in the opposite direction, shutting down the ability of any Member to introduce a privileged resolution and allowing it to mature, as we set forth in the War Powers Resolution.

Now, I understand that this restriction is often included when Congress is in recess for a prolonged period of time. But this time is different, Mr. Speaker, and every Member of this Chamber knows it is different.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. Mr. Speaker, I yield an additional 1 minute to the gentleman.

Mr. MCGOVERN. Not only are we engaged in sustained combat operations in Iraq, but the President announced last week that he intends to escalate and expand those military operations, and quite likely extend them to Syria. This is a moment in history when the House should not and must not remain silent, let alone slink out of town. We have a responsibility to act.

Until that happens, until we get an ironclad commitment from the leadership of this House that we will debate and vote on an authorization, then I would urge my colleagues to vote down this rule. We have a constitutional responsibility when it comes to war.

Now, I don't believe we should go into another war, but whether you agree with me or you think we should launch into another war, we have an obligation, a constitutional responsibility, to debate and vote on that authorization. We are not doing that. I urge the Speaker to give us that commitment.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Massachusetts well understands that we handled a privileged resolution on the floor where there was a vote a little bit more than a month ago before the last break.

What the gentleman wants to do is bring Congress back to come and grandstand on the floor for a privileged resolution during the break. The gentleman well understands the rules of the House, the privileges that he is given as a Member, and he knows that he has approached me numerous times, as well as the Speaker of the House, who has offered the gentleman every opportunity, under the rules of the House, that any Member would have.

What this very clearly says is we will not start that clock while we are on recess. That is a normal and regular thing for the House to do, for the rules of this House to protect all the Members.

Mr. MCGOVERN. Will the gentleman yield?

Mr. SESSIONS. I see no reason to. The gentleman just had time and spoke his words. I thank the gentleman very much.

At this time, I yield 5 minutes to the gentlewoman from Grandfather Community, North Carolina (Ms. FOXX), the vice chairman of the Rules Committee.

Ms. FOXX. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I rise in support of the rule and the underlying bill.

Each year, Washington imposes thousands of pages of rules and regulations on America's private sector employers, as well as State and local governments. Buried in those pages are costly Federal mandates that make it harder for businesses to hire and cash-strapped States, counties, and cities to serve their citizens.

There are some who may not understand why a bill to improve the regulatory process is also a bill about jobs. As a former small business owner, I understand firsthand the concerns job creators have about how lengthy, confusing rules affect their ability to conduct business and provide jobs and opportunities to their employees.

That is why I introduced H.R. 899, the Unfunded Mandates Information and Transparency Act, which we call UMITA, and am glad to see it included in H.R. 4, the Jobs for America Act.

The bill builds upon the bipartisan 1995 Unfunded Mandates Reform Act, also known as UMRA, and will ensure awareness and public disclosure of the cost—in dollars and jobs—that Federal dictates pose to the economy and local governments.

H.R. 899, as included in H.R. 4, does not seek to prevent the Federal Government from regulating. Rather, it seeks to ensure that its regulations are deliberative and economically defensible.

Asking regulators to thoroughly consider and understand the costs of a rule in addition to its benefits should not be

controversial—it is just plain common sense.

Regulators and legislators should know exactly what they are asking the American people to pay and whether the cost of compliance might make it harder for family businesses to meet payroll and stay afloat.

And no government body—on purpose or accidentally—should skirt public scrutiny when jobs and scarce resources are at stake.

In the nearly 20 years since UMRA's passage, weaknesses in the law have been revealed, weaknesses that some government agencies and independent regulatory bodies have exploited.

UMITA makes independent regulatory agencies subject to UMRA's requirements, ending a two-tier system that allowed regulations to be implemented without the required consideration, scrutiny, or public input.

H.R. 899 recognizes that the Federal Government's reach extends way beyond the taxes it collects and the money it spends. Regulations can advance government initiatives without using tax dollars.

Rather than count expenses for new programs, the government can require the private sector, as well as State and local governments, to pay for Federal initiatives through compliance costs.

This bill shines much needed light on the murky regulatory process and ensures the public has transparent access to proposed rules and regulations.

Both Democrats and Republicans recognize that appropriate regulations don't need to be issued in the dead of night or negotiated behind closed doors. That is why the House passed H.R. 899 with bipartisan support earlier this year.

I urge my colleagues to vote ''yes'' on the rule and the underlying bill.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. MCGOVERN), my colleague on the Rules Committee.

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman.

I won't need 1½ minutes, but I want to be clear for Members. The privileges that are afforded to Members of this House to vote on the war, those privileges are taken away by this rule.

I want to assure the gentleman from Texas, my colleague and my friend, that I am not interested in grandstanding, and any such a suggestion I find offensive, quite frankly. What I am interested in is us doing our job.

And I want to remind my colleagues that war is a big deal. It is a big deal, and it is long past time that this House treated it as such. We have a constitutional responsibility that we are not living up to.

We voted in July overwhelmingly to say that if there are sustained combat operations in Iraq we are going to have a vote on that. Well, there are sustained combat operations in Iraq. We are much more deeply involved today than we were in July. And I predict by the time we come back in November we will be even more deeply involved.

When are we going to do our job? When are we going to vote? That is what my complaint is about, I would say to the gentleman from Texas. My complaint is that we are not living up to our constitutional responsibilities.

I thank the gentleman from Colorado for yielding.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

With great respect to the gentleman from Massachusetts, I appreciate his insistence on the floor and respect that very much.

I think that this House is, respectfully, doing its obligations and duties. That is what we are doing here today, trying to work with the American people so that we can once again move a jobs package forward.

Mr. Speaker, I yield 5 minutes to the gentleman from Georgia.

Mr. COLLINS of Georgia. Mr. Speaker, I appreciate the chairman for yielding.

I appreciate the opportunity to speak on this rule and the underlying legislation, which I support, because included in the underlying legislation is H.R. 1493, the Sunshine for Regulatory Decrees and Settlement Act, that I authored.

I support these bills that the House will debate and vote on because they will make a difference in the lives of and make them more affordable for families in Georgia and all across America.

You see, Mr. Speaker, the Republican solutions that are offered in these bills that are being brought to the floor today are solutions for moms and dads who can't find full-time employment, who can't afford to buy a full tank of gas, who sit down at the kitchen table with a heavy heart because they can't afford the basics that they just heard their child talk about that they wanted.

Mr. Speaker, America is searching for the things that matter. They are wanting their government to work and they are wanting their government to put ideas to paper. It is not the ideas simply spoken on the floor, but it is the ideas and the dreams and the hopes of every family as they come together wanting a better life, and they want the government not to impede those areas and actually to encourage them.

These bills don't represent just the hard work of my colleagues. They represent the hopes and dreams of Americans who have given up on our government.

House Republicans stand united with one goal: to restore what has been lost. To restore the jobs, the affordable housing, the quality education, the ability to start a business in your home and to see it flourish.

I support these bills to expand domestic energy production because each job it creates equals a family that can put food on the table, buy school uniforms, and do the things that they want to do, not what government dictates.

I am a Republican because I believe that government exists to help, not hinder its citizens. I support these solutions because I firmly believe every family in this Nation should be able to afford life and everything that it entails.

Remember, our Founders said it is the pursuit of happiness, not a guarantee of happiness. And too many times coming from Washington we want to say we will guarantee your happiness. That is not what the Founders said. In fact, what the Founders said is the government will provide the basis for you to go pursue your own happiness, to provide lifelong tools to those who have fallen on hard times, to help moms who are struggling to provide for their kids and have no one to help them. This is the type of government that I believe in, and this is the type of government Republicans in the House are committed to fighting for.

□ 1245

Unfortunately, many times what happens, I believe, is that the Republicans are the ones that have the ability and the track record to create a Federal Government who keeps our Nation safe from terrorism, who gives parents more control over their children's education, and encourages startups and businesses to grow and hire more and more people.

Unfortunately, many times in our debates over priorities and jobs, we come and paint with broad strokes. We paint with broad strokes, saying that if you want to get government out of the business of hindering businesses through regulation after regulation after regulation—not to destroy quality of life, but to improve business and maintain both—that you are simply destroying the things that built America.

Those are broad strokes that the American people, Mr. Speaker, are no longer buying. They are no longer buying a government that simply gets in the way and does not encourage.

I support these solutions on the floor today because I support a government that works, not a government that works against its people. The Republicans are putting forward on this floor today not just simply partisan bills that have been attacked, but these are bipartisan bills being put forward.

I agree with many on the floor today, but it is time that the system work, and it is time for the United States Senate to work. If they don't like our ideas, they should put their own ideas on paper and send them back over, instead of hindering what is going on and having a debate that simply rounds up in this room right here, with friends on both sides of the aisle frustrated with the process.

Before I came to Congress, I was a pastor. I am still a chaplain in the United States military. The greatest thing that I see for people today is that they have lost trust, unfortunately.

They have broke a breach of faith with us.

I believe when we decide that government should be about the people and for the people, then we are doing exactly what we are supposed to be doing; and that is to encourage, as our Founders said, the pursuit of happiness and not the guarantee of happiness.

When we do that, Mr. Speaker, that is Republican principles at play, that is Republican solutions, and that is what these bills offer today.

Don't buy the other argument. Buy the Republican principles that we will help those who need help, and that is the American citizen. That is what I believe in. That is the government I want to see work, not one that hinders people.

Mr. POLIS. Mr. Speaker, I would like to inquire if the gentleman has any remaining speakers.

Mr. SESSIONS. Mr. Speaker, I thank the gentleman for asking and would respond back that I do not have any additional speakers.

Mr. POLIS. Mr. Speaker, I am prepared to close.

Mr. Speaker, I ask unanimous consent to bring up H.R. 15, the comprehensive immigration reform bill.

The SPEAKER pro tempore. Does the gentleman from Texas yield for the purpose of this unanimous consent request?

Mr. SESSIONS. Mr. Speaker, I do not.

The SPEAKER pro tempore. The gentleman from Texas does not yield. Therefore, the unanimous consent request cannot be entertained.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

I thought it was worth a try here to reduce the deficit by over $200 billion, create several hundred thousand jobs for Americans, secure our border and restore the rule of law but, apparently, going on vacation on Friday is more important.

These are likely the last votes that this Chamber will take before the election. Unfortunately, rather than move forward on protecting our borders, rather than move forward on reducing our deficit, rather than move forward on so many of the important national priorities we have, we are simply taking up bills that have already passed, reconsidering them under new and more sinister forms, and sending them nowhere at no time.

These bills are not going to be law. They didn't become law last time. It is even harder for them to become law when they are packaged together in new and different ways. There is a word for this kind of legislative activity, and it isn't ''governing.'' It is called ''pandering.''

Rather than spinning our wheels, we should have taken up the bipartisan comprehensive immigration reform bill. I was hoping that I could have gotten the permission under unanimous consent to bring that up. I am confident we have strong support from Democrats and Republicans in this body to pass that bill and to send it on into law.

Unfortunately, more than a year after the Senate has passed immigration reform, the House still refuses to even allow a vote on our bipartisan immigration reform bill that secures our borders and restores the rule of law, reduces our deficit, and creates jobs for Americans; instead, the only votes the House has taken this year on the entire topic of immigration have been to subject DREAMers—who grew up here and know no other country—to deportation and send immigrant children fleeing violence back to their countries, where they face possible persecution or death.

Rather than continuing to waste the American people's time and taxpayer money debating recycled measures over and over again, I wanted to give this body, through my unanimous consent request, one more opportunity to tackle an issue that will get larger and harder to deal with the longer we wait, and that is immigration.

If there are 10 million people here illegally today, Mr. Speaker, if this body continues to object to every motion we make to bring up a law that would secure our borders and restore the rule of law, there is likely to be 15 million people here illegally in 10 years. You can count on it.

This Nation deserves to have secure borders, we deserve to restore the rule of law, and we deserve to reflect our values as a Nation in our immigration system. I know we have the votes for this bill.

I urge my colleagues to change their plans for tomorrow and, instead, allow us to come back and pass immigration reform so that we can finally solve this issue, reduce our budget deficit, create jobs for Americans, secure our border, and end this Congress on a positive note, a positive note of moving forward on solving an issue that the American people are screaming out for a solution to rather than rehashing and repackaging special interest bills into new and more sinister forms.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule that will allow the House to consider six separate pieces of legislation that are true priorities for jump-starting the middle class: the Paycheck Fairness Act, the Fair Minimum Wage Act, the Bank on Students Emergency Loan Refinancing Act, the Healthy Families Act, the Strong Start for America's Children Act, and the Bring Jobs Home Act.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote ''no'' to defeat the previous question. I urge a ''no'' vote on the rule.

I encourage us to stay here and address immigration reform so that we can solve this issue for our country, reduce our deficit, and secure our borders.

I encourage my colleagues to vote ''no'' on this closed rule, number 76 and 77 of this Congress, allowing no allowed amendments from either side, including the very reasonable all-of-the-above energy amendments that I offered with my colleagues Mr. PERLMUTTER and Mr. BLUMENAUER that either would have eliminated oil and gas subsidies or provided a similar and corresponding subsidy for the production tax credit and wind energy, so at least it can compete on a level playing field with the oil and gas industry.

I urge a ''no'' vote on the rule, and I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

Today, we have heard a number of speakers not only on the Republican side, but also the Democrat side, talk about the issues that need to be addressed today.

The Republican Party—the Republican majority—under the leadership of our great Speaker, JOHN BOEHNER, has gathered together today a group of bills that have passed the House of Representatives, many of them with overwhelming majorities.

We heard the gentleman from Oregon, GREG WALDEN, talking about the plight of the West—and not just in Oregon—where men and women who live in rural communities have found themselves losing their jobs as a result of the administration's policies of how they would treat their own natural resources.

Mr. WALDEN, an Eagle Scout, just as I am an Eagle Scout, has the forestry merit badge. We understand healthy forests and how they can provide a product, a service, and enjoyment to the American people if well-managed; instead, this administration, because of their unwise management techniques, have allowed the West to burn down over the last 5 years.

At record levels, these forests and resources are up in smoke, not allowing those communities the opportunity to properly replant and take care of their own resources.

What I would like to highlight, if I can, is the Tax Code of America and how America is increasingly becoming less competitive with the world as a result of President Obama's and the Democrats' insistence to continually raise taxes and stand in the way of allowing us to be competitive with the world.

I would like to highlight, if I can, a chart here that comes from the Tax Foundation. They say America currently ranks 32nd among 34 major international nations in international tax competitiveness. This competitiveness, as you see here, starting at the very top, would find America 32nd out of 34th.

What does this mean? This means that, at a time when economies around

the world are growing, we are finding that our country is stuck at an average rate of 2.2 percent.

We have other countries, for instance, like India, which has a 5 percent growth; Russia has surpassed ours over the last 4 years; and China finds their GDP growth at 7.7 percent over the last 2 years; and we are finding that, quarter after quarter, American is even or below, only to ''roar'' back at a 2 percent level.

Ladies and gentlemen, Members of the House, what the package on the floor today is about is to talk about our ability—America—to be competitive with the world so that America's businesses and America's employers find work not only in America but compete on a global basis.

What Republicans are talking about today is a chance to have America gain back its footing, not with supremacy, but with competitiveness on a world stage, in a world market, where American products made by Americans—not just manufacturing, but other important intellectual properties—are sold to the world.

When America is at its very best, we are leaders in not just freedom but also in economic opportunity, and it spurs competitors around the globe.

Mr. Speaker, what we are about today in our closing is that the Republican Party, through our great Speaker, JOHN BOEHNER, is sending a strong message to the American people that we in the United States House of Representatives recognize that for America to be competitive, for America's greatest days to be in our future, we must have a comprehensive view of not just the world and our competitiveness, but an opportunity for its citizens—as Congressman COLLINS has said today—to find work, to be entrepreneurial, and to move our country and the world forward. I believe that what we are talking about today makes a difference.

I urge my colleagues to vote ''yes'' on this resolution, ''yes'' on the underlying legislation.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 727 OFFERED BY MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 7. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 377) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes. The first reading of the joint resolution shall be dispensed with. All points of order against consideration of the joint resolution are waived. General debate shall be confined to the joint resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the joint resolution shall be considered for amendment under the five-minute rule. All points of order against provisions in the joint resolution are waived. At the conclusion of consideration of the joint resolution for amendment the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the joint resolution, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the joint resolution.

SEC. 8. Immediately upon disposition of H.R. 377, the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1010) to provide for an increase in the Federal minimum wage. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 9. Immediately upon disposition of H.R. 1010, the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4582) to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Education and the Workforce, and the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 10. Immediately upon disposition of H.R. 4582, the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1286) to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Education and the Workforce, the chair and ranking minority member of the Committee on House Administration, and the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 11. Immediately upon disposition of H.R. 1286, the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3461) to support early learning. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 12. Immediately upon disposition of H.R. 3461, the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 851) to amend the Internal Revenue Code of 1986 to encourage domestic insourcing and discourage foreign outsourcing. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-

minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 13. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 377, H.R. 1010, H.R. 4582, H.R. 1286, H.R. 3461, or H.R. 851.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. SESSIONS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

COMMUNICATION FROM THE CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, September 18, 2014.

Hon. JOHN BOEHNER,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: On September 17, 2014, pursuant to section 3307 of Title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider resolutions to authorize 12 prospectuses. These 12 prospectuses include two alteration projects, one construction project, and three leases included in the General Services Administration's (GSA) FY 2014 and FY 2015 Capital Investment and Leasing Programs. Six of the prospectuses were included in the Department of Veterans Affairs Construction, Long Range Capital Plans. At the request of the Department of Veterans Affairs, the Committee authorized the leases to be executed pursuant to GSA's leasing authority in accordance with the provisions of the Public Buildings Act.

Our Committee continues to work to cut waste and the cost of federal property and leases. The resolutions include space reductions, consolidations into government-owned space, and reduction in project scopes, saving $225 million in avoided lease costs.

I have enclosed copies of the resolutions adopted by the Committee on Transportation and Infrastructure on September 17, 2014.

Sincerely,

BILL SHUSTER,
Chairman.

Enclosures.

COMMITTEE RESOLUTION

ALTERATION—EDWARD J. SCHWARTZ FEDERAL BUILDING AND U.S. COURTHOUSE, SAN DIEGO, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations for the reconfiguration and alteration of space in the Edward J. Schwartz Federal Building and U.S. Courthouse located at 880 Front Street in San Diego, California to consolidate the U.S. Immigration and Customs Enforcement and backfill other tenant agencies, at a design and review cost of $1,997,317, an estimated construction cost of $16,042,940 and a management and inspection cost of $1,688,743 for a total estimated project cost of $19,729,000, a prospectus for which is attached to and included in this resolution. This resolution authorizes the prospectus as amended by the FY2014 Expenditures Plans for Major Repairs and Alterations Program submitted by the General Services Administration on February 7, 2014 and the revised Housing Plan dated August 2014.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS - ALTERATION
EDWARD J. SCHWARTZ FEDERAL BUILDING AND U.S. COURTHOUSE
SAN DIEGO, CA

Prospectus Number: PCA-0167-SD14
Congressional District: 53

FY2014 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project for the reconfiguration and alteration of space in the Edward J. Schwartz Federal Building and US Courthouse (Schwartz FB-CT) to consolidate the U.S. Immigration and Customs Enforcement Agency (ICE) and backfill other tenant agencies in space vacated by the Internal Revenue Service (IRS) and portions of the District Court upon their move to the new San Diego courthouse annex during the first quarter of FY2013. Approximately 184,000 rentable square feet (rsf) of space will be backfilled, building security will be improved to meet tenant requirements, and several of the building systems will be upgraded.

A prospectus for design was submitted in FY2011 which included a full modernization project for the Edward J. Schwartz Federal Building and US Courthouse with an estimated total project cost (ETPC) of $213,056,000. The project was not fully approved at the time. In an attempt to address only the most critical life safety components of the full modernization project and to allow ICE to collocate 3 leased locations into a Federal building, the proposed project has been reduced in scope and cost with a revised cost of $61,136,000.

The project will satisfy ICE's need for approximately 157,000 RSF to consolidate its regional operations from three leased locations. In addition to ICE, components of the Executive Office of Immigration Review, US Attorneys, US Trustees, Magistrate Court, US Bankruptcy Clerk, and Federal Protective Service will backfill the vacant space from leased locations. The backfill will allow the Government to release leased space, reducing the Government's rental payments to the private sector by over $2,000,000 annually.

FY2014 Committee Approval and Appropriation Requested

(Design, ECC and M&I).....$61,136,000

Major Work Items

Interior construction; security, electrical, fire protection and plumbing systems upgrades; exterior construction

GSA PBS

PROSPECTUS - ALTERATION
EDWARD J. SCHWARTZ FEDERAL BUILDING AND U.S. COURTHOUSE
SAN DIEGO, CA

Prospectus Number: PCA-0167-SD14
Congressional District: 53

Project Budget

Design	$6,292,000
Estimated Construction Cost (ECC)	49,127,000
Management and Inspection (M&I)	5,717,000
Estimated Total Project Cost (ETPC)*	**$61,136,000**

FY2014 Committee Approval and Appropriation Requested

(Design, ECC and M&I)	**$61,136,000**

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

Schedule	Start	End
Design and Construction	FY2014	FY2017

Building

The 625,715 rentable square foot (rsf) Edward J. Schwartz Federal Building and US Courthouse, at 880 Front St. in downtown San Diego, was built in 1973. It consists of two adjacent structures, a six-story federal office wing, a five-story court wing, and underground parking and basement offices. The building's two wings share an upper basement and are connected by a bridge between the fifth and sixth floors. The last major capital project was a $14.2 million HVAC upgrade funded in FY2002.

Tenant Agencies

Judiciary, Department of Homeland Security, Department of Justice, GSA

Proposed Project

Approximately 184,000 RSF of vacated space will be reconfigured for occupancy by ICE, Executive Office of Immigration Review, US Attorneys, the U.S. Bankruptcy Court Clerk, U.S. Trustee, U.S. Magistrate Court, and the Federal Protective Service coming from leased locations in the San Diego area. Two public restrooms will be remodeled for compliance with the Architectural Barriers Act Accessibility Standard (ABAAS). The project includes wall hardening on several facades and the installation of bollards and an anti-ram barrier at the entrance to the garage. Building system upgrades including new automatic transfer switches, a new electric fire pump, new domestic water shut-off valves, a new emergency generator and new

GSA PBS

PROSPECTUS - ALTERATION
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quick response fire sprinkler heads will be installed. Precast concrete panels on the south elevation of the building's office wing will be cleaned and sealed.

Major Work Items

Security Upgrade	$4,483,000
Fire Protection Upgrade	1,338,000
Interior Construction	39,441,000
Electrical Upgrade	2,174,000
Plumbing Upgrade	1,294,000
Exterior Construction	397,000
Total ECC	**$49,127,000**

Justification

A prospectus for design was submitted in FY2011 which included a full modernization project for the Edward J. Schwartz Federal Building and US Courthouse with an ETPC of $213,056,000. The project was not fully approved at the time. In an attempt to address only the most critical life safety components of the full modernization project, the proposed project has been reduced in scope and cost.

In addition to addressing the critical life safety items necessary in the building the project will also backfill space at the Edward J. Schwartz Federal Building and U.S. Courthouse vacated by tenants moving to the new San Diego Courthouse, improve building security, upgrade building systems, and collocate ICE functions in the San Diego area.

Currently the building falls short of blast and security standards. In addition, failure to repair or replace the outdated and inefficient building systems will cause operating costs to continue to increase and would likely lead to costly system failures. Further deterioration of the building's systems will make it difficult to backfill the space vacated by tenants moving to the San Diego Courthouse Annex.

GSA PBS

PROSPECTUS - ALTERATION
EDWARD J. SCHWARTZ FEDERAL BUILDING AND U.S. COURTHOUSE
SAN DIEGO, CA

Prospectus Number: PCA-0167-SD14
Congressional District: 53

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

Edward J. Schwartz Federal Building and U.S. Courthouse Prior Committee Approvals			
Committee	**Date**	**Amount**	**Purpose**
Senate EPW	11/30/2010	$22,336,000	Repair & Alteration

Prior Prospectus-Level Projects in Building (past 10 years)

None

Alternatives Considered (30-year, present value cost analysis)

New Construction $109,636,000
Alteration ..... $ 81,957,000
Leasing $152,228,000

The 30 year, present value cost of alteration is $27,670,000 less than the cost of new construction, an equivalent annual cost advantage of $1,562,000.

GSA PBS

PROSPECTUS - ALTERATION
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Prospectus Number: PCA-0167-SD14
Congressional District: 53

Recommendation

ALTERATION

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on April 4, 2013

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

	Current						Proposed					
	Personnel		*Usable Square Feet (USF)*				*Personnel*		*Usable Square Feet (USF)*			
	Office	**Total**	**Office**	**Storage**	**Special**	**Total**	**Office**	**Total**	**Office**	**Storage**	**Special**	**Total**
Leased Locations												
401 West A Street-CA5939												
ICE	5	5	2,376	-	-	2,376						
185 West F Street-CA6431												
ICE	114	114	43,615	-	-	43,615						
610 W. Ash Street-CA6489												
ICE	40	40	7,954	-	-	7,954						
101 West Broadway - CA6274												
JD Office of the US Attorneys[1]	53	53	18,749	-	-	18,749						
101 West Broadway-CA6274												
Federal Protective Service	16	16	4,033	-	-	4,033						
402 West Broadway-CA6956												
JD US Trustees	35	35	8,746	-	-	8,746						
Subtotal:	**263**	**263**	**85,473**	-	-	**85,473**						
Edward J. Schwartz FB-CT (CA0167)												
Appeals Court	10	10	-	-	6,180	6,180	10	10	-	-	6,180	6,180
Circuit Library	3	3	4,920	134	1,733	6,787	3	3	4,920	134	1,733	6,787
District Court	45	45	22,130	-	69,532	91,662	45	45	22,130	-	69,532	91,662
Magistrate Court	25	25	2,536	-	19,050	21,586	25	25	2,536	-	19,050	21,586
District Court Clerk	3	3	182	-	168	350	3	3	182	-	168	350
Grand Jury	3	3	1,686	-	1,748	3,434	3	3	1,686	-	1,748	3,434
DHS (CIS)[2]	100	100	20,671	-	32	20,703	100	100	20,671	-	32	20,703
DHS-ICE	202	202	41,420	681	6,210	48,311	500	500	68,320	2,500	15,452	86,272
Federal Protective Service	9	9	1,996	-	-	1,996	25	25	3,512	195	1,163	4,870
JD US Trustee	-	-	-	-	-	-	19	19	4,679		2,184	6,863
DHS US Customs & Border Protection	6	6	287	-	234	521	3	3	521	-	-	521
GSA FAS Telecommunications Facilities	1	1	562	-	-	562	1	1	562	-	-	562
Federal Bureau of Investigation	1	1	153	-	-	153	1	1	153	-	-	153
FAS, All Other	1	1	201	-	-	201	1	1	201	-	-	201
Internal Revenue Service	27	27	5,824	387	-	6,211	27	27	5,824	387	-	6,211
Office Of U.S. Attorneys[1]	320	320	84,751	3,944	12,988	101,683	373	373	104,611	3,944	13,213	121,768
GSA PBS Field Office & San Diego Srvce Ctr [3]	15	15	5,786	1,291	-	7,077	-	-	-	-	-	-
Treasury IG for Tax Administration (TIGTA)[4]	3	3	445	-	-	445	5	5	499	-	200	699
US Marshals Service	52	52	10,331	4,429	19,831	34,591	52	52	10,331	4,429	19,831	34,591
US Tax Court	3	3	128	-	434	562	3	3	128	-	434	562
Joint Use	15	15	13,972	326	5,173	19,471	15	15	13,972	326	5,173	19,471
Vacant space	-	-	86,003	2,968	12,268	101,238	-	-	38,197	981	1,100	40,278
Subtotal:	**844**	**844**	**303,984**	**14,160**	**155,581**	**473,724**	**1,214**	**1,214**	**303,635**	**12,896**	**157,193**	**473,724**

	Current						Proposed					
	Personnel		*Usable Square Feet (USF)*				*Personnel*		*Usable Square Feet (USF)*			
	Office	**Total**	**Office**	**Storage**	**Special**	**Total**	**Office**	**Total**	**Office**	**Storage**	**Special**	**Total**
[1]US Attorney's move into Schwartz funded by tenants via RWA.												
[2]While DHS CIS is reflected in proposed, it should be noted tenant is in process of going into leased space.												
[3]GSA Field Office Relocating into Courthouse Annex.												
[4]TIGTA will be relocating within the building to accommodate the ICE consolidation.												

FY 2014 Prospectus Project for ICE ($19,729,000 in Spend Plan)
Consolidation - Moves as part of FY 14 Consolidation

Office Utilization Rate[5]		
	Current	Proposed
Building Office Tenants (excluding Judiciary, Congress, and agencies with less than 10 employees)	186	147
All Building Office Tenants (including Judiciary, Congress, and agencies with less than 10 employees)	201	171

Current Office UR excludes 21,561 usf of office support space. Proposed Office UR excludes

Current Office UR excludes 86,003 USF of vacant and 47,955 usf of office support space.

Total Building USF Rate [6]		
	Current	Proposed
Building Tenants (excluding Judiciary, Congress, and agencies with less than 10 employees)	323	239
All Building Tenants (including Judiciary, Congress, and agencies with less than 10 employees)	561	390

Special Space	
ADP	1,473
Conference	17,916
Courtroom	46,119
Food Service	5,510
Holding Cell	21,103
Judicial Chambers	42,917
Judicial Hearing	2,890
Laboratory	1,438
Law Enf, Legal, Commo	4,656
Mail Rooms	500
Physical Fitness	2,356
Restrooms	6,994
Sally Port, USMS	1,754
SCIF	1,050
Secured Circulation	367
Vaults	150
Total:	**157,193**

NOTES:

[5] Office Utilization Rate = total office space available for office personnel. UR calculation excludes office support space USF.

[6] Total Building USF Rate = total building USF (office, storage, special) available for all building occupants (office, and non-office personnel).

AMENDED COMMITTEE RESOLUTION

ALTERATION—HARRY S. TRUMAN BUILDING, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the final phase of the multi-phase modernization of approximately one-half of the Harry S. Truman (Main State) Building located at 2201 C Street, NW in Washington, D.C., including demolition and build out of the North Court area and the replacement of all HVAC, electrical and plumbing systems, the installation of a fire sprinkler system and replacement of elevators, at an additional estimated construction cost of $23,962,000 and an additional management and inspection cost of $1,577,000 for a total additional estimated project cost of $25,539,000, a prospectus for which is attached to and included in this resolution. This resolution authorizes the prospectus as amended by the revised Housing Plan dated August 2014. This resolution amends amounts authorized in the Committee on Transportation and Infrastructure resolution of August 1, 1996.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

AMENDED PROSPECTUS - ALTERATION
HARRY S. TRUMAN BUILDING
WASHINGTON, DC

Prospectus Number: PDC-0046-WA14

FY2014 Project Summary

The General Services Administration (GSA) proposes the final phase of a multi-phase modernization of approximately one-half of the Harry S. Truman (Main State) Building, located at 2201 C Street, NW, Washington, DC. Alterations under this phase involve demolition and build out of the North Court area and the replacement of all HVAC, electrical and plumbing systems, the installation of a fire sprinkler system and replacement of the elevators.

This request amends prospectus PDC-00464, the last prospectus approved in support of the modernization of the Department of State Headquarters, a project that has spanned several decades with the design started in FY1991 and a revised construction completion anticipated for FY2016.

FY2014 Appropriation Requested [1]
(Phase V - ECC and M & I) **$58,908,000**

FY2014 Committee Approval Requested [2] **$25,539,000**

Major Work Items (Phase V)

Interior construction, HVAC, electrical and plumbing system replacement, fire protection upgrades, conveyance systems, exterior construction, demolition and abatement, special construction

Project Budget

Design	
Phase I (FY88)	$3,650,000
Phase II (FY91)	2,216,000
Phase III (FY95)	980,000
Phase IV (FY96)	985,000
Phase IVa (FY07)	2,900,000
Phase V (FY09 ARRA)	4,435,000
Total Design	**$15,166,000**

[1] Estimated Total Project Costs: $184,611,000, Appropriations to Date Received: $125,713,000
[2] Estimated Total Project Costs: $184,611,000, Committee Approvals to Date Received: $144,337,000

GSA PBS

AMENDED PROSPECTUS - ALTERATION
HARRY S. TRUMAN BUILDING
WASHINGTON, DC

Prospectus Number: PDC-0046-WA14

Estimated Construction Cost (ECC)

Phase I (FY99)	$27,756,000
Phase II (FY00)	9,768,000
Phase III (FY01)	26,835,000
Phase IV (FY03)	27,190,000
Phase IVa (FY07)	1,616,000
Phase IV (FY09 ARRA)	10,300,000
Phase V (FY14)	**55,808,000**
Total ECC	**$159,273,000**

Management and Inspection (M&I)

Phase I (FY99)	$2,023,000
Phase II (FY00)	743,000
Phase III (FY01)	1,940,000
Phase IV (FY03)	2,253,000
Phase IVa (FY07)	113,000
Phase V (FY14)	**3,100,000**
Total M&I	**$10,172,000**

Estimated Total Project Cost (ETPC)* **$184,611,000**

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

FY2014 Appropriation Requested
(Phase V - ECC and M & I) **$58,908,000**

FY2014 Committee Approval Requested **$25,539,000**

Schedule	Start	End
Design	FY1991	FY2011
Construction		
Phase I	FY1999	FY2005
Phase II	FY2000	FY2005
Phase III	FY2003	FY2005
Phase IV	FY2008	FY2012
Phase IVa	FY2008	FY2012
Phase V	FY2014	FY2016

GSA PBS

AMENDED PROSPECTUS - ALTERATION
HARRY S. TRUMAN BUILDING
WASHINGTON, DC

Prospectus Number: PDC-0046-WA14

Building

The Harry S Truman building is located at 2201 C Street, NW, Washington, DC. The original portion of the State Department Building, the "Old War Building", was completed in 1938. It was originally constructed for the War Department, and is listed on the National Register of Historic Places. An addition, "New State", was constructed in 1960. The building provides approximately 2.6 million gross square feet of administrative and support spaces for the Department of State personnel and associated functions and has 905 inside parking spaces on the site.

Tenant Agencies

Department of State

Proposed Project

GSA is seeking to continue the on-going multi-phased modernization of the Harry S Truman (Main State) Building. The modernization project for the Main State Department was submitted and approved August 1, 1996.

Phase V work will include demolition and build-out of the west section of the North Court area. The build-out will include replacing all HVAC systems, electrical and plumbing systems, installing an automatic fire sprinkler system with fire pumps, replacing the elevators, and providing all new office and support spaces. In addition, technology has become more efficient since the construction documents were finished, so HVAC and electrical systems will be modified to take advantage of new efficiencies.

Major Work Items (Phase V)

Demolition and Abatement	$9,787,000
Special Construction	1,233,000
Exterior Construction	3,019,000
Interior Construction	12,197,000
Conveyance Systems	9,034,000
Plumbing Replacement	871,000
HVAC Replacement	10,644,000
Fire ProtectionUpgrades	3,212,000
Electrical Systems Replacement	5,811,000
Total ECC (Phase V)	**$55,808,000**

AMENDED PROSPECTUS - ALTERATION
HARRY S. TRUMAN BUILDING
WASHINGTON, DC

Prospectus Number: PDC-0046-WA14

Justification

The proposed project will mitigate fire and life safety risks to the building occupants by providing sprinkler protection and additional means of building egress.

Obsolete systems will be replaced and upgraded in order to reduce the chances of system failure, sustained outages and labor intensive maintenance and operations costs. The mechanical and electrical systems were the original equipment dating from the 1940s and were outdated, undersized, and under capacity for current demands. Maintenance of these obsolete systems was labor intensive, resulting in frequent and prolonged inconvenience to the tenants and effective mission accomplishment.

The project will also address security requirements through wall hardening, progressive collapse mitigation, and blast window installation. While these security improvements are being largely funded by State rather.than this prospectus, however the work must be coordinated for construction efficiency and to reduce taxpayer cost.

This prospectus provides for additional authority as a result of escalation of construction costs to complete Phase V.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

Harry S. Truman Prior Appropriations			
Public Law	**Fiscal Year**	**Amount**	**Purpose**
100-202	1988	$3,650,000	Design
101-509	1991	$2,216,000	Design
103-329	1995	$980,000	Design
104-52	1996	$985,000	Design
105-277	1999	$29,779,000	Phase I ECC & M&I
106-58	2000	$10,511,000	Phase II ECC & M&I

AMENDED PROSPECTUS - ALTERATION
HARRY S. TRUMAN BUILDING
WASHINGTON, DC

Prospectus Number: PDC-0046-WA14

106-554	2001	$28,775,000	Phase III ECC & M&I
108-7	2003	$29,443,000	Phase IV ECC & M&I
110-5	2007	$4,629,000	Phase IVAdd'l Design, ECC & M&I
111-5 (ARRA)	2009	$14,735,000	Phase V Design, Phase IV ECC
Appropriations to Date		**$125,703,000**	

Prior Committee Approvals

Harry S. Truman Prior Committee Approvals			
Committee	**Date**	**Amount**	**Purpose**
House PWT	6/3/1987	$3,650,000	Design
House PWT	6/28/1990	$2,216,000	Design
Senate EPW	6/12/1990	$2,216,000	Design
House T & I	8/1/1996	$138,471,000	Add'l Design, ECC &M&I
Senate EPW	7/24/1996	$138,471,000	Add'l Design ECC& M&I

Prior Prospectus-Level Projects in Building (past 10 years)

None

Alternatives Considered (30 year, present value cost analysis)

This project is a multi-year, multi-phased project. GSA is in the process of renovating the building therefore, there are no other feasible alternatives.

GSA PBS

AMENDED PROSPECTUS - ALTERATION
HARRY S. TRUMAN BUILDING
WASHINGTON, DC

Prospectus Number: PDC-0046-WA14

Recommendation

ALTERATION

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on April 4, 2013

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

August 2014

Housing Plan
Harry S. Truman Building

PDC-0046-WA14
Washington, DC

Locations	CURRENT - Phase V						PROPOSED - Phase V					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Harry S. Truman Building												
Phase V (FY 2014)	839	839	162,266	2,650	13,832	178,748	935	935	137,485	1,621	23,768	162,874
Total	**839**	**839**	**162,266**	**2,650**	**13,832**	**178,748**	**935**	**935**	**137,485**	**1,621**	**23,768**	**162,874**

Office Utilization Rate[2] Phase V		
	Current	Proposed
Building Office Tenants	151	115

Current Office UR excludes 35,699 usf of office support space.
Proposed Office UR excludes 30,247 usf of office support space.

Special Space	USF
Conference/Training	8,743
SCIF/Vaults	1,087
Work Rooms/Files	13,938
Total	**23,768**

Total Building USF Rate[3] Phase V		
	Current	Proposed
agencies with less than 10 employees)	213	174

Locations	CURRENT - Phases 1 thru 5 and Balance of Building						PROPOSED - Phases 1 thru 5 and Balance of Building					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Harry S. Truman Building												
Phases I through III	885	885	250,861	14,458	37,040	302,359	1,032	1,032	233,725	6,567	71,435	311,727
Phase IV	512	512	121,205	26,050	32,100	179,355	638	638	96,541	539	75,075	172,155
Phase V	839	839	162,266	2,650	13,832	178,748	935	935	137,485	1,621	23,768	162,874
Subtotal Phases I - V	**2,236**	**2,236**	**534,332**	**43,158**	**82,972**	**660,462**	**2,605**	**2,605**	**467,751**	**8,727**	**170,278**	**646,756**
Balance of Building (future project)	3,231	3,231	755,085	4,536	147,639	907,260						
Total	**5,467**	**5,467**	**1,289,417**	**47,694**	**230,611**	**1,567,722**						

Office Utilization Rate[2] - Phases I-V		
	Current	Proposed
Building Office Tenants	186	140

Current Office UR excludes 117,553 usf of office support space.

Special Space	USF
Auditorium/Conference/Exhibit	35,015
Kitchen	44,807
Computer/Telephone	16,424
Retail/Fitness/Medical	7,891
Print Plant	12,316
Outlease	27,097
Communication Equipment Rooms	1,525
SCIFs/Vault/Watch	4,662
Work Room/Files	20,541
Total	**170,278**

Total Building USF Rate[3] Phase I-V		
	Current	Proposed
All Building Tenants	295	248

NOTES:
[1] USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2] Office Utilization Rate = total office space available for office personnel. UR calculation excludes office support space USF.
[3] Total Building USF Rate = total building USF (office, storage, special) available for all building occupants (office, and non-office personnel).

COMMITTEE RESOLUTION

SITE AND CONSTRUCTION—FEDERAL BUREAU OF INVESTIGATION WINCHESTER, VA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the site and construction of a 256,425 gross square foot facility in Winchester, Virginia for the Federal Bureau of Investigation to support its current and future critical record management space needs at a site cost of $6,750,000, an estimated construction cost of $85,543,000 and a management and inspection cost of $5,560,000 for a total estimated project cost of $97,853,000, a prospectus for which is attached to and included in this resolution as amended by this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, that the delineated area of the procurement shall include Frederick County, Virginia and the City of Winchester, Virginia.

GSA PBS

PROSPECTUS - SITE & CONSTRUCTION
FEDERAL BUREAU OF INVESTIGATION
CENTRAL RECORDS COMPLEX
WINCHESTER, VA

Prospectus Number: PVA-FBSC-FR14
Congressional District: 10

FY2014 Project Summary

The General Services Administration (GSA) proposes the site acquisition and construction of a 256,425 gross square foot (gsf) facility in Winchester, Virginia for the Federal Bureau of Investigation (FBI). This facility will support the FBI's current and future critical record management space needs.

FY2014 House Committee Approval Requested
(Site, Construction and M&I).....$108,726,000

FY2014 Senate Committee Approval Requested
(Construction and M&I).....$11,666,000

FY2014 Appropriation Requested
(Site, Construction and M&I).....$108,726,000

Overview of Project

GSA proposes the design of a new Records Management Facility on an approximately 108-acre site, to be acquired by GSA in Winchester, Virginia. The facility will consolidate FBI's paper records currently housed within the Washington DC metropolitan area, at field offices across the country and in several national information technology centers. The facility will also provide for National Archives and Records Administration (NARA) compliant records storage for environmentally conditioned, fire-protected space in a secured facility. The proposed facility includes a record management building with office support, visitor screening center, secured service center, guard booth, and surface parking lot.

GSA PBS

PROSPECTUS - SITE & CONSTRUCTION
FEDERAL BUREAU OF INVESTIGATION
CENTRAL RECORDS COMPLEX
WINCHESTER, VA

Prospectus Number: PVA-FBSC-FR14
Congressional District: 10

Description

Site Information
To Be Acquired ..... 108 acres

Building Area
Building without Parking ..... 256,425 gsf
Building with Parking ..... 256,425 gsf
Number of outside parking spaces 427

Project Budget

Site Acquisition $7,500,000
Design and Review* .....
Estimated Construction Cost (ECC) ($371 /gsf) 95,048,000
Management and Inspection (M&I) 6,178,000
Estimated GSA Total Project Cost (ETPC) $108,726,000**

* Tenant agency is funding the design
** Tenant agency may fund an additional amount for alterations above the standard normally provided by the GSA.

FY2014 House Committee Approval Requested
(Site, Construction and M&I) $108,726,000

FY2014 Senate Committee Approval Requested
(Construction and M&I) $11,666,000

FY2014 Appropriation Requested
(Site, Construction and M&I) $108,726,000

Location

Winchester, Virginia

GSA PBS

PROSPECTUS - SITE & CONSTRUCTION
FEDERAL BUREAU OF INVESTIGATION
CENTRAL RECORDS COMPLEX
WINCHESTER, VA

Prospectus Number: PVA-FBSC-FR14
Congressional District: 10

Schedule	Start	End
Construction	FY2014	FY2016

Tenant Agencies

Federal Bureau of Investigation

Justification

Records management is crucial to the operations of the FBI. Many of the FBI records, which are an integral part of investigations, prosecutions and intelligence analyses the agency conducts, are currently primarily in paper form and dispersed throughout hundreds of locations nationwide.

The proposed centralized facility will promote timely access of FBI records to agents and analysts around the world; support FBI's long-term goal of converting applicable files into electronic, searchable format; provide a secure environment for FBI's valuable intellectual property; reduce records space requirements at FBI Field Offices redirecting field office positions to focus on FBI's operational mission; and enable greater consistency with NARA's Archive Standards as detailed in 36 CFR 1228 Subpart K. The proposed facility will also provide long term cost savings to the government.

To help FBI efficiently achieve its mission critical record management functions, GSA is proposing to utilize a more technologically advanced storage system known as an Automated Storage and Retrieval System (ASRS). ASRS, an automated and mechanized structure integral to the facility for moving files into storage locations and retrieving them when needed is proving to be a successful system in manufacturing, archival, security, food and beverage operations as well as conventional warehousing.

GSA and FBI have been partnering on this effort for several years. As part of its FY2006 Capital Investment and Leasing Program, GSA submitted a prospectus and received authorization to lease 947,000 rsf of space for 20 years. GSA subsequently amended that request as part of the GSA's FY2008 Capital Investment and Leasing Program in a prospectus for 626,488 rsf that was authorized by the Senate Committee on Environment and Public Works and the House Committee on Transportation and Infrastructure on December 18, 2007 and January 16, 2008, respectively. However, due to market conditions and the specialized nature of the space, GSA was unable to successfully award a lease. In 2010, the FBI determined that the number one priority was the Central Records Complex (CRC) portion of the project. It was decided that the best way to move forward with meeting FBI's long term need for its mission critical record management operation was through federal construction of the records management portion of the originally proposed project. This project was proposed as part of GSA's FY2012 Capital

GSA PBS

PROSPECTUS - SITE & CONSTRUCTION
FEDERAL BUREAU OF INVESTIGATION
CENTRAL RECORDS COMPLEX
WINCHESTER, VA

Prospectus Number: PVA-FBSC-FR14
Congressional District: 10

Investment and Leasing Program. The Senate Committee on Environment and Public Works approved $97,060,000 for the purpose of constructing FBI's CRC, but the funds have not been appropriated.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

Federal Bureau of Investigation Central Records Complex Prior Committee Approvals			
Committee	**Date**	**Amount**	**Purpose**
Senate EPW	12/8/2011	$97,060,000	Construction and M&I

Alternatives Considered (30-year, present value cost analysis)

New Construction $104,223,000
Lease $154,223,000

The 30 year, present value cost of new construction is $49,421,000 less than the cost of lease, an equivalent annual cost advantage of $2,789,000.

GSA PBS

PROSPECTUS - SITE & CONSTRUCTION
FEDERAL BUREAU OF INVESTIGATION
CENTRAL RECORDS COMPLEX
WINCHESTER, VA

Prospectus Number: PVA-FBSC-FR14
Congressional District: 10

Recommendation

CONSTRUCTION

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on April 4, 2013

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

Housing Plan
FBI Central Records Complex

PVA-FBSC-FR14
Winchester, VA

	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
Locations	Office	Total	Office	Records	Special	Total	Office	Total	Office	Records	Special	Total
FBI Leased Locations												
6305 Gravel Avenue, Alexandria, VA	5	5	750	27,730	-	28,480	-	-	-	-	-	-
883-927 S. Pickett Street, Alexandria VA	172	172	24,500	111,388	-	135,888	-	-	-	-	-	-
1025 F Street, NW, Washington, DC[2]	27	27	7,176	-	-	7,176	-	-	-	-	-	-
170 Marcel Drive, Winchester, VA[3]	173	173	22,093	-	-	22,093	-	-	-	-	-	-
Lease Subtotal	**377**	**377**	**54,519**	**139,118**	**-**	**193,637**	-	-	-	-	-	-
FBI Government-Owned Locations												
J. Edgar Hoover Building, Washington DC												
Records Management Division (RMD)[4]	31	31	13,292	-	-	13,292	-	-	-	-	-	-
Government-Owned Subtotal	**31**	**31**	**13,292**	**-**	**-**	**13,292**	-	-	-	-	-	-
New FBI Central Record Complex												
Records Storage	-	-	-	-	-	-	401	401	44,195	92,609	41,297	178,101
Site Support Buildings	-	-	-	-	-	-	-	7	-	-	14,266	14,266
Subtotal	-	-	-	-	-	-	**401**	**408**	**44,195**	**92,609**	**55,563**	**192,367**
Total	**408**	**408**	**67,811**	**139,118**	**-**	**206,929**	**401**	**408**	**44,195**	**92,609**	**55,563**	**192,367**

Office Utilization Rate (UR)		
	Current	Proposed
Rate	130	86

UR=average amount of office space per person

Current UR excludes 14,753 usf of office support space

Proposed UR excludes 9.723 usf of office support space

Special Space	**USF**
Food Service/Break Rooms	1,848
Disintegrator Room	1,330
Conference/Training	5,201
Document Labs	28,795
ADP	4,123
Site Security Buildings	14,266
Total	**55,563**

NOTES:

[1] USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

[2] Upon completion of the Central Records Complex, 27 persons located at 1025 F Street, NW will relocate to the new facility. FBI will continue their leasehold at 1025 F Street, NW for non records management personnel and operations.

[3] Upon completion of the Central Records Complex, 173 persons located at 170 Marcel Drive will relocate to the new facility. FBI will continue their other records management personnel and operations (FOIA and National Name Check) at 170 Marcel Drive (633 personnel and 102,931 usf).

[4] RMD will retain primary executive office space and space for on-site scanning at FBIHQ.

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF STATE, NORTHERN VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 343,000 rentable square feet of space, including 26 official parking spaces, for the Department of State to collocate the Bureau of Overseas Buildings Operations and the Bureau of Administration, Acquisitions and Logistics Management currently located at 1701 N. Ft. Myer Drive and 1735 N. Lynn Street, respectively, in Arlington, Virginia, at a proposed total annual cost of $13,377,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 182 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 182 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF STATE
NORTHERN VIRGINIA

Prospectus Number: PVA-02-WA15
Congressional District: 8

Project Summary

The General Services Administration (GSA) proposes a replacement lease of up to 343,000 rentable square feet of space for the Department of State (DOS) to collocate the Bureau of Overseas Buildings Operations (OBO) and the Bureau of Administration, Acquisitions and Logistics Management (ALM). OBO is currently housed at 1701 N. Ft. Myer Drive and ALM at 1735 N. Lynn Street, Arlington, VA, under leases that expire June 30, 2014 and December 19, 2015. DOS proposes to improve its office and overall utilization rates from 134 to 100 usable square feet (USF) per person and 201 to 182 USF per person, respectively, by housing an additional 148 personnel in the same amount of usable space as the total of its current occupancies.

Description

Occupant:	DOS
Lease Type:	Replacement
Current Rentable Square Feet (RSF):	320,313 (Current RSF/USF = 1.12)
Proposed Maximum RSF[1]:	343,000 (Proposed RSF/USF = 1.20)
Expansion Space RSF:	None
Current Usable Square Feet/Person:	201
Proposed Usable Square Feet/Person:	182
Proposed Maximum Lease Term:	15 years
Expiration Date(s) of Current Lease(s):	6/30/2014 and 12/19/2015
Delineated Area:	Rosslyn/Ballston, Crystal City/Pentagon City, VA
Number of Official Parking Spaces[2]:	26
Scoring:	Operating lease
Maximum Proposed Rental Rate[3]:	$39.00

[1] The RSF/USF at the current locations is approximately 1.12; however, to maximize competition a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

[2] DOS security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, under an operating agreement with the lessor, or as part of the Government's leasehold interest in the building(s).

[3] This estimate is for fiscal year 2015 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for negotiating this lease extension to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF STATE
NORTHERN VIRGINIA

Prospectus Number: PVA-02-WA15
Congressional District: 8

Proposed Total Annual Cost[4]:	$13,377,000
Current Total Annual Cost:	$11,727,871 (leases effective July 1, 2004 and December 20, 2012)

Acquisition Strategy

In order to maximize flexibility to acquire space that will house DOS and meet its requirements, GSA may issue a single, multiple award solicitation that will allow offerors to provide blocks of space to meet the requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus.

Justification

The Bureau of Overseas Building Operations (OBO) and the Bureau of Administration's Acquisitions and Logistics Management (ALM) are the primary DOS occupants of space leased at 1701 N. Ft. Myer Drive and 1735 N. Lynn Street, Arlington, VA under leases that expire on June 30, 2014 and December 19, 2015. OBO and ALM will require continued housing to carry out their missions.

OBO directs the worldwide overseas buildings program for the DOS and the U.S. Government community serving abroad under the authority of the chiefs of mission. In concert with other DOS, foreign affairs agencies, and Congress, OBO sets worldwide priorities for the design, construction, acquisition, maintenance, use, and sale of real property and the use of sales proceeds.

OBO and ALM work extensively together and with the nearby Bureau of Diplomatic Security. The three bureaus are responsible for the operations and security of all of DOS's 19,000 plus assets worldwide and collaborate daily to support DOS's 260 plus embassies and consulates worldwide.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

[4] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF STATE
NORTHERN VIRGINIA

Prospectus Number: PVA-02-WA15
Congressional District: 8

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 30, 2014

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

June 2014

Housing Plan
Department of State

PVA-02-WA15
Northern Virginia

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1701 N. Ft. Meyer Drive, Arlington, VA	1,198	1,198	208,782	2,486	37,283	248,551						
1735 N. Lynn Street, Arlington, VA	219	219	35,261	378	1,200	36,839						
Proposed Lease, Northern VA							1,565	1,565	199,773	8,562	77,055	285,390
Total	**1,417**	**1,417**	**244,043**	**2,864**	**38,483**	**285,390**	**1,565**	**1,565**	**199,773**	**8,562**	**77,055**	**285,390**

Office Utilitization Rate (UR)[2]		
	Current	Proposed
Rate	134	100

UR=average amount of office space per person
Current UR excludes 53,689 usf of office support space
Proposed UR excludes 43,950 usf of office support space

Special Space	USF
Conference	13,870
Teaming	12,329
ADP	8,476
File Rooms	9,246
Break Rooms	4,808
SCIFs	24,000
Security	2,311
Copy Rooms	2,015
Total	**77,055**

Overall UR[3]		
	Current	Proposed
Rate	201	182

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	285,390	1.12	320,313
Proposed	285,390	1.20	343,000

NOTES:

[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel.
[4]R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF EDUCATION, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 290,000 rentable square feet of space, including 17 official parking spaces, for the Department of Education currently located at 550 12th Street SW, 555 New Jersey Avenue NW, and 1990 K Street NW, in Washington, D.C., at a proposed total annual cost of $14,500,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 180 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 180 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF EDUCATION
WASHINGTON, DC

Prospectus Number: PDC-05-WA15

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 290,000 rentable square feet (RSF) of space for the Department of Education (DoEd) in Washington, DC. This requirement is currently housed at three locations: 550 12th Street SW, 555 New Jersey Avenue NW, and 1990 K Street NW, in Washington, DC. Replacement of the leases will enable DoEd to provide continued housing for current personnel while meeting its mission requirements.

DoEd will improve its office utilization rate from 236 usable square feet (USF) per person to 128 USF per person and its overall utilization rate from 335 USF per person to 180 USF per person. In addition to the improved space utilization, the replacement lease will reduce the current requirement by 212,329 RSF.

Description

Occupant:	DoEd
Lease Type	Replacement
Current Rentable Square Feet (RSF)	502,329 (Current RSF/USF = 1.12)
Proposed Maximum RSF:	290,000 (Proposed RSF/USF = 1.20)
Expansion Space RSF[1]:	Reduction (212,329) RSF
Current Usable Square Feet/Person:	335
Proposed Usable Square Feet/Person:	180
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Lease(s):	3/31/2014 - 550 12th St. 3/10/2014 - 555 New Jersey Ave. 8/10/2013 - 1990 K St.
Delineated Area:	Washington, DC, CEA
Number of Official Parking Spaces:	17
Scoring:	Operating Lease
Maximum Proposed Rental Rate[2]:	$50.00

[1] The RSF/USF at the current location is approximately 1.12; however, to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

[2] This estimate is for fiscal year 2017 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF EDUCATION
WASHINGTON, DC

Prospectus Number: PDC-05-WA15

Proposed Total Annual Cost[3]:	$14,500,000
Current Total Annual Cost:	$19,752,901 (leases effective 4/1/04, 3/11/01, 8/12/99)

Acquisition Strategy

In order to maximize the flexibility in acquiring space to house DoEd, GSA may issue a single, multiple award solicitation that will allow offerors to provide blocks of space able to meet the requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus.

Justification

The three leases housing this requirement expired as follows and are in holdover: 550 12th St. SW on March 31, 2014; 1990 K St. NW on August 10, 2013; and 555 New Jersey Ave. NW on March 10, 2014; and DoEd requires continued housing to carry out its mission. The personnel housed in the leases at 1990 K St. and 555 New Jersey Ave were originally planning to move to the federally owned Mary Switzer Building. However, the Department of Health and Human Services now plans to fully occupy this building. The current leases will require interim extensions until FY 2017 when the long-term requirement can be executed. The proposed 290,000 RSF will house all DoEd functions and personnel in 212,329 RSF less than the total at the three current leases.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

[3] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF EDUCATION
WASHINGTON, DC

Prospectus Number: PDC-05-WA15

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on July 24, 2014

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Potomac Center, 550 12th St. SW	951	951	266,776	-	20,152	286,928						
Capital Place, 555 NJ Ave NW	88	88	50,667		8,261	58,928						
1990 K Street NW	301	301	88,823		14,060	102,883						
Proposed Lease							1,340	1,340	220,390	-	20,810	241,200
Total	**1,340**	**1,340**	**406,266**	-	**42,473**	**448,739**	**1,340**	**1,340**	**220,390**	-	**20,810**	**241,200**

Office Utilization Rate (UR)[2]		
	Current	Proposed
Rate	236	128

UR = average amount of office space per person
Current UR excludes 89,379 usf of office support space
Proposed UR excludes 48,486 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	335	180

R/U Factor[4]			
	Total USF	RSF/USF	Max RSF
Current	448,739	1.12	502,329
Proposed	241,200	1.20	290,000

Special Space	USF
Event/MultiMedia	8,648
Health Unit	1,683
Snack Bar	1,151
Breakroom	5,417
Lan Room	1,584
Video Telecon Center	1,745
Locker Room	580
Total	**20,810**

NOTES:

[1] USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

[2] Calculation excludes Judiciary, Congress and agencies with less than 10 people

[3] USF/Person = housing plan total USF divided by total personnel.

[4] R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—FEDERAL BUREAU OF INVESTIGATION: BALTIMORE CITY AND BALTIMORE, ANNE ARUNDEL, AND HOWARD COUNTIES, MD

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 155,755 rentable square feet of space, including 184 official parking spaces, for the Federal Bureau of Investigation in Baltimore City and Baltimore, Anne Arundel, and Howard Counties, MD to co-locate and reduce requirements currently located at 2600 Lord Baltimore Drive in Woodlawn, Maryland, 11700 Beltsville Drive in Beltsville, Maryland and 1520 Caton Center Drive in Catonsville, Maryland, at a proposed total annual cost of $4,984,160 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 258 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 258 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – LEASE
FEDERAL BUREAU OF INVESTIGATION
BALTIMORE CITY AND BALTIMORE, ANNE ARUNDEL, AND HOWARD COUNTIES, MD

Prospectus Number: PMD-01-BC15
Congressional Districts: MD-2,3,7

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 155,755 rentable square feet (RSF) for the Federal Bureau of Investigation (FBI) in Baltimore City and Baltimore, Anne Arundel, and Howard Counties, MD, to co-locate and reduce requirements now housed in three separate leased locations. FBI is currently housed at 2600 Lord Baltimore Drive, Woodlawn, MD, and occupies additional leased space at 11700 Beltsville Drive, Beltsville, MD, and 1520 Caton Center Drive, Catonsville, MD. The current leases expire on July 1, 2014; January 24, 2016; and March 31, 2015, respectively. The FBI requirements housed in Beltsville and Catonsville included in this prospectus represent portions of the space leased at these locations; these leases will be superseded or restructured as appropriate to accommodate the remaining FBI requirements.

FBI will improve its office utilization rate from 145 usable square feet (USF) to 82 USF per person and its overall utilization rate from 381 USF to 258 USF per person. This will be accomplished by terminating almost 40,000 RSF at two leased locations and collocating the functions and employees under the replacement lease for the third location in a total of 155,755 RSF. The consolidated replacement lease at the proposed $32.00 per RSF rental rate will save $2,380,000 annually in lease costs and reduce FBI's leased footprint by almost 40,000 RSF relative to current occupancies.

Description

Occupant:	FBI
Lease Type	Replacement
Current Rentable Square Feet (RSF)	195,676 (Current RSF/USF = 1.12)
Proposed Maximum RSF:	155,755 (Proposed RSF/USF = 1.12)
Expansion/Reduction RSF:	39,921 RSF Reduction
Current Usable Square Feet/Person:	381
Proposed Usable Square Feet/Person:	258
Proposed Maximum Leasing Term:	20 years
Expiration Dates of Current Leases:	July 1, 2014; January 24, 2016; and March 31, 2015

GSA PBS

PROSPECTUS – LEASE
FEDERAL BUREAU OF INVESTIGATION
BALTIMORE CITY AND BALTIMORE, ANNE ARUNDEL, AND HOWARD COUNTIES, MD

Prospectus Number: PMD-01-BC15
Congressional Districts: MD-2,3,7

Delineated Area:	Begin intersection of the Baltimore County west boundary and Route 140, southeast continuing on Route 140 to I-695 North (Baltimore Beltway) to Route 140 Southeast, including all of Baltimore City, and south of I-695 to I-97 South to Route 100 West to Route 170 South to Route 32 West to I-295 North to Route 175 North to Route 29 North back to Baltimore County west boundary.
Number of Official Parking Spaces:	184
Scoring:	Operating Lease
Maximum Proposed Rental Rate[1]:	$32.00
Proposed Total Annual Cost[2]:	$4,984,160
Current Total Annual Cost:	$7,364,362 (leases effective 7/2/2004, 4/1/05, and 1/25/06)

Justification

The current lease at 2600 Lord Baltimore Drive, Woodlawn, MD, expired on July 1, 2014, and FBI requires continued housing to perform its mission. To improve the efficiency of its proposed housing solution, FBI will reduce the amount of space leased at two other locations and house all personnel and functions under the replacement lease for 155,755 RSF.

[1] This estimate is for fiscal year 2015 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
FEDERAL BUREAU OF INVESTIGATION
BALTIMORE CITY AND BALTIMORE, ANNE ARUNDEL, AND HOWARD COUNTIES, MD

Prospectus Number: PMD-01-BC15
Congressional Districts: MD-2,3,7

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA will encourage offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on July 24, 2014

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

June 2014

Housing Plan
FBI

PMD-01-BC15
Baltimore City and Baltimore,
Anne Arundel, Howard Counties, MD

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
2600 Lord Baltimore Drive Woodlawn, MD	387	387	51,467	32,388	55,517	139,372						
11700 Beltsville Drive Beltsville, MD	35	35	27,200			27,200						
1520 Caton Center Drive Catonsville, MD		-		7,750		7,750						
Proposed Lease							487	487	51,467	32,388	55,517	139,372
Total	**422**	**422**	**78,667**	**40,138**	**55,517**	**174,322**	**487**	**487**	**51,467**	**32,388**	**55,517**	**139,372**

Office Utilitization Rate (UR)[2]		
	Current	Proposed
Rate	145	82

UR=average amount of office space per person
Current UR excludes 17,307 usf of office support space
Proposed UR excludes 11,323 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	381	258

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	174,322	1.12	195,676
Proposed	139,372	1.12	155,755

Special Space	USF
Restrooms	2,156
Health Unit	675
Physical Fitness	3,125
Conference/Training	15,824
Workbench	563
Vehicle Bays	13,094
Gun Vault	375
Disintegrator	375
Mail	688
Mug and Fingerprints	250
Breakroom	1,563
Processing	1,063
ADP	14,005
Generator	375
Loading Dock	750
Visitor Screening	638
Total	**55,517**

NOTES:

[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people

[3]USF/Person = housing plan total USF divided by total personnel. Vehicle Bays and Workbench are not included in calculation.

[4]R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF VETERANS AFFAIRS, SOUTH BEND, IN

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, a replacement lease of up to 96,394 rentable square feet of space, and 520 parking spaces, for the Department of Veterans Affairs to replace the existing Community Based Outpatient Clinic in South Bend, Indiana, at a proposed unserviced annual cost of $3,466,615 for a lease term of up to 20 years, a prospectus for which, as amended by the respective section of the attached VA Lease Summaries, is attached to and authorized by this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus and associated VA Lease Summary, except that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus and associated VA Lease Summary, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

South Bend, Indiana
Outpatient Clinic Lease

This proposal provides for leasing a replacement Outpatient Clinic in South Bend, IN, supporting the parent facility of the VA Northern Indiana Heath Care System in Fort Wayne, IN.

I. Budget Authority

Lease Through	2012 Request	2012 Authorization Request	Unserviced Annual Rent
2034	$4,038,450	$4,038,450	$1,893,450

II. Description of Project

This project proposes the lease of an approximately 39,000 net usable square foot (NUSF) Outpatient Clinic facility in South Bend, Indiana. The new leased facility will replace the existing Community Based Outpatient Clinic (CBOC) in South Bend, and will enable VA to expand services provided to include outpatient primary care and mental health services to better serve the needs of Veterans and their families.

Approval of this prospectus will constitute authority for up to 20 years of leasing, as well as potential extension of the present lease as may be necessary pending execution of the replacement lease.

III. Priorities/Deficiencies Addressed

This lease addresses two critical issues that will enhance Veteran health care services in the South Bend area. First, the proposed facility will improve the quality of care delivered to Veterans by integrating outpatient care delivery, including primary care and mental health services, into a state-of-the-art building with improved adjacencies. Outpatient services currently contracted out to providers in the South Bend area will be provided at the new facility, allowing VA to have greater control over Veteran healthcare.

Second, the new facility will provide more accessible health care services to Veterans. The leased location will enable VA to expand its service offerings and improve access for Veterans who previously had to travel to other facilities, at a greater distance than the targeted 30-minute drive time, to obtain these outpatient services.

IV. Alternatives to Lease Considered

Alternative 1 – Status Quo: Under the Status Quo, VA would continue to provide limited outpatient services in the South Bend area through contracting out services and an arrangement to house four VA mental health providers at the contracted facility, resulting in decreased continuity of care and costly outsourcing expenses. In addition, the time Veterans spend traveling to the Fort Wayne VA Medical Center (VAMC) for care that is not provided locally suggests the status quo is not acceptable to meet customer satisfaction. Therefore, this alternative is not the most optimal.

Alternative 2 – New Lease (Preferred alternative): This alternative proposes leasing a 39,000 NUSF facility close to the Veteran population that the South Bend CBOC currently serves, and expanding the services currently provided. By pursuing the lease option, VA will provide infrastructure that supports increased integration of services, coordination of care, provider productivity and efficiency, patient satisfaction, compliance with clinical guidelines, access, safety and security. This alternative also provides expanded state-of-the-art clinical space sooner than the new construction alternative, and provides an option that will give VA more flexibility to respond to the changing healthcare needs of Veterans and their families.

Alternative 3 - Contract Out Services: This alternative assumes that all health care services would be contracted out in the community. This alternative is not cost-effective and would result in a loss of quality control over Veteran healthcare. There also may not be sufficient, qualified, private-sector providers in the South Bend area to accommodate the Veteran workload. Therefore, this alternative is the least preferred.

Alternative 4 – New Construction: This alternative assumes the construction of a new, outpatient primary care and mental health facility of approximately 39,000 NUSF. It would provide infrastructure that supports the increased integration of services, coordination of care, provider productivity and efficiency, patient satisfaction, compliance with clinical guidelines, access, safety and security. Flexibility to expand services or change location to better align with workload demand would be difficult in this alternative. In addition, this alternative would require VA to acquire land in the South Bend area for the facility; this not only increases the cost but would delay activation. Therefore, this alternative is the second preferred.

V. Demographic Data*

	2009	2019	2029	Change 2009-2029
Veteran Population	72,766	57,938	45,839	-37%
Enrollees	24,007	27,132	24,870	4%

*Data reflects the VISN 11 Indiana Market

VI. Workload

	Current (2009)	Projected (2029)	Change (2009-2029)
Ambulatory Stops	15,836	20,821	317%
Mental Health Stops	3,150	5,133	63%

VI. Schedule

Award leases	January 2013
Complete construction	January 2015
Activation/Occupancy	March 2015

VII. Project Cost Summary

Estimated Annual Cost	$1,893,450
Proposed Rental Rate*	$48.55/SF
Proposed Lease Authority	20 Years
Net Usable Square Feet	39,000
Parking Spaces	312
Special Purpose Related Improvements**	$2,145,000

*Estimate based on 2011 rates, and may be escalated by 4% annually to the effective date of the lease to account for inflation.

**Represents lump sum payment to Lessor to design and build out space for clinical use; not included in base rent.

VA Lease Summaries:

1. Rochester, NY - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 84,000 net usable square feet (nusf)/113,400 rentable square feet (rsf) with approximately 672 parking spaces. The annual unserviced rent is estimated at $4,611,000. The Outpatient Clinic will provide primary care, women's health care, Operation Enduring Freedom/Operation Iraqi Freedom programs, mental health programs, homeless outreach, home-based primary care, surgical specialties, ambulatory surgery, endoscopy, geriatric care, dental clinic, laboratory, pathology, radiology, ancillary services and compensation and pension services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Elmwood Avenue
South: Erie Station Road/E Henrietta Road/Goodburlet Road/Pinnacle Road/Reeves Road
East: Clover Street
West: W Henrietta Street

2. Mobile, AL - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 65,125 net usable square (nusf) feet/87,919 rentable square feet (rsf) with approximately 521 parking spaces. The annual unserviced rent is estimated at $2,984,000. The lease will provide for administrative and clinic space consistent with VA CBOC requirements. Space will be allocated to the following general areas: audiology and speech pathology, care coordination home telehealth (CCHT), canteen, clinic administration, education, environmental management, eye clinic, home based primary care (HBPC), lab, medical administration, mental health, nursing, patient advocacy, pharmacy, primary care, radiology, surgical specialty clinics, and women's health.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Moffett Road
South: County Road 30 (Theodore Dawes Rd) and 26 (Hamilton Blvd)
East: County Road 163(Dauphin Island Parkway) to Government Blvd to Houston St
West: County Road 31 (Schillinger Road)

3. Springfield, MO - Outpatient Clinic

The new Community Based Outpatient Clinic (CBOC) will accommodate 68,000 net usable square feet (nusf)/91,8000 rentable square feet (rsf) with approximately 544

parking spaces. The estimated annual unserviced rent is $2,749,000. The new clinic will relocate and expand the existing 41,000 nusf Gene Taylor Community Based Outpatient Clinic from Mount Vernon, Missouri, where it currently serves over 17,000 unique Veterans. The new CBOC will continue to provide primary and specialty care, mental health and ancillary services. The new clinic will also provide sleep studies, radiology, Magnetic Resonance Imaging (MRI), laboratory, and dental services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Sunshine Street
South: US Highway 60 (properties located up to ½ mile South of US 60 will be considered within the boundary)
East: US Highway 65
West: US Highway 160

4. South Bend, IN - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 71,403 net usable square feet (nusf)/96,394 rentable square feet (rsf). The estimated annual unserviced rent is $3,466,515. This CBOC will replace and expand South Bend's outpatient services to meet increasing Veteran demand, and will include following medical services: primary care; women's health care; home-based primary care; nutrition; audiology; tele-eye care and optometry; urology; cardiology; dermatology; physical therapy; podiatry; pulmonary function; some ambulatory procedures such as colonoscopies, sigmoidoscopies, endoscopies, and other minor procedures; ancillary services – laboratory, pharmacy, basic radiology, and prosthetic dispensing; and Compensation & Physical (C&P) exams.

The South Bend lease was authorized by Public Law 112-37 in an amount not to exceed $6,731,000. The lease increased from 39,000 nusf to 71,403 nusf from the time the prospectus was submitted and when the lease was authorized.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Indiana state border
East: Ash Road north extended to Ash Road
South: Tyler Road/North County Line Road to County Line Road to Tyler Road extended to Ash Road
West: North 900 East east on Route 2/Western Avenue south on Larrison Boulevard/Strawberry Road west on East 50 North/Johnson Road south on County Highway 1100 East extended to Willow Road extended to Willow Road to Adams Street east on Roosevelt Road northeast on Legion Drive southeast on Harrison Street north on Route 23/Liberty Street until Tyler Road/North County Line Road

5. San Jose, CA - Outpatient Clinic Lease

The new Community Base Outpatient Clinic (CBOC) will accommodate 72,000 net usable square feet (nusf)/97,200 rentable square feet (rsf) with approximately 572 parking spaces. The estimated annual unserviced rent is $5,586,000. This project will replace the existing 72,000 nusf CBOC in San Jose, CA. The CBOC will provide primary care, mental health and specialty care, to include audiology, podiatry and optometry. The clinic will also provide ancillary and diagnostic services, to include general x-ray, laboratory, pharmacy and telehealth.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North:	Route 87 (Guadalupe Parkway) to Charcot Avenue
East:	I-880 to Highway 101 to Bernal Road
South:	Route 85 to Cottle Road to Santa Teresa Boulevard to Highway 101
West:	Route 17 to I-880 to Route 87 (Guadalupe Parkway)

6. Butler, PA - Health Care Center (HCC) Lease

The new Health Care Center (HCC) will accommodate 168,000 net usable square feet (nusf)/226,800 rentable square feet (rsf) with approximately 1,035 parking spaces. The estimated annual unserviced rent is $6,582,000. This project will relocate outpatient services from the current Butler VA Medical Center (VAMC) to a leased build-to-suit HCC in the vicinity of Butler, PA. The new HCC will expand Butler's outpatient space to approximately 168,000 nusf to meet increased Veteran demand. This clinic will serve Veterans from the counties of Armstrong, Butler, Clarion, Lawrence and Mercer. This project will allow VA to continue to provide timely access to state-of-the-art primary care, specialty care, mental health and ancillary diagnostic services in a properly sized facility to meet increased workload.

Delineated area - The proposed site must be within a five (5) mile radius of Eagle Mill Road and Benjamin Franklin Highway (422)

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF VETERANS AFFAIRS, SPRINGFIELD, MO

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, a replacement lease of up to 91,800 rentable square feet of space, and 544 parking spaces, for the Department of Veterans Affairs for a Community Based Outpatient Clinic in Springfield, Missouri to replace the existing Gene Taylor Outpatient Clinic currently located in Mount Vernon, Missouri, at a proposed unserviced annual cost of $2,749,240 for a lease term of up to 20 years, a prospectus for which, as amended by the respective section of the attached VA Lease Summaries, is attached to and authorized by this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus and associated VA Lease Summary, except that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus and associated VA Lease Summary, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Springfield, Missouri
Community Based Outpatient Clinic

This proposal provides for a replacement Community Based Outpatient Clinic in Springfield, MO, supporting the parent facility of the Veterans Health Care System of the Ozarks in Fayetteville, AR.

I. Budget Authority

Lease Through	2012 Request	2012 Authorization Request	Unserviced Annual Rent
2034	$6,489,240	$6,489,240	$2,749,240

II. Description of Project

This project proposes the lease of an approximately 68,000 net usable square feet (NUSF) Community Based Outpatient Clinic (CBOC) in Springfield, Missouri, and will include 544 parking spaces. The new CBOC will relocate and expand the 41,000 NUSF Gene Taylor Outpatient Clinic from Mount Vernon, Missouri, where it currently serves over 17,000 unique Veterans. Due to budget limitation, the State of Missouri has elected to close the Missouri Rehabilitation Center (MRC) in Mount Vernon, where the current clinic is located, and will be unable to continue to support the current lease agreement. Moving the CBOC to Springfield, Missouri, will better support the Veterans Health Care System of the Ozarks' (VHSO) strategic initiatives. The new CBOC will continue to provide primary and specialty care, mental health and ancillary services. The new clinic will also provide sleep studies, radiology, Magnetic Resonance Imaging (MRI), laboratory, and dental services.

Approval of this prospectus will constitute authority for up to 20 years of leasing, as well as potential extension of the present lease as may be necessary pending execution of the replacement lease.

III. Priorities/Deficiencies Addressed

This lease addresses three critical priorities that will enhance Veteran healthcare services in the Springfield area.

First, it will improve Veteran access to services by locating the replacement CBOC in an area with higher Veteran population. The Upper Western Market of VISN 16 has a significant primary care access gap identified by the Health Care Planning Model. This project will increase the number of unique Veterans within the 30-minute drive time for primary care access by 6,750 Veterans.

Second, the new CBOC will increase clinical capacity for primary and specialty care, mental health and ancillary services, improving patient satisfaction through expanded services, shorter wait times and more timely appointments, and allow for space

configurations consistent with patient-centered care principles. Expanding the CBOC by approximately 27,000 NUSF will address the utilization gap in the Upper Western Market by approximately 308,000 outpatient visits in primary care, mental health, specialty, and ancillary services.

Third, the relocated and expanded CBOC will improve efficiency and lower operating costs. The functional relationships in the new space will provide a more efficient layout of departments and rooms. The new building envelope will be more energy efficient than the current MRC. In addition, direct yearly operating costs are expected to be reduced by $2,550,000, including reduced beneficiary travel of $500,000; reduced contracting of diagnostic services of $1,900,000; and reduced contracting of sleep study services of $150,000.

IV. Alternatives to Lease Considered

Alternative 1 - Status Quo: The status quo would continue to lease 41,000 NUSF for the Gene Taylor Outpatient Clinic in the MRC from the State of Missouri. This alternative would continue to contract out laboratory, radiology and sleep studies from the MRC. This option is not optimal for three reasons. First, the State of Missouri is proposing to close the MRC on June 30, 2011. In order to continue to support the existing lease, the MRC has proposed a surcharge to the existing lease of over $1 million per year. This additional funding is needed to staff MRC facility operations after the facility is closed for state operations. Second, due to a significant utilization gap in the VISN 16 Upper Western Market, it is necessary to expand the Gene Taylor Outpatient Clinic to meet demand. Additional space is needed to support in-house laboratory and radiology functions that are currently purchased by contract from the MRC. Third, the existing space at MRC is inefficient. A complete renovation would be needed to bring the space into compliance with VA space planning criteria and life safety guidelines.

Alternative 2 - New Lease (Preferred alternative): This project proposes a build-to-suit lease of approximately 68,000 NUSF to expand and relocate the Gene Taylor Outpatient Clinic to Springfield, Missouri. There are several reasons why this option is the most preferred alternative. First, relocating to Springfield, Missouri would bring the clinic closer to the Veteran population and would reduce the access gap in the VISN 16 Upper Western Market by 6,750 Veterans. Second, the lease would provide additional space for the expansion of services that would reduce the Upper Western Market utilization gaps in primary care, mental health, and specialty care. It would also allow VA to bring in-house, at lower cost, ancillary services such as laboratory and radiology that are currently contracted out. Finally, a build-to-suit lease provides VA with the flexibility to adjust services based on changes in enrollment and Veteran demographics without the up-front investment needed in the new construction alternative.

Alternative 3 – Contract Out Services: This alternative would seek to contract out all services currently offered at the Gene Taylor Outpatient Clinic as well as the projected workload increase. Challenges for this option include maintaining quality of care across numerous contracts and providers and finding sufficient health care capacity in the community to absorb current and projected VA workload. Health care demand in the area has already stressed capacity of private sector resources; nine of 11 counties in the catchment area served by the Gene Taylor Outpatient Clinic are medically underserved. Therefore, this alternative is the least preferred.

Alternative 4 – New Construction: This alternative proposes to purchase 10 acres of land in the Springfield area and construct a 68,000 NUSF outpatient clinic. This alternative shares many of the benefits of the preferred lease alternative. First, relocating in Springfield, Missouri brings the clinic closer to the Veteran population and will reduce the access gap in the VISN 16 Upper Western Market by 6,750 Veterans. Second, the VA-owned facility would provide additional space for expansion of services to reduce the Upper Western Market utilization gaps in primary care, mental health, and specialty care and bring in-house, at lower cost, ancillary services such as laboratory and radiology that are currently contracted out. Third, this alternative will have a longer implementation timeline than the preferred lease option. Therefore, this alternative is the second preferred.

V. Demographic Data*

	2009	2019	2029	Change (2009-2029)
Veteran Population	617,288	530,662	458,005	-26%
Enrollees	241,581	289,825	288,180	19%

*Data reflects the VISN 16 Upper Western Market

VI. Workload

	Current (2009)	Projected (2029)	Change (2009-2029)
Ambulatory stops	103,367	141,962	37%
Mental Health stops	14,675	24,680	68%

VII. Schedule

Award leases	January 2013
Complete construction	January 2015
Activation/Occupancy	March 2015

VIII. Project Cost Summary

Estimated Annual Cost	$2,749,240
Proposed Rental Rate*	$40.43/SF
Proposed Lease Authority	20 Years
Net Usable Square Feet	68,000
Parking Spaces	544
Special Purpose Related Improvements**	$3,740,000

*Estimate based on 2011 rates, and may be escalated by 4% annually to the effective date of the lease to account for inflation.

**Represents lump sum payment to Lessor to design and build out space for clinical use; not included in base rent.

VA Lease Summaries:

1. Rochester, NY - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 84,000 net usable square feet (nusf)/113,400 rentable square feet (rsf) with approximately 672 parking spaces. The annual unserviced rent is estimated at $4,611,000. The Outpatient Clinic will provide primary care, women's health care, Operation Enduring Freedom/Operation Iraqi Freedom programs, mental health programs, homeless outreach, home-based primary care, surgical specialties, ambulatory surgery, endoscopy, geriatric care, dental clinic, laboratory, pathology, radiology, ancillary services and compensation and pension services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Elmwood Avenue
South: Erie Station Road/E Henrietta Road/Goodburlet Road/Pinnacle Road/Reeves Road
East: Clover Street
West: W Henrietta Street

2. Mobile, AL - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 65,125 net usable square (nusf) feet/87,919 rentable square feet (rsf) with approximately 521 parking spaces. The annual unserviced rent is estimated at $2,984,000. The lease will provide for administrative and clinic space consistent with VA CBOC requirements. Space will be allocated to the following general areas: audiology and speech pathology, care coordination home telehealth (CCHT), canteen, clinic administration, education, environmental management, eye clinic, home based primary care (HBPC), lab, medical administration, mental health, nursing, patient advocacy, pharmacy, primary care, radiology, surgical specialty clinics, and women's health.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Moffett Road
South: County Road 30 (Theodore Dawes Rd) and 26 (Hamilton Blvd)
East: County Road 163(Dauphin Island Parkway) to Government Blvd to Houston St
West: County Road 31 (Schillinger Road)

3. Springfield, MO - Outpatient Clinic

The new Community Based Outpatient Clinic (CBOC) will accommodate 68,000 net usable square feet (nusf)/91,8000 rentable square feet (rsf) with approximately 544

parking spaces. The estimated annual unserviced rent is $2,749,000. The new clinic will relocate and expand the existing 41,000 nusf Gene Taylor Community Based Outpatient Clinic from Mount Vernon, Missouri, where it currently serves over 17,000 unique Veterans. The new CBOC will continue to provide primary and specialty care, mental health and ancillary services. The new clinic will also provide sleep studies, radiology, Magnetic Resonance Imaging (MRI), laboratory, and dental services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Sunshine Street
South: US Highway 60 (properties located up to ½ mile South of US 60 will be considered within the boundary)
East: US Highway 65
West: US Highway 160

4. South Bend, IN - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 71,403 net usable square feet (nusf)/96,394 rentable square feet (rsf). The estimated annual unserviced rent is $3,466,515. This CBOC will replace and expand South Bend's outpatient services to meet increasing Veteran demand, and will include following medical services: primary care; women's health care; home-based primary care; nutrition; audiology; tele-eye care and optometry; urology; cardiology; dermatology; physical therapy; podiatry; pulmonary function; some ambulatory procedures such as colonoscopies, sigmoidoscopies, endoscopies, and other minor procedures; ancillary services – laboratory, pharmacy, basic radiology, and prosthetic dispensing; and Compensation & Physical (C&P) exams.

The South Bend lease was authorized by Public Law 112-37 in an amount not to exceed $6,731,000. The lease increased from 39,000 nusf to 71,403 nusf from the time the prospectus was submitted and when the lease was authorized.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Indiana state border
East: Ash Road north extended to Ash Road
South: Tyler Road/North County Line Road to County Line Road to Tyler Road extended to Ash Road
West: North 900 East east on Route 2/Western Avenue south on Larrison Boulevard/Strawberry Road west on East 50 North/Johnson Road south on County Highway 1100 East extended to Willow Road extended to Willow Road to Adams Street east on Roosevelt Road northeast on Legion Drive southeast on Harrison Street north on Route 23/Liberty Street until Tyler Road/North County Line Road

5. San Jose, CA - Outpatient Clinic Lease

The new Community Base Outpatient Clinic (CBOC) will accommodate 72,000 net usable square feet (nusf)/97,200 rentable square feet (rsf) with approximately 572 parking spaces. The estimated annual unserviced rent is $5,586,000. This project will replace the existing 72,000 nusf CBOC in San Jose, CA. The CBOC will provide primary care, mental health and specialty care, to include audiology, podiatry and optometry. The clinic will also provide ancillary and diagnostic services, to include general x-ray, laboratory, pharmacy and telehealth.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North:	Route 87 (Guadalupe Parkway) to Charcot Avenue
East:	I-880 to Highway 101 to Bernal Road
South:	Route 85 to Cottle Road to Santa Teresa Boulevard to Highway 101
West:	Route 17 to I-880 to Route 87 (Guadalupe Parkway)

6. Butler, PA - Health Care Center (HCC) Lease

The new Health Care Center (HCC) will accommodate 168,000 net usable square feet (nusf)/226,800 rentable square feet (rsf) with approximately 1,035 parking spaces. The estimated annual unserviced rent is $6,582,000. This project will relocate outpatient services from the current Butler VA Medical Center (VAMC) to a leased build-to-suit HCC in the vicinity of Butler, PA. The new HCC will expand Butler's outpatient space to approximately 168,000 nusf to meet increased Veteran demand. This clinic will serve Veterans from the counties of Armstrong, Butler, Clarion, Lawrence and Mercer. This project will allow VA to continue to provide timely access to state-of-the-art primary care, specialty care, mental health and ancillary diagnostic services in a properly sized facility to meet increased workload.

Delineated area - The proposed site must be within a five (5) mile radius of Eagle Mill Road and Benjamin Franklin Highway (422)

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF VETERANS AFFAIRS, BUTLER, PENNSYLVANIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, a lease of up to 226,800 rentable square feet of space, and 1,035 parking spaces, for the Department of Veterans Affairs for a Health Care Center in the vicinity of Butler, Pennsylvania, at a proposed unserviced annual cost of $6,582,000 for a lease term of up to 20 years, a prospectus for which, as amended by the respective section of the attached VA Lease Summaries, is attached to and authorized by this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus and associated VA Lease Summary, except that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus and associated VA Lease Summary, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Butler, Pennsylvania
Health Care Center (HCC) Lease

This proposal provides for a new outpatient clinic lease in Butler, PA, to replace the current VAMC.

I. Budget Authority

Lease Through	2010 Request	2010 Auth. Request	Unserviced Annual Rent
2032	$16,482,000	$16,482,000	$6,582,000

II. Description of Lease

This project will relocate outpatient services from the current Butler VA Medical Center (VAMC) to a leased build-to-suit Health Care Center (HCC) in the vicinity of Butler, PA. The new HCC will expand Butler's outpatient space to approximately 180,000 net usable square feet (NUSF) to meet increased veteran demand. This clinic will serve veterans from the counties of Beaver, Armstrong, Butler, Clarion, Forest, Venango, Lawrence and Mercer. This project will allow VA to continue to provide timely access to state-of-the-art primary care, specialty care, mental health and ancillary diagnostic services in a properly sized facility to meet increased workload.

Approval of this prospectus will constitute authority for up to 20 years of leasing including the initial term, and any renewal options, as necessary, prior to the completion of the proposed lease.

III. Priorities/Deficiencies Addressed

This lease is designed to address quality, access and capacity for Primary Care, Specialty Care, Dental, Laboratory and Pathology, Radiology, Mental Health, and Ancillary and Diagnostic Services. The buildings in which treatment programs currently reside require renovation and significant expansion. By consolidating services in a single building, VA will be able to ensure that patient intake is handled quickly, professionally and privately, and that veterans' health care needs are fully met. A new facility will enhance the care provided to current veterans and provide proper infrastructure for future veteran care in Butler.

The new HCC will benefit the Butler veteran population in many ways. The efficiency of services provided will be enhanced by the collocation of all clinical categories, such as primary care, mental health and specialty care, in one central building. By expanding the available clinical space to meet projected increases in patient workload, quality of life for veterans will also improve due to reduced wait times. Adding space for both individual and group therapy visits will allow for significant expansion of mental health programs. Increasing the number of

services provided, particularly specialty care services, will increase veterans' geographic access to care and thereby improve the quality of life for rural veterans who previously had to drive approximately 60 minutes to Pittsburgh to access these services. The new facility will also provide adequate parking.

This project will allow VA Butler Healthcare to meet this growing workload, while also increasing its focus on long-term care. The HCC will have the capacity to serve more veterans (3,000 more unique veterans), accommodate the expected increase in clinic stops (projected to increase by 81 percent in Ambulatory Care Stops and increase by 151 percent in Mental Health Stops in the next 20 years) and increase panel provider size by 10 percent.

IV. Alternatives to Lease Considered

Alternative 1 - Status Quo: This alternative assumes that the present physical space housing outpatient services at the Butler VAMC would continue to be used for outpatient care with general maintenance only. With this alternative, outpatient services would continue to be located in three separate buildings, maintaining existing inefficiencies and costly operational expenses.

Alternative 2 - Lease (Preferred Alternative): This option assumes the lease of a new, state-of-the-art HCC of approximately 180,000 NUSF. All VA Butler healthcare services, with the exception of the domiciliary and Community Living Center, will relocate to the HCC. It will provide infrastructure that supports the increased integration of outpatient services, coordination of care, provider productivity, efficiency, patient satisfaction, compliance with clinical guidelines, access and safety/security. This alternative solves VA Butler Healthcare's current space constraints cost effectively without requiring major up-front capital investment.

Alternative 3 - New Construction: This alternative assumes the construction of a new, free-standing comprehensive outpatient facility of approximately 180,000 NUSF. This option would consolidate all outpatient services in a modern outpatient facility. It would provide an infrastructure that supports the increased integration of outpatient services, coordination of care, provider productivity, efficiency, patient satisfaction, compliance with clinical guidelines, access and safety/security. Flexibility to expand/contract services and/or change location depending on workload demand would be difficult under this alternative.

Alternative 4 - Contract out: This alternative assumes the outsourcing of all outpatient care to the community. This alternative is not viable because the Butler community does not have sufficient capacity to support the veteran workload. This alternative is also the least cost effective alternative.

V. Demographic Data*

	2007	2015	2025	Change 2007-2025
Veteran population	487,868	356,166	364,287	-25%
Enrollees	182,025	168,749	141,724	-22%
Ambulatory Stops	73,692	116,732	133,726	81%
Mental Health Stops	25,958	47,102	59,316	129%

*Data for Western market and Butler catchment area

VI. Schedule

Award leases	August 2010
Complete construction	May 2012
Activation/Occupancy	June 2012

VII. Project Cost Summary

Estimated Annual Cost	$6,582,000
Proposed Rental Rate*	$36.57/NUSF
Proposed Lease Authority	20 Years
Net Usable Square Feet	180,000 NUSF
Parking Spaces*	1,035
Special Purpose Related Improvements**	$9,900,000

*Estimate based on 2009 rates, and may be escalated by 4% annually to the effective date of the lease to account for inflation.

**Lump sum payment to Lessor to upgrade space for special administrative or medical use; not included in rent.

VA Lease Summaries:

1. Rochester, NY - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 84,000 net usable square feet (nusf)/113,400 rentable square feet (rsf) with approximately 672 parking spaces. The annual unserviced rent is estimated at $4,611,000. The Outpatient Clinic will provide primary care, women's health care, Operation Enduring Freedom/Operation Iraqi Freedom programs, mental health programs, homeless outreach, home-based primary care, surgical specialties, ambulatory surgery, endoscopy, geriatric care, dental clinic, laboratory, pathology, radiology, ancillary services and compensation and pension services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Elmwood Avenue
South: Erie Station Road/E Henrietta Road/Goodburlet Road/Pinnacle Road/Reeves Road
East: Clover Street
West: W Henrietta Street

2. Mobile, AL - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 65,125 net usable square (nusf) feet/87,919 rentable square feet (rsf) with approximately 521 parking spaces. The annual unserviced rent is estimated at $2,984,000. The lease will provide for administrative and clinic space consistent with VA CBOC requirements. Space will be allocated to the following general areas: audiology and speech pathology, care coordination home telehealth (CCHT), canteen, clinic administration, education, environmental management, eye clinic, home based primary care (HBPC), lab, medical administration, mental health, nursing, patient advocacy, pharmacy, primary care, radiology, surgical specialty clinics, and women's health.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Moffett Road
South: County Road 30 (Theodore Dawes Rd) and 26 (Hamilton Blvd)
East: County Road 163(Dauphin Island Parkway) to Government Blvd to Houston St
West: County Road 31 (Schillinger Road)

3. Springfield, MO - Outpatient Clinic

The new Community Based Outpatient Clinic (CBOC) will accommodate 68,000 net usable square feet (nusf)/91,8000 rentable square feet (rsf) with approximately 544

parking spaces. The estimated annual unserviced rent is $2,749,000. The new clinic will relocate and expand the existing 41,000 nusf Gene Taylor Community Based Outpatient Clinic from Mount Vernon, Missouri, where it currently serves over 17,000 unique Veterans. The new CBOC will continue to provide primary and specialty care, mental health and ancillary services. The new clinic will also provide sleep studies, radiology, Magnetic Resonance Imaging (MRI), laboratory, and dental services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Sunshine Street
South: US Highway 60 (properties located up to ½ mile South of US 60 will be considered within the boundary)
East: US Highway 65
West: US Highway 160

4. South Bend, IN - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 71,403 net usable square feet (nusf)/96,394 rentable square feet (rsf). The estimated annual unserviced rent is $3,466,515. This CBOC will replace and expand South Bend's outpatient services to meet increasing Veteran demand, and will include following medical services: primary care; women's health care; home-based primary care; nutrition; audiology; tele-eye care and optometry; urology; cardiology; dermatology; physical therapy; podiatry; pulmonary function; some ambulatory procedures such as colonoscopies, sigmoidoscopies, endoscopies, and other minor procedures; ancillary services – laboratory, pharmacy, basic radiology, and prosthetic dispensing; and Compensation & Physical (C&P) exams.

The South Bend lease was authorized by Public Law 112-37 in an amount not to exceed $6,731,000. The lease increased from 39,000 nusf to 71,403 nusf from the time the prospectus was submitted and when the lease was authorized.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Indiana state border
East: Ash Road north extended to Ash Road
South: Tyler Road/North County Line Road to County Line Road to Tyler Road extended to Ash Road
West: North 900 East east on Route 2/Western Avenue south on Larrison Boulevard/Strawberry Road west on East 50 North/Johnson Road south on County Highway 1100 East extended to Willow Road extended to Willow Road to Adams Street east on Roosevelt Road northeast on Legion Drive southeast on Harrison Street north on Route 23/Liberty Street until Tyler Road/North County Line Road

5. San Jose, CA - Outpatient Clinic Lease

The new Community Base Outpatient Clinic (CBOC) will accommodate 72,000 net usable square feet (nusf)/97,200 rentable square feet (rsf) with approximately 572 parking spaces. The estimated annual unserviced rent is $5,586,000. This project will replace the existing 72,000 nusf CBOC in San Jose, CA. The CBOC will provide primary care, mental health and specialty care, to include audiology, podiatry and optometry. The clinic will also provide ancillary and diagnostic services, to include general x-ray, laboratory, pharmacy and telehealth.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North:	Route 87 (Guadalupe Parkway) to Charcot Avenue
East:	I-880 to Highway 101 to Bernal Road
South:	Route 85 to Cottle Road to Santa Teresa Boulevard to Highway 101
West:	Route 17 to I-880 to Route 87 (Guadalupe Parkway)

6. Butler, PA - Health Care Center (HCC) Lease

The new Health Care Center (HCC) will accommodate 168,000 net usable square feet (nusf)/226,800 rentable square feet (rsf) with approximately 1,035 parking spaces. The estimated annual unserviced rent is $6,582,000. This project will relocate outpatient services from the current Butler VA Medical Center (VAMC) to a leased build-to-suit HCC in the vicinity of Butler, PA. The new HCC will expand Butler's outpatient space to approximately 168,000 nusf to meet increased Veteran demand. This clinic will serve Veterans from the counties of Armstrong, Butler, Clarion, Lawrence and Mercer. This project will allow VA to continue to provide timely access to state-of-the-art primary care, specialty care, mental health and ancillary diagnostic services in a properly sized facility to meet increased workload.

Delineated area - The proposed site must be within a five (5) mile radius of Eagle Mill Road and Benjamin Franklin Highway (422)

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF VETERANS AFFAIRS, MOBILE, AL

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, a replacement lease of up to 87,919 rentable square feet of space, and 521 parking spaces, for the Department of Veterans Affairs to replace the existing Community Based Outpatient Clinic in Mobile, Alabama, at a proposed unserviced annual cost of $2,984,028 for a lease term of up to 20 years, a prospectus for which, as amended by the respective section of the attached VA Lease Summaries, is attached to and authorized by this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus and associated VA Lease Summary, except that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus and associated VA Lease Summary, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Mobile, Alabama
Outpatient Clinic Lease

This proposal provides for a Replacement Lease for the Mobile Community Based Outpatient Clinic, Mobile, AL, supporting the parent facility of the VA Gulf Coast Veterans Health Care System, Biloxi, MS.

I. Budget Authority

Lease Through	2012 Request	2012 Authorization Request	Unserviced Annual Rent
2034	$6,564,528	$6,564,528	$2,984,028

II. Description of Project

This project proposes the lease of 65,125 Net Usable Square Feet (NUSF) for a replacement Community Based Outpatient Clinic in Mobile, AL, to replace the existing 35,345 NUSF clinic. The lease will provide for administrative and clinical space consistent with VA CBOC requirements. Space will be allocated to the following general areas: Audiology and Speech Pathology, CCHT, canteen, clinic administration, education, environmental management, eye clinic, HBPC, lab, medical administration, medical specialty clinics, mental health, nursing, patient advocacy, pharmacy, police, primary care, radiology, surgical specialty clinics, Veterans' service organizations, warehouse, and women's health.

Approval of this prospectus will constitute authority for up to 20 years of leasing, as well as potential extension of the present lease as may be necessary pending execution of the replacement lease.

III. Priorities/Deficiencies Addressed

This lease addresses functional, utilization and safety deficiencies. The existing clinic is housed in a functionally obsolete clinical building owned by the University of South Alabama. VA occupies 35,345 net usable square feet on the first and sixth floors of a 1940's era hospital, which has been sublet to various health-oriented businesses since the 1980's. Due to deteriorating conditions, rising crime rates, and the building's operational inefficiencies, many of the businesses have strategically relocated to other parts of the city. As a result, VA remains as one of the few tenants in an otherwise empty building. The Primary Care Clinic is run out of a 1970's era surgery suite and the Mental Health Clinic is housed on a separate floor, in an old inpatient ward. Hallways are narrow and turning radius for wheelchairs is limited. The main reception area is too small for the number of patients; the sub-waiting areas often overflow into the narrow corridors. Other services, such as Audiology and Radiology, also have small waiting rooms. The rest of the clinic is housed on a different floor; it is overcrowded and many new programs can't be implemented due to lack of square footage. Because of columns and bearing walls, the existing space does not work even in a renovated configuration.

As indicated by staff and Veteran complaints, the current environment is challenging, both logistically and aesthetically. Even before the patient enters the clinic, there are barriers to overcome. For example, the main entrance/reception area is co-located on the side of the building originally designed as an ambulance entrance. In fact, VA still uses the entrance for ambulance pick-ups. Although Veterans may be dropped off at this entrance, there is no parking available for family or other escorts.

IV. Alternatives to Lease Considered

Alternative 1 – Status Quo: Maintain the existing lease. The clinic will continue to be housed in a functionally obsolete clinical building on the first and sixth floors of a 1940's era hospital. Space, safety and functional deficiencies will remain. Due to these constraints, this option is not preferred.

Alternative 2 – New Lease (Preferred alternative): This option proposes to lease 65,125 net usable square feet (NUSF) for the Mobile Clinic and would provide greater capacity for medical staff to perform in a more appropriately sized, modern facility. The new lease would incorporate all current services and include the addition of new services, such as Home Based Primary Care (HBPC) and the Patient Aligned Care Team (PACT) Model. The Clinic will need more operational and support space to improve staff and patient flow. Based on cost and the positive patient impact, this alternative is the preferred one.

Alternative 3 - Contract Out: This alternative would contract out all services currently provided by the CBOC to private health care providers in the community. This alternative would result in increased annual costs, which would be challenging to financially support. Also, this alternative would face challenges associated with limited existing capacity in the community to absorb VA's workload. Therefore, this option is the least preferred.

Alternative 4 - New Construction: New construction will address all functional, utilization and safety gap concerns, and agency strategic goals. However, there is a need to reside closer to the Veteran community when demographics change. This makes a permanent site less favorable. In addition, new construction would require land acquisition; this not only increases the cost but would delay activation by at least one year. Therefore, this alternative is the next preferred.

V. Demographic Data*:

	2009	2019	2029	Change (2009-2029)
Veteran Population	35,177	27,628	22,519	-36%
Enrollees	11,957	13,121	12,486	4%

*Data reflects the VISN 16 Central Southern market

VI. Workload

	Current (2009)	Projected (2029)	Change (2009-2029)
Ambulatory Care Stops	66,894	112,975	69%
Mental Health Stops	18,996	36,986	95%

VII. Schedule

Award leases	January 2013
Complete construction	January 2015
Activation/Occupancy	March 2015

VIII. Project Cost Summary

Estimated Annual Cost	$2,984,028
Proposed Rental Rate*	$45.82/SF
Proposed Lease Authority	20 Years
Net Usable Square Feet	65,125
Parking Spaces	521
Special Purpose Related Improvements**	$3,580,500

*Estimate based on 2011 rates, and may be escalated by 4% annually to the effective date of the lease to account for inflation.

**Represents lump sum payment to Lessor to design and build out space for clinical use; not included in base rent.

VA Lease Summaries:

1. Rochester, NY - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 84,000 net usable square feet (nusf)/113,400 rentable square feet (rsf) with approximately 672 parking spaces. The annual unserviced rent is estimated at $4,611,000. The Outpatient Clinic will provide primary care, women's health care, Operation Enduring Freedom/Operation Iraqi Freedom programs, mental health programs, homeless outreach, home-based primary care, surgical specialties, ambulatory surgery, endoscopy, geriatric care, dental clinic, laboratory, pathology, radiology, ancillary services and compensation and pension services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Elmwood Avenue
South: Erie Station Road/E Henrietta Road/Goodburlet Road/Pinnacle Road/Reeves Road
East: Clover Street
West: W Henrietta Street

2. Mobile, AL - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 65,125 net usable square (nusf) feet/87,919 rentable square feet (rsf) with approximately 521 parking spaces. The annual unserviced rent is estimated at $2,984,000. The lease will provide for administrative and clinic space consistent with VA CBOC requirements. Space will be allocated to the following general areas: audiology and speech pathology, care coordination home telehealth (CCHT), canteen, clinic administration, education, environmental management, eye clinic, home based primary care (HBPC), lab, medical administration, mental health, nursing, patient advocacy, pharmacy, primary care, radiology, surgical specialty clinics, and women's health.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Moffett Road
South: County Road 30 (Theodore Dawes Rd) and 26 (Hamilton Blvd)
East: County Road 163(Dauphin Island Parkway) to Government Blvd to Houston St
West: County Road 31 (Schillinger Road)

3. Springfield, MO - Outpatient Clinic

The new Community Based Outpatient Clinic (CBOC) will accommodate 68,000 net usable square feet (nusf)/91,8000 rentable square feet (rsf) with approximately 544

parking spaces. The estimated annual unserviced rent is $2,749,000. The new clinic will relocate and expand the existing 41,000 nusf Gene Taylor Community Based Outpatient Clinic from Mount Vernon, Missouri, where it currently serves over 17,000 unique Veterans. The new CBOC will continue to provide primary and specialty care, mental health and ancillary services. The new clinic will also provide sleep studies, radiology, Magnetic Resonance Imaging (MRI), laboratory, and dental services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Sunshine Street
South: US Highway 60 (properties located up to ½ mile South of US 60 will be considered within the boundary)
East: US Highway 65
West: US Highway 160

4. South Bend, IN - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 71,403 net usable square feet (nusf)/96,394 rentable square feet (rsf). The estimated annual unserviced rent is $3,466,515. This CBOC will replace and expand South Bend's outpatient services to meet increasing Veteran demand, and will include following medical services: primary care; women's health care; home-based primary care; nutrition; audiology; tele-eye care and optometry; urology; cardiology; dermatology; physical therapy; podiatry; pulmonary function; some ambulatory procedures such as colonoscopies, sigmoidoscopies, endoscopies, and other minor procedures; ancillary services – laboratory, pharmacy, basic radiology, and prosthetic dispensing; and Compensation & Physical (C&P) exams.

The South Bend lease was authorized by Public Law 112-37 in an amount not to exceed $6,731,000. The lease increased from 39,000 nusf to 71,403 nusf from the time the prospectus was submitted and when the lease was authorized.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Indiana state border
East: Ash Road north extended to Ash Road
South: Tyler Road/North County Line Road to County Line Road to Tyler Road extended to Ash Road
West: North 900 East east on Route 2/Western Avenue south on Larrison Boulevard/Strawberry Road west on East 50 North/Johnson Road south on County Highway 1100 East extended to Willow Road extended to Willow Road to Adams Street east on Roosevelt Road northeast on Legion Drive southeast on Harrison Street north on Route 23/Liberty Street until Tyler Road/North County Line Road

5. San Jose, CA - Outpatient Clinic Lease

The new Community Base Outpatient Clinic (CBOC) will accommodate 72,000 net usable square feet (nusf)/97,200 rentable square feet (rsf) with approximately 572 parking spaces. The estimated annual unserviced rent is $5,586,000. This project will replace the existing 72,000 nusf CBOC in San Jose, CA. The CBOC will provide primary care, mental health and specialty care, to include audiology, podiatry and optometry. The clinic will also provide ancillary and diagnostic services, to include general x-ray, laboratory, pharmacy and telehealth.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North:	Route 87 (Guadalupe Parkway) to Charcot Avenue
East:	I-880 to Highway 101 to Bernal Road
South:	Route 85 to Cottle Road to Santa Teresa Boulevard to Highway 101
West:	Route 17 to I-880 to Route 87 (Guadalupe Parkway)

6. Butler, PA - Health Care Center (HCC) Lease

The new Health Care Center (HCC) will accommodate 168,000 net usable square feet (nusf)/226,800 rentable square feet (rsf) with approximately 1,035 parking spaces. The estimated annual unserviced rent is $6,582,000. This project will relocate outpatient services from the current Butler VA Medical Center (VAMC) to a leased build-to-suit HCC in the vicinity of Butler, PA. The new HCC will expand Butler's outpatient space to approximately 168,000 nusf to meet increased Veteran demand. This clinic will serve Veterans from the counties of Armstrong, Butler, Clarion, Lawrence and Mercer. This project will allow VA to continue to provide timely access to state-of-the-art primary care, specialty care, mental health and ancillary diagnostic services in a properly sized facility to meet increased workload.

Delineated area - The proposed site must be within a five (5) mile radius of Eagle Mill Road and Benjamin Franklin Highway (422)

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF VETERANS AFFAIRS, ROCHESTER, NY

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, a replacement lease of up to 113,400 rentable square feet of space, and 672 parking spaces, for the Department of Veterans Affairs to replace the existing Community Based Outpatient Clinic in Rochester, Monroe County, New York, at a proposed unserviced annual cost of $4,611,600 for a lease term of up to 20 years, a prospectus for which, as amended by the respective section of the attached VA Lease Summaries, is attached to and authorized by this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus and associated VA Lease Summary, except that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus and associated VA Lease Summary, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Rochester, New York
Outpatient Clinic Lease

This proposal provides for a replacement leased Community Based Outpatient Clinic in Rochester, Monroe County, NY, supporting the parent facility of the Canandaigua VA Medical Center in Canandaigua, NY.

I. Budget Authority

Lease Through	2012 Request	2012 Authorization Request	Unserviced Annual Rent
2034	$9,231,600	$9,231,600	$4,611,600

II. Description of Project

This project proposes to lease a replacement, 84,000 net usable square feet (NUSF) Community Based Outpatient Clinic (CBOC), including 672 parking spaces. This leased facility will provide expanded outpatient services to address utilization and space gaps in the Monroe County sub-market area within the Finger Lakes/Southern Tier Market. The current leased Rochester CBOC is 49,190 gross square feet (GSF) and includes 184 parking spaces. Two additional leased sites nearby, at Mt. Hope Avenue (6,364 GSF) and Clinton Crossings (8,091 GSF), are used to offset the space and parking shortages at the CBOC. The current lease is set to expire in October 2016, and the building owner has indicated the lease cannot be renewed.

The replacement Rochester lease will include primary care, women's health, Operation Enduring Freedom / Operation Iraqi Freedom (OEF/OIF), mental health, homeless outreach, home-based primary care (HBPC), specialty services, ancillary services, compensation and pension (C&P), research, residency programs with local affiliates, Veterans Benefits Administration (VBA), Veteran Service Organizations (VSO), and volunteer programs.

Approval of this prospectus will constitute authority for up to 20 years of leasing, as well as potential extension of the present lease as may be necessary pending execution of the replacement lease.

III. Priorities/Deficiencies Addressed

This lease addresses the continuing need to provide primary care, mental health, and specialty care services to Veterans residing in Rochester, NY.

Several programs currently provided at the Rochester CBOC were shown to have both workload and space gaps by the Strategic Capital Investment Plan (SCIP). These services include: ambulatory primary care, geriatrics, and urgent care; medical and other non-surgical specialties; mental health programs; surgical specialties; dental clinic; laboratory and pathology; and radiology and nuclear medicine. These gaps will be addressed in the proposed CBOC replacement facility.

IV. Alternatives to Lease Considered

Alternative 1 – Status Quo: The status quo would continue to provide outpatient services in Rochester, Monroe County, NY, in the current, 49,190 GSF leased building until the lease termination date in 2016. After lease termination, this primary care access point would be eliminated, significantly decreasing access to care for Veterans. This alternative would require Veterans in Monroe County to travel to alternative VA facilities to receive primary care, mental health, and specialty care services. Therefore, this option is not the most optimal.

Alternative 2 – New Lease (Preferred alternative): This project proposes to replace the existing lease with a replacement, 84,000 NUSF CBOC to include 332 parking spaces. This replacement lease will allow VA to continue to provide services in Monroe County, and will allow for the required expansion of services to meet current utilization and space gaps at the current CBOC. This alternative was selected because the lease would enable VA to serve a greater number of Veterans, reduce Veteran travel time for some clinical services, and consolidate the three leases into a single location. Furthermore, the lease alternative will provide expanded, state-of-the-art clinical space sooner than the new construction alternative and will provide a more functional and effective healthcare environment to the benefit of Veterans, Veterans' families and medical staff.

Alternative 3 - Contract Out Services: This alternative would seek to contract out all ambulatory, mental health, and specialty care services in the community. This alternative is not cost-effective and would result in a loss of quality control over Veteran healthcare. There also may not be sufficient, qualified, private-sector providers in the Monroe County area to accommodate the Veteran workload. Therefore, this alternative is the least preferred.

Alternative 4 - New Construction: This alternative would require VA to purchase a land parcel and construct a new, 84,000 NUSF facility in Monroe County. This alternative solves utilization and space gaps in the same manner as the lease alternative. However, a permanent site limits the ability to relocate services in the future to adapt to changes in Veteran demographics. In addition, new construction would require land acquisition; this not only increases the cost but would delay activation by approximately one year. Therefore, this alternative is the second preferred.

V. Demographic Data*

	2009	2019	2029	Change (2009-2029)
Veteran Population	49,357	33,821	23,579	-52%
Enrollees	16,966	16,244	13,613	-20%

*Data reflects the VISN 2, Monroe County, NY market

VI. Workload

	Current (2009)	Projected (2029)	Change (2009-2029)
Ambulatory Stops	66,653	73,116	10%
Mental Health stops	24,231	27,392	13%

VII. Schedule

Award leases	January 2013
Complete construction	January 2015
Activation/Occupancy	March 2015

VIII. Project Cost Summary

Estimated Annual Cost	$4,611,600
Proposed Rental Rate*	$54.90/SF
Proposed Lease Authority	20 Years
Net Usable Square Feet	84,000
Parking Spaces	672
Special Purpose Related Improvements**	$4,620,000

*Estimate based on 2011 rates, and may be escalated by 4% annually to the effective date of the lease to account for inflation.

**Represents lump sum payment to Lessor to design and build out space for clinical use; not included in base rent.

VA Lease Summaries:

1. Rochester, NY - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 84,000 net usable square feet (nusf)/113,400 rentable square feet (rsf) with approximately 672 parking spaces. The annual unserviced rent is estimated at $4,611,000. The Outpatient Clinic will provide primary care, women's health care, Operation Enduring Freedom/Operation Iraqi Freedom programs, mental health programs, homeless outreach, home-based primary care, surgical specialties, ambulatory surgery, endoscopy, geriatric care, dental clinic, laboratory, pathology, radiology, ancillary services and compensation and pension services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Elmwood Avenue
South: Erie Station Road/E Henrietta Road/Goodburlet Road/Pinnacle Road/Reeves Road
East: Clover Street
West: W Henrietta Street

2. Mobile, AL - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 65,125 net usable square (nusf) feet/87,919 rentable square feet (rsf) with approximately 521 parking spaces. The annual unserviced rent is estimated at $2,984,000. The lease will provide for administrative and clinic space consistent with VA CBOC requirements. Space will be allocated to the following general areas: audiology and speech pathology, care coordination home telehealth (CCHT), canteen, clinic administration, education, environmental management, eye clinic, home based primary care (HBPC), lab, medical administration, mental health, nursing, patient advocacy, pharmacy, primary care, radiology, surgical specialty clinics, and women's health.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North:	Moffett Road
South:	County Road 30 (Theodore Dawes Rd) and 26 (Hamilton Blvd)
East:	County Road 163(Dauphin Island Parkway) to Government Blvd to Houston St
West:	County Road 31 (Schillinger Road)

3. Springfield, MO - Outpatient Clinic

The new Community Based Outpatient Clinic (CBOC) will accommodate 68,000 net usable square feet (nusf)/91,8000 rentable square feet (rsf) with approximately 544

parking spaces. The estimated annual unserviced rent is $2,749,000. The new clinic will relocate and expand the existing 41,000 nusf Gene Taylor Community Based Outpatient Clinic from Mount Vernon, Missouri, where it currently serves over 17,000 unique Veterans. The new CBOC will continue to provide primary and specialty care, mental health and ancillary services. The new clinic will also provide sleep studies, radiology, Magnetic Resonance Imaging (MRI), laboratory, and dental services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Sunshine Street
South: US Highway 60 (properties located up to ½ mile South of US 60 will be considered within the boundary)
East: US Highway 65
West: US Highway 160

4. South Bend, IN - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 71,403 net usable square feet (nusf)/96,394 rentable square feet (rsf). The estimated annual unserviced rent is $3,466,515. This CBOC will replace and expand South Bend's outpatient services to meet increasing Veteran demand, and will include following medical services: primary care; women's health care; home-based primary care; nutrition; audiology; tele-eye care and optometry; urology; cardiology; dermatology; physical therapy; podiatry; pulmonary function; some ambulatory procedures such as colonoscopies, sigmoidoscopies, endoscopies, and other minor procedures; ancillary services – laboratory, pharmacy, basic radiology, and prosthetic dispensing; and Compensation & Physical (C&P) exams.

The South Bend lease was authorized by Public Law 112-37 in an amount not to exceed $6,731,000. The lease increased from 39,000 nusf to 71,403 nusf from the time the prospectus was submitted and when the lease was authorized.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Indiana state border
East: Ash Road north extended to Ash Road
South: Tyler Road/North County Line Road to County Line Road to Tyler Road extended to Ash Road
West: North 900 East east on Route 2/Western Avenue south on Larrison Boulevard/Strawberry Road west on East 50 North/Johnson Road south on County Highway 1100 East extended to Willow Road extended to Willow Road to Adams Street east on Roosevelt Road northeast on Legion Drive southeast on Harrison Street north on Route 23/Liberty Street until Tyler Road/North County Line Road

5. San Jose, CA - Outpatient Clinic Lease

The new Community Base Outpatient Clinic (CBOC) will accommodate 72,000 net usable square feet (nusf)/97,200 rentable square feet (rsf) with approximately 572 parking spaces. The estimated annual unserviced rent is $5,586,000. This project will replace the existing 72,000 nusf CBOC in San Jose, CA. The CBOC will provide primary care, mental health and specialty care, to include audiology, podiatry and optometry. The clinic will also provide ancillary and diagnostic services, to include general x-ray, laboratory, pharmacy and telehealth.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North:	Route 87 (Guadalupe Parkway) to Charcot Avenue
East:	I-880 to Highway 101 to Bernal Road
South:	Route 85 to Cottle Road to Santa Teresa Boulevard to Highway 101
West:	Route 17 to I-880 to Route 87 (Guadalupe Parkway)

6. Butler, PA - Health Care Center (HCC) Lease

The new Health Care Center (HCC) will accommodate 168,000 net usable square feet (nusf)/226,800 rentable square feet (rsf) with approximately 1,035 parking spaces. The estimated annual unserviced rent is $6,582,000. This project will relocate outpatient services from the current Butler VA Medical Center (VAMC) to a leased build-to-suit HCC in the vicinity of Butler, PA. The new HCC will expand Butler's outpatient space to approximately 168,000 nusf to meet increased Veteran demand. This clinic will serve Veterans from the counties of Armstrong, Butler, Clarion, Lawrence and Mercer. This project will allow VA to continue to provide timely access to state-of-the-art primary care, specialty care, mental health and ancillary diagnostic services in a properly sized facility to meet increased workload.

Delineated area - The proposed site must be within a five (5) mile radius of Eagle Mill Road and Benjamin Franklin Highway (422)

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF VETERANS AFFAIRS, SAN JOSE, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, a replacement lease of up to 97,200 rentable square feet of space, and 576 parking spaces, for the Department of Veterans Affairs to replace the existing Community Based Outpatient Clinic in San Jose, California, at a proposed unserviced annual cost of $5,586,000 for a lease term of up to 20 years, a prospectus for which, as amended by the respective section of the attached VA Lease Summaries, is attached to and authorized by this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the lease contract(s) shall include a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the delineated area of the procurement is identical to the delineated area included in the prospectus and associated VA Lease Summary, except that, if it is determined that the delineated area of the procurement should not be identical to the delineated area included in the prospectus and associated VA Lease Summary, an explanatory statement shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

San Jose, California
Outpatient Clinic Lease

This proposal provides for leasing a replacement Community Based Outpatient Clinic in San Jose, CA, supporting the parent facility of the VA Palo Alto Health Care System in Palo Alto, CA.

I. Budget Authority

Lease Through	2012 Request	2012 Authorization Request	Unserviced Annual Rent
2034	$9,545,760	$9,545,760	$5,585,760

II. Description of Project

This project will replace the existing 72,000 net usable square foot (NUSF) San Jose Community Based Outpatient Clinic (CBOC) in San Jose, CA. The existing 72,000 NUSF San Jose CBOC lease is set to expire in 2016 with no additional option years remaining on the existing lease and no opportunity to renew. The replacement lease will be for up to 72,000 NUSF and include at least 576 parking spaces. The San Jose CBOC will provide primary care, mental health and specialty care, to include audiology, podiatry and optometry. The clinic will also provide ancillary and diagnostic services, to include general x-ray, laboratory, pharmacy and telehealth.

Approval of this prospectus will constitute authority for up to 20 years of leasing, as well as potential extension of the present lease as may be necessary pending execution of the replacement lease.

III. Priorities/Deficiencies Addressed

This lease addresses the need to provide ongoing primary care, mental health and specialty care services to Veterans residing in San Jose, CA. The San Jose CBOC is a busy, multi-specialty clinic that treats over 10,000 Veterans annually. The San Jose CBOC is located in Santa Clara County where over 75,000 Veterans currently reside. Maintaining a presence in the San Jose region is critical to ensuring access to health care services for these Veterans, improving the likelihood that Veterans will seek care and comply with clinical treatment plans. A new 20-year lease is required since VA will have to vacate the existing facility no later than November 2016.

Replacing the San Jose CBOC with a new facility in the San Jose region will enable VAPAHCS to provide a state-of-the-art treatment facility using integrated design concepts. The new facility will be designed around the principles of Veteran- and family-centric care; providing space for interdisciplinary team delivery; integration of the family into the treatment plan; and creating space to optimize health and wellness. Continuing service in this region also embodies the goal of being patient-centric by

delivering care in a community setting where a substantial number of Veterans live, thereby reducing wait and drive times and eliminating service disparities.

IV. Alternatives to Lease Considered

Alternative 1 - Status Quo: The status quo would continue to provide outpatient services in the existing San Jose CBOC clinic until the current lease expires in 2016. The primary care access point in southern Santa Clara County would be eliminated, significantly decreasing access to care for Veterans. This alternative would require that Veterans residing in Santa Clara County, specifically in the City of San Jose, travel through densely congested traffic corridors to receive basic services in either Palo Alto or Monterey. In addition, this alternative does not provide any opportunity to decompress the Palo Alto Division. As it is the goal of VAPAHCS to improve access to services for Veterans, this option is not the most optimal.

Alternative 2 - New Lease (Preferred alternative): This project proposes to replace the 72,000 NUSF CBOC in San Jose, CA with a new, leased facility after the expiration of the existing lease in 2016. The replacement lease will be for up to 72,000 NUSF and include a minimum of 360 parking spaces. Through the competitive procurement process, this alternative will allow VAPAHCS to identify the best value land parcel and facility for the new clinic. The clinic will be designed to provide state-of-the-art services and incorporate the latest VA clinical delivery models, to include Patient Aligned Care Team practices. Therefore, leasing a facility in the San Jose area to ensure the continued provision of medical services is the preferred alternative.

Alternative 3 – Contract Out Services: This alternative would seek to contract out all ambulatory, mental health and specialty care in the community. As a national health care system, VA has gained a unique level of expertise in providing Veterans services, including the maintenance of a comprehensive medical record, expertise in mental health issues and provision of wellness outreach and education that would be extremely difficult to replicate in a community setting. Relying on a community or contract provider that potentially lacks expertise in Veteran issues to provide treatment to this potentially vulnerable and at-risk patient population poses a risk to Veteran safety. In addition, relying on contract providers to offer these services remains cost prohibitive and is subject to the availability of mental health providers within the community. Therefore, this alternative is the least preferred.

Alternative 4 – New Construction: This alternative would require VAPAHCS to acquire a land parcel and construct a new, 72,000 NUSF facility. A permanent site limits the ability to relocate services in the future to adapt to changes in Veteran demographics and is therefore less favorable. In addition, new construction would require land acquisition; this not only increases the cost, but would delay activation by approximately one year. Therefore, this alternative is the second preferred.

V. Demographic Data*

	2009	2019	2029	Change (2009-2029)
Veteran Population	225,428	167,749	129,722	-42%
Enrollees	71,246	72,179	65,915	-7%

*Data reflects the VISN 21 South Coast Market and 55% of Alameda County. Note: Alameda County is a shared county that is serviced by both VAPAHCS and VANCHCS. All of the workload for this county is included in the North Coast Market.

VI. Workload

	Current (2009)	Projected (2029)	Change (2009-2029)
Ambulatory stops	32,331	37,105	15%
Mental Health stops	19,111	24,517	28%

VII. Schedule

Award leases	January 2013
Complete construction	January 2015
Activation/Occupancy	March 2015

VIII. Project Cost Summary

Estimated Annual Cost	$5,585,760
Proposed Rental Rate*	$77.58/SF
Proposed Lease Authority	20 Years
Net Usable Square Feet	72,000
Parking Spaces	576
Special Purpose Related Improvements**	$3,960,000

*Estimate based on 2011 rates, and may be escalated by 4% annually to the effective date of the lease to account for inflation.

**Represents lump sum payment to Lessor to design and build out space for clinical use; not included in base rent.

VA Lease Summaries:

1. Rochester, NY - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 84,000 net usable square feet (nusf)/113,400 rentable square feet (rsf) with approximately 672 parking spaces. The annual unserviced rent is estimated at $4,611,000. The Outpatient Clinic will provide primary care, women's health care, Operation Enduring Freedom/Operation Iraqi Freedom programs, mental health programs, homeless outreach, home-based primary care, surgical specialties, ambulatory surgery, endoscopy, geriatric care, dental clinic, laboratory, pathology, radiology, ancillary services and compensation and pension services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Elmwood Avenue
South: Erie Station Road/E Henrietta Road/Goodburlet Road/Pinnacle Road/Reeves Road
East: Clover Street
West: W Henrietta Street

2. Mobile, AL - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 65,125 net usable square (nusf) feet/87,919 rentable square feet (rsf) with approximately 521 parking spaces. The annual unserviced rent is estimated at $2,984,000. The lease will provide for administrative and clinic space consistent with VA CBOC requirements. Space will be allocated to the following general areas: audiology and speech pathology, care coordination home telehealth (CCHT), canteen, clinic administration, education, environmental management, eye clinic, home based primary care (HBPC), lab, medical administration, mental health, nursing, patient advocacy, pharmacy, primary care, radiology, surgical specialty clinics, and women's health.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Moffett Road
South: County Road 30 (Theodore Dawes Rd) and 26 (Hamilton Blvd)
East: County Road 163(Dauphin Island Parkway) to Government Blvd to Houston St
West: County Road 31 (Schillinger Road)

3. Springfield, MO - Outpatient Clinic

The new Community Based Outpatient Clinic (CBOC) will accommodate 68,000 net usable square feet (nusf)/91,8000 rentable square feet (rsf) with approximately 544

parking spaces. The estimated annual unserviced rent is $2,749,000. The new clinic will relocate and expand the existing 41,000 nusf Gene Taylor Community Based Outpatient Clinic from Mount Vernon, Missouri, where it currently serves over 17,000 unique Veterans. The new CBOC will continue to provide primary and specialty care, mental health and ancillary services. The new clinic will also provide sleep studies, radiology, Magnetic Resonance Imaging (MRI), laboratory, and dental services.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Sunshine Street
South: US Highway 60 (properties located up to ½ mile South of US 60 will be considered within the boundary)
East: US Highway 65
West: US Highway 160

4. South Bend, IN - Outpatient Clinic Lease

The new Community Based Outpatient Clinic (CBOC) will accommodate 71,403 net usable square feet (nusf)/96,394 rentable square feet (rsf). The estimated annual unserviced rent is $3,466,515. This CBOC will replace and expand South Bend's outpatient services to meet increasing Veteran demand, and will include following medical services: primary care; women's health care; home-based primary care; nutrition; audiology; tele-eye care and optometry; urology; cardiology; dermatology; physical therapy; podiatry; pulmonary function; some ambulatory procedures such as colonoscopies, sigmoidoscopies, endoscopies, and other minor procedures; ancillary services – laboratory, pharmacy, basic radiology, and prosthetic dispensing; and Compensation & Physical (C&P) exams.

The South Bend lease was authorized by Public Law 112-37 in an amount not to exceed $6,731,000. The lease increased from 39,000 nusf to 71,403 nusf from the time the prospectus was submitted and when the lease was authorized.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North: Indiana state border
East: Ash Road north extended to Ash Road
South: Tyler Road/North County Line Road to County Line Road to Tyler Road extended to Ash Road
West: North 900 East east on Route 2/Western Avenue south on Larrison Boulevard/Strawberry Road west on East 50 North/Johnson Road south on County Highway 1100 East extended to Willow Road extended to Willow Road to Adams Street east on Roosevelt Road northeast on Legion Drive southeast on Harrison Street north on Route 23/Liberty Street until Tyler Road/North County Line Road

5. San Jose, CA - Outpatient Clinic Lease

The new Community Base Outpatient Clinic (CBOC) will accommodate 72,000 net usable square feet (nusf)/97,200 rentable square feet (rsf) with approximately 572 parking spaces. The estimated annual unserviced rent is $5,586,000. This project will replace the existing 72,000 nusf CBOC in San Jose, CA. The CBOC will provide primary care, mental health and specialty care, to include audiology, podiatry and optometry. The clinic will also provide ancillary and diagnostic services, to include general x-ray, laboratory, pharmacy and telehealth.

Delineated area - Properties must be located within the delineated area within the following boundaries:

North:	Route 87 (Guadalupe Parkway) to Charcot Avenue
East:	I-880 to Highway 101 to Bernal Road
South:	Route 85 to Cottle Road to Santa Teresa Boulevard to Highway 101
West:	Route 17 to I-880 to Route 87 (Guadalupe Parkway)

6. Butler, PA - Health Care Center (HCC) Lease

The new Health Care Center (HCC) will accommodate 168,000 net usable square feet (nusf)/226,800 rentable square feet (rsf) with approximately 1,035 parking spaces. The estimated annual unserviced rent is $6,582,000. This project will relocate outpatient services from the current Butler VA Medical Center (VAMC) to a leased build-to-suit HCC in the vicinity of Butler, PA. The new HCC will expand Butler's outpatient space to approximately 168,000 nusf to meet increased Veteran demand. This clinic will serve Veterans from the counties of Armstrong, Butler, Clarion, Lawrence and Mercer. This project will allow VA to continue to provide timely access to state-of-the-art primary care, specialty care, mental health and ancillary diagnostic services in a properly sized facility to meet increased workload.

Delineated area - The proposed site must be within a five (5) mile radius of Eagle Mill Road and Benjamin Franklin Highway (422)

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 p.m.), the House stood in recess subject to the call of the Chair.

□ 1330

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KINGSTON) at 1 o'clock and 30 minutes p.m.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 18, 2014.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 18, 2014 at 11:29 a.m.:

That the Senate passed S. 2651.

That the Senate passed S. 2141.

That the Senate passed without amendment H.R. 4751.

That the Senate passed without amendment H.R 4809.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on H. Res. 727; and adopting H. Res. 727, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF H.R. 2, AMERICAN ENERGY SOLUTIONS FOR LOWER COSTS AND MORE AMERICAN JOBS ACT; PROVIDING FOR CONSIDERATION OF H.R. 4, JOBS FOR AMERICA ACT; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM SEPTEMBER 22, 2014, THROUGH NOVEMBER 11, 2014

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 727) providing for consideration of the bill (H.R. 2) to remove Federal Government obstacles to the production of more domestic energy; to ensure transport of that energy reliably to businesses, consumers, and other end users; to lower the cost of energy to consumers; to enable manufacturers and other businesses to access domestically produced energy affordably and reliably in order to create and sustain more secure and well-paying American jobs; and for other purposes; providing for consideration of the bill (H.R. 4) to make revisions to Federal law to improve the conditions necessary for economic growth and job creation, and for other purposes; and providing for proceedings during the period from September 22, 2014, through November 11, 2014, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 226, nays 195, not voting 10, as follows:

[Roll No. 510]

YEAS—226

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—195

Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Barton
Capito
Conaway
DesJarlais
Gingrey (GA)
Hastings (FL)
Nunnelee
Owens
Rush
Wasserman Schultz

□ 1359

Messrs. RICHMOND, DAVID SCOTT of Georgia, Ms. SINEMA, Messrs.

GRAYSON and HOYER changed their vote from ''yea'' to ''nay.''

Messrs. AMODEI and COLLINS of Georgia changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 193, not voting 11, as follows:

[Roll No. 511]

AYES—227

Aderholt
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—193

Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Barton
Capito
Conaway
DesJarlais
Hastings (FL)
Nunnelee
Ribble
Rush
Sánchez, Linda T.
Wasserman Schultz
Wolf

□ 1408

Ms. SINEMA changed her vote from ''no'' to ''aye.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

JOBS FOR AMERICA ACT

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 727, I call up the bill (H.R. 4) to make revisions to Federal law to improve the conditions necessary for economic growth and job creation, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. LATHAM). Pursuant to House Resolution 727, the bill is considered read.

The text of the bill is as follows:

H.R. 4

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Jobs for America Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

SEC. 3. PAYGO SCORECARD.

The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

DIVISION I—WAYS AND MEANS

TITLE I—SAVE AMERICAN WORKERS

SEC. 101. SHORT TITLE.

This title may be cited as the ''Save American Workers Act of 2014''.

SEC. 102. REPEAL OF 30-HOUR THRESHOLD FOR CLASSIFICATION AS FULL-TIME EMPLOYEE FOR PURPOSES OF THE EMPLOYER MANDATE IN THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND REPLACEMENT WITH 40 HOURS.

(a) FULL-TIME EQUIVALENTS.—Paragraph (2) of section 4980H(c) of the Internal Revenue Code of 1986 is amended—

(1) by repealing subparagraph (E), and

(2) by inserting after subparagraph (D) the following new subparagraph:

''(E) FULL-TIME EQUIVALENTS TREATED AS FULL-TIME EMPLOYEES.—Solely for purposes of determining whether an employer is an applicable large employer under this paragraph, an employer shall, in addition to the number of full-time employees for any month otherwise determined, include for such month a number of full-time employees determined by dividing the aggregate number of hours of service of employees who are not full-time employees for the month by 174.''.

(b) FULL-TIME EMPLOYEES.—Paragraph (4) of section 4980H(c) of the Internal Revenue Code of 1986 is amended—

(1) by repealing subparagraph (A), and

(2) by inserting before subparagraph (B) the following new subparagraph:

''(A) IN GENERAL.—The term 'full-time employee' means, with respect to any month, an employee who is employed on average at least 40 hours of service per week.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2013.

TITLE II—HIRE MORE HEROES

SEC. 201. SHORT TITLE.

This title may be cited as the ''Hire More Heroes Act of 2014''.

SEC. 202. EMPLOYEES WITH HEALTH COVERAGE UNDER TRICARE OR THE VETERANS ADMINISTRATION MAY BE EXEMPTED FROM EMPLOYER MANDATE UNDER PATIENT PROTECTION AND AFFORDABLE CARE ACT.

(a) IN GENERAL.—Section 4980H(c)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(F) EXEMPTION FOR HEALTH COVERAGE UNDER TRICARE OR THE VETERANS ADMINISTRATION.—Solely for purposes of determining whether an employer is an applicable large employer under this paragraph for any month, an employer may elect not to take into account for a month as an employee any individual who, for such month, has medical coverage under—

''(i) chapter 55 of title 10, United States Code, including coverage under the TRICARE program, or

''(ii) under a health care program under chapter 17 or 18 of title 38, United States Code, as determined by the Secretary of Veterans Affairs, in coordination with the Secretary of Health and Human Services and the Secretary.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to months beginning after December 31, 2013.

TITLE III—AMERICAN RESEARCH AND COMPETITIVENESS

SEC. 301. SHORT TITLE.

This title may be cited as the ''American Research and Competitiveness Act of 2014''.

SEC. 302. RESEARCH CREDIT SIMPLIFIED AND MADE PERMANENT.

(a) IN GENERAL.—Subsection (a) of section 41 of the Internal Revenue Code of 1986 is amended to read as follows:

''(a) IN GENERAL.—For purposes of section 38, the research credit determined under this section for the taxable year shall be an amount equal to the sum of—

''(1) 20 percent of so much of the qualified research expenses for the taxable year as exceeds 50 percent of the average qualified research expenses for the 3 taxable years preceding the taxable year for which the credit is being determined,

''(2) 20 percent of so much of the basic research payments for the taxable year as exceeds 50 percent of the average basic research payments for the 3 taxable years preceding the taxable year for which the credit is being determined, plus

''(3) 20 percent of the amounts paid or incurred by the taxpayer in carrying on any trade or business of the taxpayer during the taxable year (including as contributions) to an energy research consortium for energy research.''.

(b) REPEAL OF TERMINATION.—Section 41 of such Code is amended by striking subsection (h).

(c) CONFORMING AMENDMENTS.—

(1) Subsection (c) of section 41 of such Code is amended to read as follows:

''(c) DETERMINATION OF AVERAGE RESEARCH EXPENSES FOR PRIOR YEARS.—

''(1) SPECIAL RULE IN CASE OF NO QUALIFIED RESEARCH EXPENDITURES IN ANY OF 3 PRECEDING TAXABLE YEARS.—In any case in which the taxpayer has no qualified research expenses in any one of the 3 taxable years preceding the taxable year for which the credit is being determined, the amount determined under subsection (a)(1) for such taxable year shall be equal to 10 percent of the qualified research expenses for the taxable year.

''(2) CONSISTENT TREATMENT OF EXPENSES.—

''(A) IN GENERAL.—Notwithstanding whether the period for filing a claim for credit or refund has expired for any taxable year taken into account in determining the average qualified research expenses, or average basic research payments, taken into account under subsection (a), the qualified research expenses and basic research payments taken into account in determining such averages shall be determined on a basis consistent with the determination of qualified research expenses and basic research payments, respectively, for the credit year.

''(B) PREVENTION OF DISTORTIONS.—The Secretary may prescribe regulations to prevent distortions in calculating a taxpayer's qualified research expenses or basic research payments caused by a change in accounting methods used by such taxpayer between the current year and a year taken into account in determining the average qualified research expenses or average basic research payments taken into account under subsection (a).''.

(2) Section 41(e) of such Code is amended—

(A) by striking all that precedes paragraph (6) and inserting the following:

''(e) BASIC RESEARCH PAYMENTS.—For purposes of this section—

''(1) IN GENERAL.—The term 'basic research payment' means, with respect to any taxable year, any amount paid in cash during such taxable year by a corporation to any qualified organization for basic research but only if—

''(A) such payment is pursuant to a written agreement between such corporation and such qualified organization, and

''(B) such basic research is to be performed by such qualified organization.

''(2) EXCEPTION TO REQUIREMENT THAT RESEARCH BE PERFORMED BY THE ORGANIZATION.—In the case of a qualified organization described in subparagraph (C) or (D) of paragraph (3), subparagraph (B) of paragraph (1) shall not apply.'',

(B) by redesignating paragraphs (6) and (7) as paragraphs (3) and (4), respectively, and

(C) in paragraph (4) as so redesignated, by striking subparagraphs (B) and (C) and by redesignating subparagraphs (D) and (E) as subparagraphs (B) and (C), respectively.

(3) Section 41(f)(3) of such Code is amended—

(A)(i) by striking '', and the gross receipts'' in subparagraph (A)(i) and all that follows through ''determined under clause (iii)'',

(ii) by striking clause (iii) of subparagraph (A) and redesignating clauses (iv), (v), and (vi), thereof, as clauses (iii), (iv), and (v), respectively,

(iii) by striking ''and (iv)'' each place it appears in subparagraph (A)(iv) (as so redesignated) and inserting ''and (iii)'',

(iv) by striking subclause (IV) of subparagraph (A)(iv) (as so redesignated), by striking '', and'' at the end of subparagraph (A)(iv)(III) (as so redesignated) and inserting a period, and by adding ''and'' at the end of subparagraph (A)(iv)(II) (as so redesignated),

(v) by striking ''(A)(vi)'' in subparagraph (B) and inserting ''(A)(v)'', and

(vi) by striking ''(A)(iv)(II)'' in subparagraph (B)(i)(II) and inserting ''(A)(iii)(II)'',

(B) by striking '', and the gross receipts of the predecessor,'' in subparagraph (A)(iv)(II) (as so redesignated),

(C) by striking '', and the gross receipts of,'' in subparagraph (B),

(D) by striking '', or gross receipts of,'' in subparagraph (B)(i)(I), and

(E) by striking subparagraph (C).

(4) Section 45C(b)(1) of such Code is amended by striking subparagraph (D).

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2013.

(2) SUBSECTION (b).—The amendment made by subsection (b) shall apply to amounts paid or incurred after December 31, 2013.

SEC. 303. PAYGO SCORECARD.

(a) PAYGO SCORECARD.—The budgetary effects of this title shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this title shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

TITLE IV—AMERICA'S SMALL BUSINESS TAX RELIEF

SEC. 401. SHORT TITLE.

This title may be cited as the ''America's Small Business Tax Relief Act of 2014''.

SEC. 402. EXPENSING CERTAIN DEPRECIABLE BUSINESS ASSETS FOR SMALL BUSINESS.

(a) IN GENERAL.—

(1) DOLLAR LIMITATION.—Paragraph (1) of section 179(b) of the Internal Revenue Code of 1986 is amended by striking ''shall not exceed—'' and all that follows and inserting ''shall not exceed $500,000.''.

(2) REDUCTION IN LIMITATION.—Paragraph (2) of section 179(b) of such Code is amended by striking ''exceeds—'' and all that follows and inserting ''exceeds $2,000,000.''.

(b) COMPUTER SOFTWARE.—Clause (ii) of section 179(d)(1)(A) of such Code is amended by striking '', to which section 167 applies, and which is placed in service in a taxable year beginning after 2002 and before 2014'' and inserting ''and to which section 167 applies''.

(c) ELECTION.—Paragraph (2) of section 179(c) of such Code is amended—

(1) by striking ''may not be revoked'' and all that follows through ''and before 2014'', and

(2) by striking ''IRREVOCABLE'' in the heading thereof.

(d) AIR CONDITIONING AND HEATING UNITS.—Paragraph (1) of section 179(d) of such Code is amended by striking ''and shall not include air conditioning or heating units''.

(e) QUALIFIED REAL PROPERTY.—Subsection (f) of section 179 of such Code is amended—

(1) by striking ''beginning in 2010, 2011, 2012, or 2013'' in paragraph (1), and

(2) by striking paragraphs (3) and (4).

(f) INFLATION ADJUSTMENT.—Subsection (b) of section 179 of such Code is amended by adding at the end the following new paragraph:

''(6) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of any taxable year beginning after 2014, the dollar amounts in paragraphs (1) and (2) shall each be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which such taxable year begins, determined by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—The amount of any increase under subparagraph (A) shall be rounded to the nearest multiple of $10,000.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 403. BUDGETARY EFFECTS.

(a) STATUTORY PAY-AS-YOU-GO SCORECARDS.—The budgetary effects of this title shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this title shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

TITLE V—S CORPORATION PERMANENT TAX RELIEF

SEC. 501. SHORT TITLE.

This title may be cited as the ''S Corporation Permanent Tax Relief Act of 2014''.

SEC. 502. REDUCED RECOGNITION PERIOD FOR BUILT-IN GAINS OF S CORPORATIONS MADE PERMANENT.

(a) IN GENERAL.—Paragraph (7) of section 1374(d) of the Internal Revenue Code of 1986 is amended to read as follows:

''(7) RECOGNITION PERIOD.—

''(A) IN GENERAL.—The term 'recognition period' means the 5-year period beginning with the 1st day of the 1st taxable year for which the corporation was an S corporation. For purposes of applying this section to any amount includible in income by reason of distributions to shareholders pursuant to section 593(e), the preceding sentence shall be applied without regard to the phrase '5-year'.

''(B) INSTALLMENT SALES.—If an S corporation sells an asset and reports the income from the sale using the installment method under section 453, the treatment of all payments received shall be governed by the provisions of this paragraph applicable to the taxable year in which such sale was made.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 503. PERMANENT RULE REGARDING BASIS ADJUSTMENT TO STOCK OF S CORPORATIONS MAKING CHARITABLE CONTRIBUTIONS OF PROPERTY.

(a) IN GENERAL.—Section 1367(a)(2) of the Internal Revenue Code of 1986 is amended by striking the last sentence.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2013.

SEC. 504. BUDGETARY EFFECTS.

(a) STATUTORY PAY-AS-YOU-GO SCORECARDS.—The budgetary effects of this title shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this title shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

TITLE VI—BONUS DEPRECIATION MODIFIED AND MADE PERMANENT

SEC. 601. BONUS DEPRECIATION MODIFIED AND MADE PERMANENT.

(a) MADE PERMANENT; INCLUSION OF QUALIFIED RETAIL IMPROVEMENT PROPERTY.—Section 168(k)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) QUALIFIED PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified property' means property—

''(i)(I) to which this section applies which has a recovery period of 20 years or less,

''(II) which is computer software (as defined in section 167(f)(1)(B)) for which a deduction is allowable under section 167(a) without regard to this subsection,

''(III) which is water utility property,

''(IV) which is qualified leasehold improvement property, or

''(V) which is qualified retail improvement property, and

''(ii) the original use of which commences with the taxpayer.

''(B) EXCEPTION FOR ALTERNATIVE DEPRECIATION PROPERTY.—The term 'qualified property' shall not include any property to which the alternative depreciation system under subsection (g) applies, determined—

''(i) without regard to paragraph (7) of subsection (g) (relating to election to have system apply), and

''(ii) after application of section 280F(b) (relating to listed property with limited business use).

''(C) SPECIAL RULES.—

''(i) SALE-LEASEBACKS.—For purposes of clause (ii) and subparagraph (A)(ii), if property is—

''(I) originally placed in service by a person, and

''(II) sold and leased back by such person within 3 months after the date such property was originally placed in service,

such property shall be treated as originally placed in service not earlier than the date on which such property is used under the leaseback referred to in subclause (II).

''(ii) SYNDICATION.—For purposes of subparagraph (A)(ii), if—

''(I) property is originally placed in service by the lessor of such property,

''(II) such property is sold by such lessor or any subsequent purchaser within 3 months after the date such property was originally placed in service (or, in the case of multiple units of property subject to the same lease, within 3 months after the date the final unit is placed in service, so long as the period between the time the first unit is placed in service and the time the last unit is placed in service does not exceed 12 months), and

''(III) the user of such property after the last sale during such 3-month period remains the same as when such property was originally placed in service,

such property shall be treated as originally placed in service not earlier than the date of such last sale.

''(D) COORDINATION WITH SECTION 280F.—For purposes of section 280F—

''(i) AUTOMOBILES.—In the case of a passenger automobile (as defined in section 280F(d)(5)) which is qualified property, the Secretary shall increase the limitation under section 280F(a)(1)(A)(i) by $8,000.

''(ii) LISTED PROPERTY.—The deduction allowable under paragraph (1) shall be taken into account in computing any recapture amount under section 280F(b)(2).

''(iii) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2014, the $8,000 amount in clause (i) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the automobile price inflation adjustment determined under section 280F(d)(7)(B)(i) for the calendar year in which such taxable year begins by substituting '2013' for '1987' in subclause (II) thereof.

If any increase under the preceding sentence is not a multiple of $100, such increase shall be rounded to the nearest multiple of $100.

''(E) DEDUCTION ALLOWED IN COMPUTING MINIMUM TAX.—For purposes of determining alternative minimum taxable income under section 55, the deduction under section 167 for qualified property shall be determined without regard to any adjustment under section 56.''.

(b) EXPANSION OF ELECTION TO ACCELERATE AMT CREDITS IN LIEU OF BONUS DEPRECIATION.—Section 168(k)(4) of such Code is amended to read as follows:

''(4) ELECTION TO ACCELERATE AMT CREDITS IN LIEU OF BONUS DEPRECIATION.—

''(A) IN GENERAL.—If a corporation elects to have this paragraph apply for any taxable year—

''(i) paragraphs (1)(A), (2)(D)(i), and (5)(A)(i) shall not apply for such taxable year,

''(ii) the applicable depreciation method used under this section with respect to any qualified property shall be the straight line method, and

''(iii) the limitation imposed by section 53(c) for such taxable year shall be increased by the bonus depreciation amount which is determined for such taxable year under subparagraph (B).

''(B) BONUS DEPRECIATION AMOUNT.—For purposes of this paragraph—

''(i) IN GENERAL.—The bonus depreciation amount for any taxable year is an amount equal to 20 percent of the excess (if any) of—

''(I) the aggregate amount of depreciation which would be allowed under this section for qualified property placed in service by the taxpayer during such taxable year if paragraph (1) applied to all such property, over

''(II) the aggregate amount of depreciation which would be allowed under this section for qualified property placed in service by the taxpayer during such taxable year if paragraph (1) did not apply to any such property.

The aggregate amounts determined under subclauses (I) and (II) shall be determined without regard to any election made under subsection (b)(2)(D), (b)(3)(D), or (g)(7) and without regard to subparagraph (A)(ii).

''(ii) LIMITATION.—The bonus depreciation amount for any taxable year shall not exceed the lesser of—

''(I) 50 percent of the minimum tax credit under section 53(b) for the first taxable year ending after December 31, 2013, or

''(II) the minimum tax credit under section 53(b) for such taxable year determined by taking into account only the adjusted net minimum tax for taxable years ending before January 1, 2014 (determined by treating credits as allowed on a first-in, first-out basis).

''(iii) AGGREGATION RULE.—All corporations which are treated as a single employer under section 52(a) shall be treated—

''(I) as 1 taxpayer for purposes of this paragraph, and

''(II) as having elected the application of this paragraph if any such corporation so elects.

''(C) CREDIT REFUNDABLE.—For purposes of section 6401(b), the aggregate increase in the credits allowable under part IV of subchapter A for any taxable year resulting from the application of this paragraph shall be treated as allowed under subpart C of such part (and not any other subpart).

''(D) OTHER RULES.—

''(i) ELECTION.—Any election under this paragraph may be revoked only with the consent of the Secretary.

''(ii) PARTNERSHIPS WITH ELECTING PARTNERS.—In the case of a corporation which is a partner in a partnership and which makes an election under subparagraph (A) for the taxable year, for purposes of determining such corporation's distributive share of partnership items under section 702 for such taxable year—

''(I) paragraphs (1)(A), (2)(D)(i), and (5)(A)(i) shall not apply, and

''(II) the applicable depreciation method used under this section with respect to any qualified property shall be the straight line method.

''(iii) CERTAIN PARTNERSHIPS.—In the case of a partnership in which more than 50 percent of the capital and profits interests are owned (directly or indirectly) at all times during the taxable year by 1 corporation (or by corporations treated as 1 taxpayer under subparagraph (B)(iii)), each partner shall compute its bonus depreciation amount under clause (i) of subparagraph (B) by taking into account its distributive share of the amounts determined by the partnership under subclauses (I) and (II) of such clause for the taxable year of the partnership ending with or within the taxable year of the partner.''.

(c) SPECIAL RULES FOR TREES AND VINES BEARING FRUITS AND NUTS.—Section 168(k) of such Code is amended—

(1) by striking paragraph (5), and

(2) by inserting after paragraph (4) the following new paragraph:

''(5) SPECIAL RULES FOR TREES AND VINES BEARING FRUITS AND NUTS.—

''(A) IN GENERAL.—In the case of any tree or vine bearing fruits or nuts which is planted, or is grafted to a plant that has already been planted, by the taxpayer in the ordinary course of the taxpayer's farming business (as defined in section 263A(e)(4))—

''(i) a depreciation deduction equal to 50 percent of the adjusted basis of such tree or vine shall be allowed under section 167(a) for the taxable year in which such tree or vine is so planted or grafted, and

''(ii) the adjusted basis of such tree or vine shall be reduced by the amount of such deduction.

''(B) ELECTION OUT.—If a taxpayer makes an election under this subparagraph for any taxable year, this paragraph shall not apply to any tree or vine planted or grafted during such taxable year. An election under this subparagraph may be revoked only with the consent of the Secretary.

''(C) ADDITIONAL DEPRECIATION MAY BE CLAIMED ONLY ONCE.—If this paragraph applies to any tree or vine, such tree or vine shall not be treated as qualified property in the taxable year in which placed in service.

''(D) COORDINATION WITH ELECTION TO ACCELERATE AMT CREDITS.—If a corporation makes an election under paragraph (4) for any taxable year, the amount under paragraph (4)(B)(i)(I) for such taxable year shall be increased by the amount determined under subparagraph (A)(i) for such taxable year.

''(E) DEDUCTION ALLOWED IN COMPUTING MINIMUM TAX.—Rules similar to the rules of paragraph (2)(E) shall apply for purposes of this paragraph.''.

(d) CONFORMING AMENDMENTS.—

(1) Section 168(e)(8) of such Code is amended by striking subparagraph (D).

(2) Section 168(k) of such Code is amended by adding at the end the following new paragraph:

''(6) ELECTION OUT.—If a taxpayer makes an election under this paragraph with respect to any class of property for any taxable year, this subsection shall not apply to all property in such class placed in service (or, in the case of paragraph (5), planted or grafted) during such taxable year. An election under this paragraph may be revoked only with the consent of the Secretary.''.

(3) Section 168(l)(5) of such Code is amended by striking ''section 168(k)(2)(G)'' and inserting ''section 168(k)(2)(E)''.

(4) Section 263A(c) of such Code is amended by adding at the end the following new paragraph:

''(7) COORDINATION WITH SECTION 168(k)(5).—This section shall not apply to any amount allowable as a deduction by reason of section 168(k)(5) (relating to special rules for trees and vines bearing fruits and nuts).''.

(5) Section 460(c)(6)(B) of such Code is amended by striking ''which—'' and all that follows and inserting ''which has a recovery period of 7 years or less.''.

(6) Section 168(k) of such Code is amended by striking ''ACQUIRED AFTER DECEMBER 31, 2007, AND BEFORE JANUARY 1, 2014'' in the heading thereof.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to property placed in service after December 31, 2013.

(2) EXPANSION OF ELECTION TO ACCELERATE AMT CREDITS IN LIEU OF BONUS DEPRECIATION.—

(A) IN GENERAL.—The amendment made by subsection (b) (other than so much of such amendment as relates to section 168(k)(4)(D)(iii) of such Code, as added by such amendment) shall apply to taxable years ending after December 31, 2013.

(B) TRANSITIONAL RULE.—In the case of a taxable year beginning before January 1, 2014, and ending after December 31, 2013, the bonus depreciation amount determined under section 168(k)(4) of such Code for such year shall be the sum of—

(i) such amount determined without regard to the amendments made by this section and—

(I) by taking into account only property placed in service before January 1, 2014, and

(II) by multiplying the limitation under section 168(k)(4)(C)(ii) of such Code (determined without regard to the amendments made by this section) by a fraction the numerator of which is the number of days in the taxable year before January 1, 2014, and the denominator of which is the number of days in the taxable year, and

(ii) such amount determined after taking into account the amendments made by this section and—

(I) by taking into account only property placed in service after December 31, 2013, and

(II) by multiplying the limitation under section 168(k)(4)(B)(ii) of such Code (as amended by this section) by a fraction the numerator of which is the number of days in the taxable year after December 31, 2013, and the denominator of which is the number of days in the taxable year.

(3) SPECIAL RULES FOR CERTAIN TREES AND VINES.—The amendment made by subsection (c)(2) shall apply to trees and vines planted or grafted after December 31, 2013.

SEC. 602. BUDGETARY EFFECTS.

(a) STATUTORY PAY-AS-YOU-GO SCORECARDS.—The budgetary effects of this title shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this title shall not be

entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

TITLE VII—REPEAL OF MEDICAL DEVICE EXCISE TAX

SEC. 701. REPEAL OF MEDICAL DEVICE EXCISE TAX.

(a) IN GENERAL.—Chapter 32 of the Internal Revenue Code of 1986 is amended by striking subchapter E.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (a) of section 4221 of such Code is amended by striking the last sentence.

(2) Paragraph (2) of section 6416(b) of such Code is amended by striking the last sentence.

(3) The table of subchapters for chapter 32 of such Code is amended by striking the item relating to subchapter E.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to sales after December 31, 2012.

SEC. 702. BUDGETARY EFFECTS.

(a) STATUTORY PAY-AS-YOU-GO SCORECARDS.—The budgetary effects of this title shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this title shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

DIVISION II—FINANCIAL SERVICES

TITLE I—SMALL BUSINESS CAPITAL ACCESS AND JOB PRESERVATION

SEC. 101. SHORT TITLE.

This title may be cited as the ''Small Business Capital Access and Job Preservation Act''.

SEC. 102. REGISTRATION AND REPORTING EXEMPTIONS RELATING TO PRIVATE EQUITY FUNDS ADVISORS.

Section 203 of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3) is amended by adding at the end the following:

''(o) EXEMPTION OF AND REPORTING REQUIREMENTS BY PRIVATE EQUITY FUNDS ADVISORS.—

''(1) IN GENERAL.—Except as provided in this subsection, no investment adviser shall be subject to the registration or reporting requirements of this title with respect to the provision of investment advice relating to a private equity fund or funds, provided that each such fund has not borrowed and does not have outstanding a principal amount in excess of twice its invested capital commitments.

''(2) MAINTENANCE OF RECORDS AND ACCESS BY COMMISSION.—Not later than 6 months after the date of enactment of this subsection, the Commission shall issue final rules—

''(A) to require investment advisers described in paragraph (1) to maintain such records and provide to the Commission such annual or other reports as the Commission may require taking into account fund size, governance, investment strategy, risk, and other factors, as the Commission determines necessary and appropriate in the public interest and for the protection of investors; and

''(B) to define the term 'private equity fund' for purposes of this subsection.''.

TITLE II—SMALL BUSINESS MERGERS, ACQUISITIONS, SALES, AND BROKERAGE SIMPLIFICATION

SEC. 201. SHORT TITLE.

This title may be cited as the ''Small Business Mergers, Acquisitions, Sales, and Brokerage Simplification Act of 2014''.

SEC. 202. REGISTRATION EXEMPTION FOR MERGER AND ACQUISITION BROKERS.

Section 15(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(b)) is amended by adding at the end the following:

''(13) REGISTRATION EXEMPTION FOR MERGER AND ACQUISITION BROKERS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an M&A broker shall be exempt from registration under this section.

''(B) EXCLUDED ACTIVITIES.—An M&A broker is not exempt from registration under this paragraph if such broker does any of the following:

''(i) Directly or indirectly, in connection with the transfer of ownership of an eligible privately held company, receives, holds, transmits, or has custody of the funds or securities to be exchanged by the parties to the transaction.

''(ii) Engages on behalf of an issuer in a public offering of any class of securities that is registered, or is required to be registered, with the Commission under section 12 or with respect to which the issuer files, or is required to file, periodic information, documents, and reports under subsection (d).

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to limit any other authority of the Commission to exempt any person, or any class of persons, from any provision of this title, or from any provision of any rule or regulation thereunder.

''(D) DEFINITIONS.—In this paragraph:

''(i) CONTROL.—The term 'control' means the power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise. There is a presumption of control for any person who—

''(I) is a director, general partner, member or manager of a limited liability company, or officer exercising executive responsibility (or has similar status or functions);

''(II) has the right to vote 20 percent or more of a class of voting securities or the power to sell or direct the sale of 20 percent or more of a class of voting securities; or

''(III) in the case of a partnership or limited liability company, has the right to receive upon dissolution, or has contributed, 20 percent or more of the capital.

''(ii) ELIGIBLE PRIVATELY HELD COMPANY.—The term 'eligible privately held company' means a company that meets both of the following conditions:

''(I) The company does not have any class of securities registered, or required to be registered, with the Commission under section 12 or with respect to which the company files, or is required to file, periodic information, documents, and reports under subsection (d).

''(II) In the fiscal year ending immediately before the fiscal year in which the services of the M&A broker are initially engaged with respect to the securities transaction, the company meets either or both of the following conditions (determined in accordance with the historical financial accounting records of the company):

''(aa) The earnings of the company before interest, taxes, depreciation, and amortization are less than $25,000,000.

''(bb) The gross revenues of the company are less than $250,000,000.

''(iii) M&A BROKER.—The term 'M&A broker' means a broker, and any person associated with a broker, engaged in the business of effecting securities transactions solely in connection with the transfer of ownership of an eligible privately held company, regardless of whether the broker acts on behalf of a seller or buyer, through the purchase, sale, exchange, issuance, repurchase, or redemption of, or a business combination involving, securities or assets of the eligible privately held company, if the broker reasonably believes that—

''(I) upon consummation of the transaction, any person acquiring securities or assets of the eligible privately held company, acting alone or in concert, will control and, directly or indirectly, will be active in the management of the eligible privately held company or the business conducted with the assets of the eligible privately held company; and

''(II) if any person is offered securities in exchange for securities or assets of the eligible privately held company, such person will, prior to becoming legally bound to consummate the transaction, receive or have reasonable access to the most recent year-end balance sheet, income statement, statement of changes in financial position, and statement of owner's equity of the issuer of the securities offered in exchange, and, if the financial statements of the issuer are audited, the related report of the independent auditor, a balance sheet dated not more than 120 days before the date of the offer, and information pertaining to the management, business, results of operations for the period covered by the foregoing financial statements, and material loss contingencies of the issuer.

''(E) INFLATION ADJUSTMENT.—

''(i) IN GENERAL.—On the date that is 5 years after the date of the enactment of the Small Business Mergers, Acquisitions, Sales, and Brokerage Simplification Act of 2014, and every 5 years thereafter, each dollar amount in subparagraph (D)(ii)(II) shall be adjusted by—

''(I) dividing the annual value of the Employment Cost Index For Wages and Salaries, Private Industry Workers (or any successor index), as published by the Bureau of Labor Statistics, for the calendar year preceding the calendar year in which the adjustment is being made by the annual value of such index (or successor) for the calendar year ending December 31, 2012; and

''(II) multiplying such dollar amount by the quotient obtained under subclause (I).

''(ii) ROUNDING.—Each dollar amount determined under clause (i) shall be rounded to the nearest multiple of $100,000.''.

SEC. 203. EFFECTIVE DATE.

This title and any amendment made by this title shall take effect on the date that is 90 days after the date of the enactment of this Act.

DIVISION III—OVERSIGHT

SUBDIVISION A—UNFUNDED MANDATES INFORMATION AND TRANSPARENCY

SEC. 101. SHORT TITLE.

This subdivision may be cited as the ''Unfunded Mandates Information and Transparency Act of 2014''.

SEC. 102. PURPOSE.

The purpose of this title is—

(1) to improve the quality of the deliberations of Congress with respect to proposed Federal mandates by—

(A) providing Congress and the public with more complete information about the effects of such mandates; and

(B) ensuring that Congress acts on such mandates only after focused deliberation on their effects; and

(2) to enhance the ability of Congress and the public to identify Federal mandates that may impose undue harm on consumers, workers, employers, small businesses, and State, local, and tribal governments.

SEC. 103. PROVIDING FOR CONGRESSIONAL BUDGET OFFICE STUDIES ON POLICIES INVOLVING CHANGES IN CONDITIONS OF GRANT AID.

Section 202(g) of the Congressional Budget Act of 1974 (2 U.S.C. 602(g)) is amended by adding at the end the following new paragraph:

''(3) ADDITIONAL STUDIES.—At the request of any Chairman or ranking member of the minority of a Committee of the Senate or the House of Representatives, the Director shall conduct an assessment comparing the authorized level of funding in a bill or resolution to the prospective costs of carrying out any changes to a condition of Federal assistance being imposed on State, local, or tribal governments participating in the Federal assistance program concerned or, in the case of a bill or joint resolution that authorizes such sums as are necessary, an assessment of an estimated level of funding compared to such costs.''.

SEC. 104. CLARIFYING THE DEFINITION OF DIRECT COSTS TO REFLECT CONGRESSIONAL BUDGET OFFICE PRACTICE.

Section 421(3) of the Congressional Budget Act of 1974 (2 U.S.C. 658(3)(A)(i)) is amended—

(1) in subparagraph (A)(i), by inserting ''incur or'' before ''be required''; and

(2) in subparagraph (B), by inserting after ''to spend'' the following: ''or could forgo in profits, including costs passed on to consumers or other entities taking into account, to the extent practicable, behavioral changes,''.

SEC. 105. EXPANDING THE SCOPE OF REPORTING REQUIREMENTS TO INCLUDE REGULATIONS IMPOSED BY INDEPENDENT REGULATORY AGENCIES.

Paragraph (1) of section 421 of the Congressional Budget Act of 1974 (2 U.S.C. 658) is amended by striking '', but does not include independent regulatory agencies'' and inserting '', except it does not include the Board of Governors of the Federal Reserve System or the Federal Open Market Committee''.

SEC. 106. AMENDMENTS TO REPLACE OFFICE OF MANAGEMENT AND BUDGET WITH OFFICE OF INFORMATION AND REGULATORY AFFAIRS.

The Unfunded Mandates Reform Act of 1995 (Public Law 104–4; 2 U.S.C. 1511 et seq.) is amended—

(1) in section 103(c) (2 U.S.C. 1511(c))—

(A) in the subsection heading, by striking ''OFFICE OF MANAGEMENT AND BUDGET'' and inserting ''OFFICE OF INFORMATION AND REGULATORY AFFAIRS''; and

(B) by striking ''Director of the Office of Management and Budget'' and inserting ''Administrator of the Office of Information and Regulatory Affairs'';

(2) in section 205(c) (2 U.S.C. 1535(c))—

(A) in the subsection heading, by striking ''OMB''; and

(B) by striking ''Director of the Office of Management and Budget'' and inserting ''Administrator of the Office of Information and Regulatory Affairs''; and

(3) in section 206 (2 U.S.C. 1536), by striking ''Director of the Office of Management and Budget'' and inserting ''Administrator of the Office of Information and Regulatory Affairs''.

SEC. 107. APPLYING SUBSTANTIVE POINT OF ORDER TO PRIVATE SECTOR MANDATES.

Section 425(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 658d(a)(2)) is amended—

(1) by striking ''Federal intergovernmental mandates'' and inserting ''Federal mandates''; and

(2) by inserting ''or 424(b)(1)'' after ''section 424(a)(1)''.

SEC. 108. REGULATORY PROCESS AND PRINCIPLES.

Section 201 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531) is amended to read as follows:

''SEC. 201. REGULATORY PROCESS AND PRINCIPLES.

''(a) IN GENERAL.—Each agency shall, unless otherwise expressly prohibited by law, assess the effects of Federal regulatory actions on State, local, and tribal governments and the private sector (other than to the extent that such regulatory actions incorporate requirements specifically set forth in law) in accordance with the following principles:

''(1) Each agency shall identify the problem that it intends to address (including, if applicable, the failures of private markets or public institutions that warrant new agency action) as well as assess the significance of that problem.

''(2) Each agency shall examine whether existing regulations (or other law) have created, or contributed to, the problem that a new regulation is intended to correct and whether those regulations (or other law) should be modified to achieve the intended goal of regulation more effectively.

''(3) Each agency shall identify and assess available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior, such as user fees or marketable permits, or providing information upon which choices can be made by the public.

''(4) If an agency determines that a regulation is the best available method of achieving the regulatory objective, it shall design its regulations in the most cost-effective manner to achieve the regulatory objective. In doing so, each agency shall consider incentives for innovation, consistency, predictability, the costs of enforcement and compliance (to the government, regulated entities, and the public), flexibility, distributive impacts, and equity.

''(5) Each agency shall assess both the costs and the benefits of the intended regulation and, recognizing that some costs and benefits are difficult to quantify, propose or adopt a regulation, unless expressly prohibited by law, only upon a reasoned determination that the benefits of the intended regulation justify its costs.

''(6) Each agency shall base its decisions on the best reasonably obtainable scientific, technical, economic, and other information concerning the need for, and consequences of, the intended regulation.

''(7) Each agency shall identify and assess alternative forms of regulation and shall, to the extent feasible, specify performance objectives, rather than specifying the behavior or manner of compliance that regulated entities must adopt.

''(8) Each agency shall avoid regulations that are inconsistent, incompatible, or duplicative with its other regulations or those of other Federal agencies.

''(9) Each agency shall tailor its regulations to minimize the costs of the cumulative impact of regulations.

''(10) Each agency shall draft its regulations to be simple and easy to understand, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.

''(b) REGULATORY ACTION DEFINED.—In this section, the term 'regulatory action' means any substantive action by an agency (normally published in the Federal Register) that promulgates or is expected to lead to the promulgation of a final rule or regulation, including advance notices of proposed rulemaking and notices of proposed rulemaking.''.

SEC. 109. EXPANDING THE SCOPE OF STATEMENTS TO ACCOMPANY SIGNIFICANT REGULATORY ACTIONS.

(a) IN GENERAL.—Subsection (a) of section 202 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532) is amended to read as follows:

''(a) IN GENERAL.—Unless otherwise expressly prohibited by law, before promulgating any general notice of proposed rulemaking or any final rule, or within six months after promulgating any final rule that was not preceded by a general notice of proposed rulemaking, if the proposed rulemaking or final rule includes a Federal mandate that may result in an annual effect on State, local, or tribal governments, or to the private sector, in the aggregate of $100,000,000 or more in any 1 year, the agency shall prepare a written statement containing the following:

''(1) The text of the draft proposed rulemaking or final rule, together with a reasonably detailed description of the need for the proposed rulemaking or final rule and an explanation of how the proposed rulemaking or final rule will meet that need.

''(2) An assessment of the potential costs and benefits of the proposed rulemaking or final rule, including an explanation of the manner in which the proposed rulemaking or final rule is consistent with a statutory requirement and avoids undue interference with State, local, and tribal governments in the exercise of their governmental functions.

''(3) A qualitative and quantitative assessment, including the underlying analysis, of benefits anticipated from the proposed rulemaking or final rule (such as the promotion of the efficient functioning of the economy and private markets, the enhancement of health and safety, the protection of the natural environment, and the elimination or reduction of discrimination or bias).

''(4) A qualitative and quantitative assessment, including the underlying analysis, of costs anticipated from the proposed rulemaking or final rule (such as the direct costs both to the Government in administering the final rule and to businesses and others in complying with the final rule, and any adverse effects on the efficient functioning of the economy, private markets (including productivity, employment, and international competitiveness), health, safety, and the natural environment).

''(5) Estimates by the agency, if and to the extent that the agency determines that accurate estimates are reasonably feasible, of—

''(A) the future compliance costs of the Federal mandate; and

''(B) any disproportionate budgetary effects of the Federal mandate upon any particular regions of the Nation or particular State, local, or tribal governments, urban or rural or other types of communities, or particular segments of the private sector.

''(6)(A) A detailed description of the extent of the agency's prior consultation with the private sector and elected representatives (under section 204) of the affected State, local, and tribal governments.

''(B) A detailed summary of the comments and concerns that were presented by the private sector and State, local, or tribal governments either orally or in writing to the agency.

''(C) A detailed summary of the agency's evaluation of those comments and concerns.

''(7) A detailed summary of how the agency complied with each of the regulatory principles described in section 201.''.

(b) REQUIREMENT FOR DETAILED SUMMARY.—Subsection (b) of section 202 of such Act is amended by inserting ''detailed'' before ''summary''.

SEC. 110. ENHANCED STAKEHOLDER CONSULTATION.

Section 204 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1534) is amended—

(1) in the section heading, by inserting ''**AND PRIVATE SECTOR**'' before ''**INPUT**'';

(2) in subsection (a)—

(A) by inserting '', and impacted parties within the private sector (including small business),'' after ''on their behalf)'';

(B) by striking ''Federal intergovernmental mandates'' and inserting ''Federal mandates''; and

(3) by amending subsection (c) to read as follows:

''(c) GUIDELINES.—For appropriate implementation of subsections (a) and (b) consistent with applicable laws and regulations, the following guidelines shall be followed:

''(1) Consultations shall take place as early as possible, before issuance of a notice of proposed rulemaking, continue through the final rule stage, and be integrated explicitly into the rulemaking process.

''(2) Agencies shall consult with a wide variety of State, local, and tribal officials and impacted parties within the private sector (including small businesses). Geographic, political, and other factors that may differentiate varying points of view should be considered.

''(3) Agencies should estimate benefits and costs to assist with these consultations. The scope of the consultation should reflect the cost and significance of the Federal mandate being considered.

''(4) Agencies shall, to the extent practicable—

''(A) seek out the views of State, local, and tribal governments, and impacted parties within the private sector (including small business), on costs, benefits, and risks; and

''(B) solicit ideas about alternative methods of compliance and potential flexibilities, and input on whether the Federal regulation will harmonize with and not duplicate similar laws in other levels of government.

''(5) Consultations shall address the cumulative impact of regulations on the affected entities.

''(6) Agencies may accept electronic submissions of comments by relevant parties but may not use those comments as the sole method of satisfying the guidelines in this subsection.''.

SEC. 111. NEW AUTHORITIES AND RESPONSIBILITIES FOR OFFICE OF INFORMATION AND REGULATORY AFFAIRS.

Section 208 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1538) is amended to read as follows:

''SEC. 208. OFFICE OF INFORMATION AND REGULATORY AFFAIRS RESPONSIBILITIES.

''(a) IN GENERAL.—The Administrator of the Office of Information and Regulatory Affairs shall provide meaningful guidance and oversight so that each agency's regulations for which a written statement is required under section 202 are consistent with the principles and requirements of this title, as well as other applicable laws, and do not conflict with the policies or actions of another agency. If the Administrator determines that an agency's regulations for which a written statement is required under section 202 do not comply with such principles and requirements, are not consistent with other applicable laws, or conflict with the policies or actions of another agency, the Administrator shall identify areas of non-compliance, notify the agency, and request that the agency comply before the agency finalizes the regulation concerned.

''(b) ANNUAL STATEMENTS TO CONGRESS ON AGENCY COMPLIANCE.—The Director of the Office of Information and Regulatory Affairs annually shall submit to Congress, including the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives, a written report detailing compliance by each agency with the requirements of this title that relate to regulations for which a written statement is required by section 202, including activities undertaken at the request of the Director to improve compliance, during the preceding reporting period. The report shall also contain an appendix detailing compliance by each agency with section 204.''.

SEC. 112. RETROSPECTIVE ANALYSIS OF EXISTING FEDERAL REGULATIONS.

The Unfunded Mandates Reform Act of 1995 (Public Law 104–4; 2 U.S.C. 1511 et seq.) is amended—

(1) by redesignating section 209 as section 210; and

(2) by inserting after section 208 the following new section 209:

''SEC. 209. RETROSPECTIVE ANALYSIS OF EXISTING FEDERAL REGULATIONS.

''(a) REQUIREMENT.—At the request of the chairman or ranking minority member of a standing or select committee of the House of Representatives or the Senate, an agency shall conduct a retrospective analysis of an existing Federal regulation promulgated by an agency.

''(b) REPORT.—Each agency conducting a retrospective analysis of existing Federal regulations pursuant to subsection (a) shall submit to the chairman of the relevant committee, Congress, and the Comptroller General a report containing, with respect to each Federal regulation covered by the analysis—

''(1) a copy of the Federal regulation;

''(2) the continued need for the Federal regulation;

''(3) the nature of comments or complaints received concerning the Federal regulation from the public since the Federal regulation was promulgated;

''(4) the extent to which the Federal regulation overlaps, duplicates, or conflicts with other Federal regulations, and, to the extent feasible, with State and local governmental rules;

''(5) the degree to which technology, economic conditions, or other factors have changed in the area affected by the Federal regulation;

''(6) a complete analysis of the retrospective direct costs and benefits of the Federal regulation that considers studies done outside the Federal Government (if any) estimating such costs or benefits; and

''(7) any litigation history challenging the Federal regulation.''.

SEC. 113. EXPANSION OF JUDICIAL REVIEW.

Section 401(a) of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1571(a)) is amended—

(1) in paragraphs (1) and (2)(A)—

(A) by striking ''sections 202 and 203(a)(1) and (2)'' each place it appears and inserting ''sections 201, 202, 203(a)(1) and (2), and 205(a) and (b)''; and

(B) by striking ''only'' each place it appears;

(2) in paragraph (2)(B), by striking ''section 202'' and all that follows through the period at the end and inserting the following: ''section 202, prepare the written plan under section 203(a)(1) and (2), or comply with section 205(a) and (b), a court may compel the agency to prepare such written statement, prepare such written plan, or comply with such section.''; and

(3) in paragraph (3), by striking ''written statement or plan is required'' and all that follows through ''shall not'' and inserting the following: ''written statement under section 202, a written plan under section 203(a)(1) and (2), or compliance with sections 201 and 205(a) and (b) is required, the inadequacy or failure to prepare such statement (including the inadequacy or failure to prepare any estimate, analysis, statement, or description), to prepare such written plan, or to comply with such section may''.

SUBDIVISION B—ACHIEVING LESS EXCESS IN REGULATION AND REQUIRING TRANSPARENCY

SEC. 100. SHORT TITLE; TABLE OF CONTENTS.

This subdivision may be cited as the ''Achieving Less Excess in Regulation and Requiring Transparency Act of 2014'' or as the ''ALERRT Act of 2014''.

TITLE I—ALL ECONOMIC REGULATIONS ARE TRANSPARENT ACT

SEC. 101. SHORT TITLE.

This title may be cited as the ''All Economic Regulations are Transparent Act of 2014'' or the ''ALERT Act of 2014''.

SEC. 102. OFFICE OF INFORMATION AND REGULATORY AFFAIRS PUBLICATION OF INFORMATION RELATING TO RULES.

(a) AMENDMENT.—Title 5, United States Code, is amended by inserting after chapter 6, the following new chapter:

''CHAPTER 6A—OFFICE OF INFORMATION AND REGULATORY AFFAIRS PUBLICATION OF INFORMATION RELATING TO RULES

''§ 651. Agency monthly submission to Office of Information and Regulatory Affairs

''On a monthly basis, the head of each agency shall submit to the Administrator of the Office of Information and Regulatory Affairs (referred to in this chapter as the 'Administrator'), in such a manner as the Administrator may reasonably require, the following information:

''(1) For each rule that the agency expects to propose or finalize during the following year:

''(A) A summary of the nature of the rule, including the regulation identifier number and the docket number for the rule.

''(B) The objectives of and legal basis for the issuance of the rule, including—

''(i) any statutory or judicial deadline; and

''(ii) whether the legal basis restricts or precludes the agency from conducting an analysis of the costs or benefits of the rule during the rule making, and if not, whether the agency plans to conduct an analysis of the costs or benefits of the rule during the rule making.

''(C) Whether the agency plans to claim an exemption from the requirements of section 553 pursuant to section 553(b)(B).

''(D) The stage of the rule making as of the date of submission.

''(E) Whether the rule is subject to review under section 610.

''(2) For any rule for which the agency expects to finalize during the following year and has issued a general notice of proposed rule making—

''(A) an approximate schedule for completing action on the rule;

''(B) an estimate of whether the rule will cost—

''(i) less than $50,000,000;

''(ii) $50,000,000 or more but less than $100,000,000;

''(iii) $100,000,000 or more but less than $500,000,000;

''(iv) $500,000,000 or more but less than $1,000,000,000;

''(v) $1,000,000,000 or more but less than $5,000,000,000;

''(vi) $5,000,000,000 or more but less than $10,000,000,000; or

''(vii) $10,000,000,000 or more; and

''(C) any estimate of the economic effects of the rule, including any estimate of the net effect that the rule will have on the number of jobs in the United States, that was considered in drafting the rule. If such estimate is not available, a statement affirming that no information on the economic effects, including the effect on the number of jobs, of the rule has been considered.

''§ 652. Office of Information and Regulatory Affairs Publications

''(a) AGENCY-SPECIFIC INFORMATION PUBLISHED MONTHLY.—Not later than 30 days after the submission of information pursuant to section 651, the Administrator shall make such information publicly available on the Internet.

''(b) CUMULATIVE ASSESSMENT OF AGENCY RULE MAKING PUBLISHED ANNUALLY.—

''(1) PUBLICATION IN THE FEDERAL REGISTER.—Not later than October 1 of each year, the Administrator shall publish in the Federal Register, for the previous year the following:

''(A) The information that the Administrator received from the head of each agency under section 651.

''(B) The number of rules and a list of each such rule—

''(i) that was proposed by each agency, including, for each such rule, an indication of whether the issuing agency conducted an analysis of the costs or benefits of the rule; and

''(ii) that was finalized by each agency, including for each such rule an indication of whether—

''(I) the issuing agency conducted an analysis of the costs or benefits of the rule;

''(II) the agency claimed an exemption from the procedures under section 553 pursuant to section 553(b)(B); and

''(III) the rule was issued pursuant to a statutory mandate or the rule making is committed to agency discretion by law.

''(C) The number of agency actions and a list of each such action taken by each agency that—

''(i) repealed a rule;

''(ii) reduced the scope of a rule;

''(iii) reduced the cost of a rule; or

''(iv) accelerated the expiration date of a rule.

''(D) The total cost (without reducing the cost by any offsetting benefits) of all rules proposed or finalized, and the number of rules for which an estimate of the cost of the rule was not available.

''(2) PUBLICATION ON THE INTERNET.—Not later than October 1 of each year, the Administrator shall make publicly available on the Internet the following:

''(A) The analysis of the costs or benefits, if conducted, for each proposed rule or final rule issued by an agency for the previous year.

''(B) The docket number and regulation identifier number for each proposed or final rule issued by an agency for the previous year.

''(C) The number of rules and a list of each such rule reviewed by the Director of the Office of Management and Budget for the previous year, and the authority under which each such review was conducted.

''(D) The number of rules and a list of each such rule for which the head of an agency completed a review under section 610 for the previous year.

''(E) The number of rules and a list of each such rule submitted to the Comptroller General under section 801.

''(F) The number of rules and a list of each such rule for which a resolution of disapproval was introduced in either the House of Representatives or the Senate under section 802.

''§ 653. Requirement for rules to appear in agency-specific monthly publication

''(a) IN GENERAL.—Subject to subsection (b), a rule may not take effect until the information required to be made publicly available on the Internet regarding such rule pursuant to section 652(a) has been so available for not less than 6 months.

''(b) EXCEPTIONS.—The requirement of subsection (a) shall not apply in the case of a rule—

''(1) for which the agency issuing the rule claims an exception under section 553(b)(B); or

''(2) which the President determines by Executive order should take effect because the rule is—

''(A) necessary because of an imminent threat to health or safety or other emergency;

''(B) necessary for the enforcement of criminal laws;

''(C) necessary for national security; or

''(D) issued pursuant to any statute implementing an international trade agreement.

''§ 654. Definitions

''In this chapter, the terms 'agency', 'agency action', 'rule', and 'rule making' have the meanings given those terms in section 551.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part I of title 5, United States Code, is amended by inserting after the item relating to chapter 5, the following:

''6. The Analysis of Regulatory Functions 601
''6A. Office of Information and Regulatory Affairs Publication of Information Relating to Rules ..... 651''.

(c) EFFECTIVE DATES.—

(1) AGENCY MONTHLY SUBMISSION TO THE OFFICE OF INFORMATION AND REGULATORY AFFAIRS.—The first submission required pursuant to section 651 of title 5, United States Code, as added by subsection (a), shall be submitted not later than 30 days after the date of the enactment of this title, and monthly thereafter.

(2) CUMULATIVE ASSESSMENT OF AGENCY RULE MAKING.—

(A) IN GENERAL.—Subsection (b) of section 652 of title 5, United States Code, as added by subsection (a), shall take effect on the date that is 60 days after the date of the enactment of this title.

(B) DEADLINE.—The first requirement to publish or make available, as the case may be, under subsection (b) of section 652 of title 5, United States Code, as added by subsection (a), shall be the first October 1 after the effective date of such subsection.

(C) FIRST PUBLICATION.—The requirement under section 652(b)(2)(A) of title 5, United States Code, as added by subsection (a), shall include for the first publication, any analysis of the costs or benefits conducted for a proposed or final rule, for the 10 years before the date of the enactment of this title.

(3) REQUIREMENT FOR RULES TO APPEAR IN AGENCY-SPECIFIC MONTHLY PUBLICATION.—Section 653 of title 5, United States Code, as added by subsection (a), shall take effect on the date that is 8 months after the date of the enactment of this title.

TITLE II—REGULATORY ACCOUNTABILITY ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Regulatory Accountability Act of 2014''.

SEC. 202. DEFINITIONS.

Section 551 of title 5, United States Code, is amended—

(1) in paragraph (13), by striking ''and'' at the end;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(15) 'major rule' means any rule that the Administrator of the Office of Information and Regulatory Affairs determines is likely to impose—

''(A) an annual cost on the economy of $100,000,000 or more, adjusted annually for inflation;

''(B) a major increase in costs or prices for consumers, individual industries, Federal, State, local, or tribal government agencies, or geographic regions;

''(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

''(D) significant impacts on multiple sectors of the economy;

''(16) 'high-impact rule' means any rule that the Administrator of the Office of Information and Regulatory Affairs determines is likely to impose an annual cost on the economy of $1,000,000,000 or more, adjusted annually for inflation;

''(17) 'negative-impact on jobs and wages rule' means any rule that the agency that made the rule or the Administrator of the Office of Information and Regulatory Affairs determines is likely to—

''(A) in one or more sectors of the economy that has a 6-digit code under the North American Industry Classification System, reduce employment not related to new regulatory compliance by 1 percent or more annually during the 1-year, 5-year, or 10-year period after implementation;

''(B) in one or more sectors of the economy that has a 6-digit code under the North American Industry Classification System, reduce average weekly wages for employment not related to new regulatory compliance by 1 percent or more annually during the 1-year, 5-year, or 10-year period after implementation;

''(C) in any industry area (as such term is defined in the Current Population Survey conducted by the Bureau of Labor Statistics) in which the most recent annual unemployment rate for the industry area is greater than 5 percent, as determined by the Bureau of Labor Statistics in the Current Population Survey, reduce employment not related to new regulatory compliance during the first year after implementation; or

''(D) in any industry area in which the Bureau of Labor Statistics projects in the Occupational Employment Statistics program that the employment level will decrease by 1 percent or more, further reduce employment not related to new regulatory compliance during the first year after implementation;

''(18) 'guidance' means an agency statement of general applicability and future effect, other than a regulatory action, that sets forth a policy on a statutory, regulatory or technical issue or an interpretation of a statutory or regulatory issue;

''(19) 'major guidance' means guidance that the Administrator of the Office of Information and Regulatory Affairs finds is likely to lead to—

''(A) an annual cost on the economy of $100,000,000 or more, adjusted annually for inflation;

''(B) a major increase in costs or prices for consumers, individual industries, Federal, State, local or tribal government agencies, or geographic regions;

''(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

''(D) significant impacts on multiple sectors of the economy;

''(20) the 'Information Quality Act' means section 515 of Public Law 106–554, the Treasury and General Government Appropriations Act for Fiscal Year 2001, and guidelines issued by the Administrator of the Office of Information and Regulatory Affairs or other agencies pursuant to the Act; and

''(21) the 'Office of Information and Regulatory Affairs' means the office established under section 3503 of chapter 35 of title 44 and any successor to that office.''.

SEC. 203. RULE MAKING.

(a) Section 553(a) of title 5, United States Code, is amended by striking ''(a) This section applies'' and inserting ''(a) APPLICABILITY.—This section applies''.

(b) Section 553 of title 5, United States Code, is amended by striking subsections (b) through (e) and inserting the following:

''(b) RULE MAKING CONSIDERATIONS.—In a rule making, an agency shall make all preliminary and final factual determinations based on evidence and consider, in addition to other applicable considerations, the following:

''(1) The legal authority under which a rule may be proposed, including whether a rule making is required by statute, and if so, whether by a specific date, or whether the agency has discretion to commence a rule making.

''(2) Other statutory considerations applicable to whether the agency can or should propose a rule or undertake other agency action.

''(3) The specific nature and significance of the problem the agency may address with a rule (including the degree and nature of risks the problem poses and the priority of addressing those risks compared to other matters or activities within the agency's jurisdiction), whether the problem warrants new agency action, and the countervailing risks that may be posed by alternatives for new agency action.

''(4) Whether existing rules have created or contributed to the problem the agency may address with a rule and whether those rules could be amended or rescinded to address the problem in whole or part.

''(5) Any reasonable alternatives for a new rule or other response identified by the agency or interested persons, including not only responses that mandate particular conduct or manners of compliance, but also—

''(A) the alternative of no Federal response;

''(B) amending or rescinding existing rules;

''(C) potential regional, State, local, or tribal regulatory action or other responses that could be taken in lieu of agency action; and

''(D) potential responses that—

''(i) specify performance objectives rather than conduct or manners of compliance;

''(ii) establish economic incentives to encourage desired behavior;

''(iii) provide information upon which choices can be made by the public; or

''(iv) incorporate other innovative alternatives rather than agency actions that specify conduct or manners of compliance.

''(6) Notwithstanding any other provision of law—

''(A) the potential costs and benefits associated with potential alternative rules and other responses considered under section 553(b)(5), including direct, indirect, and cumulative costs and benefits and estimated impacts on jobs (including an estimate of the net gain or loss in domestic jobs), wages, economic growth, innovation, and economic competitiveness;

''(B) means to increase the cost-effectiveness of any Federal response; and

''(C) incentives for innovation, consistency, predictability, lower costs of enforcement and compliance (to government entities, regulated entities, and the public), and flexibility.

''(c) ADVANCE NOTICE OF PROPOSED RULE MAKING FOR MAJOR RULES, HIGH-IMPACT RULES, NEGATIVE-IMPACT ON JOBS AND WAGES RULES, AND RULES INVOLVING NOVEL LEGAL OR POLICY ISSUES.—In the case of a rule making for a major rule, a high-impact rule, a negative-impact on jobs and wages rule, or a rule that involves a novel legal or policy issue arising out of statutory mandates, not later than 90 days before a notice of proposed rule making is published in the Federal Register, an agency shall publish advance notice of proposed rule making in the Federal Register. In publishing such advance notice, the agency shall—

''(1) include a written statement identifying, at a minimum—

''(A) the nature and significance of the problem the agency may address with a rule, including data and other evidence and information on which the agency expects to rely for the proposed rule;

''(B) the legal authority under which a rule may be proposed, including whether a rule making is required by statute, and if so, whether by a specific date, or whether the agency has discretion to commence a rule making;

''(C) preliminary information available to the agency concerning the other considerations specified in subsection (b);

''(D) in the case of a rule that involves a novel legal or policy issue arising out of statutory mandates, the nature of and potential reasons to adopt the novel legal or policy position upon which the agency may base a proposed rule; and

''(E) an achievable objective for the rule and metrics by which the agency will measure progress toward that objective;

''(2) solicit written data, views or argument from interested persons concerning the information and issues addressed in the advance notice; and

''(3) provide for a period of not fewer than 60 days for interested persons to submit such written data, views, or argument to the agency.

''(d) NOTICES OF PROPOSED RULE MAKING; DETERMINATIONS OF OTHER AGENCY COURSE.—(1) Before it determines to propose a rule, and following completion of procedures under subsection (c), if applicable, the agency shall consult with the Administrator of the Office of Information and Regulatory Affairs. If the agency thereafter determines to propose a rule, the agency shall publish a notice of proposed rule making, which shall include—

''(A) a statement of the time, place, and nature of public rule making proceedings;

''(B) reference to the legal authority under which the rule is proposed;

''(C) the terms of the proposed rule;

''(D) a description of information known to the agency on the subject and issues of the proposed rule, including but not limited to—

''(i) a summary of information known to the agency concerning the considerations specified in subsection (b);

''(ii) a summary of additional information the agency provided to and obtained from interested persons under subsection (c);

''(iii) a summary of any preliminary risk assessment or regulatory impact analysis performed by the agency; and

''(iv) information specifically identifying all data, studies, models, and other evidence or information considered or used by the agency in connection with its determination to propose the rule;

''(E)(i) a reasoned preliminary determination of need for the rule based on the information described under subparagraph (D);

''(ii) an additional statement of whether a rule is required by statute; and

''(iii) an achievable objective for the rule and metrics by which the agency will measure progress toward that objective;

''(F) a reasoned preliminary determination that the benefits of the proposed rule meet the relevant statutory objectives and justify the costs of the proposed rule (including all costs to be considered under subsection (b)(6)), based on the information described under subparagraph (D);

''(G) a discussion of—

''(i) the alternatives to the proposed rule, and other alternative responses, considered by the agency under subsection (b);

''(ii) the costs and benefits of those alternatives (including all costs to be considered under subsection (b)(6));

''(iii) whether those alternatives meet relevant statutory objectives; and

''(iv) why the agency did not propose any of those alternatives; and

''(H)(i) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule; and

''(ii) if so, whether or not the agency proposes to amend or rescind any such rules, and why.

All information provided to or considered by the agency, and steps to obtain information by the agency, in connection with its determination to propose the rule, including any preliminary risk assessment or regulatory impact analysis prepared by the agency and all other information prepared or described by the agency under subparagraph (D) and, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, information provided by that Office in consultations with the agency, shall be placed in the docket for the proposed rule and made accessible to the public by electronic means and otherwise for the public's use when the notice of proposed rule making is published.

''(2)(A) If the agency undertakes procedures under subsection (c) and determines thereafter not to propose a rule, the agency shall, following consultation with the Office of Information and Regulatory Affairs, publish a notice of determination of other agency course. A notice of determination of other agency course shall include information required by paragraph (1)(D) to be included in a notice of proposed rule making and a description of the alternative response the agency determined to adopt.

''(B) If in its determination of other agency course the agency makes a determination to amend or rescind an existing rule, the agency need not undertake additional proceedings under subsection (c) before it publishes a notice of proposed rule making to amend or rescind the existing rule.

All information provided to or considered by the agency, and steps to obtain information by the agency, in connection with its determination of other agency course, including but not limited to any preliminary risk assessment or regulatory impact analysis prepared by the agency and all other information that would be required to be prepared or described by the agency under paragraph (1)(D) if the agency had determined to publish a notice of proposed rule making and, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, information provided by that Office in consultations with the agency, shall be placed in the docket for the determination and made accessible to the public by electronic means and otherwise for the public's use when the notice of determination is published.

''(3) After notice of proposed rule making required by this section, the agency shall

provide interested persons an opportunity to participate in the rule making through submission of written data, views, or arguments with or without opportunity for oral presentation, except that—

''(A) if a hearing is required under paragraph (4)(B) or subsection (e), opportunity for oral presentation shall be provided pursuant to that requirement; or

''(B) when other than under subsection (e) of this section rules are required by statute or at the discretion of the agency to be made on the record after opportunity for an agency hearing, sections 556 and 557 shall apply, and paragraph (4), the requirements of subsection (e) to receive comment outside of the procedures of sections 556 and 557, and the petition procedures of subsection (e)(6) shall not apply.

The agency shall provide not fewer than 60 days for interested persons to submit written data, views, or argument (or 120 days in the case of a proposed major or high-impact rule).

''(4)(A) Within 30 days of publication of notice of proposed rule making, a member of the public may petition for a hearing in accordance with section 556 to determine whether any evidence or other information upon which the agency bases the proposed rule fails to comply with the Information Quality Act.

''(B)(i) The agency may, upon review of the petition, determine without further process to exclude from the rule making the evidence or other information that is the subject of the petition and, if appropriate, withdraw the proposed rule. The agency shall promptly publish any such determination.

''(ii) If the agency does not resolve the petition under the procedures of clause (i), it shall grant any such petition that presents a prima facie case that evidence or other information upon which the agency bases the proposed rule fails to comply with the Information Quality Act, hold the requested hearing not later than 30 days after receipt of the petition, provide a reasonable opportunity for cross-examination at the hearing, and decide the issues presented by the petition not later than 60 days after receipt of the petition. The agency may deny any petition that it determines does not present such a prima facie case.

''(C) There shall be no judicial review of the agency's disposition of issues considered and decided or determined under subparagraph (B)(ii) until judicial review of the agency's final action. There shall be no judicial review of an agency's determination to withdraw a proposed rule under subparagraph (B)(i) on the basis of the petition.

''(D) Failure to petition for a hearing under this paragraph shall not preclude judicial review of any claim based on the Information Quality Act under chapter 7 of this title.

''(e) HEARINGS FOR HIGH-IMPACT RULES.—Following notice of a proposed rule making, receipt of comments on the proposed rule, and any hearing held under subsection (d)(4), and before adoption of any high-impact rule, the agency shall hold a hearing in accordance with sections 556 and 557, unless such hearing is waived by all participants in the rule making other than the agency. The agency shall provide a reasonable opportunity for cross-examination at such hearing. The hearing shall be limited to the following issues of fact, except that participants at the hearing other than the agency may waive determination of any such issue:

''(1) Whether the agency's asserted factual predicate for the rule is supported by the evidence.

''(2) Whether there is an alternative to the proposed rule that would achieve the relevant statutory objectives at a lower cost (including all costs to be considered under subsection (b)(6)) than the proposed rule.

''(3) If there is more than one alternative to the proposed rule that would achieve the relevant statutory objectives at a lower cost than the proposed rule, which alternative would achieve the relevant statutory objectives at the lowest cost.

''(4) Whether, if the agency proposes to adopt a rule that is more costly than the least costly alternative that would achieve the relevant statutory objectives (including all costs to be considered under subsection (b)(6)), the additional benefits of the more costly rule exceed the additional costs of the more costly rule.

''(5) Whether the evidence and other information upon which the agency bases the proposed rule meets the requirements of the Information Quality Act.

''(6) Upon petition by an interested person who has participated in the rule making, other issues relevant to the rule making, unless the agency determines that consideration of the issues at the hearing would not advance consideration of the rule or would, in light of the nature of the need for agency action, unreasonably delay completion of the rule making. An agency shall grant or deny a petition under this paragraph within 30 days of its receipt of the petition.

No later than 45 days before any hearing held under this subsection or sections 556 and 557, the agency shall publish in the Federal Register a notice specifying the proposed rule to be considered at such hearing, the issues to be considered at the hearing, and the time and place for such hearing, except that such notice may be issued not later than 15 days before a hearing held under subsection (d)(4)(B).

''(f) FINAL RULES.—(1) The agency shall adopt a rule only following consultation with the Administrator of the Office of Information and Regulatory Affairs to facilitate compliance with applicable rule making requirements.

''(2) The agency shall adopt a rule only on the basis of the best reasonably obtainable scientific, technical, economic, and other evidence and information concerning the need for, consequences of, and alternatives to the rule.

''(3)(A) Except as provided in subparagraph (B), the agency shall adopt the least costly rule considered during the rule making (including all costs to be considered under subsection (b)(6)) that meets relevant statutory objectives.

''(B) The agency may adopt a rule that is more costly than the least costly alternative that would achieve the relevant statutory objectives only if the additional benefits of the more costly rule justify its additional costs and only if the agency explains its reason for doing so based on interests of public health, safety or welfare that are clearly within the scope of the statutory provision authorizing the rule.

''(4) When it adopts a final rule, the agency shall publish a notice of final rule making. The notice shall include—

''(A) a concise, general statement of the rule's basis and purpose;

''(B) the agency's reasoned final determination of need for a rule to address the problem the agency seeks to address with the rule, including a statement of whether a rule is required by statute and a summary of any final risk assessment or regulatory impact analysis prepared by the agency;

''(C) the agency's reasoned final determination that the benefits of the rule meet the relevant statutory objectives and justify the rule's costs (including all costs to be considered under subsection (b)(6));

''(D) the agency's reasoned final determination not to adopt any of the alternatives to the proposed rule considered by the agency during the rule making, including—

''(i) the agency's reasoned final determination that no alternative considered achieved the relevant statutory objectives with lower costs (including all costs to be considered under subsection (b)(6)) than the rule; or

''(ii) the agency's reasoned determination that its adoption of a more costly rule complies with subsection (f)(3)(B);

''(E) the agency's reasoned final determination—

''(i) that existing rules have not created or contributed to the problem the agency seeks to address with the rule; or

''(ii) that existing rules have created or contributed to the problem the agency seeks to address with the rule, and, if so—

''(I) why amendment or rescission of such existing rules is not alone sufficient to respond to the problem; and

''(II) whether and how the agency intends to amend or rescind the existing rule separate from adoption of the rule;

''(F) the agency's reasoned final determination that the evidence and other information upon which the agency bases the rule complies with the Information Quality Act;

''(G) the agency's reasoned final determination that the rule meets the objectives that the agency identified in subsection (d)(1)(E)(iii) or that other objectives are more appropriate in light of the full administrative record and the rule meets those objectives;

''(H) the agency's reasoned final determination that it did not deviate from the metrics the agency included in subsection (d)(1)(E)(iii) or that other metrics are more appropriate in light of the full administrative record and the agency did not deviate from those metrics;

''(I)(i) for any major rule, high-impact rule, or negative-impact on jobs and wages rule, the agency's plan for review of the rule no less than every ten years to determine whether, based upon evidence, there remains a need for the rule, whether the rule is in fact achieving statutory objectives, whether the rule's benefits continue to justify its costs, and whether the rule can be modified or rescinded to reduce costs while continuing to achieve statutory objectives; and

''(ii) review of a rule under a plan required by clause (i) of this subparagraph shall take into account the factors and criteria set forth in subsections (b) through (f) of section 553 of this title; and

''(J) for any negative-impact on jobs and wages rule, a statement that the head of the agency that made the rule approved the rule knowing about the findings and determination of the agency or the Administrator of the Office of Information and Regulatory Affairs that qualified the rule as a negative impact on jobs and wages rule.

All information considered by the agency in connection with its adoption of the rule, and, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, information provided by that Office in consultations with the agency, shall be placed in the docket for the rule and made accessible to the public for the public's use no later than when the rule is adopted.

''(g) EXCEPTIONS FROM NOTICE AND HEARING REQUIREMENTS.—(1) Except when notice or hearing is required by statute, the following do not apply to interpretive rules, general statements of policy, or rules of agency organization, procedure, or practice:

''(A) Subsections (c) through (e).

''(B) Paragraphs (1) through (3) of subsection (f).

''(C) Subparagraphs (B) through (H) of subsection (f)(4).

''(2)(A) When the agency for good cause, based upon evidence, finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that compliance with subsection (c), (d), or (e) or requirements to render final determinations under subsection (f) of this section before the issuance of an interim rule is impracticable or contrary to the public interest, including interests of national security, such subsections or requirements to render final determinations shall not apply to the agency's adoption of an interim rule.

''(B) If, following compliance with subparagraph (A) of this paragraph, the agency adopts an interim rule, it shall commence proceedings that comply fully with subsections (d) through (f) of this section immediately upon publication of the interim rule, shall treat the publication of the interim rule as publication of a notice of proposed rule making and shall not be required to issue supplemental notice other than to complete full compliance with subsection (d). No less than 270 days from publication of the interim rule (or 18 months in the case of a major rule or high-impact rule), the agency shall complete rule making under subsections (d) through (f) of this subsection and take final action to adopt a final rule or rescind the interim rule. If the agency fails to take timely final action, the interim rule will cease to have the effect of law.

''(C) Other than in cases involving interests of national security, upon the agency's publication of an interim rule without compliance with subsection (c), (d), or (e) or requirements to render final determinations under subsection (f) of this section, an interested party may seek immediate judicial review under chapter 7 of this title of the agency's determination to adopt such interim rule. The record on such review shall include all documents and information considered by the agency and any additional information presented by a party that the court determines necessary to consider to assure justice.

''(3) When the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are unnecessary, including because agency rule making is undertaken only to correct a de minimis technical or clerical error in a previously issued rule or for other noncontroversial purposes, the agency may publish a rule without compliance with subsection (c), (d), (e), or (f)(1)–(3) and (f)(4)(B)–(F). If the agency receives significant adverse comment within 60 days after publication of the rule, it shall treat the notice of the rule as a notice of proposed rule making and complete rule making in compliance with subsections (d) and (f).

''(h) ADDITIONAL REQUIREMENTS FOR HEARINGS.—When a hearing is required under subsection (e) or is otherwise required by statute or at the agency's discretion before adoption of a rule, the agency shall comply with the requirements of sections 556 and 557 in addition to the requirements of subsection (f) in adopting the rule and in providing notice of the rule's adoption.

''(i) DATE OF PUBLICATION OF RULE.—The required publication or service of a substantive final or interim rule shall be made not less than 30 days before the effective date of the rule, except—

''(1) a substantive rule which grants or recognizes an exemption or relieves a restriction;

''(2) interpretive rules and statements of policy; or

''(3) as otherwise provided by the agency for good cause found and published with the rule.

''(j) RIGHT TO PETITION.—Each agency shall give an interested person the right to petition for the issuance, amendment, or repeal of a rule.

''(k) RULE MAKING GUIDELINES.—(1)(A) The Administrator of the Office of Information and Regulatory Affairs shall establish guidelines for the assessment, including quantitative and qualitative assessment, of the costs and benefits of proposed and final rules and other economic issues or issues related to risk that are relevant to rule making under this title. The rigor of cost-benefit analysis required by such guidelines shall be commensurate, in the Administrator's determination, with the economic impact of the rule.

''(B) To ensure that agencies use the best available techniques to quantify and evaluate anticipated present and future benefits, costs, other economic issues, and risks as accurately as possible, the Administrator of the Office of Information and Regulatory Affairs shall regularly update guidelines established under paragraph (1)(A) of this subsection.

''(2) The Administrator of the Office of Information and Regulatory Affairs shall also issue guidelines to promote coordination, simplification and harmonization of agency rules during the rule making process and otherwise. Such guidelines shall assure that each agency avoids regulations that are inconsistent or incompatible with, or duplicative of, its other regulations and those of other Federal agencies and drafts its regulations to be simple and easy to understand, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.

''(3) To ensure consistency in Federal rule making, the Administrator of the Office of Information and Regulatory Affairs shall—

''(A) issue guidelines and otherwise take action to ensure that rule makings conducted in whole or in part under procedures specified in provisions of law other than those of subchapter II of this title conform to the fullest extent allowed by law with the procedures set forth in section 553 of this title; and

''(B) issue guidelines for the conduct of hearings under subsections 553(d)(4) and 553(e) of this section, including to assure a reasonable opportunity for cross-examination. Each agency shall adopt regulations for the conduct of hearings consistent with the guidelines issued under this subparagraph.

''(4) The Administrator of the Office of Information and Regulatory Affairs shall issue guidelines pursuant to the Information Quality Act to apply in rule making proceedings under sections 553, 556, and 557 of this title. In all cases, such guidelines, and the Administrator's specific determinations regarding agency compliance with such guidelines, shall be entitled to judicial deference.

''(l) INCLUSION IN THE RECORD OF CERTAIN DOCUMENTS AND INFORMATION.—The agency shall include in the record for a rule making, and shall make available by electronic means and otherwise, all documents and information prepared or considered by the agency during the proceeding, including, at the discretion of the President or the Administrator of the Office of Information and Regulatory Affairs, documents and information communicated by that Office during consultation with the Agency.

''(m) MONETARY POLICY EXEMPTION.—Nothing in subsection (b)(6), subparagraphs (F) and (G) of subsection (d)(1), subsection (e), subsection (f)(3), and subparagraphs (C) and (D) of subsection (f)(5) shall apply to rule makings that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.''.

SEC. 204. AGENCY GUIDANCE; PROCEDURES TO ISSUE MAJOR GUIDANCE; PRESIDENTIAL AUTHORITY TO ISSUE GUIDELINES FOR ISSUANCE OF GUIDANCE.

(a) IN GENERAL.—Chapter 5 of title 5, United States Code, is amended by inserting after section 553 the following new section:

''§ 553a. Agency guidance; procedures to issue major guidance; authority to issue guidelines for issuance of guidance

''(a) Before issuing any major guidance, or guidance that involves a novel legal or policy issue arising out of statutory mandates, an agency shall—

''(1) make and document a reasoned determination that—

''(A) assures that such guidance is understandable and complies with relevant statutory objectives and regulatory provisions (including any statutory deadlines for agency action);

''(B) summarizes the evidence and data on which the agency will base the guidance;

''(C) identifies the costs and benefits (including all costs to be considered during a rule making under section 553(b) of this title) of conduct conforming to such guidance and assures that such benefits justify such costs; and

''(D) describes alternatives to such guidance and their costs and benefits (including all costs to be considered during a rule making under section 553(b) of this title) and explains why the agency rejected those alternatives; and

''(2) confer with the Administrator of the Office of Information and Regulatory Affairs on the issuance of such guidance to assure that the guidance is reasonable, understandable, consistent with relevant statutory and regulatory provisions and requirements or practices of other agencies, does not produce costs that are unjustified by the guidance's benefits, and is otherwise appropriate.

Upon issuing major guidance, or guidance that involves a novel legal or policy issue arising out of statutory mandates, the agency shall publish the documentation required by subparagraph (1) by electronic means and otherwise.

''(b) Agency guidance—

''(1) is not legally binding and may not be relied upon by an agency as legal grounds for agency action;

''(2) shall state in a plain, prominent and permanent manner that it is not legally binding; and

''(3) shall, at the time it is issued or upon request, be made available by the issuing agency to interested persons and the public by electronic means and otherwise.

Agencies shall avoid the issuance of guidance that is inconsistent or incompatible with, or duplicative of, the agency's governing statutes or regulations, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.

''(c) The Administrator of the Office of Information and Regulatory Affairs shall have authority to issue guidelines for use by the agencies in the issuance of major guidance and other guidance. Such guidelines shall assure that each agency avoids issuing guidance documents that are inconsistent or incompatible with, or duplicative of, the law, its other regulations, or the regulations of other Federal agencies and drafts its guidance documents to be simple and easy to understand, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by inserting after the item relating to section 553 the following new item:

''553a. Agency guidance; procedures to issue major guidance; authority to issue guidelines for issuance of guidance.''.

SEC. 205. HEARINGS; PRESIDING EMPLOYEES; POWERS AND DUTIES; BURDEN OF PROOF; EVIDENCE; RECORD AS BASIS OF DECISION.

Section 556 of title 5, United States Code, is amended by striking subsection (e) and inserting the following:

''(e)(1) The transcript of testimony and exhibits, together with all papers and requests filed in the proceeding, constitutes the exclusive record for decision in accordance with section 557 and shall be made available to the parties and the public by electronic means and, upon payment of lawfully prescribed costs, otherwise. When an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.

''(2) Notwithstanding paragraph (1) of this subsection, in a proceeding held under this section pursuant to section 553(d)(4) or 553(e), the record for decision shall also include any information that is part of the record of proceedings under section 553.

''(f) When an agency conducts rule making under this section and section 557 directly after concluding proceedings upon an advance notice of proposed rule making under section 553(c), the matters to be considered and determinations to be made shall include, among other relevant matters and determinations, the matters and determinations described in subsections (b) and (f) of section 553.

''(g) Upon receipt of a petition for a hearing under this section, the agency shall grant the petition in the case of any major rule, unless the agency reasonably determines that a hearing would not advance consideration of the rule or would, in light of the need for agency action, unreasonably delay completion of the rule making. The agency shall publish its decision to grant or deny the petition when it renders the decision, including an explanation of the grounds for decision. The information contained in the petition shall in all cases be included in the administrative record. This subsection shall not apply to rule makings that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.''.

SEC. 206. ACTIONS REVIEWABLE.

Section 704 of title 5, United States Code, is amended—

(1) by striking ''Agency action made'' and inserting ''(a) Agency action made''; and

(2) by adding at the end the following: ''Denial by an agency of a correction request or, where administrative appeal is provided for, denial of an appeal, under an administrative mechanism described in subsection (b)(2)(B) of the Information Quality Act, or the failure of an agency within 90 days to grant or deny such request or appeal, shall be final action for purposes of this section.

''(b) Other than in cases involving interests of national security, notwithstanding subsection (a) of this section, upon the agency's publication of an interim rule without compliance with section 553(c), (d), or (e) or requirements to render final determinations under subsection (f) of section 553, an interested party may seek immediate judicial review under this chapter of the agency's determination to adopt such rule on an interim basis. Review shall be limited to whether the agency abused its discretion to adopt the interim rule without compliance with section 553(c), (d), or (e) or without rendering final determinations under subsection (f) of section 553.''.

SEC. 207. SCOPE OF REVIEW.

Section 706 of title 5, United States Code is amended—

(1) by striking ''To the extent necessary'' and inserting ''(a) To the extent necessary'';

(2) in paragraph (2)(A) of subsection (a) (as designated by paragraph (1) of this section), by inserting after ''in accordance with law'' the following: ''(including the Information Quality Act)''; and

(3) by adding at the end the following:

''(b) The court shall not defer to the agency's—

''(1) interpretation of an agency rule if the agency did not comply with the procedures of section 553 or sections 556–557 of chapter 5 of this title to issue the interpretation;

''(2) determination of the costs and benefits or other economic or risk assessment of the action, if the agency failed to conform to guidelines on such determinations and assessments established by the Administrator of the Office of Information and Regulatory Affairs under section 553(k);

''(3) determinations made in the adoption of an interim rule; or

''(4) guidance.

''(c) The court shall review agency denials of petitions under section 553(e)(6) or any other petition for a hearing under sections 556 and 557 for abuse of agency discretion.''.

SEC. 208. ADDED DEFINITION.

Section 701(b) of title 5, United States Code, is amended—

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

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

(3) by adding at the end the following:

''(3) 'substantial evidence' means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion in light of the record considered as a whole, taking into account whatever in the record fairly detracts from the weight of the evidence relied upon by the agency to support its decision.''.

SEC. 209. EFFECTIVE DATE.

The amendments made by this title to—

(1) sections 553, 556, and 704 of title 5, United States Code;

(2) subsection (b) of section 701 of such title;

(3) paragraphs (2) and (3) of section 706(b) of such title; and

(4) subsection (c) of section 706 of such title,

shall not apply to any rule makings pending or completed on the date of enactment of this title.

TITLE III—REGULATORY FLEXIBILITY IMPROVEMENTS ACT

SEC. 301. SHORT TITLE.

This title may be cited as the ''Regulatory Flexibility Improvements Act of 2014''.

SEC. 302. CLARIFICATION AND EXPANSION OF RULES COVERED BY THE REGULATORY FLEXIBILITY ACT.

(a) IN GENERAL.—Paragraph (2) of section 601 of title 5, United States Code, is amended to read as follows:

''(2) RULE.—The term 'rule' has the meaning given such term in section 551(4) of this title, except that such term does not include a rule pertaining to the protection of the rights of and benefits for veterans or a rule of particular (and not general) applicability relating to rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services, or allowances therefor or to valuations, costs or accounting, or practices relating to such rates, wages, structures, prices, appliances, services, or allowances.''.

(b) INCLUSION OF RULES WITH INDIRECT EFFECTS.—Section 601 of title 5, United States Code, is amended by adding at the end the following new paragraph:

''(9) ECONOMIC IMPACT.—The term 'economic impact' means, with respect to a proposed or final rule—

''(A) any direct economic effect on small entities of such rule; and

''(B) any indirect economic effect (including compliance costs and effects on revenue) on small entities which is reasonably foreseeable and results from such rule (without regard to whether small entities will be directly regulated by the rule).''.

(c) INCLUSION OF RULES WITH BENEFICIAL EFFECTS.—

(1) INITIAL REGULATORY FLEXIBILITY ANALYSIS.—Subsection (c) of section 603 of title 5, United States Code, is amended by striking the first sentence and inserting ''Each initial regulatory flexibility analysis shall also contain a detailed description of alternatives to the proposed rule which minimize any adverse significant economic impact or maximize any beneficial significant economic impact on small entities.''.

(2) FINAL REGULATORY FLEXIBILITY ANALYSIS.—The first paragraph (6) of section 604(a) of title 5, United States Code, is amended by striking ''minimize the significant economic impact'' and inserting ''minimize the adverse significant economic impact or maximize the beneficial significant economic impact''.

(d) INCLUSION OF RULES AFFECTING TRIBAL ORGANIZATIONS.—Paragraph (5) of section 601 of title 5, United States Code, is amended by inserting ''and tribal organizations (as defined in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l))),'' after ''special districts,''.

(e) INCLUSION OF LAND MANAGEMENT PLANS AND FORMAL RULEMAKING.—

(1) INITIAL REGULATORY FLEXIBILITY ANALYSIS.—Subsection (a) of section 603 of title 5, United States Code, is amended in the first sentence—

(A) by striking ''or'' after ''proposed rule,''; and

(B) by inserting ''or publishes a revision or amendment to a land management plan,'' after ''United States,''.

(2) FINAL REGULATORY FLEXIBILITY ANALYSIS.—Subsection (a) of section 604 of title 5, United States Code, is amended in the first sentence—

(A) by striking ''or'' after ''proposed rulemaking,''; and

(B) by inserting ''or adopts a revision or amendment to a land management plan,'' after ''section 603(a),''.

(3) LAND MANAGEMENT PLAN DEFINED.—Section 601 of title 5, United States Code, is amended by adding at the end the following new paragraph:

''(10) LAND MANAGEMENT PLAN.—

''(A) IN GENERAL.—The term 'land management plan' means—

''(i) any plan developed by the Secretary of Agriculture under section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604); and

''(ii) any plan developed by the Secretary of the Interior under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

''(B) REVISION.—The term 'revision' means any change to a land management plan which—

''(i) in the case of a plan described in subparagraph (A)(i), is made under section 6(f)(5) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)); or

''(ii) in the case of a plan described in subparagraph (A)(ii), is made under section 1610.5–6 of title 43, Code of Federal Regulations (or any successor regulation).

''(C) AMENDMENT.—The term 'amendment' means any change to a land management plan which—

''(i) in the case of a plan described in subparagraph (A)(i), is made under section 6(f)(4) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(4)) and with respect to which the Secretary of Agriculture prepares a statement described in section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)); or

''(ii) in the case of a plan described in subparagraph (A)(ii), is made under section 1610.5–5 of title 43, Code of Federal Regulations (or any successor regulation) and with respect to which the Secretary of the Interior prepares a statement described in section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).''.

(f) INCLUSION OF CERTAIN INTERPRETIVE RULES INVOLVING THE INTERNAL REVENUE LAWS.—

(1) IN GENERAL.—Subsection (a) of section 603 of title 5, United States Code, is amended by striking the period at the end and inserting ''or a recordkeeping requirement, and without regard to whether such requirement is imposed by statute or regulation.''.

(2) COLLECTION OF INFORMATION.—Paragraph (7) of section 601 of title 5, United States Code, is amended to read as follows:

''(7) COLLECTION OF INFORMATION.—The term 'collection of information' has the meaning given such term in section 3502(3) of title 44.''.

(3) RECORDKEEPING REQUIREMENT.—Paragraph (8) of section 601 of title 5, United States Code, is amended to read as follows:

''(8) RECORDKEEPING REQUIREMENT.—The term 'recordkeeping requirement' has the meaning given such term in section 3502(13) of title 44.''.

(g) DEFINITION OF SMALL ORGANIZATION.—Paragraph (4) of section 601 of title 5, United States Code, is amended to read as follows:

''(4) SMALL ORGANIZATION.—

''(A) IN GENERAL.—The term 'small organization' means any not-for-profit enterprise which, as of the issuance of the notice of proposed rulemaking—

''(i) in the case of an enterprise which is described by a classification code of the North American Industrial Classification System, does not exceed the size standard established by the Administrator of the Small Business Administration pursuant to section 3 of the Small Business Act (15 U.S.C. 632) for small business concerns described by such classification code; and

''(ii) in the case of any other enterprise, has a net worth that does not exceed $7,000,000 and has not more than 500 employees.

''(B) LOCAL LABOR ORGANIZATIONS.—In the case of any local labor organization, subparagraph (A) shall be applied without regard to any national or international organization of which such local labor organization is a part.

''(C) AGENCY DEFINITIONS.—Subparagraphs (A) and (B) shall not apply to the extent that an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions for such term which are appropriate to the activities of the agency and publishes such definitions in the Federal Register.''.

SEC. 303. EXPANSION OF REPORT OF REGULATORY AGENDA.

Section 602 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking '', and'' at the end and inserting '';'';

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

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

''(3) a brief description of the sector of the North American Industrial Classification System that is primarily affected by any rule which the agency expects to propose or promulgate which is likely to have a significant economic impact on a substantial number of small entities; and''; and

(2) in subsection (c), to read as follows:

''(c) Each agency shall prominently display a plain language summary of the information contained in the regulatory flexibility agenda published under subsection (a) on its website within 3 days of its publication in the Federal Register. The Office of Advocacy of the Small Business Administration shall compile and prominently display a plain language summary of the regulatory agendas referenced in subsection (a) for each agency on its website within 3 days of their publication in the Federal Register.''.

SEC. 304. REQUIREMENTS PROVIDING FOR MORE DETAILED ANALYSES.

(a) INITIAL REGULATORY FLEXIBILITY ANALYSIS.—Subsection (b) of section 603 of title 5, United States Code, is amended to read as follows:

''(b) Each initial regulatory flexibility analysis required under this section shall contain a detailed statement—

''(1) describing the reasons why action by the agency is being considered;

''(2) describing the objectives of, and legal basis for, the proposed rule;

''(3) estimating the number and type of small entities to which the proposed rule will apply;

''(4) describing the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report and record;

''(5) describing all relevant Federal rules which may duplicate, overlap, or conflict with the proposed rule, or the reasons why such a description could not be provided;

''(6) estimating the additional cumulative economic impact of the proposed rule on small entities beyond that already imposed on the class of small entities by the agency or why such an estimate is not available;

''(7) describing any disproportionate economic impact on small entities or a specific class of small entities; and

''(8) describing any impairment of the ability of small entities to have access to credit.''.

(b) FINAL REGULATORY FLEXIBILITY ANALYSIS.—

(1) IN GENERAL.—Section 604(a) of title 5, United States Code, is amended—

(A) in paragraph (4), by striking ''an explanation'' and inserting ''a detailed explanation'';

(B) in each of paragraphs (4), (5), and the first paragraph (6), by inserting ''detailed'' before ''description'';

(C) in the second paragraph (6), by striking the period and inserting ''; and'';

(D) by redesignating the second paragraph (6) as paragraph (7); and

(E) by adding at the end the following:

''(8) a detailed description of any disproportionate economic impact on small entities or a specific class of small entities.''.

(2) INCLUSION OF RESPONSE TO COMMENTS ON CERTIFICATION OF PROPOSED RULE.—Paragraph (2) of section 604(a) of title 5, United States Code, is amended by inserting ''(or certification of the proposed rule under section 605(b))'' after ''initial regulatory flexibility analysis''.

(3) PUBLICATION OF ANALYSIS ON WEBSITE.—Subsection (b) of section 604 of title 5, United States Code, is amended to read as follows:

''(b) The agency shall make copies of the final regulatory flexibility analysis available to the public, including placement of the entire analysis on the agency's website, and shall publish in the Federal Register the final regulatory flexibility analysis, or a summary thereof which includes the telephone number, mailing address, and link to the website where the complete analysis may be obtained.''.

(c) CROSS-REFERENCES TO OTHER ANALYSES.—Subsection (a) of section 605 of title 5, United States Code, is amended to read as follows:

''(a) A Federal agency shall be treated as satisfying any requirement regarding the content of an agenda or regulatory flexibility analysis under section 602, 603, or 604, if such agency provides in such agenda or analysis a cross-reference to the specific portion of another agenda or analysis which is required by any other law and which satisfies such requirement.''.

(d) CERTIFICATIONS.—Subsection (b) of section 605 of title 5, United States Code, is amended—

(1) by inserting ''detailed'' before ''statement'' the first place it appears; and

(2) by inserting ''and legal'' after ''factual''.

(e) QUANTIFICATION REQUIREMENTS.—Section 607 of title 5, United States Code, is amended to read as follows:

''§ 607. Quantification requirements

''In complying with sections 603 and 604, an agency shall provide—

''(1) a quantifiable or numerical description of the effects of the proposed or final rule and alternatives to the proposed or final rule; or

''(2) a more general descriptive statement and a detailed statement explaining why quantification is not practicable or reliable.''.

SEC. 305. REPEAL OF WAIVER AND DELAY AUTHORITY; ADDITIONAL POWERS OF THE CHIEF COUNSEL FOR ADVOCACY.

(a) IN GENERAL.—Section 608 is amended to read as follows:

''§ 608. Additional powers of Chief Counsel for Advocacy

''(a)(1) Not later than 270 days after the date of the enactment of this section, the Chief Counsel for Advocacy of the Small Business Administration shall, after opportunity for notice and comment under section 553, issue rules governing agency compliance with this chapter. The Chief Counsel may modify or amend such rules after notice and comment under section 553. This chapter (other than this subsection) shall not apply with respect to the issuance, modification, and amendment of rules under this paragraph.

''(2) An agency shall not issue rules which supplement the rules issued under subsection (a) unless such agency has first consulted with the Chief Counsel for Advocacy to ensure that such supplemental rules comply with this chapter and the rules issued under paragraph (1).

''(b) Notwithstanding any other law, the Chief Counsel for Advocacy of the Small Business Administration may intervene in any agency adjudication (unless such agency is authorized to impose a fine or penalty under such adjudication), and may inform the agency of the impact that any decision on the record may have on small entities. The Chief Counsel shall not initiate an appeal with respect to any adjudication in which the Chief Counsel intervenes under this subsection.

''(c) The Chief Counsel for Advocacy may file comments in response to any agency notice requesting comment, regardless of

whether the agency is required to file a general notice of proposed rulemaking under section 553.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 611(a)(1) of such title is amended by striking ''608(b),''.

(2) Section 611(a)(2) of such title is amended by striking ''608(b),''.

(3) Section 611(a)(3) of such title is amended—

(A) by striking subparagraph (B); and

(B) by striking ''(3)(A) A small entity'' and inserting the following:

''(3) A small entity''.

SEC. 306. PROCEDURES FOR GATHERING COMMENTS.

Section 609 of title 5, United States Code, is amended by striking subsection (b) and all that follows through the end of the section and inserting the following:

''(b)(1) Prior to publication of any proposed rule described in subsection (e), an agency making such rule shall notify the Chief Counsel for Advocacy of the Small Business Administration and provide the Chief Counsel with—

''(A) all materials prepared or utilized by the agency in making the proposed rule, including the draft of the proposed rule; and

''(B) information on the potential adverse and beneficial economic impacts of the proposed rule on small entities and the type of small entities that might be affected.

''(2) An agency shall not be required under paragraph (1) to provide the exact language of any draft if the rule—

''(A) relates to the internal revenue laws of the United States; or

''(B) is proposed by an independent regulatory agency (as defined in section 3502(5) of title 44).

''(c) Not later than 15 days after the receipt of such materials and information under subsection (b), the Chief Counsel for Advocacy of the Small Business Administration shall—

''(1) identify small entities or representatives of small entities or a combination of both for the purpose of obtaining advice, input, and recommendations from those persons about the potential economic impacts of the proposed rule and the compliance of the agency with section 603; and

''(2) convene a review panel consisting of an employee from the Office of Advocacy of the Small Business Administration, an employee from the agency making the rule, and in the case of an agency other than an independent regulatory agency (as defined in section 3502(5) of title 44), an employee from the Office of Information and Regulatory Affairs of the Office of Management and Budget to review the materials and information provided to the Chief Counsel under subsection (b).

''(d)(1) Not later than 60 days after the review panel described in subsection (c)(2) is convened, the Chief Counsel for Advocacy of the Small Business Administration shall, after consultation with the members of such panel, submit a report to the agency and, in the case of an agency other than an independent regulatory agency (as defined in section 3502(5) of title 44), the Office of Information and Regulatory Affairs of the Office of Management and Budget.

''(2) Such report shall include an assessment of the economic impact of the proposed rule on small entities, including an assessment of the proposed rule's impact on the cost that small entities pay for energy, an assessment of the proposed rule's impact on start-up costs for small entities, and a discussion of any alternatives that will minimize adverse significant economic impacts or maximize beneficial significant economic impacts on small entities.

''(3) Such report shall become part of the rulemaking record. In the publication of the proposed rule, the agency shall explain what actions, if any, the agency took in response to such report.

''(e) A proposed rule is described by this subsection if the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget, the head of the agency (or the delegatee of the head of the agency), or an independent regulatory agency determines that the proposed rule is likely to result in—

''(1) an annual effect on the economy of $100,000,000 or more;

''(2) a major increase in costs or prices for consumers, individual industries, Federal, State, or local governments, tribal organizations, or geographic regions;

''(3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

''(4) a significant economic impact on a substantial number of small entities.

''(f) Upon application by the agency, the Chief Counsel for Advocacy of the Small Business Administration may waive the requirements of subsections (b) through (e) if the Chief Counsel determines that compliance with the requirements of such subsections are impracticable, unnecessary, or contrary to the public interest.

''(g) A small entity or a representative of a small entity may submit a request that the agency provide a copy of the report prepared under subsection (d) and all materials and information provided to the Chief Counsel for Advocacy of the Small Business Administration under subsection (b). The agency receiving such request shall provide the report, materials and information to the requesting small entity or representative of a small entity not later than 10 business days after receiving such request, except that the agency shall not disclose any information that is prohibited from disclosure to the public pursuant to section 552(b) of this title.''.

SEC. 307. PERIODIC REVIEW OF RULES.

Section 610 of title 5, United States Code, is amended to read as follows:

''§ 610. Periodic review of rules

''(a) Not later than 180 days after the enactment of this section, each agency shall publish in the Federal Register and place on its website a plan for the periodic review of rules issued by the agency which the head of the agency determines have a significant economic impact on a substantial number of small entities. Such determination shall be made without regard to whether the agency performed an analysis under section 604. The purpose of the review shall be to determine whether such rules should be continued without change, or should be amended or rescinded, consistent with the stated objectives of applicable statutes, to minimize any adverse significant economic impacts or maximize any beneficial significant economic impacts on a substantial number of small entities. Such plan may be amended by the agency at any time by publishing the revision in the Federal Register and subsequently placing the amended plan on the agency's website.

''(b) The plan shall provide for the review of all such agency rules existing on the date of the enactment of this section within 10 years of the date of publication of the plan in the Federal Register and for review of rules adopted after the date of enactment of this section within 10 years after the publication of the final rule in the Federal Register. If the head of the agency determines that completion of the review of existing rules is not feasible by the established date, the head of the agency shall so certify in a statement published in the Federal Register and may extend the review for not longer than 2 years after publication of notice of extension in the Federal Register. Such certification and notice shall be sent to the Chief Counsel for Advocacy of the Small Business Administration and the Congress.

''(c) The plan shall include a section that details how an agency will conduct outreach to and meaningfully include small businesses (including small business concerns owned and controlled by women, small business concerns owned and controlled by veterans, and small business concerns owned and controlled by socially and economically disadvantaged individuals (as such terms are defined in the Small Business Act)) for the purposes of carrying out this section. The agency shall include in this section a plan for how the agency will contact small businesses and gather their input on existing agency rules.

''(d) Each agency shall annually submit a report regarding the results of its review pursuant to such plan to the Congress, the Chief Counsel for Advocacy of the Small Business Administration, and, in the case of agencies other than independent regulatory agencies (as defined in section 3502(5) of title 44) to the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget. Such report shall include the identification of any rule with respect to which the head of the agency made a determination described in paragraph (5) or (6) of subsection (e) and a detailed explanation of the reasons for such determination.

''(e) In reviewing a rule pursuant to subsections (a) through (d), the agency shall amend or rescind the rule to minimize any adverse significant economic impact on a substantial number of small entities or disproportionate economic impact on a specific class of small entities, or maximize any beneficial significant economic impact of the rule on a substantial number of small entities to the greatest extent possible, consistent with the stated objectives of applicable statutes. In amending or rescinding the rule, the agency shall consider the following factors:

''(1) The continued need for the rule.

''(2) The nature of complaints received by the agency from small entities concerning the rule.

''(3) Comments by the Regulatory Enforcement Ombudsman and the Chief Counsel for Advocacy of the Small Business Administration.

''(4) The complexity of the rule.

''(5) The extent to which the rule overlaps, duplicates, or conflicts with other Federal rules and, unless the head of the agency determines it to be infeasible, State, territorial, and local rules.

''(6) The contribution of the rule to the cumulative economic impact of all Federal rules on the class of small entities affected by the rule, unless the head of the agency determines that such calculations cannot be made and reports that determination in the annual report required under subsection (d).

''(7) The length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule.

''(f) Each year, each agency shall publish in the Federal Register and on its website a list of rules to be reviewed pursuant to such plan. The agency shall include in the publication a solicitation of public comments on any further inclusions or exclusions of rules from the list, and shall respond to such comments. Such publication shall include a brief description of the rule, the reason why the agency determined that it has a significant

economic impact on a substantial number of small entities (without regard to whether it had prepared a final regulatory flexibility analysis for the rule), and request comments from the public, the Chief Counsel for Advocacy of the Small Business Administration, and the Regulatory Enforcement Ombudsman concerning the enforcement of the rule.''.

SEC. 308. JUDICIAL REVIEW OF COMPLIANCE WITH THE REQUIREMENTS OF THE REGULATORY FLEXIBILITY ACT AVAILABLE AFTER PUBLICATION OF THE FINAL RULE.

(a) IN GENERAL.—Paragraph (1) of section 611(a) of title 5, United States Code, is amended by striking ''final agency action'' and inserting ''such rule''.

(b) JURISDICTION.—Paragraph (2) of such section is amended by inserting ''(or which would have such jurisdiction if publication of the final rule constituted final agency action)'' after ''provision of law,''.

(c) TIME FOR BRINGING ACTION.—Paragraph (3) of such section is amended—

(1) by striking ''final agency action'' and inserting ''publication of the final rule''; and

(2) by inserting '', in the case of a rule for which the date of final agency action is the same date as the publication of the final rule,'' after ''except that''.

(d) INTERVENTION BY CHIEF COUNSEL FOR ADVOCACY.—Subsection (b) of section 612 of title 5, United States Code, is amended by inserting before the first period ''or agency compliance with section 601, 603, 604, 605(b), 609, or 610''.

SEC. 309. JURISDICTION OF COURT OF APPEALS OVER RULES IMPLEMENTING THE REGULATORY FLEXIBILITY ACT.

(a) IN GENERAL.—Section 2342 of title 28, United States Code, is amended—

(1) in paragraph (6), by striking ''and'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (7) the following new paragraph:

''(8) all final rules under section 608(a) of title 5.''.

(b) CONFORMING AMENDMENTS.—Paragraph (3) of section 2341 of title 28, United States Code, is amended—

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

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

(3) by adding at the end the following new subparagraph:

''(F) the Office of Advocacy of the Small Business Administration, when the final rule is under section 608(a) of title 5.''.

(c) AUTHORIZATION TO INTERVENE AND COMMENT ON AGENCY COMPLIANCE WITH ADMINISTRATIVE PROCEDURE.—Subsection (b) of section 612 of title 5, United States Code, is amended by inserting ''chapter 5, and chapter 7,'' after ''this chapter,''.

SEC. 310. ESTABLISHMENT AND APPROVAL OF SMALL BUSINESS CONCERN SIZE STANDARDS BY CHIEF COUNSEL FOR ADVOCACY.

(a) IN GENERAL.—Subparagraph (A) of section 3(a)(2) of the Small Business Act (15 U.S.C. 632(a)(2)(A)) is amended to read as follows:

''(A) IN GENERAL.—In addition to the criteria specified in paragraph (1)—

''(i) the Administrator may specify detailed definitions or standards by which a business concern may be determined to be a small business concern for purposes of this Act or the Small Business Investment Act of 1958; and

''(ii) the Chief Counsel for Advocacy may specify such definitions or standards for purposes of any other Act.''.

(b) APPROVAL BY CHIEF COUNSEL.—Clause (iii) of section 3(a)(2)(C) of the Small Business Act (15 U.S.C. 632(a)(2)(C)(iii)) is amended to read as follows:

''(iii) except in the case of a size standard prescribed by the Administrator, is approved by the Chief Counsel for Advocacy.''.

(c) INDUSTRY VARIATION.—Paragraph (3) of section 3(a) of the Small Business Act (15 U.S.C. 632(a)(3)) is amended—

(1) by inserting ''or Chief Counsel for Advocacy, as appropriate'' before ''shall ensure''; and

(2) by inserting ''or Chief Counsel for Advocacy'' before the period at the end.

(d) JUDICIAL REVIEW OF SIZE STANDARDS APPROVED BY CHIEF COUNSEL.—Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is amended by adding at the end the following new paragraph:

''(9) JUDICIAL REVIEW OF STANDARDS APPROVED BY CHIEF COUNSEL.—In the case of an action for judicial review of a rule which includes a definition or standard approved by the Chief Counsel for Advocacy under this subsection, the party seeking such review shall be entitled to join the Chief Counsel as a party in such action.''.

SEC. 311. CLERICAL AMENDMENTS.

(a) DEFINITIONS.—Section 601 of title 5, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking the semicolon at the end and inserting a period; and

(B) by striking ''(1) the term'' and inserting the following:

''(1) AGENCY.—The term'';

(2) in paragraph (3)—

(A) by striking the semicolon at the end and inserting a period; and

(B) by striking ''(3) the term'' and inserting the following:

''(3) SMALL BUSINESS.—The term'';

(3) in paragraph (5)—

(A) by striking the semicolon at the end and inserting a period; and

(B) by striking ''(5) the term'' and inserting the following:

''(5) SMALL GOVERNMENTAL JURISDICTION.—The term''; and

(4) in paragraph (6)—

(A) by striking ''; and'' and inserting a period; and

(B) by striking ''(6) the term'' and inserting the following:

''(6) SMALL ENTITY.—The term''.

(b) INCORPORATIONS BY REFERENCE AND CERTIFICATIONS.—The heading of section 605 of title 5, United States Code, is amended to read as follows:

''§ 605. Incorporations by reference and certifications''.

(c) TABLE OF SECTIONS.—The table of sections for chapter 6 of title 5, United States Code, is amended—

(1) by striking the item relating to section 605 and inserting the following new item:

''605. Incorporations by reference and certifications.'';

(2) by striking the item relating to section 607 and inserting the following new item:

''607. Quantification requirements.'';

and

(3) by striking the item relating to section 608 and inserting the following:

''608. Additional powers of Chief Counsel for Advocacy.''.

(d) OTHER CLERICAL AMENDMENTS TO CHAPTER 6.—Chapter 6 of title 5, United States Code, is amended in section 603(d)—

(1) by striking paragraph (2);

(2) by striking ''(1) For a covered agency,'' and inserting ''For a covered agency,'';

(3) by striking ''(A) any'' and inserting ''(1) any'';

(4) by striking ''(B) any'' and inserting ''(2) any''; and

(5) by striking ''(C) advice'' and inserting ''(3) advice''.

SEC. 312. AGENCY PREPARATION OF GUIDES.

Section 212(a)(5) the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note) is amended to read as follows:

''(5) AGENCY PREPARATION OF GUIDES.—The agency shall, in its sole discretion, taking into account the subject matter of the rule and the language of relevant statutes, ensure that the guide is written using sufficiently plain language likely to be understood by affected small entities. Agencies may prepare separate guides covering groups or classes of similarly affected small entities and may cooperate with associations of small entities to distribute such guides. In developing guides, agencies shall solicit input from affected small entities or associations of affected small entities. An agency may prepare guides and apply this section with respect to a rule or a group of related rules.''.

SEC. 313. COMPTROLLER GENERAL REPORT.

Not later than 90 days after the date of enactment of this title, the Comptroller General of the United States shall complete and publish a study that examines whether the Chief Counsel for Advocacy of the Small Business Administration has the capacity and resources to carry out the duties of the Chief Counsel under this title and the amendments made by this title.

TITLE IV—SUNSHINE FOR REGULATORY DECREES AND SETTLEMENTS ACT

SEC. 401. SHORT TITLE.

This title may be cited as the ''Sunshine for Regulatory Decrees and Settlements Act of 2014''.

SEC. 402. DEFINITIONS.

In this title—

(1) the terms ''agency'' and ''agency action'' have the meanings given those terms under section 551 of title 5, United States Code;

(2) the term ''covered civil action'' means a civil action—

(A) seeking to compel agency action;

(B) alleging that the agency is unlawfully withholding or unreasonably delaying an agency action relating to a regulatory action that would affect the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government; and

(C) brought under—

(i) chapter 7 of title 5, United States Code; or

(ii) any other statute authorizing such an action;

(3) the term ''covered consent decree'' means—

(A) a consent decree entered into in a covered civil action; and

(B) any other consent decree that requires agency action relating to a regulatory action that affects the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government;

(4) the term ''covered consent decree or settlement agreement'' means a covered consent decree and a covered settlement agreement; and

(5) the term ''covered settlement agreement'' means—

(A) a settlement agreement entered into in a covered civil action; and

(B) any other settlement agreement that requires agency action relating to a regulatory action that affects the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government.

SEC. 403. CONSENT DECREE AND SETTLEMENT REFORM.

(a) PLEADINGS AND PRELIMINARY MATTERS.—

(1) IN GENERAL.—In any covered civil action, the agency against which the covered civil action is brought shall publish the notice of intent to sue and the complaint in a readily accessible manner, including by making the notice of intent to sue and the complaint available online not later than 15 days after receiving service of the notice of intent to sue or complaint, respectively.

(2) ENTRY OF A COVERED CONSENT DECREE OR SETTLEMENT AGREEMENT.—A party may not make a motion for entry of a covered consent decree or to dismiss a civil action pursuant to a covered settlement agreement until after the end of proceedings in accordance with paragraph (1) and subparagraphs (A) and (B) of paragraph (2) of subsection (d) or subsection (d)(3)(A), whichever is later.

(b) INTERVENTION.—

(1) REBUTTABLE PRESUMPTION.—In considering a motion to intervene in a covered civil action or a civil action in which a covered consent decree or settlement agreement has been proposed that is filed by a person who alleges that the agency action in dispute would affect the person, the court shall presume, subject to rebuttal, that the interests of the person would not be represented adequately by the existing parties to the action.

(2) STATE, LOCAL, AND TRIBAL GOVERNMENTS.—In considering a motion to intervene in a covered civil action or a civil action in which a covered consent decree or settlement agreement has been proposed that is filed by a State, local, or tribal government, the court shall take due account of whether the movant—

(A) administers jointly with an agency that is a defendant in the action the statutory provisions that give rise to the regulatory action to which the action relates; or

(B) administers an authority under State, local, or tribal law that would be preempted by the regulatory action to which the action relates.

(c) SETTLEMENT NEGOTIATIONS.—Efforts to settle a covered civil action or otherwise reach an agreement on a covered consent decree or settlement agreement shall—

(1) be conducted pursuant to the mediation or alternative dispute resolution program of the court or by a district judge other than the presiding judge, magistrate judge, or special master, as determined appropriate by the presiding judge; and

(2) include any party that intervenes in the action.

(d) PUBLICATION OF AND COMMENT ON COVERED CONSENT DECREES OR SETTLEMENT AGREEMENTS.—

(1) IN GENERAL.—Not later than 60 days before the date on which a covered consent decree or settlement agreement is filed with a court, the agency seeking to enter the covered consent decree or settlement agreement shall publish in the Federal Register and online—

(A) the proposed covered consent decree or settlement agreement; and

(B) a statement providing—

(i) the statutory basis for the covered consent decree or settlement agreement; and

(ii) a description of the terms of the covered consent decree or settlement agreement, including whether it provides for the award of attorneys' fees or costs and, if so, the basis for including the award.

(2) PUBLIC COMMENT.—

(A) IN GENERAL.—An agency seeking to enter a covered consent decree or settlement agreement shall accept public comment during the period described in paragraph (1) on any issue relating to the matters alleged in the complaint in the applicable civil action or addressed or affected by the proposed covered consent decree or settlement agreement.

(B) RESPONSE TO COMMENTS.—An agency shall respond to any comment received under subparagraph (A).

(C) SUBMISSIONS TO COURT.—When moving that the court enter a proposed covered consent decree or settlement agreement or for dismissal pursuant to a proposed covered consent decree or settlement agreement, an agency shall—

(i) inform the court of the statutory basis for the proposed covered consent decree or settlement agreement and its terms;

(ii) submit to the court a summary of the comments received under subparagraph (A) and the response of the agency to the comments;

(iii) submit to the court a certified index of the administrative record of the notice and comment proceeding; and

(iv) make the administrative record described in clause (iii) fully accessible to the court.

(D) INCLUSION IN RECORD.—The court shall include in the court record for a civil action the certified index of the administrative record submitted by an agency under subparagraph (C)(iii) and any documents listed in the index which any party or amicus curiae appearing before the court in the action submits to the court.

(3) PUBLIC HEARINGS PERMITTED.—

(A) IN GENERAL.—After providing notice in the Federal Register and online, an agency may hold a public hearing regarding whether to enter into a proposed covered consent decree or settlement agreement.

(B) RECORD.—If an agency holds a public hearing under subparagraph (A)—

(i) the agency shall—

(I) submit to the court a summary of the proceedings;

(II) submit to the court a certified index of the hearing record; and

(III) provide access to the hearing record to the court; and

(ii) the full hearing record shall be included in the court record.

(4) MANDATORY DEADLINES.—If a proposed covered consent decree or settlement agreement requires an agency action by a date certain, the agency shall, when moving for entry of the covered consent decree or settlement agreement or dismissal based on the covered consent decree or settlement agreement, inform the court of—

(A) any required regulatory action the agency has not taken that the covered consent decree or settlement agreement does not address;

(B) how the covered consent decree or settlement agreement, if approved, would affect the discharge of the duties described in subparagraph (A); and

(C) why the effects of the covered consent decree or settlement agreement on the manner in which the agency discharges its duties is in the public interest.

(e) SUBMISSION BY THE GOVERNMENT.—

(1) IN GENERAL.—For any proposed covered consent decree or settlement agreement that contains a term described in paragraph (2), the Attorney General or, if the matter is being litigated independently by an agency, the head of the agency shall submit to the court a certification that the Attorney General or head of the agency approves the proposed covered consent decree or settlement agreement. The Attorney General or head of the agency shall personally sign any certification submitted under this paragraph.

(2) TERMS.—A term described in this paragraph is—

(A) in the case of a covered consent decree, a term that—

(i) converts into a nondiscretionary duty a discretionary authority of an agency to propose, promulgate, revise, or amend regulations;

(ii) commits an agency to expend funds that have not been appropriated and that have not been budgeted for the regulatory action in question;

(iii) commits an agency to seek a particular appropriation or budget authorization;

(iv) divests an agency of discretion committed to the agency by statute or the Constitution of the United States, without regard to whether the discretion was granted to respond to changing circumstances, to make policy or managerial choices, or to protect the rights of third parties; or

(v) otherwise affords relief that the court could not enter under its own authority upon a final judgment in the civil action; or

(B) in the case of a covered settlement agreement, a term—

(i) that provides a remedy for a failure by the agency to comply with the terms of the covered settlement agreement other than the revival of the civil action resolved by the covered settlement agreement; and

(ii) that—

(I) interferes with the authority of an agency to revise, amend, or issue rules under the procedures set forth in chapter 5 of title 5, United States Code, or any other statute or Executive order prescribing rulemaking procedures for a rulemaking that is the subject of the covered settlement agreement;

(II) commits the agency to expend funds that have not been appropriated and that have not been budgeted for the regulatory action in question; or

(III) for such a covered settlement agreement that commits the agency to exercise in a particular way discretion which was committed to the agency by statute or the Constitution of the United States to respond to changing circumstances, to make policy or managerial choices, or to protect the rights of third parties.

(f) REVIEW BY COURT.—

(1) AMICUS.—A court considering a proposed covered consent decree or settlement agreement shall presume, subject to rebuttal, that it is proper to allow amicus participation relating to the covered consent decree or settlement agreement by any person who filed public comments or participated in a public hearing on the covered consent decree or settlement agreement under paragraph (2) or (3) of subsection (d).

(2) REVIEW OF DEADLINES.—

(A) PROPOSED COVERED CONSENT DECREES.—For a proposed covered consent decree, a court shall not approve the covered consent decree unless the proposed covered consent decree allows sufficient time and incorporates adequate procedures for the agency to comply with chapter 5 of title 5, United States Code, and other applicable statutes that govern rulemaking and, unless contrary to the public interest, the provisions of any Executive order that governs rulemaking.

(B) PROPOSED COVERED SETTLEMENT AGREEMENTS.—For a proposed covered settlement agreement, a court shall ensure that the covered settlement agreement allows sufficient time and incorporates adequate procedures for the agency to comply with chapter 5 of title 5, United States Code, and other applicable statutes that govern rulemaking and, unless contrary to the public interest, the provisions of any Executive order that governs rulemaking.

(g) ANNUAL REPORTS.—Each agency shall submit to Congress an annual report that, for the year covered by the report, includes—

(1) the number, identity, and content of covered civil actions brought against and

covered consent decrees or settlement agreements entered against or into by the agency; and

(2) a description of the statutory basis for—

(A) each covered consent decree or settlement agreement entered against or into by the agency; and

(B) any award of attorneys fees or costs in a civil action resolved by a covered consent decree or settlement agreement entered against or into by the agency.

SEC. 404. MOTIONS TO MODIFY CONSENT DECREES.

If an agency moves a court to modify a covered consent decree or settlement agreement and the basis of the motion is that the terms of the covered consent decree or settlement agreement are no longer fully in the public interest due to the obligations of the agency to fulfill other duties or due to changed facts and circumstances, the court shall review the motion and the covered consent decree or settlement agreement de novo.

SEC. 405. EFFECTIVE DATE.

This title shall apply to—

(1) any covered civil action filed on or after the date of enactment of this title; and

(2) any covered consent decree or settlement agreement proposed to a court on or after the date of enactment of this title.

DIVISION IV—JUDICIARY

TITLE I—REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY

SEC. 101. SHORT TITLE.

This title may be cited as the ''Regulations From the Executive in Need of Scrutiny Act of 2014''.

SEC. 102. PURPOSE.

The purpose of this title is to increase accountability for and transparency in the Federal regulatory process. Section 1 of article I of the United States Constitution grants all legislative powers to Congress. Over time, Congress has excessively delegated its constitutional charge while failing to conduct appropriate oversight and retain accountability for the content of the laws it passes. By requiring a vote in Congress, the REINS Act will result in more carefully drafted and detailed legislation, an improved regulatory process, and a legislative branch that is truly accountable to the American people for the laws imposed upon them. Moreover, as a tax on carbon emissions increases energy costs on consumers, reduces economic growth and is therefore detrimental to individuals, families and businesses, the REINS Act includes in the definition of a major rule, any rule that implements or provides for the imposition or collection of a tax on carbon emissions.

SEC. 103. CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.

Chapter 8 of title 5, United States Code, is amended to read as follows:

''CHAPTER 8—CONGRESSIONAL REVIEW OF AGENCY RULEMAKING

''§ 801. Congressional review

''(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall submit to each House of the Congress and to the Comptroller General a report containing—

''(i) a copy of the rule;

''(ii) a concise general statement relating to the rule;

''(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained within clauses (i) through (iii) of section 804(2)(A) or within section 804(2)(B);

''(iv) a list of any other related regulatory actions taken by or that will be taken by the Federal agency promulgating the rule that are intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions;

''(v) a list of any other related regulatory actions taken by or that will be taken by any other Federal agency with authority to implement the same statutory provision or regulatory objective that are intended to implement such provision or objective, of which the Federal agency promulgating the rule is aware, as well as the individual and aggregate economic effects of those actions; and

''(vi) the proposed effective date of the rule.

''(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

''(i) a complete copy of the cost-benefit analysis of the rule, if any, including an analysis of any jobs added or lost, differentiating between public and private sector jobs;

''(ii) the agency's actions pursuant to sections 603, 604, 605, 607, and 609 of this title;

''(iii) the agency's actions pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995; and

''(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

''(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

''(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date. The report of the Comptroller General shall include an assessment of the agency's compliance with procedural steps required by paragraph (1)(B) and an assessment of whether the major rule imposes any new limits or mandates on private-sector activity.

''(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under subparagraph (A).

''(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 802 or as provided for in the rule following enactment of a joint resolution of approval described in section 802, whichever is later.

''(4) A nonmajor rule shall take effect as provided by section 803 after submission to Congress under paragraph (1).

''(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this chapter in the same Congress by either the House of Representatives or the Senate.

''(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 802.

''(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

''(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

''(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

''(A) necessary because of an imminent threat to health or safety or other emergency;

''(B) necessary for the enforcement of criminal laws;

''(C) necessary for national security; or

''(D) issued pursuant to any statute implementing an international trade agreement.

''(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802.

''(d)(1) In addition to the opportunity for review otherwise provided under this chapter, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

''(A) in the case of the Senate, 60 session days, or

''(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 802 and 803 shall apply to such rule in the succeeding session of Congress.

''(2)(A) In applying sections 802 and 803 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

''(i) such rule were published in the Federal Register on—

''(I) in the case of the Senate, the 15th session day, or

''(II) in the case of the House of Representatives, the 15th legislative day,

after the succeeding session of Congress first convenes; and

''(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

''(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

''(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

''§ 802. Congressional approval procedure for major rules

''(a)(1) For purposes of this section, the term 'joint resolution' means only a joint resolution addressing a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that—

''(A) bears no preamble;

''(B) bears the following title (with blanks filled as appropriate): 'Approving the rule submitted by _____ relating to _____.';

''(C) includes after its resolving clause only the following (with blanks filled as appropriate): 'That Congress approves the rule submitted by _____ relating to _____.'; and

''(D) is introduced pursuant to paragraph (2).

''(2) After a House of Congress receives a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

''(A) in the case of the House of Representatives, within three legislative days; and

''(B) in the case of the Senate, within three session days.

''(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

''(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

''(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

''(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

''(e) In the House of Representatives, if any committee to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5 legislative days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

''(f)(1) If, before passing a joint resolution described in subsection (a), one House receives from the other a joint resolution having the same text, then—

''(A) the joint resolution of the other House shall not be referred to a committee; and

''(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

''(2) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

''(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 801(b)(2), then such vote shall be taken on that day.

''(h) This section and section 803 are enacted by Congress—

''(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such is deemed to be 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 described in subsection (a) and superseding other rules only where explicitly so; and

''(2) with full recognition of the Constitutional right of either House to change the rules (so far as they relate 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.

''§ 803. Congressional disapproval procedure for nonmajor rules

''(a) For purposes of this section, the term 'joint resolution' means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: 'That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect.' (The blank spaces being appropriately filled in).

''(b) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

''(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

''(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

''(e) In the Senate the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

''(1) after the expiration of the 60 session days beginning with the applicable submission or publication date, or

''(2) if the report under section 801(a)(1)(A) was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

''(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

''(1) The joint resolution of the other House shall not be referred to a committee.

''(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

''(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

''(B) the vote on final passage shall be on the joint resolution of the other House.

''§ 804. Definitions

''For purposes of this chapter—

''(1) The term 'Federal agency' means any agency as that term is defined in section 551(1).

''(2) The term 'major rule' means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds—

''(A) has resulted in or is likely to result in—

''(i) an annual effect on the economy of $50,000,000 or more;

''(ii) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

''(iii) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

''(B) is made by the Administrator of the Environmental Protection Agency and that would have a significant impact on a substantial number of agricultural entities, as determined by the Secretary of Agriculture (who shall publish such determination in the Federal Register);

''(C) is a rule that implements or provides for the imposition or collection of a carbon tax; or

''(D) is made under the Patient Protection and Affordable Care Act (Public Law 111–148).

''(3) The term 'nonmajor rule' means any rule that is not a major rule.

''(4) The term 'rule' has the meaning given such term in section 551, except that such term does not include any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing.

''(5) The term 'submission date or publication date', except as otherwise provided in this chapter, means—

''(A) in the case of a major rule, the date on which the Congress receives the report submitted under section 801(a)(1); and

''(B) in the case of a nonmajor rule, the later of—

''(i) the date on which the Congress receives the report submitted under section 801(a)(1); and

''(ii) the date on which the nonmajor rule is published in the Federal Register, if so published.

''(6) The term 'agricultural entity' means any entity involved in or related to agricultural enterprise, including enterprises that are engaged in the business of production of food and fiber, ranching and raising of livestock, aquaculture, and all other farming and agricultural related industries.

''(7) The term 'carbon tax' means a fee, levy, or price on—

''(A) emissions, including carbon dioxide emissions generated by the burning of coal, natural gas, or oil; or

''(B) coal, natural gas, or oil based on emissions, including carbon dioxide emissions that would be generated through the fuel's combustion.

''§ 805. Judicial review

''(a) No determination, finding, action, or omission under this chapter shall be subject to judicial review.

''(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this chapter for a rule to take effect.

''(c) The enactment of a joint resolution of approval under section 802 shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule, and shall not form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

''§ 806. Exemption for monetary policy

''Nothing in this chapter shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

''§ 807. Effective date of certain rules

''Notwithstanding section 801—

''(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

''(2) any rule other than a major rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest,

shall take effect at such time as the Federal agency promulgating the rule determines.''.

SEC. 104. BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.

Section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following new subparagraph:

''(E) BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.—Any rules subject to the congressional approval procedure set forth in section 802 of chapter 8 of title 5, United States Code, affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with such section.''.

SEC. 105. GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF RULES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to determine, as of the date of the enactment of this Act—

(1) how many rules (as such term is defined in section 804 of title 5, United States Code) were in effect;

(2) how many major rules (as such term is defined in section 804 of title 5, United States Code) were in effect; and

(3) the total estimated economic cost imposed by all such rules.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains the findings of the study conducted under subsection (a).

TITLE II—PERMANENT INTERNET TAX FREEDOM

SEC. 201. SHORT TITLE.

This title may be cited as the ''Permanent Internet Tax Freedom Act''.

SEC. 202. PERMANENT MORATORIUM ON INTERNET ACCESS TAXES AND MULTIPLE AND DISCRIMINATORY TAXES ON ELECTRONIC COMMERCE.

(a) IN GENERAL.—Section 1101(a) of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking '' during the period beginning November 1, 2003, and ending November 1, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxes imposed after the date of the enactment of this Act.

DIVISION V—NATURAL RESOURCES

SUBDIVISION A—RESTORING HEALTHY FORESTS FOR HEALTHY COMMUNITIES

SEC. 100. SHORT TITLE.

This subdivision may be cited as the ''Restoring Healthy Forests for Healthy Communities Act''.

TITLE I—RESTORING THE COMMITMENT TO RURAL COUNTIES AND SCHOOLS

SEC. 101. PURPOSES.

The purposes of this title are as follows:

(1) To restore employment and educational opportunities in, and improve the economic stability of, counties containing National Forest System land.

(2) To ensure that such counties have a dependable source of revenue from National Forest System land.

(3) To reduce Forest Service management costs while also ensuring the protection of United States forests resources.

SEC. 102. DEFINITIONS.

In this title:

(1) ANNUAL VOLUME REQUIREMENT.—

(A) IN GENERAL.—The term ''annual volume requirement'', with respect to a Forest Reserve Revenue Area, means a volume of national forest materials no less than 50 percent of the sustained yield of the Forest Reserve Revenue Area.

(B) EXCLUSIONS.—In determining the volume of national forest materials or the sustained yield of a Forest Reserve Revenue Area, the Secretary may not include noncommercial post and pole sales and personal use firewood.

(2) BENEFICIARY COUNTY.—The term ''beneficiary county'' means a political subdivision of a State that, on account of containing National Forest System land, was eligible to receive payments through the State under title I of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111 et seq.).

(3) CATASTROPHIC EVENT.—The term ''catastrophic event'' means an event (including severe fire, insect or disease infestations, windthrow, or other extreme weather or natural disaster) that the Secretary determines will cause or has caused substantial damage to National Forest System land or natural resources on National Forest System land.

(4) COVERED FOREST RESERVE PROJECT.—The terms ''covered forest reserve project'' and ''covered project'' mean a project involving the management or sale of national forest materials within a Forest Reserve Revenue Area to generate forest reserve revenues and achieve the annual volume requirement for the Forest Reserve Revenue Area.

(5) FOREST RESERVE REVENUE AREA.—

(A) IN GENERAL.—The term ''Forest Reserve Revenue Area'' means National Forest System land in a unit of the National Forest System designated for sustainable forest management for the production of national forest materials and forest reserve revenues.

(B) INCLUSIONS.—Subject to subparagraph (C), but otherwise notwithstanding any other provision of law, including executive orders and regulations, the Secretary shall include in Forest Reserve Revenue Areas not less than 50 percent of the National Forest System lands identified as commercial forest land capable of producing twenty cubic feet of timber per acre.

(C) EXCLUSIONS.—A Forest Reserve Revenue Area may not include National Forest System land—

(i) that is a component of the National Wilderness Preservation System;

(ii) on which the removal of vegetation is specifically prohibited by Federal statute; or

(iii) that is within a National Monument as of the date of the enactment of this Act.

(6) FOREST RESERVE REVENUES.—The term ''forest reserve revenues'' means revenues

derived from the sale of national forest materials in a Forest Reserve Revenue Area.

(7) NATIONAL FOREST MATERIALS.—The term ''national forest materials'' has the meaning given that term in section 14(e)(1) of the National Forest Management Act of 1976 (16 U.S.C. 472a(e)(1)).

(8) NATIONAL FOREST SYSTEM.—The term ''National Forest System'' has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)), except that the term does not include the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010–1012).

(9) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(10) SUSTAINED YIELD.—The term ''sustained yield'' means the maximum annual growth potential of the forest calculated on the basis of the culmination of mean annual increment using cubic measurement.

(11) STATE.—The term ''State'' includes the Commonwealth of Puerto Rico.

(12) 25-PERCENT PAYMENT.—The term ''25-percent payment'' means the payment to States required by the sixth paragraph under the heading of ''FOREST SERVICE'' in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

SEC. 103. ESTABLISHMENT OF FOREST RESERVE REVENUE AREAS AND ANNUAL VOLUME REQUIREMENTS.

(a) ESTABLISHMENT OF FOREST RESERVE REVENUE AREAS.—Notwithstanding any other provision of law, the Secretary shall establish one or more Forest Reserve Revenue Areas within each unit of the National Forest System.

(b) DEADLINE FOR ESTABLISHMENT.—The Secretary shall complete establishment of the Forest Reserve Revenue Areas not later than 60 days after the date of enactment of this Act,

(c) PURPOSE.—The purpose of a Forest Reserve Revenue Area is to provide a dependable source of 25-percent payments and economic activity through sustainable forest management for each beneficiary county containing National Forest System land.

(d) FIDUCIARY RESPONSIBILITY.—The Secretary shall have a fiduciary responsibility to beneficiary counties to manage Forest Reserve Revenue Areas to satisfy the annual volume requirement.

(e) DETERMINATION OF ANNUAL VOLUME REQUIREMENT.—Not later than 30 days after the date of the establishment of a Forest Reserve Revenue Area, the Secretary shall determine the annual volume requirement for that Forest Reserve Revenue Area.

(f) LIMITATION ON REDUCTION OF FOREST RESERVE REVENUE AREAS.—Once a Forest Reserve Revenue Area is established under subsection (a), the Secretary may not reduce the number of acres of National Forest System land included in that Forest Reserve Revenue Area.

(g) MAP.—The Secretary shall provide a map of all Forest Reserve Revenue Areas established under subsection (a) for each unit of the National Forest System—

(1) to the Committee on Agriculture and the Committee on Natural Resources of the House of Representatives; and

(2) to the Committee on Agriculture, Nutrition, and Forestry and the Committee on Energy and Natural Resources of the Senate.

(h) RECOGNITION OF VALID AND EXISTING RIGHTS.—Neither the establishment of Forest Reserve Revenue Areas under subsection (a) nor any other provision of this title shall be construed to limit or restrict—

(1) access to National Forest System land for hunting, fishing, recreation, and other related purposes; or

(2) valid and existing rights regarding National Forest System land, including rights of any federally recognized Indian tribe.

SEC. 104. MANAGEMENT OF FOREST RESERVE REVENUE AREAS.

(a) REQUIREMENT TO ACHIEVE ANNUAL VOLUME REQUIREMENT.—Immediately upon the establishment of a Forest Reserve Revenue Area, the Secretary shall manage the Forest Reserve Revenue Area in the manner necessary to achieve the annual volume requirement for the Forest Reserve Revenue Area. The Secretary is authorized and encouraged to commence covered forest reserve projects as soon as practicable after the date of the enactment of this Act to begin generating forest reserve revenues.

(b) STANDARDS FOR PROJECTS WITHIN FOREST RESERVE REVENUE AREAS.—The Secretary shall conduct covered forest reserve projects within Forest Reserve Revenue Areas in accordance with this section, which shall serve as the sole means by which the Secretary will comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) and other laws applicable to the covered projects.

(c) ENVIRONMENTAL ANALYSIS PROCESS FOR PROJECTS IN FOREST RESERVE REVENUE AREAS.—

(1) ENVIRONMENTAL ASSESSMENT.—The Secretary shall give published notice and complete an environmental assessment pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for a covered forest reserve project proposed to be conducted within a Forest Reserve Revenue Area, except that the Secretary is not required to study, develop, or describe any alternative to the proposed agency action.

(2) CUMULATIVE EFFECTS.—The Secretary shall consider cumulative effects solely by evaluating the impacts of a proposed covered forest reserve project combined with the impacts of any other projects that were approved with a Decision Notice or Record of Decision before the date on which the Secretary published notice of the proposed covered project. The cumulative effects of past projects may be considered in the environmental assessment by using a description of the current environmental conditions.

(3) LENGTH.—The environmental assessment prepared for a proposed covered forest reserve project shall not exceed 100 pages in length. The Secretary may incorporate in the environmental assessment, by reference, any documents that the Secretary determines, in the sole discretion of the Secretary, are relevant to the assessment of the environmental effects of the covered project.

(4) DEADLINE FOR COMPLETION.—The Secretary shall complete the environmental assessment for a covered forest reserve project within 180 days after the date on which the Secretary published notice of the proposed covered project.

(5) TREATMENT OF DECISION NOTICE.—The decision notice for a covered forest reserve project shall be considered a final agency action and no additional analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) shall be required to implement any portion of the covered project.

(6) CATEGORICAL EXCLUSION.—A covered forest reserve project that is proposed in response to a catastrophic event, that covers an area of 10,000 acres or less, or an eligible hazardous fuel reduction or forest health project proposed under title II that involves the removal of insect-infected trees, dead or dying trees, trees presenting a threat to public safety, or other hazardous fuels within 500 feet of utility or telephone infrastructure, campgrounds, roadsides, heritage sites, recreation sites, schools, or other infrastructure, shall be categorically excluded from the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.).

(d) APPLICATION OF LAND AND RESOURCE MANAGEMENT PLAN.—The Secretary may modify the standards and guidelines contained in the land and resource management plan for the unit of the National Forest System in which the covered forest reserve project will be carried out as necessary to achieve the requirements of this subdivision. Section 6(g)(3)(E)(iv) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(g)(3)(E)(iv)) shall not apply to a covered forest reserve project.

(e) COMPLIANCE WITH ENDANGERED SPECIES ACT.—

(1) NON-JEOPARDY ASSESSMENT.—If the Secretary determines that a proposed covered forest reserve project may affect the continued existence of any species listed as endangered or threatened under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533), the Secretary shall issue a determination explaining the view of the Secretary that the proposed covered project is not likely to jeopardize the continued existence of the species.

(2) SUBMISSION, REVIEW, AND RESPONSE.—

(A) SUBMISSION.—The Secretary shall submit a determination issued by the Secretary under paragraph (1) to the Secretary of the Interior or the Secretary of Commerce, as appropriate.

(B) REVIEW AND RESPONSE.—Within 30 days after receiving a determination under subparagraph (A), the Secretary of the Interior or the Secretary of Commerce, as appropriate, shall provide a written response to the Secretary concurring in or rejecting the Secretary's determination. If the Secretary of the Interior or the Secretary of Commerce rejects the determination, the written response shall include recommendations for measures that—

(i) will avoid the likelihood of jeopardy to an endangered or threatened species;

(ii) can be implemented in a manner consistent with the intended purpose of the covered forest reserve project;

(iii) can be implemented consistent with the scope of the Secretary's legal authority and jurisdiction; and

(iv) are economically and technologically feasible.

(3) FORMAL CONSULTATION.—If the Secretary of the Interior or the Secretary of Commerce rejects a determination issued by the Secretary under paragraph (1), the Secretary of the Interior or the Secretary of Commerce also is required to engage in formal consultation with the Secretary. The Secretaries shall complete such consultation pursuant to section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) within 90 days after the submission of the written response under paragraph (2).

(f) ADMINISTRATIVE AND JUDICIAL REVIEW.—

(1) ADMINISTRATIVE REVIEW.—Administrative review of a covered forest reserve project shall occur only in accordance with the special administrative review process established under section 105 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6515).

(2) JUDICIAL REVIEW.—

(A) IN GENERAL.—Judicial review of a covered forest reserve project shall occur in accordance with section 106 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6516), except that a court of the United States may not issue a restraining order, preliminary injunction, or injunction pending appeal covering a covered forest reserve project in response to an allegation that the Secretary

violated any procedural requirement applicable to how the project was selected, planned, or analyzed.

(B) BOND REQUIRED.—A plaintiff challenging a covered forest reserve project shall be required to post a bond or other security acceptable to the court for the reasonably estimated costs, expenses, and attorneys fees of the Secretary as defendant. All proceedings in the action shall be stayed until the security is given. If the plaintiff has not complied with the order to post such bond or other security within 90 days after the date of service of the order, then the action shall be dismissed with prejudice.

(C) RECOVERY.—If the Secretary prevails in the case, the Secretary shall submit to the court a motion for payment of all litigation expenses.

(g) USE OF ALL-TERRAIN VEHICLES FOR MANAGEMENT ACTIVITIES.—The Secretary may allow the use of all-terrain vehicles within the Forest Reserve Revenue Areas for the purpose of activities associated with the sale of national forest materials in a Forest Reserve Revenue Area.

SEC. 105. DISTRIBUTION OF FOREST RESERVE REVENUES.

(a) 25-PERCENT PAYMENTS.—The Secretary shall use forest reserve revenues generated by a covered forest reserve project to make 25-percent payments to States for the benefit of beneficiary counties.

(b) DEPOSIT IN KNUTSON-VANDENBERG AND SALVAGE SALE FUNDS.—After compliance with subsection (a), the Secretary shall use forest reserve revenues to make deposits into the fund established under section 3 of the Act of June 9, 1930 (16 U.S.C. 576b; commonly known as the Knutson-Vandenberg Fund) and the fund established under section 14(h) of the National Forest Management Act of 1976 (16 U.S.C. 472a(h); commonly known as the salvage sale fund) in contributions equal to the monies otherwise collected under those Acts for projects conducted on National Forest System land.

(c) DEPOSIT IN GENERAL FUND OF THE TREASURY.—After compliance with subsections (a) and (b), the Secretary shall deposit remaining forest reserve revenues into the general fund of the Treasury.

SEC. 106. ANNUAL REPORT.

(a) REPORT REQUIRED.—Not later than 60 days after the end of each fiscal year, the Secretary shall submit to Congress an annual report specifying the annual volume requirement in effect for that fiscal year for each Forest Reserve Revenue Area, the volume of board feet actually harvested for each Forest Reserve Revenue Area, the average cost of preparation for timber sales, the forest reserve revenues generated from such sales, and the amount of receipts distributed to each beneficiary county.

(b) FORM OF REPORT.—The information required by subsection (a) to be provided with respect to a Forest Reserve Revenue Area shall be presented on a single page. In addition to submitting each report to Congress, the Secretary shall also make the report available on the website of the Forest Service.

TITLE II—HEALTHY FOREST MANAGEMENT AND CATASTROPHIC WILDFIRE PREVENTION

SEC. 201. PURPOSES.

The purposes of this title are as follows:

(1) To provide the Secretary of Agriculture and the Secretary of the Interior with the tools necessary to reduce the potential for wildfires.

(2) To expedite wildfire prevention projects to reduce the chances of wildfire on certain high-risk Federal lands.

(3) To protect communities and forest habitat from uncharacteristic wildfires.

(4) To enhance aquatic conditions and terrestrial wildlife habitat.

(5) To restore diverse and resilient landscapes through improved forest conditions.

SEC. 202. DEFINITIONS.

In this title:

(1) AT-RISK COMMUNITY.—The term ''at-risk community'' has the meaning given that term in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511).

(2) AT-RISK FOREST.—The term ''at-risk forest'' means—

(A) Federal land in condition class II or III, as those classes were developed by the Forest Service Rocky Mountain Research Station in the general technical report titled ''Development of Coarse-Scale Spatial Data for Wildland Fire and Fuel Management'' (RMRS–87) and dated April 2000 or any subsequent revision of the report; or

(B) Federal land where there exists a high risk of losing an at-risk community, key ecosystem, water supply, wildlife, or wildlife habitat to wildfire, including catastrophic wildfire and post-fire disturbances, as designated by the Secretary concerned.

(3) FEDERAL LAND.—

(A) COVERED LAND.—The term ''Federal land'' means—

(i) land of the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))); or

(ii) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)).

(B) EXCLUDED LAND.—The term does not include land—

(i) that is a component of the National Wilderness Preservation System;

(ii) on which the removal of vegetation is specifically prohibited by Federal statute; or

(iii) that is within a National Monument as of the date of the enactment of this Act.

(4) HIGH-RISK AREA.—The term ''high-risk area'' means an area of Federal land identified under section 205 as an area suffering from the bark beetle epidemic, drought, or deteriorating forest health conditions, with the resulting imminent risk of devastating wildfires, or otherwise at high risk for bark beetle infestation, drought, or wildfire.

(5) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of Agriculture, in the case of National Forest System land; and

(B) the Secretary of the Interior, in the case of public lands.

(6) ELIGIBLE HAZARDOUS FUEL REDUCTION AND FOREST HEALTH PROJECTS.—The terms ''hazardous fuel reduction project'' or ''forest health project'' mean the measures and methods developed for a project to be carried out on Federal land—

(A) in an at-risk forest under section 203 for hazardous fuels reduction, forest health, forest restoration, or watershed restoration, using ecological restoration principles consistent with the forest type where such project will occur; or

(B) in a high-risk area under section 206.

SEC. 203. HAZARDOUS FUEL REDUCTION PROJECTS AND FOREST HEALTH PROJECTS IN AT-RISK FORESTS.

(a) IMPLEMENTATION.—As soon as practicable after the date of the enactment of this Act, the Secretary concerned is authorized to implement a hazardous fuel reduction project or a forest health project in at-risk forests in a manner that focuses on surface, ladder, and canopy fuels reduction activities using ecological restoration principles consistent with the forest type in the location where such project will occur.

(b) AUTHORIZED PRACTICES.—

(1) INCLUSION OF LIVESTOCK GRAZING AND TIMBER HARVESTING.—A hazardous fuel reduction project or a forest health project may include livestock grazing and timber harvest projects carried out for the purposes of hazardous fuels reduction, forest health, forest restoration, watershed restoration, or threatened and endangered species habitat protection or improvement, if the management action is consistent with achieving long-term ecological restoration of the forest type in the location where such project will occur.

(2) GRAZING.—Domestic livestock grazing may be used in a hazardous fuel reduction project or a forest health project to reduce surface fuel loads and to recover burned areas. Utilization standards shall not apply when domestic livestock grazing is used in such a project.

(3) TIMBER HARVESTING AND THINNING.—Timber harvesting and thinning, where the ecological restoration principles are consistent with the forest type in the location where such project will occur, may be used in a hazardous fuel reduction project or a forest health project to reduce ladder and canopy fuel loads to prevent unnatural fire.

(c) PRIORITY.—The Secretary concerned shall give priority to hazardous fuel reduction projects and forest health projects submitted by the Governor of a State as provided in section 206(c) and to projects submitted under the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a).

SEC. 204. ENVIRONMENTAL ANALYSIS.

Subsections (b) through (f) of section 104 shall apply to the implementation of a hazardous fuel reduction project or a forest health project under this title. In addition, if the primary purpose of a hazardous fuel reduction project or a forest health project under this title is the salvage of dead, damaged, or down timber resulting from wildfire occurring in 2013 or 2014, the hazardous fuel reduction project or forest health project, and any decision of the Secretary concerned in connection with the project, shall not be subject to judicial review or to any restraining order or injunction issued by a United States court.

SEC. 205. STATE DESIGNATION OF HIGH-RISK AREAS OF NATIONAL FOREST SYSTEM AND PUBLIC LANDS.

(a) DESIGNATION AUTHORITY.—The Governor of a State may designate high-risk areas of Federal land in the State for the purposes of addressing—

(1) deteriorating forest health conditions in existence as of the date of the enactment of this Act due to the bark beetle epidemic or drought, with the resulting imminent risk of devastating wildfires; and

(2) the future risk of insect infestations or disease outbreaks through preventative treatments to improve forest health conditions.

(b) CONSULTATION.—In designating high-risk areas, the Governor of a State shall consult with county government from affected counties and with affected Indian tribes.

(c) EXCLUSION OF CERTAIN AREAS.—The following Federal land may not be designated as a high-risk area:

(1) A component of the National Wilderness Preservation System.

(2) Federal land on which the removal of vegetation is specifically prohibited by Federal statute.

(3) Federal land within a National Monument as of the date of the enactment of this Act.

(d) STANDARDS FOR DESIGNATION.—Designation of high-risk areas shall be consistent with standards and guidelines contained in the land and resource management plan or land use plan for the unit of Federal land for which the designation is being made, except that the Secretary concerned may modify

such standards and guidelines to correspond with a specific high-risk area designation.

(e) TIME FOR INITIAL DESIGNATIONS.—The first high-risk areas should be designated not later than 60 days after the date of the enactment of this Act, but high-risk areas may be designated at any time consistent with subsection (a).

(f) DURATION OF DESIGNATION.—The designation of a high-risk area in a State shall expire 20 years after the date of the designation, unless earlier terminated by the Governor of the State.

(g) REDESIGNATION.—The expiration of the 20-year period specified in subsection (f) does not prohibit the Governor from redesignating an area of Federal land as a high-risk area under this section if the Governor determines that the Federal land continues to be subject to the terms of this section.

(h) RECOGNITION OF VALID AND EXISTING RIGHTS.—The designation of a high-risk area shall not be construed to limit or restrict—

(1) access to Federal land included in the area for hunting, fishing, and other related purposes; or

(2) valid and existing rights regarding the Federal land.

SEC. 206. USE OF HAZARDOUS FUELS REDUCTION OR FOREST HEALTH PROJECTS FOR HIGH-RISK AREAS.

(a) PROJECT PROPOSALS.—

(1) PROPOSALS AUTHORIZED.—Upon designation of a high-risk area in a State, the Governor of the State may provide for the development of proposed hazardous fuel reduction projects or forest health projects for the high-risk area.

(2) PROJECT CRITERIA.—In preparing a proposed hazardous fuel reduction project or a forest health project, the Governor of a State and the Secretary concerned shall—

(A) take into account managing for rights of way, protection of watersheds, protection of wildlife and endangered species habitat, safe-guarding water resources, and protecting at-risk communities from wildfires; and

(B) emphasize activities that thin the forest to provide the greatest health and longevity of the forest.

(b) CONSULTATION.—In preparing a proposed hazardous fuel reduction project or a forest health project, the Governor of a State shall consult with county government from affected counties, and with affected Indian tribes.

(c) SUBMISSION AND IMPLEMENTATION.—The Governor of a State shall submit proposed emergency hazardous fuel reduction projects and forest health projects to the Secretary concerned for implementation as provided in section 203.

SEC. 207. MORATORIUM ON USE OF PRESCRIBED FIRE IN MARK TWAIN NATIONAL FOREST, MISSOURI, PENDING REPORT.

(a) MORATORIUM.—Except as provided in subsection (b), the Secretary of Agriculture may not conduct any prescribed fire in Mark Twain National Forest, Missouri, under the Collaborative Forest Landscape Restoration Project until the report required by subsection (c) is submitted to Congress.

(b) EXCEPTION FOR WILDFIRE SUPPRESSION.—Subsection (a) does not prohibit the use of prescribed fire as part of wildfire suppression activities.

(c) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Agriculture shall submit to Congress a report containing an evaluation of recent and current Forest Service management practices for Mark Twain National Forest, including lands in the National Forest enrolled, or under consideration for enrollment, in the Collaborative Forest Landscape Restoration Project to convert certain lands into shortleaf pine-oak woodlands, to determine the impact of such management practices on forest health and tree mortality. The report shall specifically address—

(1) the economic costs associated with the failure to utilize hardwoods cut as part of the Collaborative Forest Landscape Restoration Project and the subsequent loss of hardwood production from the treated lands in the long term;

(2) the extent of increased tree mortality due to excessive heat generated by prescribed fires;

(3) the impacts to water quality and rate of water run off due to erosion of the scorched earth left in the aftermath of the prescribed fires; and

(4) a long-term plan for evaluation of the impacts of prescribed fires on lands previously burned within the Eleven Point Ranger District.

TITLE III—OREGON AND CALIFORNIA RAILROAD GRANT LANDS TRUST, CONSERVATION, AND JOBS

SEC. 301. SHORT TITLE.

This title may be cited as the ''O&C Trust, Conservation, and Jobs Act''.

SEC. 302. DEFINITIONS.

In this title:

(1) AFFILIATES.—The term ''Affiliates'' has the meaning given such term in part 121 of title 13, Code of Federal Regulations.

(2) BOARD OF TRUSTEES.—The term ''Board of Trustees'' means the Board of Trustees for the Oregon and California Railroad Grant Lands Trust appointed under section 313.

(3) COOS BAY WAGON ROAD GRANT LANDS.—The term ''Coos Bay Wagon Road Grant lands'' means the lands reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179).

(4) FISCAL YEAR.—The term ''fiscal year'' means the Federal fiscal year, October 1 through the next September 30.

(5) GOVERNOR.—The term ''Governor'' means the Governor of the State of Oregon.

(6) O&C REGION PUBLIC DOMAIN LANDS.—The term ''O&C Region Public Domain lands'' means all the land managed by the Bureau of Land Management in the Salem District, Eugene District, Roseburg District, Coos Bay District, and Medford District in the State of Oregon, excluding the Oregon and California Railroad Grant lands and the Coos Bay Wagon Road Grant lands.

(7) O&C TRUST.—The terms ''Oregon and California Railroad Grant Lands Trust'' and ''O&C Trust'' mean the trust created by section 311, which has fiduciary responsibilities to act for the benefit of the O&C Trust counties in the management of O&C Trust lands.

(8) O&C TRUST COUNTY.—The term ''O&C Trust county'' means each of the 18 counties in the State of Oregon that contained a portion of the Oregon and California Railroad Grant lands as of January 1, 2013, each of which are beneficiaries of the O&C Trust.

(9) O&C TRUST LANDS.—The term ''O&C Trust lands'' means the surface estate of the lands over which management authority is transferred to the O&C Trust pursuant to section 311(c)(1). The term does not include any of the lands excluded from the O&C Trust pursuant to section 311(c)(2), transferred to the Forest Service under section 321, or Tribal lands transferred under subtitle D.

(10) OREGON AND CALIFORNIA RAILROAD GRANT LANDS.—The term ''Oregon and California Railroad Grant lands'' means the following lands:

(A) All lands in the State of Oregon revested in the United States under the Act of June 9, 1916 (39 Stat. 218), regardless of whether the lands are—

(i) administered by the Secretary of the Interior, acting through the Bureau of Land Management, pursuant to the first section of the Act of August 28, 1937 (43 U.S.C. 1181a); or

(ii) administered by the Secretary of Agriculture as part of the National Forest System pursuant to the first section of the Act of June 24, 1954 (43 U.S.C. 1181g).

(B) All lands in the State obtained by the Secretary of the Interior pursuant to the land exchanges authorized and directed by section 2 of the Act of June 24, 1954 (43 U.S.C. 1181h).

(C) All lands in the State acquired by the United States at any time and made subject to the provisions of title II of the Act of August 28, 1937 (43 U.S.C. 1181f).

(11) RESERVE FUND.—The term ''Reserve Fund'' means the reserve fund created by the Board of Trustees under section 315(b).

(12) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of the Interior, with respect to Oregon and California Railroad Grant lands that are transferred to the management authority of the O&C Trust and, immediately before such transfer, were managed by the Bureau of Land Management; and

(B) the Secretary of Agriculture, with respect to Oregon and California Railroad Grant lands that—

(i) are transferred to the management authority of the O&C Trust and, immediately before such transfer, were part of the National Forest System; or

(ii) are transferred to the Forest Service under section 321.

(13) STATE.—The term ''State'' means the State of Oregon.

(14) TRANSITION PERIOD.—The term ''transition period'' means the three fiscal-year period specified in section 331 following the appointment of the Board of Trustees during which—

(A) the O&C Trust is created; and

(B) interim funding of the O&C Trust is secured.

(15) TRIBAL LANDS.—The term ''Tribal lands'' means any of the lands transferred to the Cow Creek Band of the Umpqua Tribe of Indians or the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians under subtitle D.

Subtitle A—Trust, Conservation, and Jobs

CHAPTER 1—CREATION AND TERMS OF O&C TRUST

SEC. 311. CREATION OF O&C TRUST AND DESIGNATION OF O&C TRUST LANDS.

(a) CREATION.—The Oregon and California Railroad Grant Lands Trust is established effective on October 1 of the first fiscal year beginning after the appointment of the Board of Trustees. As management authority over the surface of estate of the O&C Trust lands is transferred to the O&C Trust during the transition period pursuant to section 331, the transferred lands shall be held in trust for the benefit of the O&C Trust counties.

(b) TRUST PURPOSE.—The purpose of the O&C Trust is to produce annual maximum sustained revenues in perpetuity for O&C Trust counties by managing the timber resources on O&C Trust lands on a sustained-yield basis subject to the management requirements of section 314.

(c) DESIGNATION OF O&C TRUST LANDS.—

(1) LANDS INCLUDED.—Except as provided in paragraph (2), the O&C Trust lands shall include all of the lands containing the stands of timber described in subsection (d) that are located, as of January 1, 2013, on Oregon and California Railroad Grant lands and O&C Region Public Domain lands.

(2) LANDS EXCLUDED.—O&C Trust lands shall not include any of the following Oregon and California Railroad Grant lands and O&C

Region Public Domain lands (even if the lands are otherwise described in subsection (d)):

(A) Federal lands within the National Landscape Conservation System as of January 1, 2013.

(B) Federal lands designated as Areas of Critical Environmental Concern as of January 1, 2013.

(C) Federal lands that were in the National Wilderness Preservation System as of January 1, 2013.

(D) Federal lands included in the National Wild and Scenic Rivers System of January 1, 2013.

(E) Federal lands within the boundaries of a national monument, park, or other developed recreation area as of January 1, 2013.

(F) Oregon treasures addressed in subtitle C, any portion of which, as of January 1, 2013, consists of Oregon and California Railroad Grant lands or O&C Region Public Domain lands.

(G) Tribal lands addressed in subtitle D.

(d) COVERED STANDS OF TIMBER.—

(1) DESCRIPTION.—The O&C Trust lands consist of stands of timber that have previously been managed for timber production or that have been materially altered by natural disturbances since 1886. Most of these stands of timber are 80 years old or less, and all of such stands can be classified as having a predominant stand age of 125 years or less.

(2) DELINEATION OF BOUNDARIES BY BUREAU OF LAND MANAGEMENT.—The Oregon and California Railroad Grant lands and O&C Region Public Domain lands that, immediately before transfer to the O&C Trust, were managed by the Bureau of Land Management are timber stands that have predominant birth date attributes of 1886 or later, with boundaries that are defined by polygon spatial data layer in and electronic data compilation filed by the Bureau of Land Management pursuant to paragraph (4). Except as provided in paragraph (5), the boundaries of all timber stands constituting the O&C Trust lands are finally and conclusively determined for all purposes by coordinates in or derived by reference to the polygon spatial data layer prepared by the Bureau of Land Management and filed pursuant to paragraph (4), notwithstanding anomalies that might later be discovered on the ground. The boundary coordinates are locatable on the ground by use of global positioning system signals. In cases where the location of the stand boundary is disputed or is inconsistent with paragraph (1), the location of boundary coordinates on the ground shall be, except as otherwise provided in paragraph (5), finally and conclusively determined for all purposes by the direct or indirect use of global positioning system equipment with accuracy specification of one meter or less.

(3) DELINEATION OF BOUNDARIES BY FOREST SERVICE.—The O&C Trust lands that, immediately before transfer to the O&C Trust, were managed by the Forest Service are timber stands that can be classified as having predominant stand ages of 125 years old or less. Within 30 days after the date of the enactment of this Act, the Secretary of Agriculture shall commence identification of the boundaries of such stands, and the boundaries of all such stands shall be identified and made available to the Board of Trustees not later than 180 days following the creation of the O&C Trust pursuant to subsection (a). In identifying the stand boundaries, the Secretary may use geographic information system data, satellite imagery, cadastral survey coordinates, or any other means available within the time allowed. The boundaries shall be provided to the Board of Trustees within the time allowed in the form of a spatial data layer from which coordinates can be derived that are locatable on the ground by use of global positioning system signals. Except as provided in paragraph (5), the boundaries of all timber stands constituting the O&C Trust lands are finally and conclusively determined for all purposes by coordinates in or derived by reference to the data provided by the Secretary within the time provided by this paragraph, notwithstanding anomalies that might later be discovered on the ground. In cases where the location of the stand boundary is disputed or inconsistent with paragraph (1), the location of boundary coordinates on the ground shall be, except as otherwise provided in paragraph (5), finally and conclusively determined for all purposes by the boundary coordinates provided by the Secretary as they are located on the ground by the direct or indirect use of global positioning system equipment with accuracy specifications of one meter or less. All actions taken by the Secretary under this paragraph shall be deemed to not involve Federal agency action or Federal discretionary involvement or control.

(4) DATA AND MAPS.—Copies of the data containing boundary coordinates for the stands included in the O&C Trust lands, or from which such coordinates are derived, and maps generally depicting the stand locations shall be filed with the Committee on Energy and Natural Resources of the Senate, the Committee on Natural Resources of the House of Representatives, and the office of the Secretary concerned. The maps and data shall be filed—

(A) not later than 90 days after the date of the enactment of this Act, in the case of the lands identified pursuant to paragraph (2); and

(B) not later than 180 days following the creation of the O&C Trust pursuant to subsection (a), in the case of lands identified pursuant to paragraph (3).

(5) ADJUSTMENT AUTHORITY AND LIMITATIONS.—

(A) NO IMPACT ON DETERMINING TITLE OR PROPERTY OWNERSHIP BOUNDARIES.—Stand boundaries identified under paragraph (2) or (3) shall not be relied upon for purposes of determining title or property ownership boundaries. If the boundary of a stand identified under paragraph (2) or (3) extends beyond the property ownership boundaries of Oregon and California Railroad Grant lands or O&C Region Public Domain lands, as such property boundaries exist on the date of enactment of this Act, then that stand boundary is deemed adjusted by this subparagraph to coincide with the property ownership boundary.

(B) EFFECT OF DATA ERRORS OR INCONSISTENCIES.—Data errors or inconsistencies may result in parcels of land along property ownership boundaries that are unintentionally omitted from the O&C Trust lands that are identified under paragraph (2) or (3). In order to correct such errors, any parcel of land that satisfies all of the following criteria is hereby deemed to be O&C Trust land:

(i) The parcel is within the ownership boundaries of Oregon and California Railroad Grant lands or O&C Region Public Domain lands on the date of the enactment of this Act.

(ii) The parcel satisfies the description in paragraph (1) on the date of enactment of this Act.

(iii) The parcel is not excluded from the O&C Trust lands pursuant to subsection (c)(2).

(C) NO IMPACT ON LAND EXCHANGE AUTHORITY.—Nothing in this subsection is intended to limit the authority of the Trust and the Forest Service to engage in land exchanges between themselves or with owners of non-Federal land as provided elsewhere in this title.

SEC. 312. LEGAL EFFECT OF O&C TRUST AND JUDICIAL REVIEW.

(a) LEGAL STATUS OF TRUST LANDS.—Subject to the other provisions of this section, all right, title, and interest in and to the O&C Trust lands remain in the United States, except that—

(1) the Board of Trustees shall have all authority to manage the surface estate of the O&C Trust lands and the resources found thereon;

(2) actions on the O&C Trust lands shall be deemed to involve no Federal agency action or Federal discretionary involvement or control and the laws of the State shall apply to the surface estate of the O&C Trust lands in the manner applicable to privately owned timberlands in the State; and

(3) the O&C Trust shall be treated as the beneficial owner of the surface estate of the O&C Trust lands for purposes of all legal proceedings involving the O&C Trust lands.

(b) MINERALS.—

(1) IN GENERAL.—Mineral and other subsurface rights in the O&C Trust lands are retained by the United States or other owner of such rights as of the date on which management authority over the surface estate of the lands are transferred to the O&C Trust.

(2) ROCK AND GRAVEL.—

(A) USE AUTHORIZED; PURPOSE.—For maintenance or construction on the road system under the control of the O&C Trust or for non-Federal lands intermingled with O&C Trust lands, the Board of Trustees may—

(i) utilize rock or gravel found within quarries in existence immediately before the date of the enactment of this Act on any Oregon and California Railroad Grant lands and O&C Region Public Domain lands, excluding those lands designated under subtitle C or transferred under subtitle D; and

(ii) construct new quarries on O&C Trust lands, except that any quarry so constructed may not exceed 5 acres.

(B) EXCEPTION.—The Board of Trustees shall not construct new quarries on any of the lands transferred to the Forest Service under section 321 or lands designated under subtitle D.

(c) ROADS.—

(1) IN GENERAL.—Except as provided in subsection (b), the Board of Trustees shall assume authority and responsibility over, and have authority to use, all roads and the road system specified in the following subparagraphs:

(A) All roads and road systems on the Oregon and California Railroad and Grant lands and O&C Region Public Domain lands owned or administered by the Bureau of Land Management immediately before the date of the enactment of this Act, except that the Secretary of Agriculture shall assume the Secretary of Interior's obligations for pro-rata maintenance expense and road use fees under reciprocal right-of-way agreements for those lands transferred to the Forest Service under section 321. All of the lands transferred to the Forest Service under section 321 shall be considered as part of the tributary area used to calculate pro-rata maintenance expense and road use fees.

(B) All roads and road systems owned or administered by the Forest Service immediately before the date of the enactment of this Act and subsequently included within the boundaries of the O&C Trust lands.

(C) All roads later added to the road system for management of the O&C Trust lands.

(2) LANDS TRANSFERRED TO FOREST SERVICE.—The Secretary of Agriculture shall assume the obligations of the Secretary of Interior for pro-rata maintenance expense and road use fees under reciprocal rights-of-way agreements for those Oregon and California Railroad Grant lands or O&C Region Public

Domain lands transferred to the Forest Service under section 321.

(3) COMPLIANCE WITH CLEAN WATER ACT.—All roads used, constructed, or reconstructed under the jurisdiction of the O&C Trust must comply with requirements of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) applicable to private lands through the use of Best Management Practices under the Oregon Forest Practices Act.

(d) PUBLIC ACCESS.—

(1) IN GENERAL.—Subject to paragraph (2), public access to O&C Trust lands shall be preserved consistent with the policies of the Secretary concerned applicable to the O&C Trust lands as of the date on which management authority over the surface estate of the lands is transferred to the O&C Trust.

(2) RESTRICTIONS.—The Board of Trustees may limit or control public access for reasons of public safety or to protect the resources on the O&C Trust lands.

(e) LIMITATIONS.—The assets of the O&C Trust shall not be subject to the creditors of an O&C Trust county, or otherwise be distributed in an unprotected manner or be subject to anticipation, encumbrance, or expenditure other than for a purpose for which the O&C Trust was created.

(f) REMEDY.—An O&C Trust county shall have all of the rights and remedies that would normally accrue to a beneficiary of a trust. An O&C Trust county shall provide the Board of Trustees, the Secretary concerned, and the Attorney General with not less than 60 days notice of an intent to sue to enforce the O&C Trust county's rights under the O&C Trust.

(g) JUDICIAL REVIEW.—

(1) IN GENERAL.—Except as provided in paragraph (2), judicial review of any provision of this title shall be sought in the United States Court of Appeals for the District of Columbia Circuit. Parties seeking judicial review of the validity of any provision of this title must file suit within 90 days after the date of the enactment of this Act and no preliminary injunctive relief or stays pending appeal will be permitted. If multiple cases are filed under this paragraph, the Court shall consolidate the cases. The Court must rule on any action brought under this paragraph within 180 days.

(2) DECISIONS OF BOARD OF TRUSTEES.—Decisions made by the Board of Trustees shall be subject to judicial review only in an action brought by an O&C County, except that nothing in this title precludes bringing a legal claim against the Board of Trustees that could be brought against a private landowner for the same action.

SEC. 313. BOARD OF TRUSTEES.

(a) APPOINTMENT AUTHORIZATION.—Subject to the conditions on appointment imposed by this section, the Governor is authorized to appoint the Board of Trustees to administer the O&C Trust and O&C Trust lands. Appointments by the Governor shall be made within 60 days after the date of the enactment of this Act.

(b) MEMBERS AND ELIGIBILITY.—

(1) NUMBER.—Subject to subsection (c), the Board of Trustees shall consist of seven members.

(2) RESIDENCY REQUIREMENT.—Members of the Board of Trustees must reside within an O&C Trust county.

(3) GEOGRAPHICAL REPRESENTATION.—To the extent practicable, the Governor shall ensure broad geographic representation among the O&C Trust counties in appointing members to the Board of Trustees.

(c) COMPOSITION.—The Board of Trustees shall include the following members:

(1)(A) Two forestry and wood products representatives, consisting of—

(i) one member who represents the commercial timber, wood products, or milling industries and who represents an Oregon-based company with more than 500 employees, taking into account its affiliates, that has submitted a bid for a timber sale on the Oregon and California Railroad Grant lands, O&C Region Public Domain lands, Coos Bay Wagon Road Grant lands, or O&C Trust lands in the preceding five years; and

(ii) one member who represents the commercial wood products or milling industries and who represents an Oregon-based company with 500 or fewer employees, taking into account its affiliates, that has submitted a bid for a timber sale on the Oregon and California Railroad Grant lands, O&C Region Public Domain lands, Coos Bay Wagon Road Grant lands, or O&C Trust lands in the preceding five years.

(B) At least one of the two representatives selected in this paragraph must own commercial forest land that is adjacent to the O&C Trust lands and from which the representative has not exported unprocessed timber in the preceding five years.

(2) One representative of the general public who has professional experience in one or more of the following fields:

(A) Business management.

(B) Law.

(C) Accounting.

(D) Banking.

(E) Labor management.

(F) Transportation.

(G) Engineering.

(H) Public policy.

(3) One representative of the science community who, at a minimum, holds a Doctor of Philosophy degree in wildlife biology, forestry, ecology, or related field and has published peer-reviewed academic articles in the representative's field of expertise.

(4) Three governmental representatives, consisting of—

(A) two members who are serving county commissioners of an O&C Trust county and who are nominated by the governing bodies of a majority of the O&C Trust counties and approved by the Governor, except that the two representatives may not be from the same county; and

(B) one member who holds State-wide elected office (or is a designee of such a person) or who represents a federally recognized Indian tribe or tribes within one or more O&C Trust counties.

(d) TERM, INITIAL APPOINTMENT, VACANCIES.—

(1) TERM.—Except in the case of initial appointments, members of the Board of Trustees shall serve for five-year terms and may be reappointed for one consecutive term.

(2) INITIAL APPOINTMENTS.—In making the first appointments to the Board of Trustees, the Governor shall stagger initial appointment lengths so that two members have three-year terms, two members have four-year terms, and three members have a full five-year term.

(3) VACANCIES.—Any vacancy on the Board of Trustees shall be filled within 45 days by the Governor for the unexpired term of the departing member.

(4) BOARD OF TRUSTEES MANAGEMENT COSTS.—Members of the Board of Trustees may receive annual compensation from the O&C Trust at a rate not to exceed 50 percent of the average annual salary for commissioners of the O&C Trust counties for that year.

(e) CHAIRPERSON AND OPERATIONS.—

(1) CHAIRPERSON.—A majority of the Board of Trustees shall select the chairperson for the Board of Trustees each year.

(2) MEETINGS.—The Board of Trustees shall establish proceedings to carry out its duties. The Board shall meet at least quarterly. Except for meetings substantially involving personnel and contractual decisions, all meetings of the Board shall comply with the public meetings law of the State.

(f) QUORUM AND DECISION-MAKING.—

(1) QUORUM.—A quorum shall consist of five members of the Board of Trustees. The presence of a quorum is required to constitute an official meeting of the board of trustees to satisfy the meeting requirement under subsection (e)(2).

(2) DECISIONS.—All actions and decisions by the Board of Trustees shall require approval by a majority of members.

(g) ANNUAL AUDIT.—Financial statements regarding operation of the O&C Trust shall be independently prepared and audited annually for review by the O&C Trust counties, Congress, and the State.

SEC. 314. MANAGEMENT OF O&C TRUST LANDS.

(a) IN GENERAL.—Except as otherwise provided in this title, the O&C Trust lands will be managed by the Board of Trustees in compliance with all Federal and State laws in the same manner as such laws apply to private forest lands.

(b) TIMBER SALE PLANS.—The Board of Trustees shall approve and periodically update management and sale plans for the O&C Trust lands consistent with the purpose specified in section 311(b). The Board of Trustees may defer sale plans during periods of depressed timber markets if the Board of Trustees, in its discretion, determines that such delay until markets improve is financially prudent and in keeping with its fiduciary obligation to the O&C Trust counties.

(c) STAND ROTATION.—

(1) 100–120 YEAR ROTATION.—The Board of Trustees shall manage not less than 50 percent of the harvestable acres of the O&C Trust lands on a 100–120 year rotation. The acreage subject to 100–120 year management shall be geographically dispersed across the O&C Trust lands in a manner that the Board of Trustees, in its discretion, determines will contribute to aquatic and terrestrial ecosystem values.

(2) BALANCE.—The balance of the harvestable acreage of the O&C Trust lands shall be managed on any rotation age the Board of Trustees, in its discretion and in compliance with applicable State law, determines will best satisfy its fiduciary obligation to provide revenue to the O&C Trust counties.

(3) THINNING.—Nothing in this subsection is intended to limit the ability of the Board of Trustees to decide, in its discretion, to thin stands of timber on O&C Trust lands.

(d) SALE TERMS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Board of Trustees is authorized to establish the terms for sale contracts of timber or other forest products from O&C Trust lands.

(2) SET ASIDE.—The Board of Trustees shall establish a program consistent with the program of the Bureau of Land Management under a March 10, 1959 Memorandum of Understanding, as amended, regarding calculation of shares and sale of timber set aside for purchase by business entities with 500 or fewer employees and consistent with the regulations in part 121 of title 13, Code of Federal Regulations applicable to timber sale set asides, except that existing shares in effect on the date of enactment of this Act shall apply until the next scheduled recomputation of shares. In implementing its program that is consistent with such Memorandum of Understanding, the Board of Trustees shall utilize the Timber Sale Procedure Handbook and other applicable procedures of the Bureau of Land Management, including the Operating Procedures for Conducting the Five-Year Recomputation of Small Business Share Percentages in effect on January 1, 2013.

(3) COMPETITIVE BIDDING.—The Board of Trustees must sell timber on a competitive

bid basis. No less than 50 percent of the total volume of timber sold by the Board of Trustees each year shall be sold by oral bidding consistent with practices of the Bureau of Land Management as of January 1, 2013.

(e) PROHIBITION ON EXPORT.—

(1) IN GENERAL.—As a condition on the sale of timber or other forest products from O&C Trust lands, unprocessed timber harvested from O&C Trust lands may not be exported.

(2) VIOLATIONS.—Any person who knowingly exports unprocessed timber harvested from O&C Trust lands, who knowingly provides such unprocessed timber for export by another person, or knowingly sells timber harvested from O&C Trust lands to a person who is disqualified from purchasing timber from such lands pursuant to this section shall be disqualified from purchasing timber or other forest products from O&C Trust lands or from Federal lands administered under this subtitle. Any person who uses unprocessed timber harvested from O&C Trust lands in substitution for exported unprocessed timber originating from private lands shall be disqualified from purchasing timber or other forest products from O&C Trust lands or from Federal lands administered under this subtitle.

(3) UNPROCESSED TIMBER DEFINED.—In this subsection, the term ''unprocessed timber'' has the meaning given such term in section 493(9) of the Forest Resources Conservation and Shortage Relief Act of 1990 (16 U.S.C. 620e(9)).

(f) INTEGRATED PEST, DISEASE, AND WEED MANAGEMENT PLAN.—The Board of Trustees shall develop an integrated pest and vegetation management plan to assist forest managers in prioritizing and minimizing the use of pesticides and herbicides approved by the Environmental Protection Agency and used in compliance with the Oregon Forest Practices Act. The plan shall optimize the ability of the O&C Trust to re-establish forest stands after harvest in compliance with the Oregon Forest Practices Act and to create diverse early seral stage forests. The plan shall allow for the eradication, containment and suppression of disease, pests, weeds and noxious plants, and invasive species as found on the State Noxious Weed List and prioritize ground application of herbicides and pesticides to the greatest extent practicable. The plan shall be completed before the start of the second year of the transition period. The planning process shall be open to the public and the Board of Trustees shall hold not less than two public hearings on the proposed plan before final adoption.

(g) ACCESS TO LANDS TRANSFERRED TO FOREST SERVICE.—Persons acting on behalf of the O&C Trust shall have a right of timely access over lands transferred to the Forest Service under section 321 and Tribal lands transferred under subtitle D as is reasonably necessary for the Board of Trustees to carry out its management activities with regard to the O&C Trust lands and the O&C Trust to satisfy its fiduciary duties to O&C counties.

(h) HARVEST AREA TREE AND RETENTION REQUIREMENTS.—

(1) IN GENERAL.—The O&C Trust lands shall include harvest area tree and retention requirements consistent with State law.

(2) USE OF OLD GROWTH DEFINITION.—To the greatest extent practicable, and at the discretion of the Board of Trustees, old growth, as defined by the Old Growth Review Panel created by section 324, shall be used to meet the retention requirements applicable under paragraph (1).

(i) RIPARIAN AREA MANAGEMENT.—

(1) IN GENERAL.—The O&C Trust lands shall be managed with timber harvesting limited in riparian areas as follows:

(A) STREAMS.—For all fish bearing streams and all perennial non-fish-bearing streams, there shall be no removal of timber within a distance equal to the height of one site potential tree on both sides of the stream channel. For intermittent, non-fish-bearing streams, there shall be no removal of timber within a distance equal to one-half the height of a site potential tree on both sides of the stream channel. For purposes of this subparagraph, the stream channel boundaries are the lines of ordinary high water.

(B) LARGER LAKES, PONDS AND RESERVOIRS.—For all lakes, ponds, and reservoirs with surface area larger than one quarter of one acre, there shall be no removal of timber within a distance equal to the height of one site potential tree from the line of ordinary high water of the water body.

(C) SMALL PONDS AND NATURAL WETLANDS, SPRINGS AND SEEPS.—For all ponds with surface area one quarter acre or less, and for all natural wetlands, springs and seeps, there shall be no removal of timber within the area dominated by riparian vegetation.

(2) MEASUREMENTS.—For purposes of paragraph (1), all distances shall be measured along slopes, and all site potential tree heights shall be average height at maturity of the dominant species of conifer determined at a scale no finer than the applicable fifth field watershed.

(3) RULES OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed—

(A) to prohibit the falling or placement of timber into streams to create large woody debris for the benefit of aquatic ecosystems; or

(B) to prohibit the falling of trees within riparian areas as may be reasonably necessary for safety or operational reasons in areas adjacent to the riparian areas, or for road construction or maintenance pursuant to section 312(c)(3).

(j) FIRE PROTECTION AND EMERGENCY RESPONSE.—

(1) RECIPROCAL FIRE PROTECTION AGREEMENTS.—

(A) CONTINUATION OF AGREEMENTS.—Subject to subparagraphs (B), (C), and (D), any reciprocal fire protection agreement between the State or any other entity and the Secretary concerned with regard to Oregon and California Railroad Grant lands and O&C Region Public Domain lands in effect on the date of the enactment of this Act shall remain in place for a period of ten years after such date unless earlier terminated by the State or other entity.

(B) ASSUMPTION OF BLM RIGHTS AND DUTIES.—The Board of Trustees shall exercise the rights and duties of the Bureau of Land Management under the agreements described in subparagraph (A), except as such rights and duties might apply to Tribal lands under subtitle D.

(C) EFFECT OF EXPIRATION OF PERIOD.—Following the expiration of the ten-year period under subparagraph (A), the Board of Trustees shall continue to provide for fire protection of the Oregon and California Railroad Grant lands and O&C Region Public Domain lands, including those transferred to the Forest Service under section 331, through continuation of the reciprocal fire protection agreements, new cooperative agreements, or by any means otherwise permitted by law. The means selected shall be based on the review by the Board of Trustees of whether the reciprocal fire protection agreements were effective in protecting the lands from fire.

(D) EMERGENCY RESPONSE.—Nothing in this paragraph shall prevent the Secretary of Agriculture from an emergency response to a fire on the O&C Trust lands or lands transferred to the Forest Service under section 321.

(2) EMERGENCY RESPONSE TO FIRE.—Subject to paragraph (1), if the Secretary of Agriculture determines that fire on any of the lands transferred under section 321 is burning uncontrolled or the Secretary, the Board of Trustees, or contracted party does not have readily and immediately available personnel and equipment to control or extinguish the fire, the Secretary, or any forest protective association or agency under contract or agreement with the Secretary or the Board of Trustees for the protection of forestland against fire, shall summarily and aggressively abate the nuisance thus controlling and extinguishing the fire.

(k) NORTHERN SPOTTED OWL.—So long as the O&C Trust maintains the 100–120 year rotation on 50 percent of the harvestable acres required in subsection (c), the section 321 lands representing the best quality habitat for the owl are transferred to the Forest Service, and the O&C Trust protects currently occupied northern spotted owl nest sites consistent with the forest practices in the Oregon Forest Practices Act, management of the O&C Trust land by the Board of Trustees shall be considered to comply with section 9 of Public Law 93–205 (16 U.S.C. 1538) for the northern spotted owl. A currently occupied northern spotted owl nest site shall be considered abandoned if there are no northern spotted owl responses following three consecutive years of surveys using the Protocol for Surveying Management Activities that May Impact Northern Spotted Owls dated February 2, 2013.

SEC. 315. DISTRIBUTION OF REVENUES FROM O&C TRUST LANDS.

(a) ANNUAL DISTRIBUTION OF REVENUES.—

(1) TIME FOR DISTRIBUTION; USE.—Payments to each O&C Trust county shall be made available to the general fund of the O&C Trust county as soon as practicable following the end of each fiscal year, to be used as are other unrestricted county funds.

(2) AMOUNT.—The amount paid to an O&C Trust county in relation to the total distributed to all O&C Trust counties for a fiscal year shall be based on the proportion that the total assessed value of the Oregon and California Railroad Grant lands in each of the O&C Trust counties for fiscal year 1915 bears to the total assessed value of all of the Oregon and California Railroad Grant lands in the State for that same fiscal year. However, for the purposes of this subsection the portion of the revested Oregon and California Railroad Grant lands in each of the O&C Trust counties that was not assessed for fiscal year 1915 shall be deemed to have been assessed at the average assessed value of the Oregon and California Railroad Grant lands in the county.

(3) LIMITATION.—After the fifth payment made under this subsection, the payment to an O&C Trust county for a fiscal year shall not exceed 110 percent of the previous year's payment to the O&C Trust county, adjusted for inflation based on the consumer price index applicable to the geographic area in which the O&C Trust counties are located.

(b) RESERVE FUND.—

(1) ESTABLISHMENT OF RESERVE FUND.—The Board of Trustees shall generate and maintain a reserve fund.

(2) DEPOSITS TO RESERVE FUND.—Within 10 years after creation of the O&C Trust or as soon thereafter as is practicable, the Board of Trustees shall establish and seek to maintain an annual balance of $125,000,000 in the Reserve Fund, to be derived from revenues generated from management activities involving O&C Trust lands. All annual revenues generated in excess of operating costs and payments to O&C Trust counties required by subsection (a) and payments into the Conservation Fund as provided in subsection (c) shall be deposited in the Reserve Fund.

(3) EXPENDITURES FROM RESERVE FUND.—The Board of Trustees shall use amounts in the Reserve Fund only—

(A) to pay management and administrative expenses or capital improvement costs on O&C Trust lands; and

(B) to make payments to O&C Trust counties when payments to the counties under subsection (a) are projected to be 90 percent or less of the previous year's payments.

(c) O&C TRUST CONSERVATION FUND.—

(1) ESTABLISHMENT OF CONSERVATION FUND.—The Board of Trustees shall use a portion of revenues generated from activity on the O&C Trust lands, consistent with paragraph (2), to establish and maintain a O&C Trust Conservation Fund. The O&C Trust Conservation Fund shall include no Federal appropriations.

(2) REVENUES.—Following the transition period, five percent of the O&C Trust's annual net operating revenue, after deduction of all management costs and expenses, including the payment required under section 317, shall be deposited to the O&C Trust Conservation Fund.

(3) EXPENDITURES FROM CONSERVATION FUND.—The Board of Trustees shall use amounts from the O&C Trust Conservation Fund only—

(A) to fund the voluntary acquisition of conservation easements from willing private landowners in the State;

(B) to fund watershed restoration, remediation and enhancement projects within the State; or

(C) to contribute to balancing values in a land exchange with willing private landowners proposed under section 323(b), if the land exchange will result in a net increase in ecosystem benefits for fish, wildlife, or rare native plants.

SEC. 316. LAND EXCHANGE AUTHORITY.

(a) AUTHORITY.—Subject to approval by the Secretary concerned, the Board of Trustees may negotiate proposals for land exchanges with owners of lands adjacent to O&C Trust lands in order to create larger contiguous blocks of land under management by the O&C Trust to facilitate resource management, to improve conservation value of such lands, or to improve the efficiency of management of such lands.

(b) APPROVAL REQUIRED; CRITERIA.—The Secretary concerned may approve a land exchange proposed by the Board of Trustees administratively if the exchange meets the following criteria:

(1) The non-Federal lands are completely within the State.

(2) The non-Federal lands have high timber production value, or are necessary for more efficient or effective management of adjacent or nearby O&C Trust lands.

(3) The non-Federal lands have equal or greater value to the O&C Trust lands proposed for exchange.

(4) The proposed exchange is reasonably likely to increase the net income to the O&C Trust counties over the next 20 years and not decrease the net income to the O&C Trust counties over the next 10 years.

(c) ACREAGE LIMITATION.—The Secretary concerned shall not approve land exchanges under this section that, taken together with all previous exchanges involving the O&C Trust lands, have the effect of reducing the total acreage of the O&C Trust lands by more than five percent from the total acreage to be designated as O&C Trust land under section 311(c)(1).

(d) INAPPLICABILITY OF CERTAIN LAWS.—Section 3 of the Oregon Public Lands Transfer and Protection Act of 1998 (Public Law 105–321; 112 Stat. 3022), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et. seq.), including the amendments made by the Federal Land Exchange Facilitation Act of 1988 (Public Law 100–409; 102 Stat. 1086), the Act of March 20, 1922 (16 U.S.C. 485, 486), and the Act of March 1, 1911 (commonly known as the Weeks Act; 16 U.S.C. 480 et seq.) shall not apply to the land exchange authority provided by this section.

(e) EXCHANGES WITH FOREST SERVICE.—

(1) EXCHANGES AUTHORIZED.—The Board of Trustees is authorized to engage in land exchanges with the Forest Service if approved by the Secretary pursuant to section 323(c).

(2) MANAGEMENT OF EXCHANGED LANDS.—Following completion of a land exchange under paragraph (1), the management requirements applicable to the newly acquired lands by the O&C Trust or the Forest Service shall be the same requirements under this subtitle applicable to the other lands that are managed by the O&C Board or the Forest Service.

SEC. 317. PAYMENTS TO THE UNITED STATES TREASURY.

As soon as practicable after the end of the third fiscal year of the transition period and in each of the subsequent seven fiscal years, the O&C Trust shall submit a payment of $10,000,000 to the United States Treasury.

CHAPTER 2—TRANSFER OF CERTAIN LANDS TO FOREST SERVICE

SEC. 321. TRANSFER OF CERTAIN OREGON AND CALIFORNIA RAILROAD GRANT LANDS TO FOREST SERVICE.

(a) TRANSFER REQUIRED.—The Secretary of the Interior shall transfer administrative jurisdiction over all Oregon and California Railroad Grant lands and O&C Region Public Domain lands not designated as O&C Trust lands by subparagraphs (A) through (F) of section 311(c)(1), including those lands excluded by section 311(c)(2), to the Secretary of Agriculture for inclusion in the National Forest System and administration by the Forest Service as provided in section 322.

(b) EXCEPTION.—This section does not apply to Tribal lands transferred under subtitle D.

SEC. 322. MANAGEMENT OF TRANSFERRED LANDS BY FOREST SERVICE.

(a) ASSIGNMENT TO EXISTING NATIONAL FORESTS.—To the greatest extent practicable, management responsibilities for the lands transferred under section 321 shall be assigned to the unit of the National Forest System geographically closest to the transferred lands. The Secretary of Agriculture shall have ultimate decision-making authority, but shall assign the transferred lands to a unit not later than the applicable transfer date provided in the transition period.

(b) APPLICATION OF NORTHWEST FOREST PLAN.—

(1) IN GENERAL.—Except as provided in paragraph (2), the lands transferred under section 321 shall be managed under the Northwest Forest Plan and shall retain Northwest Forest Plan land use designations until or unless changed in the manner provided by Federal laws applicable to the administration and management of the National Forest System.

(2) EXCEPTION FOR CERTAIN DESIGNATED LANDS.—The lands excluded from the O&C Trust by subparagraphs (A) through (F) of section 311(c)(2) and transferred to the Forest Service under section 321 shall be managed as provided by Federal laws applicable to the lands.

(c) PROTECTION OF OLD GROWTH.—Old growth, as defined by the Old Growth Review Panel pursuant to rulemaking conducted in accordance with section 553 of title 5, United States Code, shall not be harvested by the Forest Service on lands transferred under section 321.

(d) EMERGENCY RESPONSE TO FIRE.—Subject to section 314(i), if the Secretary of Agriculture determines that fire on any of the lands transferred under section 321 is burning uncontrolled or the Secretary or contracted party does not have readily and immediately available personnel and equipment to control or extinguish the fire, the Secretary, or any forest protective association or agency under contract or agreement with the Secretary for the protection of forestland against fire, and within whose protection area the fire exists, shall summarily and aggressively abate the nuisance thus controlling and extinguishing the fire.

SEC. 323. MANAGEMENT EFFICIENCIES AND EXPEDITED LAND EXCHANGES.

(a) LAND EXCHANGE AUTHORITY.—The Secretary of Agriculture may conduct land exchanges involving lands transferred under section 321, other than the lands excluded from the O&C Trust by subparagraphs (A) through (F) of section 311(c)(2), in order create larger contiguous blocks of land under management of the Secretary to facilitate resource management, to improve conservation value of such lands, or to improve the efficiency of management of such lands.

(b) CRITERIA FOR EXCHANGES WITH NON-FEDERAL OWNERS.—The Secretary of Agriculture may conduct a land exchange administratively under this section with a non-Federal owner (other than the O&C Trust) if the land exchange meets the following criteria:

(1) The non-Federal lands are completely within the State.

(2) The non-Federal lands have high wildlife conservation or recreation value or the exchange is necessary to increase management efficiencies of lands administered by the Forest Service for the purposes of the National Forest System.

(3) The non-Federal lands have equal or greater value to the Federal lands purposed for exchange or a balance of values can be achieved—

(A) with a grant of funds provided by the O&C Trust pursuant to section 315(c); or

(B) from other sources.

(c) CRITERIA FOR EXCHANGES WITH O&C TRUST.—The Secretary of Agriculture may conduct land exchanges with the Board of Trustees administratively under this subsection, and such an exchange shall be deemed to not involve any Federal action or Federal discretionary involvement or control if the land exchange with the O&C Trust meets the following criteria:

(1) The O&C Trust lands to be exchanged have high wildlife value or ecological value or the exchange would facilitate resource management or otherwise contribute to the management efficiency of the lands administered by the Forest Service.

(2) The exchange is requested or approved by the Board of Trustees for the O&C Trust and will not impair the ability of the Board of Trustees to meet its fiduciary responsibilities.

(3) The lands to be exchanged by the Forest Service do not contain stands of timber meeting the definition of old growth established by the Old Growth Review Panel pursuant to section 324.

(4) The lands to be exchanged are equal in acreage.

(d) ACREAGE LIMITATION.—The Secretary of Agriculture shall not approve land exchanges under this section that, taken together with all previous exchanges involving the lands described in subsection (a), have the effect of reducing the total acreage of such lands by more than five percent from the total acreage originally transferred to the Secretary.

(e) INAPPLICABILITY OF CERTAIN LAWS.—Section 3 of the Oregon Public Lands Transfer and Protection Act of 1998 (Public Law 105–321; 112 Stat. 3022), the Federal Land Policy and Management Act of 1976 (43 U.S.C.

1701 et. seq.), including the amendments made by the Federal Land Exchange Facilitation Act of 1988 (Public Law 100–409; 102 Stat. 1086), the Act of March 20, 1922 (16 U.S.C. 485, 486), and the Act of March 1, 1911 (commonly known as the Weeks Act; 16 U.S.C. 480 et seq.) shall not apply to the land exchange authority provided by this section.

SEC. 324. REVIEW PANEL AND OLD GROWTH PROTECTION.

(a) APPOINTMENT; MEMBERS.—Within 60 days after the date of the enactment of this Act the Secretary of Agriculture shall appoint an Old Growth Review Panel consisting of five members. At a minimum, the members must hold a Doctor of Philosophy degree in wildlife biology, forestry, ecology, or related field and published peer-reviewed academic articles in their field of expertise.

(b) PURPOSE OF REVIEW.—Members of the Old Growth Review Panel shall review existing, published, peer-reviewed articles in relevant academic journals and establish a definition or definitions of old growth as it applies to the ecologically, geographically and climatologically unique Oregon and California Railroad Grant lands and O&C Region Public Domain lands managed by the O&C Trust or the Forest Service only. The definition or definitions shall bear no legal force, shall not be used as a precedent for, and shall not apply to any lands other than the Oregon and California Railroad Grant lands and O&C Region Public Domain lands managed by the O&C Trust or the Forest Service in western Oregon. The definition or definitions shall not apply to Tribal lands.

(c) SUBMISSION OF RESULTS.—The definition or definitions for old growth in western Oregon established under subsection (b), if approved by at least four members of the Old Growth Review Panel, shall be submitted to the Secretary of Agriculture within six months after the date of the enactment of this Act.

SEC. 325. UNIQUENESS OF OLD GROWTH PROTECTION ON OREGON AND CALIFORNIA RAILROAD GRANT LANDS.

All sections of this subtitle referring to the term ''old growth'' are uniquely suited to resolve management issues for the lands covered by this subtitle only, and shall not be construed as precedent for any other situation involving management of other Federal, State, Tribal, or private lands.

CHAPTER 3—TRANSITION

SEC. 331. TRANSITION PERIOD AND OPERATIONS.

(a) TRANSITION PERIOD.—

(1) COMMENCEMENT; DURATION.—Effective on October 1 of the first fiscal year beginning after the appointment of the Board of Trustees under section 313, a transition period of three fiscal years shall commence.

(2) EXCEPTIONS.—Unless specifically stated in the following subsections, any action under this section shall be deemed not to involve Federal agency action or Federal discretionary involvement or control.

(b) YEAR ONE.—

(1) APPLICABILITY.—During the first fiscal year of the transition period, the activities described in this subsection shall occur.

(2) BOARD OF TRUSTEES ACTIVITIES.—The Board of Trustees shall employ sufficient staff or contractors to prepare for beginning management of O&C Trust lands and O&C Region Public Domain lands in the second fiscal year of the transition period, including preparation of management plans and a harvest schedule for the lands over which management authority is transferred to the O&C Trust in the second fiscal year.

(3) FOREST SERVICE ACTIVITIES.—The Forest Service shall begin preparing to assume management authority of all Oregon and California Railroad Grant lands and O&C Region Public Domain lands transferred under section 321 in the second fiscal year.

(4) SECRETARY CONCERNED ACTIVITIES.—The Secretary concerned shall continue to exercise management authority over all Oregon and California Railroad Grant lands and O&C Region Public Domain lands under all existing Federal laws.

(5) INFORMATION SHARING.—Upon written request from the Board of Trustees, the Secretary of the Interior shall provide copies of any documents or data, however stored or maintained, that includes the requested information concerning O&C Trust lands. The copies shall be provided as soon as practicable and to the greatest extent possible, but in no event later than 30 days following the date of the request.

(6) EXCEPTION.—This subsection does not apply to Tribal lands transferred under subtitle D.

(c) YEAR TWO.—

(1) APPLICABILITY.—During the second fiscal year of the transition period, the activities described in this subsection shall occur.

(2) TRANSFER OF O&C TRUST LANDS.—Effective on October 1 of the second fiscal year of the transition period, management authority over the O&C Trust lands shall be transferred to the O&C Trust.

(3) TRANSFER OF LANDS TO FOREST SERVICE.—The transfers required by section 321 shall occur.

(4) INFORMATION SHARING.—The Secretary of Agriculture shall obtain and manage, as soon as practicable, all documents and data relating to the Oregon and California Railroad Grant lands, O&C Region Public Domain lands, and Coos Bay Wagon Road lands previously managed by the Bureau of Land Management. Upon written request from the Board of Trustees, the Secretary of Agriculture shall provide copies of any documents or data, however stored or maintained, that includes the requested information concerning O&C Trust lands. The copies shall be provided as soon as practicable and to the greatest extent possible, but in no event later than 30 days following the date of the request.

(5) IMPLEMENTATION OF MANAGEMENT PLAN.—The Board of Trustees shall begin implementing its management plan for the O&C Trust lands and revise the plan as necessary. Distribution of revenues generated from all activities on the O&C Trust lands shall be subject to section 315.

(d) YEAR THREE AND SUBSEQUENT YEARS.—

(1) APPLICABILITY.—During the third fiscal year of the transition period and all subsequent fiscal years, the activities described in this subsection shall occur.

(2) BOARD OF TRUSTEES MANAGEMENT.—The Board of Trustees shall manage the O&C Trust lands pursuant to subtitle A.

SEC. 332. O&C TRUST MANAGEMENT CAPITALIZATION.

(a) BORROWING AUTHORITY.—The Board of Trustees is authorized to borrow from any available private sources and non-Federal, public sources in order to provide for the costs of organization, administration, and management of the O&C Trust during the three-year transition period provided in section 331.

(b) SUPPORT.—Notwithstanding any other provision of law, O&C Trust counties are authorized to loan to the O&C Trust, and the Board of Trustees is authorized to borrow from willing O&C Trust counties, amounts held on account by such counties that are required to be expended in accordance with the Act of May 23,1908 (35 Stat. 260; 16 U.S.C. 500) and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500), except that, upon repayment by the O&C Trust, the obligation of such counties to expend the funds in accordance with such Acts shall continue to apply.

SEC. 333. EXISTING BUREAU OF LAND MANAGEMENT AND FOREST SERVICE CONTRACTS.

(a) TREATMENT OF EXISTING CONTRACTS.—Any work or timber contracts sold or awarded by the Bureau of Land Management or Forest Service on or with respect to Oregon and California Railroad Grant lands or O&C Region Public Domain lands before the transfer of the lands to the O&C Trust or the Forest Service, or Tribal lands transferred under subtitle D, shall remain binding and effective according to the terms of the contracts after the transfer of the lands. The Board of Trustees and Secretary concerned shall make such accommodations as are necessary to avoid interfering in any way with the performance of the contracts.

(b) TREATMENT OF PAYMENTS UNDER CONTRACTS.—Payments made pursuant to the contracts described in subsection (a), if any, shall be made as provided in those contracts and not made to the O&C Trust.

SEC. 334. PROTECTION OF VALID EXISTING RIGHTS AND ACCESS TO NON-FEDERAL LAND.

(a) VALID RIGHTS.—Nothing in this title, or any amendment made by this title, shall be construed as terminating any valid lease, permit, patent, right-of-way, agreement, or other right of authorization existing on the date of the enactment of this Act with regard to Oregon and California Railroad Grant lands or O&C Region Public Domain lands, including O&C Trust lands over which management authority is transferred to the O&C Trust pursuant to section 311(c)(1), lands transferred to the Forest Service under section 321, and Tribal lands transferred under subtitle D.

(b) ACCESS TO LANDS.—

(1) EXISTING ACCESS RIGHTS.—The Secretary concerned shall preserve all rights of access and use, including (but not limited to) reciprocal right-of-way agreements, tail hold agreements, or other right-of-way or easement obligations existing on the date of the enactment of this Act, and such rights shall remain applicable to lands covered by this subtitle in the same manner and to the same extent as such rights applied before the date of the enactment of this Act.

(2) NEW ACCESS RIGHTS.—If a current or future landowner of land intermingled with Oregon and California Railroad Grant lands or O&C Region Public Domain lands does not have an existing access agreement related to the lands covered by this subtitle, the Secretary concerned shall enter into an access agreement, including appurtenant lands, to secure the landowner the reasonable use and enjoyment of the landowner's land, including the harvest and hauling of timber.

(c) MANAGEMENT COOPERATION.—The Board of Trustees and the Secretary concerned shall provide current and future landowners of land intermingled with Oregon and California Railroad Grant lands or O&C Region Public Domain lands the permission needed to manage their lands, including to locate tail holds, tramways, and logging wedges, to purchase guylines, and to cost-share property lines surveys to the lands covered by this subtitle, within 30 days after receiving notification of the landowner's plan of operation.

(d) JUDICIAL REVIEW.—Notwithstanding section 312(g)(2), a private landowner may obtain judicial review of a decision of the Board of Trustees to deny—

(1) the landowner the rights provided by subsection (b) regarding access to the landowner's land; or

(2) the landowner the reasonable use and enjoyment of the landowner's land.

SEC. 335. REPEAL OF SUPERSEDED LAW RELATING TO OREGON AND CALIFORNIA RAILROAD GRANT LANDS.

(a) REPEAL.—Except as provided in subsection (b), the Act of August 28, 1937 (43 U.S.C. 1181a et seq.) is repealed effective on October 1 of the first fiscal year beginning after the appointment of the Board of Trustees.

(b) EFFECT OF CERTAIN COURT RULINGS.—If, as a result of judicial review authorized by section 312, any provision of this subtitle is held to be invalid and implementation of the provision or any activity conducted under the provision is then enjoined, the Act of August 28, 1937 (43 U.S.C. 1181a et seq.), as in effect immediately before its repeal by subsection (a), shall be restored to full legal force and effect as if the repeal had not taken effect.

Subtitle B—Coos Bay Wagon Roads

SEC. 341. TRANSFER OF MANAGEMENT AUTHORITY OVER CERTAIN COOS BAY WAGON ROAD GRANT LANDS TO COOS COUNTY, OREGON.

(a) TRANSFER REQUIRED.—Except in the case of the lands described in subsection (b), the Secretary of the Interior shall transfer management authority over the Coos Bay Wagon Road Grant lands reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179), and the surface resources thereon, to the Coos County government. The transfer shall be completed not later than one year after the date of the enactment of this Act.

(b) LANDS EXCLUDED.—The transfer under subsection (a) shall not include any of the following Coos Bay Wagon Road Grant lands:

(1) Federal lands within the National Landscape Conservation System as of January 1, 2013.

(2) Federal lands designated as Areas of Critical Environmental Concern as of January 1, 2013.

(3) Federal lands that were in the National Wilderness Preservation System as of January 1, 2013.

(4) Federal lands included in the National Wild and Scenic Rivers System of January 1, 2013.

(5) Federal lands within the boundaries of a national monument, park, or other developed recreation area as of January 1, 2013.

(6) All stands of timber generally older than 125 years old, as of January 1, 2011, which shall be conclusively determined by reference to the polygon spatial data layer in the electronic data compilation filed by the Bureau of Land Management based on the predominant birth-date attribute, and the boundaries of such stands shall be conclusively determined for all purposes by the global positioning system coordinates for such stands.

(7) Tribal lands addressed in subtitle D.

(c) MANAGEMENT.—

(1) IN GENERAL.—Coos County shall manage the Coos Bay Wagon Road Grant lands over which management authority is transferred under subsection (a) consistent with section 314, and for purposes of applying such section, ''Board of Trustees'' shall be deemed to mean ''Coos County'' and ''O&C Trust lands'' shall be deemed to mean the transferred lands.

(2) RESPONSIBILITY FOR MANAGEMENT COSTS.—Coos County shall be responsible for all management and administrative costs of the Coos Bay Wagon Road Grant lands over which management authority is transferred under subsection (a).

(3) MANAGEMENT CONTRACTS.—Coos County may contract, if competitively bid, with one or more public, private, or tribal entities, including (but not limited to) the Coquille Indian Tribe, if such entities are substantially based in Coos or Douglas Counties, Oregon, to manage and administer the lands.

(d) TREATMENT OF REVENUES.—

(1) IN GENERAL.—All revenues generated from the Coos Bay Wagon Road Grant lands over which management authority is transferred under subsection (a) shall be deposited in the general fund of the Coos County treasury to be used as are other unrestricted county funds.

(2) TREASURY.—As soon as practicable after the end of the third fiscal year of the transition period and in each of the subsequent seven fiscal years, Coos County shall submit a payment of $400,000 to the United States Treasury.

(3) DOUGLAS COUNTY.—Beginning with the first fiscal year for which management of the Coos Bay Wagon Road Grant lands over which management authority is transferred under subsection (a) generates net positive revenues, and for all subsequent fiscal years, Coos County shall transmit a payment to the general fund of the Douglas County treasury from the net revenues generated from the lands. The payment shall be made as soon as practicable following the end of each fiscal year and the amount of the payment shall bear the same proportion to total net revenues for the fiscal year as the proportion of the Coos Bay Wagon Road Grant lands in Douglas County in relation to all Coos Bay Wagon Road Grant lands in Coos and Douglas Counties as of January 1, 2013.

SEC. 342. TRANSFER OF CERTAIN COOS BAY WAGON ROAD GRANT LANDS TO FOREST SERVICE.

The Secretary of the Interior shall transfer administrative jurisdiction over the Coos Bay Wagon Road Grant lands excluded by paragraphs (1) through (6) of section 341(b) to the Secretary of Agriculture for inclusion in the National Forest System and administration by the Forest Service as provided in section 322.

SEC. 343. LAND EXCHANGE AUTHORITY.

Coos County may recommend land exchanges to the Secretary of Agriculture and carry out such land exchanges in the manner provided in section 316.

Subtitle C—Oregon Treasures

CHAPTER 1—WILDERNESS AREAS

SEC. 351. DESIGNATION OF DEVIL'S STAIRCASE WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the Federal land in the State of Oregon administered by the Forest Service and the Bureau of Land Management, comprising approximately 30,520 acres, as generally depicted on the map titled ''Devil's Staircase Wilderness Proposal'', dated October 26, 2009, are designated as a wilderness area for inclusion in the National Wilderness Preservation System and to be known as the ''Devil's Staircase Wilderness''.

(b) MAP AND LEGAL DESCRIPTION.—As soon as practicable after the date of the enactment of this Act, the Secretary shall file with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a map and legal description of wilderness area designated by subsection (a). The map and legal description shall have the same force and effect as if included in this subdivision, except that the Secretary may correct clerical and typographical errors in the map and description. In the case of any discrepancy between the acreage specified in subsection (a) and the map, the map shall control. The map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service.

(c) ADMINISTRATION.—

(1) IN GENERAL.—Subject to valid existing rights, the Devil's Staircase Wilderness Area shall be administered by the Secretaries of Agriculture and the Interior, in accordance with the Wilderness Act and the Oregon Wilderness Act of 1984, except that, with respect to the wilderness area, any reference in the Wilderness Act to the effective date of that Act shall be deemed to be a reference to the date of the enactment of this Act.

(2) FOREST SERVICE ROADS.—As provided in section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary of Agriculture shall—

(A) decommission any National Forest System road within the wilderness boundaries; and

(B) convert Forest Service Road 4100 within the wilderness boundary to a trail for primitive recreational use.

(d) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land within the boundary of the wilderness area designated by this section that is acquired by the United States shall—

(1) become part of the Devil's Staircase Wilderness Area; and

(2) be managed in accordance with this section and any other applicable law.

(e) FISH AND WILDLIFE.—Nothing in this section shall be construed as affecting the jurisdiction or responsibilities of the State of Oregon with respect to wildlife and fish in the national forests.

(f) WITHDRAWAL.—Subject to valid rights in existence on the date of enactment of this Act, the Federal land designated as wilderness area by this section is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(g) PROTECTION OF TRIBAL RIGHTS.—Nothing in this section shall be construed to diminish—

(1) the existing rights of any Indian tribe; or

(2) tribal rights regarding access to Federal lands for tribal activities, including spiritual, cultural, and traditional food gathering activities.

SEC. 352. EXPANSION OF WILD ROGUE WILDERNESS AREA.

(a) EXPANSION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal land managed by the Bureau of Land Management, comprising approximately 58,100 acres, as generally depicted on the map entitled ''Wild Rogue'', dated September 16, 2010, are hereby included in the Wild Rogue Wilderness, a component of the National Wilderness Preservation System.

(b) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall file a map and a legal description of the wilderness area designated by this section, with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The maps and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(c) ADMINISTRATION.—Subject to valid existing rights, the area designated as wilderness by this section shall be administered by the Secretary of Agriculture in accordance

with the Wilderness Act (16 U.S.C. 1131 et seq.).

(d) WITHDRAWAL.—Subject to valid rights in existence on the date of enactment of this Act, the Federal land designated as wilderness by this section is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

CHAPTER 2—WILD AND SCENIC RIVER DESIGNATED AND RELATED PROTECTIONS

SEC. 361. WILD AND SCENIC RIVER DESIGNATIONS, MOLALLA RIVER.

(a) DESIGNATIONS.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(____) MOLALLA RIVER, OREGON.—The following segments in the State of Oregon, to be administered by the Secretary of the Interior as a recreational river:

''(A) The approximately 15.1-mile segment from the southern boundary line of T. 7 S., R. 4 E., sec. 19, downstream to the edge of the Bureau of Land Management boundary in T. 6 S., R. 3 E., sec. 7.

''(B) The approximately 6.2-mile segment from the easternmost Bureau of Land Management boundary line in the NE¼ sec. 4, T. 7 S., R. 4 E., downstream to the confluence with the Molalla River.''.

(b) TECHNICAL CORRECTIONS.—Section 3(a)(102) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(102)) is amended—

(1) in the heading, by striking ''SQUAW CREEK'' and inserting ''WHYCHUS CREEK'';

(2) in the matter preceding subparagraph (A), by striking ''McAllister Ditch, including the Soap Fork Squaw Creek, the North Fork, the South Fork, the East and West Forks of Park Creek, and Park Creek Fork'' and inserting ''Plainview Ditch, including the Soap Creek, the North and South Forks of Whychus Creek, the East and West Forks of Park Creek, and Park Creek''; and

(3) in subparagraph (B), by striking ''McAllister Ditch'' and inserting ''Plainview Ditch''.

SEC. 362. WILD AND SCENIC RIVERS ACT TECHNICAL CORRECTIONS RELATED TO CHETCO RIVER.

Section 3(a)(69) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(69)) is amended—

(1) by inserting before the ''The 44.5-mile'' the following:

''(A) DESIGNATIONS.—'';

(2) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively (and by moving the margins 2 ems to the right);

(3) in clause (i), as redesignated—

(A) by striking ''25.5-mile'' and inserting ''27.5-mile''; and

(B) by striking ''Boulder Creek at the Kalmiopsis Wilderness boundary'' and inserting ''Mislatnah Creek'';

(4) in clause (ii), as redesignated—

(A) by striking ''8'' and inserting ''7.5'';

(B) by striking ''Boulder Creek'' and inserting ''Mislatnah Creek''; and

(C) by striking ''Steel Bridge'' and inserting ''Eagle Creek'';

(5) in clause (iii), as redesignated—

(A) by striking ''11'' and inserting ''9.5''; and

(B) by striking ''Steel Bridge'' and inserting ''Eagle Creek''; and

(6) by adding at the end the following:

''(B) WITHDRAWAL.—Subject to valid rights, the Federal land within the boundaries of the river segments designated by subparagraph (A), is withdrawn from all forms of—

''(i) entry, appropriation, or disposal under the public land laws;

''(ii) location, entry, and patent under the mining laws; and

''(iii) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.''.

SEC. 363. WILD AND SCENIC RIVER DESIGNATIONS, WASSON CREEK AND FRANKLIN CREEK.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(____) FRANKLIN CREEK, OREGON.—The 4.5-mile segment from the headwaters to the private land boundary in section 8 to be administered by the Secretary of Agriculture as a wild river.

''(____) WASSON CREEK, OREGON.—

''(A) The 4.2-mile segment from the eastern edge of section 17 downstream to the boundary of sections 11 and 12 to be administered by the Secretary of Interior as a wild river.

''(B) The 5.9-mile segment downstream from the boundary of sections 11 and 12 to the private land boundary in section 22 to be administered by the Secretary of Agriculture as a wild river.''.

SEC. 364. WILD AND SCENIC RIVER DESIGNATIONS, ROGUE RIVER AREA.

(a) DESIGNATIONS.—Section 3(a)(5) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(5)) (relating to the Rogue River, Oregon) is amended by adding at the end the following: ''In addition to the segment described in the previous sentence, the following segments in the Rogue River area are designated:

''(A) KELSEY CREEK.—The approximately 4.8 miles of Kelsey Creek from east section line of T32S, R9W, sec. 34, W.M. to the confluence with the Rogue River as a wild river.

''(B) EAST FORK KELSEY CREEK.—The approximately 4.6 miles of East Fork Kelsey Creek from the Wild Rogue Wilderness boundary in T33S, R8W, sec. 5, W.M. to the confluence with Kelsey Creek as a wild river.

''(C) WHISKY CREEK.—

''(i) The approximately 0.6 miles of Whisky Creek from the confluence of the East Fork and West Fork to 0.1 miles downstream from road 33–8–23 as a recreational river.

''(ii) The approximately 1.9 miles of Whisky Creek from 0.1 miles downstream from road 33–8–23 to the confluence with the Rogue River as a wild river.

''(D) EAST FORK WHISKY CREEK.—

''(i) The approximately 2.8 miles of East Fork Whisky Creek from the Wild Rogue Wilderness boundary in T33S, R8W, sec. 11, W.M. to 0.1 miles downstream of road 33–8–26 crossing as a wild river.

''(ii) The approximately .3 miles of East Fork Whisky Creek from 0.1 miles downstream of road 33–8–26 to the confluence with Whisky Creek as a recreational river.

''(E) WEST FORK WHISKY CREEK.—The approximately 4.8 miles of West Fork Whisky Creek from its headwaters to the confluence with Whisky Creek as a wild river.

''(F) BIG WINDY CREEK.—

''(i) The approximately 1.5 miles of Big Windy Creek from its headwaters to 0.1 miles downstream from road 34–9–17.1 as a scenic river.

''(ii) The approximately 5.8 miles of Big Windy Creek from 0.1 miles downstream from road 34–9–17.1 to the confluence with the Rogue River as a wild river.

''(G) EAST FORK BIG WINDY CREEK.—

''(i) The approximately 0.2 miles of East Fork Big Windy Creek from its headwaters to 0.1 miles downstream from road 34–8–36 as a scenic river.

''(ii) The approximately 3.7 miles of East Fork Big Windy Creek from 0.1 miles downstream from road 34–8–36 to the confluence with Big Windy Creek as a wild river.

''(H) LITTLE WINDY CREEK.—The approximately 1.9 miles of Little Windy Creek from 0.1 miles downstream of road 34–8–36 to the confluence with the Rogue River as a wild river.

''(I) HOWARD CREEK.—

''(i) The approximately 0.3 miles of Howard Creek from its headwaters to 0.1 miles downstream of road 34–9–34 as a scenic river.

''(ii) The approximately 6.9 miles of Howard Creek from 0.1 miles downstream of road 34–9–34 to the confluence with the Rogue River as a wild river.

''(J) MULE CREEK.—The approximately 6.3 miles of Mule Creek from east section line of T32S, R10W, sec. 25, W.M. to the confluence with the Rogue River as a wild river.

''(K) ANNA CREEK.—The approximately 3.5-mile section of Anna Creek from its headwaters to the confluence with Howard Creek as a wild river.

''(L) MISSOURI CREEK.—The approximately 1.6 miles of Missouri Creek from the Wild Rogue Wilderness boundary in T33S, R10W, sec. 24, W.M. to the confluence with the Rogue River as a wild river.

''(M) JENNY CREEK.—The approximately 1.8 miles of Jenny Creek from the Wild Rogue Wilderness boundary in T33S, R9W, sec. 28, W.M. to the confluence with the Rogue River as a wild river.

''(N) RUM CREEK.—The approximately 2.2 miles of Rum Creek from the Wild Rogue Wilderness boundary in T34S, R8W, sec. 9, W.M. to the confluence with the Rogue River as a wild river.

''(O) EAST FORK RUM CREEK.—The approximately 1.5 miles of East Rum Creek from the Wild Rogue Wilderness boundary in T34S, R8W, sec. 10, W.M. to the confluence with Rum Creek as a wild river.

''(P) WILDCAT CREEK.—The approximately 1.7-mile section of Wildcat Creek from its headwaters downstream to the confluence with the Rogue River as a wild river.

''(Q) MONTGOMERY CREEK.—The approximately 1.8-mile section of Montgomery Creek from its headwaters downstream to the confluence with the Rogue River as a wild river.

''(R) HEWITT CREEK.—The approximately 1.2 miles of Hewitt Creek from the Wild Rogue Wilderness boundary in T33S, R9W, sec. 19, W.M. to the confluence with the Rogue River as a wild river.

''(S) BUNKER CREEK.—The approximately 6.6 miles of Bunker Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(T) DULOG CREEK.—

''(i) The approximately 0.8 miles of Dulog Creek from its headwaters to 0.1 miles downstream of road 34–8–36 as a scenic river.

''(ii) The approximately 1.0 miles of Dulog Creek from 0.1 miles downstream of road 34–8–36 to the confluence with the Rogue River as a wild river.

''(U) QUAIL CREEK.—The approximately 1.7 miles of Quail Creek from the Wild Rogue Wilderness boundary in T33S, R10W, sec. 1, W.M. to the confluence with the Rogue River as a wild river.

''(V) MEADOW CREEK.—The approximately 4.1 miles of Meadow Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(W) RUSSIAN CREEK.—The approximately 2.5 miles of Russian Creek from the Wild Rogue Wilderness boundary in T33S, R8W, sec. 20, W.M. to the confluence with the Rogue River as a wild river.

''(X) ALDER CREEK.—The approximately 1.2 miles of Alder Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(Y) BOOZE CREEK.—The approximately 1.5 miles of Booze Creek from its headwaters to

the confluence with the Rogue River as a wild river.

''(Z) BRONCO CREEK.—The approximately 1.8 miles of Bronco Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(AA) COPSEY CREEK.—The approximately 1.5 miles of Copsey Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(BB) CORRAL CREEK.—The approximately 0.5 miles of Corral Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(CC) COWLEY CREEK.—The approximately 0.9 miles of Cowley Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(DD) DITCH CREEK.—The approximately 1.8 miles of Ditch Creek from the Wild Rogue Wilderness boundary in T33S, R9W, sec. 5, W.M. to its confluence with the Rogue River as a wild river.

''(EE) FRANCIS CREEK.—The approximately 0.9 miles of Francis Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(FF) LONG GULCH.—The approximately 1.1 miles of Long Gulch from the Wild Rogue Wilderness boundary in T33S, R10W, sec. 23, W.M. to the confluence with the Rogue River as a wild river.

''(GG) BAILEY CREEK.—The approximately 1.7 miles of Bailey Creek from the west section line of T34S, R8W, sec. 14, W.M. to the confluence of the Rogue River as a wild river.

''(HH) SHADY CREEK.—The approximately 0.7 miles of Shady Creek from its headwaters to the confluence with the Rogue River as a wild river.

''(II) SLIDE CREEK.—

''(i) The approximately 0.5-mile section of Slide Creek from its headwaters to 0.1 miles downstream from road 33–9–6 as a scenic river.

''(ii) The approximately 0.7-mile section of Slide Creek from 0.1 miles downstream of road 33–9–6 to the confluence with the Rogue River as a wild river.''.

(b) MANAGEMENT.—All wild, scenic, and recreation classified segments designated by the amendment made by subsection (a) shall be managed as part of the Rogue Wild and Scenic River.

(c) WITHDRAWAL.—Subject to valid rights, the Federal land within the boundaries of the river segments designated by the amendment made by subsection (a) is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

SEC. 365. ADDITIONAL PROTECTIONS FOR ROGUE RIVER TRIBUTARIES.

(a) WITHDRAWAL.—Subject to valid rights, the Federal land within a quarter-mile on each side of the streams listed in subsection (b) is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(b) STREAM SEGMENTS.—Subsection (a) applies the following tributaries of the Rogue River:

(1) KELSEY CREEK.—The approximately 4.5 miles of Kelsey Creek from its headwaters to the east section line of 32S 9W sec. 34.

(2) EAST FORK KELSEY CREEK.—The approximately .2 miles of East Fork Kelsey Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 8W sec. 5.

(3) EAST FORK WHISKY CREEK.—The approximately .7 miles of East Fork Whisky Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 8W section 11.

(4) LITTLE WINDY CREEK.—The approximately 1.2 miles of Little Windy Creek from its headwaters to west section line of 33S 9W sec. 34.

(5) MULE CREEK.—The approximately 5.1 miles of Mule Creek from its headwaters to east section line of 32S 10W sec. 25.

(6) MISSOURI CREEK.—The approximately 3.1 miles of Missouri Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 10W sec. 24.

(7) JENNY CREEK.—The approximately 3.1 miles of Jenny Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 9W sec. 28.

(8) RUM CREEK.—The approximately 2.2 miles of Rum Creek from its headwaters to the Wild Rogue Wilderness boundary in 34S 8W sec. 9.

(9) EAST FORK RUM CREEK.—The approximately .5 miles of East Fork Rum Creek from its headwaters to the Wild Rogue Wilderness boundary in 34S 8W sec. 10.

(10) HEWITT CREEK.—The approximately 1.4 miles of Hewitt Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 9W sec. 19.

(11) QUAIL CREEK.—The approximately .8 miles of Quail Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 10W sec. 1.

(12) RUSSIAN CREEK.—The approximately .1 miles of Russian Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 8W sec. 20.

(13) DITCH CREEK.—The approximately .7 miles of Ditch Creek from its headwaters to the Wild Rogue Wilderness boundary in 33S 9W sec. 5.

(14) LONG GULCH.—The approximately 1.4 miles of Long Gulch from its headwaters to the Wild Rogue Wilderness boundary in 33S 10W sec. 23.

(15) BAILEY CREEK.—The approximately 1.4 miles of Bailey Creek from its headwaters to west section line of 34S 8W sec. 14.

(16) QUARTZ CREEK.—The approximately 3.3 miles of Quartz Creek from its headwaters to its confluence with the North Fork Galice Creek.

(17) NORTH FORK GALICE CREEK.—The approximately 5.7 miles of the North Fork Galice Creek from its headwaters to its confluence with Galice Creek.

(18) GRAVE CREEK.—The approximately 10.2 mile section of Grave Creek from the confluence of Wolf Creek downstream to the confluence with the Rogue River.

(19) CENTENNIAL GULCH.—The approximately 2.2 miles of Centennial Gulch from its headwaters to its confluence with the Rogue River.

CHAPTER 3—ADDITIONAL PROTECTIONS

SEC. 371. LIMITATIONS ON LAND ACQUISITION.

(a) PROHIBITION ON USE OF CONDEMNATION.—The Secretary of the Interior or the Secretary of Agriculture may not acquire by condemnation any land or interest within the boundaries of the river segments or wilderness designated by this subtitle.

(b) LANDOWNER CONSENT REQUIRED.—Private or non-Federal public property shall not be included within the boundaries of the river segments or wilderness designated by this subtitle unless the owner of the property has consented in writing to having that property included in such boundaries.

SEC. 372. OVERFLIGHTS.

(a) IN GENERAL.—Nothing in this subtitle or the Wilderness Act shall preclude low-level overflights and operations of military aircraft, helicopters, missiles, or unmanned aerial vehicles over the wilderness designated by this subtitle, including military overflights and operations that can be seen or heard within the wilderness.

(b) SPECIAL USE AIRSPACE AND TRAINING ROUTES.—Nothing in this subtitle or the Wilderness Act shall preclude the designation of new units of special use airspace, the expansion of existing units of special use airspace, or the use or establishment of military training routes over wilderness designated by this subtitle.

SEC. 373. BUFFER ZONES.

Nothing in this subtitle—

(1) establishes or authorizes the establishment of a protective perimeter or buffer zone around the boundaries of the river segments or wilderness designated by this subtitle; or

(2) precludes, limits, or restricts an activity from being conducted outside such boundaries, including an activity that can be seen or heard from within such boundaries.

SEC. 374. PREVENTION OF WILDFIRES.

The designation of a river segment or wilderness by this subtitle or the withdrawal of the Federal land under this subtitle shall not be construed to interfere with the authority of the Secretary of the Interior or the Secretary of Agriculture to authorize mechanical thinning of trees or underbrush to prevent or control the spread of wildfires, or conditions creating the risk of wildfire that threatens areas outside the boundary of the wilderness, or the use of mechanized equipment for wildfire pre-suppression and suppression.

SEC. 375. LIMITATION ON DESIGNATION OF CERTAIN LANDS IN OREGON.

A national monument designation under the Act of June 8, 1906 (commonly known as the Antiquities Act; 16 U.S.C. 431 et seq.) within or on any portion of the Oregon and California Railroad Grant Lands or the O&C Region Public Domain lands, regardless of whether management authority over the lands are transferred to the O&C Trust pursuant to section 311(c)(1), the lands are excluded from the O&C Trust pursuant to section 311(c)(2), or the lands are transferred to the Forest Service under section 321, shall only be made pursuant to Congressional approval in an Act of Congress.

CHAPTER 4—EFFECTIVE DATE

SEC. 381. EFFECTIVE DATE.

(a) IN GENERAL.—This subtitle and the amendments made by this subtitle shall take effect on October 1 of the second fiscal year of the transition period.

(b) EXCEPTION.—If, as a result of judicial review authorized by section 312, any provision of subtitle A is held to be invalid and implementation of the provision or any activity conducted under the provision is enjoined, this subtitle and the amendments made by this subtitle shall not take effect, or if the effective date specified in subsection (a) has already occurred, this subtitle shall have no force and effect and the amendments made by this subtitle are repealed.

Subtitle D—Tribal Trust Lands

PART 1—COUNCIL CREEK LAND CONVEYANCE

SEC. 391. DEFINITIONS.

In this part:

(1) COUNCIL CREEK LAND.—The term ''Council Creek land'' means the approximately 17,519 acres of land, as generally depicted on the map entitled ''Canyon Mountain Land Conveyance'' and dated June 27, 2013.

(2) TRIBE.—The term ''Tribe'' means the Cow Creek Band of Umpqua Tribe of Indians.

SEC. 392. CONVEYANCE.

(a) IN GENERAL.—Subject to valid existing rights, including rights-of-way, all right,

title, and interest of the United States in and to the Council Creek land, including any improvements located on the land, appurtenances to the land, and minerals on or in the land, including oil and gas, shall be—

(1) held in trust by the United States for the benefit of the Tribe; and

(2) part of the reservation of the Tribe.

(b) SURVEY.—Not later than one year after the date of enactment of this Act, the Secretary of the Interior shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

SEC. 393. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall file a map and legal description of the Council Creek land with—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Natural Resources of the House of Representatives.

(b) FORCE AND EFFECT.—The map and legal description filed under subsection (a) shall have the same force and effect as if included in this subdivision, except that the Secretary of the Interior may correct any clerical or typographical errors in the map or legal description.

(c) PUBLIC AVAILABILITY.—The map and legal description filed under subsection (a) shall be on file and available for public inspection in the Office of the Secretary of the Interior.

SEC. 394. ADMINISTRATION.

(a) IN GENERAL.—Unless expressly provided in this part, nothing in this part affects any right or claim of the Tribe existing on the date of enactment of this Act to any land or interest in land.

(b) PROHIBITIONS.—

(1) EXPORTS OF UNPROCESSED LOGS.—Federal law (including regulations) relating to the export of unprocessed logs harvested from Federal land shall apply to any unprocessed logs that are harvested from the Council Creek land.

(2) NON-PERMISSIBLE USE OF LAND.—Any real property taken into trust under section 392 shall not be eligible, or used, for any gaming activity carried out under Public Law 100–497 (25 U.S.C. 2701 et seq.).

(c) FOREST MANAGEMENT.—Any forest management activity that is carried out on the Council Creek land shall be managed in accordance with all applicable Federal laws.

PART 2—OREGON COASTAL LAND CONVEYANCE

SEC. 395. DEFINITIONS.

In this part:

(1) OREGON COASTAL LAND.—The term ''Oregon Coastal land'' means the approximately 14,804 acres of land, as generally depicted on the map entitled ''Oregon Coastal Land Conveyance'' and dated March 5, 2013.

(2) CONFEDERATED TRIBES.—The term ''Confederated Tribes'' means the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

SEC. 396. CONVEYANCE.

(a) IN GENERAL.—Subject to valid existing rights, including rights-of-way, all right, title, and interest of the United States in and to the Oregon Coastal land, including any improvements located on the land, appurtenances to the land, and minerals on or in the land, including oil and gas, shall be—

(1) held in trust by the United States for the benefit of the Confederated Tribes; and

(2) part of the reservation of the Confederated Tribes.

(b) SURVEY.—Not later than one year after the date of enactment of this Act, the Secretary of the Interior shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

SEC. 397. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall file a map and legal description of the Oregon Coastal land with—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Natural Resources of the House of Representatives.

(b) FORCE AND EFFECT.—The map and legal description filed under subsection (a) shall have the same force and effect as if included in this subdivision, except that the Secretary of the Interior may correct any clerical or typographical errors in the map or legal description.

(c) PUBLIC AVAILABILITY.—The map and legal description filed under subsection (a) shall be on file and available for public inspection in the Office of the Secretary of the Interior.

SEC. 398. ADMINISTRATION.

(a) IN GENERAL.—Unless expressly provided in this part, nothing in this part affects any right or claim of the Consolidated Tribes existing on the date of enactment of this Act to any land or interest in land.

(b) PROHIBITIONS.—

(1) EXPORTS OF UNPROCESSED LOGS.—Federal law (including regulations) relating to the export of unprocessed logs harvested from Federal land shall apply to any unprocessed logs that are harvested from the Oregon Coastal land.

(2) NON-PERMISSIBLE USE OF LAND.—Any real property taken into trust under section 396 shall not be eligible, or used, for any gaming activity carried out under Public Law 100–497 (25 U.S.C. 2701 et seq.).

(c) FOREST MANAGEMENT.—Any forest management activity that is carried out on the Oregon Coastal land shall be managed in accordance with all applicable Federal laws.

TITLE IV—COMMUNITY FOREST MANAGEMENT DEMONSTRATION

SEC. 401. PURPOSE AND DEFINITIONS.

(a) PURPOSE.—The purpose of this title is to generate dependable economic activity for counties and local governments by establishing a demonstration program for local, sustainable forest management.

(b) DEFINITIONS.—In this title:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the Advisory Committee appointed by the Governor of a State for the community forest demonstration area established for the State.

(2) COMMUNITY FOREST DEMONSTRATION AREA.—The term ''community forest demonstration area'' means a community forest demonstration area established for a State under section 402.

(3) NATIONAL FOREST SYSTEM.—The term ''National Forest System'' has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)), except that the term does not include the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010–1012).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture or the designee of the Secretary of Agriculture.

(5) STATE.—The term ''State'' includes the Commonwealth of Puerto Rico.

SEC. 402. ESTABLISHMENT OF COMMUNITY FOREST DEMONSTRATION AREAS.

(a) ESTABLISHMENT REQUIRED; TIME FOR ESTABLISHMENT.—Subject to subsection (c) and not later than one year after the date of the enactment of this Act, the Secretary of Agriculture shall establish a community forest demonstration area at the request of the Advisory Committee appointed to manage community forest demonstration area land in that State.

(b) COVERED LAND.—

(1) INCLUSION OF NATIONAL FOREST SYSTEM LAND.—The community forest demonstration areas of a State shall consist of the National Forest System land in the State identified for inclusion by the Advisory Committee of that State.

(2) EXCLUSION OF CERTAIN LAND.—A community forest demonstration area shall not include National Forest System land—

(A) that is a component of the National Wilderness Preservation System;

(B) on which the removal of vegetation is specifically prohibited by Federal statute;

(C) National Monuments; or

(D) over which administration jurisdiction was first assumed by the Forest Service under title III.

(c) CONDITIONS ON ESTABLISHMENT.—

(1) ACREAGE REQUIREMENT.—A community forest demonstration area must include at least 200,000 acres of National Forest System land. If the unit of the National Forest System in which a community forest demonstration area is being established contains more than 5,000,000 acres, the community forest demonstration area may include 900,000 or more acres of National Forest System land.

(2) MANAGEMENT LAW OR BEST MANAGEMENT PRACTICES REQUIREMENT.—A community forest demonstration area may be established in a State only if the State—

(A) has a forest practices law applicable to State or privately owned forest land in the State; or

(B) has established silvicultural best management practices or other regulations for forest management practices related to clean water, soil quality, wildlife or forest health.

(3) REVENUE SHARING REQUIREMENT.—As a condition of the inclusion in a community forest demonstration area of National Forest System land located in a particular county in a State, the county must enter into an agreement with the Governor of the State that requires that, in utilizing revenues received by the county under section 406(b), the county shall continue to meet any obligations under applicable State law as provided under title I of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111 et seq.) or as provided in the sixth paragraph under the heading ''FOREST SERVICE'' in the Act of May 23, 1908 (16 U.S.C. 500) and section 13 of the Act of March 1, 1911 (16 U.S.C. 500).

(d) TREATMENT UNDER CERTAIN OTHER LAWS.—National Forest System land included in a community forest demonstration area shall not be considered Federal land for purposes of—

(1) making payments to counties under the sixth paragraph under the heading ''FOREST SERVICE'' in the Act of May 23, 1908 (16 U.S.C. 500) and section 13 of the Act of March 1, 1911 (16 U.S.C. 500); or

(2) title I.

(e) ACREAGE LIMITATION.—Not more than a total of 4,000,000 acres of National Forest System land may be established as community forest demonstration areas.

(f) RECOGNITION OF VALID AND EXISTING RIGHTS.—Nothing in this title shall be construed to limit or restrict—

(1) access to National Forest System land included in a community forest demonstration area for hunting, fishing, and other related purposes; or

(2) valid and existing rights regarding such National Forest System land, including

rights of any federally recognized Indian tribe.

SEC. 403. ADVISORY COMMITTEE.

(a) APPOINTMENT.—A community forest demonstration area for a State shall be managed by an Advisory Committee appointed by the Governor of the State.

(b) COMPOSITION.—The Advisory Committee for a community forest demonstration area in a State shall include, but is not limited to, the following members:

(1) One member who holds county or local elected office, appointed from each county or local governmental unit in the State containing community forest demonstration area land.

(2) One member who represents the commercial timber, wood products, or milling industry.

(3) One member who represents persons holding Federal grazing or other land use permits.

(4) One member who represents recreational users of National Forest System land.

(c) TERMS.—

(1) IN GENERAL.—Except in the case of certain initial appointments required by paragraph (2), members of an Advisory Committee shall serve for a term of three years.

(2) INITIAL APPOINTMENTS.—In making initial appointments to an Advisory Committee, the Governor making the appointments shall stagger terms so that at least one-third of the members will be replaced every three years.

(d) COMPENSATION.—Members of a Advisory Committee shall serve without pay, but may be reimbursed from the funds made available for the management of a community forest demonstration area for the actual and necessary travel and subsistence expenses incurred by members in the performance of their duties.

SEC. 404. MANAGEMENT OF COMMUNITY FOREST DEMONSTRATION AREAS.

(a) ASSUMPTION OF MANAGEMENT.—

(1) CONFIRMATION.—The Advisory Committee appointed for a community forest demonstration area shall assume all management authority with regard to the community forest demonstration area as soon as the Secretary confirms that—

(A) the National Forest System land to be included in the community forest demonstration area meets the requirements of subsections (b) and (c) of section 402;

(B) the Advisory Committee has been duly appointed under section 403 and is able to conduct business; and

(C) provision has been made for essential management services for the community forest demonstration area.

(2) SCOPE AND TIME FOR CONFIRMATION.—The determination of the Secretary under paragraph (1) is limited to confirming whether the conditions specified in subparagraphs (A) and (B) of such paragraph have been satisfied. The Secretary shall make the determination not later than 60 days after the date of the appointment of the Advisory Committee.

(3) EFFECT OF FAILURE TO CONFIRM.—If the Secretary determines that either or both conditions specified in subparagraphs (A) and (B) of paragraph (1) are not satisfied for confirmation of an Advisory Committee, the Secretary shall—

(A) promptly notify the Governor of the affected State and the Advisory Committee of the reasons preventing confirmation; and

(B) make a new determination under paragraph (2) within 60 days after receiving a new request from the Advisory Committee that addresses the reasons that previously prevented confirmation.

(b) MANAGEMENT RESPONSIBILITIES.—Upon assumption of management of a community forest demonstration area, the Advisory Committee for the community forest demonstration area shall manage the land and resources of the community forest demonstration area and the occupancy and use thereof in conformity with this title, and to the extent not in conflict with this title, the laws and regulations applicable to management of State or privately-owned forest lands in the State in which the community forest demonstration area is located.

(c) APPLICABILITY OF OTHER FEDERAL LAWS.—

(1) IN GENERAL.—The administration and management of a community forest demonstration area, including implementing actions, shall not be considered Federal action and shall be subject to the following only to the extent that such laws apply to the State or private administration and management of forest lands in the State in which the community forest demonstration area is located:

(A) The Federal Water Pollution Control Act (33 U.S.C. 1251 note).

(B) The Clean Air Act (42 U.S.C. 7401 et seq.).

(C) The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(D) Federal laws and regulations governing procurement by Federal agencies.

(E) Except as provided in paragraph (2), other Federal laws.

(2) APPLICABILITY OF NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT.—Notwithstanding the assumption by an Advisory Committee of management of a community forest demonstration area, the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.) shall continue to apply to the National Forest System land included in the community forest demonstration area.

(d) CONSULTATION.—

(1) WITH INDIAN TRIBES.—The Advisory Committee for a community forest demonstration area shall cooperate and consult with Indian tribes on management policies and practices for the community forest demonstration area that may affect the Indian tribes. The Advisory Committee shall take into consideration the use of lands within the community forest demonstration area for religious and cultural uses by Native Americans.

(2) WITH COLLABORATIVE GROUPS.—The Advisory Committee for a community forest demonstration area shall consult with any applicable forest collaborative group.

(e) RECREATION.—Nothing in this section shall affect public use and recreation within a community forest demonstration area.

(f) FIRE MANAGEMENT.—The Secretary shall provide fire presuppression, suppression, and rehabilitation services on and with respect to a community forest demonstration area to the same extent generally authorized in other units of the National Forest System.

(g) PROHIBITION ON EXPORT.—As a condition on the sale of timber or other forest products from a community forest demonstration area, unprocessed timber harvested from a community forest demonstration area may not be exported in accordance with subpart F of part 223 of title 36, Code of Federal Regulations.

SEC. 405. DISTRIBUTION OF FUNDS FROM COMMUNITY FOREST DEMONSTRATION AREA.

(a) RETENTION OF FUNDS FOR MANAGEMENT.—The Advisory Committee appointed for a community forest demonstration area may retain such sums as the Advisory Committee considers to be necessary from amounts generated from that community forest demonstration area to fund the management, administration, restoration, operation and maintenance, improvement, repair, and related expenses incurred with respect to the community forest demonstration area.

(b) FUNDS TO COUNTIES OR LOCAL GOVERNMENTAL UNITS.—Subject to subsection (a) and section 407, the Advisory Committee for a community forest demonstration area in a State shall distribute funds generated from that community forest demonstration area to each county or local governmental unit in the State in an amount proportional to the funds received by the county or local governmental unit under title I of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111 et seq.).

SEC. 406. INITIAL FUNDING AUTHORITY.

(a) FUNDING SOURCE.—Counties may use such sum as the counties consider to be necessary from the amounts made available to the counties under section 501 to provide initial funding for the management of community forest demonstration areas.

(b) NO RESTRICTION ON USE OF NON-FEDERAL FUNDS.—Nothing in this title restricts the Advisory Committee of a community forest demonstration area from seeking non-Federal loans or other non-Federal funds for management of the community forest demonstration area.

SEC. 407. PAYMENTS TO UNITED STATES TREASURY.

(a) PAYMENT REQUIREMENT.—As soon as practicable after the end of the fiscal year in which a community forest demonstration area is established and as soon as practicable after the end of each subsequent fiscal year, the Advisory Committee for a community forest demonstration area shall make a payment to the United States Treasury.

(b) PAYMENT AMOUNT.—The payment for a fiscal year under subsection (a) with respect to a community forest demonstration area shall be equal to 75 percent of the quotient obtained by dividing—

(1) the number obtained by multiplying the number of acres of land in the community forest demonstration area by the average annual receipts generated over the preceding 10-fiscal year period from the unit or units of the National Forest System containing that community forest demonstration area; by

(2) the total acres of National Forest System land in that unit or units of the National Forest System.

SEC. 408. TERMINATION OF COMMUNITY FOREST DEMONSTRATION AREA.

(a) TERMINATION AUTHORITY.—Subject to approval by the Governor of the State, the Advisory Committee for a community forest demonstration area may terminate the community forest demonstration area by a unanimous vote.

(b) EFFECT OF TERMINATION.—Upon termination of a community forest demonstration area, the Secretary shall immediately resume management of the National Forest System land that had been included in the community forest demonstration area, and the Advisory Committee shall be dissolved.

(c) TREATMENT OF UNDISTRIBUTED FUNDS.—Any revenues from the terminated area that remain undistributed under section 405 more than 30 days after the date of termination shall be deposited in the general fund of the Treasury for use by the Forest Service in such amounts as may be provided in advance in appropriation Acts.

TITLE V—REAUTHORIZATION AND AMENDMENT OF EXISTING AUTHORITIES AND OTHER MATTERS

SEC. 501. EXTENSION OF SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000 PENDING FULL OPERATION OF FOREST RESERVE REVENUE AREAS.

(a) BENEFICIARY COUNTIES.—During the month of February 2015, the Secretary of Agriculture shall distribute to each beneficiary

county (as defined in section 102(2)) a payment equal to the amount distributed to the beneficiary county for fiscal year 2010 under section 102(c)(1) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(c)(1)).

(b) COUNTIES THAT WERE ELIGIBLE FOR DIRECT COUNTY PAYMENTS.—

(1) TOTAL AMOUNT AVAILABLE FOR PAYMENTS.—During the month of February 2015, the Secretary of the Interior shall distribute to all counties that received a payment for fiscal year 2010 under subsection (a)(2) of section 102 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112) payments in a total amount equal to the difference between—

(A) the total amount distributed to all such counties for fiscal year 2010 under subsection (c)(1) of such section; and

(B) $27,000,000.

(2) COUNTY SHARE.—From the total amount determined under paragraph (1), each county described in such paragraph shall receive, during the month of February 2015, an amount that bears the same proportion to the total amount made available under such paragraph as that county's payment for fiscal year 2010 under subsection (c)(1) of section 102 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112) bears to the total amount distributed to all such counties for fiscal year 2010 under such subsection.

(c) EFFECT ON 25-PERCENT AND 50-PERCENT PAYMENTS.—A county that receives a payment made under subsection (a) or (b) may not receive a 25-percent payment or 50-percent payment (as those terms are defined in section 3 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102)) for fiscal year 2015.

SEC. 502. RESTORING ORIGINAL CALCULATION METHOD FOR 25-PERCENT PAYMENTS.

(a) AMENDMENT OF ACT OF MAY 23, 1908.—The sixth paragraph under the heading ''FOREST SERVICE'' in the Act of May 23, 1908 (16 U.S.C. 500) is amended in the first sentence—

(1) by striking ''the annual average of 25 percent of all amounts received for the applicable fiscal year and each of the preceding 6 fiscal years'' and inserting ''25 percent of all amounts received for the applicable fiscal year'';

(2) by striking ''said reserve'' both places it appears and inserting ''the national forest''; and

(3) by striking ''forest reserve'' both places it appears and inserting ''national forest''.

(b) CONFORMING AMENDMENT TO WEEKS LAW.—Section 13 of the Act of March 1, 1911 (commonly known as the Weeks Law; 16 U.S.C. 500) is amended in the first sentence by striking ''the annual average of 25 percent of all amounts received for the applicable fiscal year and each of the preceding 6 fiscal years'' and inserting ''25 percent of all amounts received for the applicable fiscal year''.

SEC. 503. FOREST SERVICE AND BUREAU OF LAND MANAGEMENT GOOD-NEIGHBOR COOPERATION WITH STATES TO REDUCE WILDFIRE RISKS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE STATE.—The term ''eligible State'' means a State that contains National Forest System land or land under the jurisdiction of the Bureau of Land Management.

(2) SECRETARY.—The term ''Secretary'' means—

(A) the Secretary of Agriculture, with respect to National Forest System land; or

(B) the Secretary of the Interior, with respect to land under the jurisdiction of the Bureau of Land Management.

(3) STATE FORESTER.—The term ''State forester'' means the head of a State agency with jurisdiction over State forestry programs in an eligible State.

(b) COOPERATIVE AGREEMENTS AND CONTRACTS AUTHORIZED.—The Secretary may enter into a cooperative agreement or contract (including a sole source contract) with a State forester to authorize the State forester to provide the forest, rangeland, and watershed restoration, management, and protection services described in subsection (c) on National Forest System land or land under the jurisdiction of the Bureau of Land Management, as applicable, in the eligible State.

(c) AUTHORIZED SERVICES.—The forest, rangeland, and watershed restoration, management, and protection services referred to in subsection (b) include the conduct of—

(1) activities to treat insect infected forests;

(2) activities to reduce hazardous fuels;

(3) activities involving commercial harvesting or other mechanical vegetative treatments; or

(4) any other activities to restore or improve forest, rangeland, and watershed health, including fish and wildlife habitat.

(d) STATE AS AGENT.—Except as provided in subsection (g), a cooperative agreement or contract entered into under subsection (b) may authorize the State forester to serve as the agent for the Secretary in providing the restoration, management, and protection services authorized under subsection (b).

(e) SUBCONTRACTS.—In accordance with applicable contract procedures for the eligible State, a State forester may enter into subcontracts to provide the restoration, management, and protection services authorized under a cooperative agreement or contract entered into under subsection (b).

(f) TIMBER SALES.—Subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a) shall not apply to services performed under a cooperative agreement or contract entered into under subsection (b).

(g) RETENTION OF NEPA RESPONSIBILITIES.—Any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any restoration, management, or protection services to be provided under this section by a State forester on National Forest System land or Bureau of Land Management land, as applicable, shall not be delegated to a State forester or any other officer or employee of the eligible State.

(h) APPLICABLE LAW.—The restoration, management, and protection services to be provided under this section shall be carried out on a project-to-project basis under existing authorities of the Forest Service or Bureau of Land Management, as applicable.

SEC. 504. TREATMENT AS SUPPLEMENTAL FUNDING.

None of the funds made available to a beneficiary county (as defined in section 102(2)) or other political subdivision of a State under this subdivision shall be used in lieu of or to otherwise offset State funding sources for local schools, facilities, or educational purposes.

SEC. 505. DEFINITION OF FIRE SUPPRESSION TO INCLUDE CERTAIN RELATED ACTIVITIES.

For purposes of utilizing amounts made available to the Secretary of Agriculture or the Secretary of the Interior for fire suppression activities, including funds made available from the FLAME Fund, the term ''fire suppression'' includes reforestation, site rehabilitation, salvage operations, and replanting occurring following fire damage on lands under the jurisdiction of the Secretary concerned or following fire suppression efforts on such lands by the Secretary concerned.

SEC. 506. PROHIBITION ON CERTAIN ACTIONS REGARDING FOREST SERVICE ROADS AND TRAILS.

The Forest Service shall not remove or otherwise eliminate or obliterate any legally created road or trail unless there has been a specific decision, which included adequate and appropriate public involvement, to decommission the specific road or trail in question. The fact that any road or trail is a not a Forest System road or trail, or does not appear on a Motor Vehicle Use Map, shall not constitute a decision.

SUBDIVISION B—NATIONAL STRATEGIC AND CRITICAL MINERALS PRODUCTION

SEC. 100. SHORT TITLE.

This subdivision may be cited as the ''National Strategic and Critical Minerals Production Act of 2014''.

SEC. 100A. FINDINGS.

Congress finds the following:

(1) The industrialization of China and India has driven demand for nonfuel mineral commodities, sparking a period of resource nationalism exemplified by China's reduction in exports of rare-earth elements necessary for telecommunications, military technologies, healthcare technologies, and conventional and renewable energy technologies.

(2) The availability of minerals and mineral materials are essential for economic growth, national security, technological innovation, and the manufacturing and agricultural supply chain.

(3) The exploration, production, processing, use, and recycling of minerals contribute significantly to the economic well-being, security and general welfare of the Nation.

(4) The United States has vast mineral resources, but is becoming increasingly dependent upon foreign sources of these mineral materials, as demonstrated by the following:

(A) Twenty-five years ago the United States was dependent on foreign sources for 30 nonfuel mineral materials, 6 of which the United States imported 100 percent of the Nation's requirements, and for another 16 commodities the United States imported more than 60 percent of the Nation's needs.

(B) By 2011 the United States import dependence for nonfuel mineral materials had more than doubled from 30 to 67 commodities, 19 of which the United States imported 100 percent of the Nation's requirements, and for another 24 commodities, imported more than 50 percent of the Nation's needs.

(C) The United States share of worldwide mineral exploration dollars was 8 percent in 2011, down from 19 percent in the early 1990s.

(D) In the 2012 Ranking of Countries for Mining Investment, out of 25 major mining countries, the United States ranked last with Papua New Guinea in permitting delays, and towards the bottom regarding government take and social issues affecting mining.

SEC. 100B. DEFINITIONS.

In this subdivision:

(1) STRATEGIC AND CRITICAL MINERALS.—The term ''strategic and critical minerals'' means minerals that are necessary—

(A) for national defense and national security requirements;

(B) for the Nation's energy infrastructure, including pipelines, refining capacity, electrical power generation and transmission, and renewable energy production;

(C) to support domestic manufacturing, agriculture, housing, telecommunications, healthcare, and transportation infrastructure; or

(D) for the Nation's economic security and balance of trade.

(2) AGENCY.—The term ''agency'' means any agency, department, or other unit of

Federal, State, local, or tribal government, or Alaska Native Corporation.

(3) MINERAL EXPLORATION OR MINE PERMIT.—The term ''mineral exploration or mine permit'' includes plans of operation issued by the Bureau of Land Management and the Forest Service pursuant to 43 CFR 3809 and 36 CFR 228A or the authorities listed in 43 CFR 3503.13, respectively.

TITLE I—DEVELOPMENT OF DOMESTIC SOURCES OF STRATEGIC AND CRITICAL MINERALS

SEC. 101. IMPROVING DEVELOPMENT OF STRATEGIC AND CRITICAL MINERALS.

Domestic mines that will provide strategic and critical minerals shall be considered an ''infrastructure project'' as described in Presidential Order ''Improving Performance of Federal Permitting and Review of Infrastructure Projects'' dated March 22, 2012.

SEC. 102. RESPONSIBILITIES OF THE LEAD AGENCY.

(a) IN GENERAL.—The lead agency with responsibility for issuing a mineral exploration or mine permit shall appoint a project lead who shall coordinate and consult with cooperating agencies and any other agency involved in the permitting process, project proponents and contractors to ensure that agencies minimize delays, set and adhere to timelines and schedules for completion of the permitting process, set clear permitting goals and track progress against those goals.

(b) DETERMINATION UNDER NEPA.—To the extent that the National Environmental Policy Act of 1969 applies to any mineral exploration or mine permit, the lead agency with responsibility for issuing a mineral exploration or mine permit shall determine that the action to approve the exploration or mine permit does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 if the procedural and substantive safeguards of the permitting process alone, any applicable State permitting process alone, or a combination of the two processes together provide an adequate mechanism to ensure that environmental factors are taken into account.

(c) COORDINATION ON PERMITTING PROCESS.—The lead agency with responsibility for issuing a mineral exploration or mine permit shall enhance government coordination for the permitting process by avoiding duplicative reviews, minimizing paperwork and engaging other agencies and stakeholders early in the process. The lead agency shall consider the following best practices:

(1) Deferring to and relying upon baseline data, analyses and reviews performed by State agencies with jurisdiction over the proposed project.

(2) Conducting any consultations or reviews concurrently rather than sequentially to the extent practicable and when such concurrent review will expedite rather than delay a decision.

(d) SCHEDULE FOR PERMITTING PROCESS.—At the request of a project proponent, the lead agency, cooperating agencies and any other agencies involved with the mineral exploration or mine permitting process shall enter into an agreement with the project proponent that sets time limits for each part of the permitting process including the following:

(1) The decision on whether to prepare a document required under the National Environmental Policy Act of 1969.

(2) A determination of the scope of any document required under the National Environmental Policy Act of 1969.

(3) The scope of and schedule for the baseline studies required to prepare a document required under the National Environmental Policy Act of 1969.

(4) Preparation of any draft document required under the National Environmental Policy Act of 1969.

(5) Preparation of a final document required under the National Environmental Policy Act of 1969.

(6) Consultations required under applicable laws.

(7) Submission and review of any comments required under applicable law.

(8) Publication of any public notices required under applicable law.

(9) A final or any interim decisions.

(e) TIME LIMIT FOR PERMITTING PROCESS.—In no case should the total review process described in subsection (d) exceed 30 months unless agreed to by the signatories of the agreement.

(f) LIMITATION ON ADDRESSING PUBLIC COMMENTS.—The lead agency is not required to address agency or public comments that were not submitted during any public comment periods or consultation periods provided during the permitting process or as otherwise required by law.

(g) FINANCIAL ASSURANCE.—The lead agency will determine the amount of financial assurance for reclamation of a mineral exploration or mining site, which must cover the estimated cost if the lead agency were to contract with a third party to reclaim the operations according to the reclamation plan, including construction and maintenance costs for any treatment facilities necessary to meet Federal, State or tribal environmental standards.

(h) APPLICATION TO EXISTING PERMIT APPLICATIONS.—This section shall apply with respect to a mineral exploration or mine permit for which an application was submitted before the date of the enactment of this Act if the applicant for the permit submits a written request to the lead agency for the permit. The lead agency shall begin implementing this section with respect to such application within 30 days after receiving such written request.

(i) STRATEGIC AND CRITICAL MINERALS WITHIN NATIONAL FORESTS.—With respect to strategic and critical minerals within a federally administered unit of the National Forest System, the lead agency shall—

(1) exempt all areas of identified mineral resources in Land Use Designations, other than Non-Development Land Use Designations, in existence as of the date of the enactment of this Act from the procedures detailed at and all rules promulgated under part 294 of title 36, Code for Federal Regulations;

(2) apply such exemption to all additional routes and areas that the lead agency finds necessary to facilitate the construction, operation, maintenance, and restoration of the areas of identified mineral resources described in paragraph (1); and

(3) continue to apply such exemptions after approval of the Minerals Plan of Operations for the unit of the National Forest System.

SEC. 103. CONSERVATION OF THE RESOURCE.

In evaluating and issuing any mineral exploration or mine permit, the priority of the lead agency shall be to maximize the development of the mineral resource, while mitigating environmental impacts, so that more of the mineral resource can be brought to the market place.

SEC. 104. FEDERAL REGISTER PROCESS FOR MINERAL EXPLORATION AND MINING PROJECTS.

(a) PREPARATION OF FEDERAL NOTICES FOR MINERAL EXPLORATION AND MINE DEVELOPMENT PROJECTS.—The preparation of Federal Register notices required by law associated with the issuance of a mineral exploration or mine permit shall be delegated to the organization level within the agency responsible for issuing the mineral exploration or mine permit. All Federal Register notices regarding official document availability, announcements of meetings, or notices of intent to undertake an action shall be originated and transmitted to the Federal Register from the office where documents are held, meetings are held, or the activity is initiated.

(b) DEPARTMENTAL REVIEW OF FEDERAL REGISTER NOTICES FOR MINERAL EXPLORATION AND MINING PROJECTS.—Absent any extraordinary circumstance or except as otherwise required by any Act of Congress, each Federal Register notice described in subsection (a) shall undergo any required reviews within the Department of the Interior or the Department of Agriculture and be published in its final form in the Federal Register no later than 30 days after its initial preparation.

TITLE II—JUDICIAL REVIEW OF AGENCY ACTIONS RELATING TO EXPLORATION AND MINE PERMITS

SEC. 201. DEFINITIONS FOR TITLE.

In this title the term ''covered civil action'' means a civil action against the Federal Government containing a claim under section 702 of title 5, United States Code, regarding agency action affecting a mineral exploration or mine permit.

SEC. 202. TIMELY FILINGS.

A covered civil action is barred unless filed no later than the end of the 60-day period beginning on the date of the final Federal agency action to which it relates.

SEC. 203. RIGHT TO INTERVENE.

The holder of any mineral exploration or mine permit may intervene as of right in any covered civil action by a person affecting rights or obligations of the permit holder under the permit.

SEC. 204. EXPEDITION IN HEARING AND DETERMINING THE ACTION.

The court shall endeavor to hear and determine any covered civil action as expeditiously as possible.

SEC. 205. LIMITATION ON PROSPECTIVE RELIEF.

In a covered civil action, the court shall not grant or approve any prospective relief unless the court finds that such relief is narrowly drawn, extends no further than necessary to correct the violation of a legal requirement, and is the least intrusive means necessary to correct that violation.

SEC. 206. LIMITATION ON ATTORNEYS' FEES.

Sections 504 of title 5, United States Code, and 2412 of title 28, United States Code (together commonly called the Equal Access to Justice Act) do not apply to a covered civil action, nor shall any party in such a covered civil action receive payment from the Federal Government for their attorneys' fees, expenses, and other court costs.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. SECRETARIAL ORDER NOT AFFECTED.

Nothing in this subdivision shall be construed as to affect any aspect of Secretarial Order 3324, issued by the Secretary of the Interior on December 3, 2012, with respect to potash and oil and gas operators.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) and the gentleman from New York (Mr. RANGEL) each will control 60 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 4.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume.

Every day, honest, hardworking men and women are struggling. Far too many families haven't seen a pay raise in years, and many have lost hope and stopped looking for work entirely. H.R. 4, the Jobs for America Act, will strengthen the economy by creating more jobs with higher take-home pay.

The House has already passed dozens of bipartisan solutions that will break down burdensome regulations and promote policies that allow businesses, large and small, to do what they do best: grow, innovate, and hire new workers.

The bill we have before us today, the Jobs for America Act, includes provisions that have strong bipartisan support in both the House and the Senate.

The research and development credit, which has been around for over 30 years, is a proven way to incentivize U.S. companies to innovate, create new products, and invest in the U.S.

The United States is the only country that allows important pieces of its Tax Code to expire on a regular basis. Businesses cannot grow and invest when the Tax Code is riddled with instability and uncertainty.

Making the R&D tax credit permanent also supports good-paying jobs. According to the National Association of Manufacturers, 70 percent of research and development credit dollars are used to pay salaries of R&D workers.

The nonpartisan Joint Committee on Taxation estimates that making the R&D credit permanent could increase the amount of research and development American companies undertake by up to 10 percent. That translates into more workers, higher wages, and increased innovation here in the United States.

This bill would also make permanent bonus depreciation and section 179 expensing at higher levels, allowing businesses, farmers, and ranchers to plan for the future and expand their businesses. The result of that is more jobs and higher wages for hardworking Americans. The Tax Foundation analysis found that permanent bonus depreciation would add $182 billion to the economy and increase wages by 1 percent, which creates 212,000 jobs.

□ 1415

Additionally, the bill would make permanent several expired tax provisions that benefit S corporations, a popular and important business structure that is used by millions of small businesses across the country.

This commonsense effort will give small businesses some much-needed relief from the burdens of the Tax Code, allowing them to invest and create new jobs.

This bill would also repeal some of the job-killing provisions of the health care law. The current 30-hour rule in the Affordable Care Act's employer mandate results in fewer jobs, reduced hours, and less opportunity for Americans.

By changing the definition of ''full-time work,'' ObamaCare places an unprecedented government regulation on workers. As a direct result, Americans across the country are having their hours cut at work and seeing smaller paychecks. At a time when the cost of groceries, gas, and health care keep increasing, lower paychecks are simply unacceptable.

Worst of all, the law hits lower-income Americans the hardest: 2.6 million workers with a median income of under $30,000 are at risk of losing jobs or hours; 89 percent of workers impacted by the rule don't have college degrees, 63 percent of which are women; and over half have a high school diploma or less.

So simply restoring the definition of ''full-time work'' to 40 hours will ensure the hardest-working Americans don't see their hours and wages cut as a result of the health care law.

This bill also ensures that small businesses that hire veterans returning from service overseas, who already have coverage through TRICARE or the VA, are not counted under the employer mandate.

And we repeal the onerous medical device tax, which is stifling medical innovation and hurting jobs. According to a survey by AdvaMed, the medical device tax has already resulted in 14,000 jobs lost in the industry and prevented 19,000 jobs from being created. This tax is contributing to lackluster job creation and hampering medical innovation.

We have strong bipartisan support for repeal of this tax, and for repealing it before even more detrimental harm is done to the workforce and medical community.

These are only a few among a long list of policies that will ultimately get Americans back to work and increase their quality of living. With better jobs, higher take-home pay, and a stronger economy, we can offer a brighter future for our youth and ease the everyday burdens felt by individuals nationwide.

It is time to create an America that works.

Mr. Speaker, I reserve the balance of my time.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I might consume.

It is awkward and embarrassing to stand on this floor to discuss something described as a Jobs for America bill.

Fortunately, we Democrats don't have to expend too much energy because of the lack of credibility that the majority party has with any type of legislation designed to help those people who are without employment.

The irony of this whole thing is that our distinguished chairman spent hours, days, weeks, and months putting together a tax reform bill that, even though it could be challenged in parts, all tax writers and people who respect the necessity of reforming the Tax Code lauded him for the work, the fairness, and, most of all, the lack of partisanship that went into that bill.

Indeed, many of the provisions that are in this bill that could better be described as an opportunity for corporates to avoid paying taxes, many of those provisions in this bill were repealed in the chairman's bill that he presented to the Congress to be considered for reform.

Let me strike that from the record. He did not bring it to the floor for it to be considered for anything. It was a strong political statement that he knew the majority of his party would not support.

Having said that, it was a fine piece of legislation that gained support by eliminating the very same violations of equity and fair play that are now in this bill.

$500 billion tab. $500 billion cost, not paid for, not a promise to pay for. And half of this is to make permanent the extension of bonus appreciation, which all economists, including those in the Congressional Research Service, say that in order to be effective, it should not be made permanent.

In any event, I think, as we go home, we should recognize that there will be opportunity when we come back to really get together and have an effective bill.

To do this, the Republican majority should not bring to the floor bills that have passed the House and been rejected already by the Senate, but should sit down with the administration, with the Senate, with the minority in the House and work out something that is for the good of all Americans.

This happened yesterday, where we had honest, serious disagreements. But at the same time, we came together as a Congress in the House at least on what is good for the country.

So, quite frankly, I don't think I will be using all of my time because what is before the House today is not a jobs bill but a public relations piece of political advertisement.

I reserve the balance of my time.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE), the distinguished chairman of the Judiciary Committee.

Mr. GOODLATTE. Mr. Speaker, I thank the chairman for yielding, and I very much appreciate his leadership on this issue.

In every State across this country, and most certainly in the Commonwealth of Virginia, there are folks still looking for good full-time jobs and businesses who want to hire them but can't for fear of government imposed regulations that increase expenses.

The administration's tax, regulate, and spend response to this problem hasn't worked, and it is incumbent upon us to enact necessary reforms to restore the American economy.

The legislation we consider today includes many provisions to combat excessive regulations that have already been passed by the House of Representatives and await action in the Senate, which has been moribund in dealing with a whole host of issues that are sitting over there on the majority leader's desk, including provisions to restore the 40-hour workweek, to permanently ban taxation of Internet access, to prevent secret settlement deals between Federal bureaucrats and pro-regulatory plaintiffs in lawsuits, to require bureaucrats to consider the cost of regulations to small businesses, to require agencies to adopt the least costly method of implementing the law, and to require Federal agencies to submit major regulations to Congress for approval. We know these provisions will help spur our economy and create jobs.

America's labor force participation rate has essentially remained stagnant for the past several months and job creation and economic growth continue to fall short of what is needed to produce a real and durable recovery in our country. It is imperative that we again take action to pass these commonsense reforms, return discouraged workers to full-time jobs, and restore America to prosperity.

I urge the Senate to stop stalling and to join us in this effort.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

If we were serious about passing a bill that has been rehashed in this House and no action has been taken upon it, common sense and reason would dictate that we would work with the Democrats, work with the Senate, and work with the President to get one passed.

This bill transcends over eight or nine different legislative committees, and the ranking member—one who has so much jurisdiction over this issue—would share with the House and the country what parts of this bill she believes would create jobs, if any part.

Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I thank Mr. RANGEL for yielding.

Mr. Speaker, I rise to oppose H.R. 4, the so-called Jobs for America Act.

Six years ago this week marked the collapse of Lehman Brothers. That bankruptcy on Wall Street quickly spread across our country, bringing small business lending to a halt, causing a devastating number of foreclosures, and pushing far too many of our fellow Americans into personal bankruptcy.

In the wake of this devastation, Democrats in Congress worked diligently to put in place serious and comprehensive safeguards to prevent another collapse. And, today, my Republican colleagues continue their hard work to thwart that effort and roll back meaningful reform.

Indeed, this bill, H.R. 4, places significant additional administrative hurdles on our Federal regulatory agencies, particularly on our independent financial regulators, like the Securities and Exchange Commission and the Commodity Futures Trading Commission.

Certain provisions of this bill would impose requirements on our financial regulators to conduct onerous cost-benefit analysis, to submit their rules for review to the Office of Management and Budget, and to delay effectiveness of major rules until Congress enacts an unprecedented joint resolution.

Not only would these provisions limit the independence of our Wall Street sheriffs, it would also tie up their already insufficient resources and put them at even greater risk of litigation for every rule. In fact, this bill would create a constitutional crisis by allowing the ''do-nothing'' Republican Congress to intervene in the actions of our executive branch, which is diligently trying to implement critical portions of the Wall Street Reform Act.

The effect of this legislative effort would be to grind to a halt all meaningful regulation on everything from payday loans to mortgage services to the types of risky trading that caused the 2008 crisis. And, ironically, it would stop JOBS Act implementation dead in its tracks. Worst, this comes at a time when House Republicans want to hold funding for our financial regulators flat, despite their new responsibilities, the increase in the number of entities they oversee, and the growth in the complexity and size of U.S. financial markets.

With our economy still recovering from the $14 trillion financial crisis, we simply cannot, under the guise of so-called ''job creation,'' afford to destroy crucial reforms and hamstring our financial regulators.

I enter the following letter of opposition from Public Citizen into the RECORD.

PUBLIC CITIZEN,
Washington, DC

A VOTE FOR THE ''JOBS FOR AMERICA ACT'' IS A VOTE AGAINST PUBLIC HEALTH AND SAFETY

Republicans will have you believe that a vote for H.R. 4, the ''Jobs for America Act,'' is not a vote against clean air and water, against food safety, against safe consumer products, against safe workplaces, and against a stable financial system less prone to excessive risk-taking. But that is false. The Impact of the ''Jobs for America'' Act is clear and simple: it will lead to more polluted air and water, more dangerous workplaces, more tainted and contaminated food, more dangerous workplaces, and a deregulated Wall Street allowed to gamble our economy into the next financial crash. By taking regulators ''off the beat'' and preventing them from updating and modernizing basic health and safety protections, the public is once again dependent on Big Business to ''self-regulate.'' Our public has seen the disastrous impact of letting industry regulate itself whether it's the BP Gulf Oil Spill, the West Virginia Chemical Spill, The Upper Big Branch Mine explosion, oil train derailment explosions, or the Wall Street financial meltdown. The solution is not to make our public even more vulnerable to deregulatory disasters that put Americans in harm's way and damage our economy as the ''Jobs for America Act'' would do.

THE ENORMOUS COSTS OF DEREGULATION

a. West Virginia Chemical Spill: those who were hurt by the damage caused by the spill are claiming 160 million in damages from the spill. These include small businesses in Charleston who were forced to shut down for days and the many thousands of residents who were forced to buy bottled water because of the severe water contamination. http://www.insurancejournalcom/news/southeast/2014/08/12/337282.htm

b. Lake Erie Algae Bloom: a half million Ohio residents were forced to buy bottled water because their water had become so badly contaminated from algae. In 2008, the government estimated algae blooms resulted in 82 million dollars annually in economic damages: http://www.cop.noaa.gov/stressors/extremeevents/hab/current/econimpact 08.pdf the damage to Lake Erie can be directly traced to successful attempts to roll back the Clean Water Act by special interests. http://www.foodandwaterwatch.org/blogs/the-toledo-water-crisis-wont-be-the-last/

c. Oil Freight Train Explosions: Trains carrying highly explosive crude oil are traveling through communities every day without most of those communities even aware of the threat. A massive oil train derailment and explosion in Canada killed 47 people and will cost 2.7 billion in economic damages over the next decade. http://bangordailynews.com/2014/04/17/news/state/after-end-of-the-world-explosion-Quebec-town-tries-to-find-hope/

d. Preventable Workplace Deaths and Injuries: Every day, an average of 150 workers die from job injuries or occupational diseases. Every year, the lack of effective workplace safety protections costs our country 250 billion to 330 billion in injuries and illnesses. http://www.aflcio.org/content/download/126621/34645631/DOTJ2014.pdf

e. Climate Inaction: Blocking or delaying new carbon emission rules from the EPA and other climate change measures will cost our country up to 150 billion dollars annually in economic damage in the future. http://fortune.com/2014/07/29/white-house-in-action-on-climate-costs-150-billion-a-year/

f. BP Oil Spill: This massive environmental disaster in the Gulf ended up costing more than 42 billion dollars. The oil spill harmed thousands of Gulf Coast residents and destroyed many local small businesses. BP has now been found ''grossly negligent'' in causing the disaster and faces up to 18 billion in fines, some of which will go to Gulf Coast restoration projects. http://www.edf.org/blog/2014/09/05/bp-oil-spill-ruling-could-jumpstart-gulf-coast-restoration-work

g. 2008 Wall Street Crash: The rampant deregulation that led to the crash cost our economy anywhere from 6 trillion to 14 trillion dollars or 50,000 to 120,000 for every US household. In addition, 8.7 million Americans lost their jobs during or immediately following the crisis. http://ourfinancialsecurity.org/blogs/wp-content/ourfinancialsecurity.org/uploads/2012/09/Costs-of-The-Financial-Crisis-September-20142.pdf

THE ''JOBS FOR AMERICA ACT'' WILL NOT CREATE A SINGLE JOB

The bill trades on the fallacy that deregulation leads to job growth by freeing up capital to invest in labor. There is simply no neutral, non-partisan empirical evidence to back this up. In fact, journalists and academics who have thoroughly studied this claim have concluded that regulations have no overall effect on job growth. The claim that regulations kill jobs is the very definition of a baseless and fabricated talking point.

A thorough investigative report by the Washington Post concluded that regulations

have no effect on jobs (highlights below): http://www.washingtonpost.com/business/economy/does-government-regulation-really-kill-jobs-economists-say-overall-effect-minimal/2011/10/19/gIQALRF5IN story.html.

Conservative thinker Richard Morganstern (Resources for the Future): ''Based on the available literature, there's not much evidence that EPA regulations are causing major job losses or major job gains.''

Mike Morris, CEO of AEP, one of America's largest coal-based utilities even admitted EPA regulations will create jobs: ''We have to hire plumbers, electricians, painters, folks who do that kind of work when you retrofit a plant'' Morris said. ''Jobs are created in the process—no question about that.''

A recent and exhaustive exploration of the ''job-killing regulation'' claim by Academics from across the political spectrum concluded that regulations have no net impact on jobs: http://www.upenn.edu/pennpress/book/15183.html

The editors of ''Does Regulation Kill Jobs?'' Cary Coglianese and Christopher Corrigan conclude: ''the empirical work suggests that regulation plays relatively little role in affecting the aggregate number of jobs in the United States.''

BIG BUSINESS ''JOB-KILLING'' CLAIMS ARE ALWAYS WRONG

Big Business groups have been making hyperbolic claims about regulations killing jobs for decades and it never comes true. Not only is this talking point patently false, but it also never dies despite being proven wrong every time. The following examples are from Public Citizen's recent report, ''It's an Outrage: Regulations are Entirely to Blame for Unemployment and a Leading Cause of Death, According to Industry and Allies'' http://www.citizen.org/documents/regulations-are-to-blame-unemployment-death-report.pdf

1974: OSHA bans the carcinogenic vinyl chloride. The plastics industry claimed that the OSHA regulation would kill 2.2 million jobs. Those claims were proven completely false and a new way manufacture vinyl chloride was developed within a year without any jobs lost.

1975: NHTSA increases fuel efficiency standard. Industry reports warned of 1.5 million jobs lost. By 1985, auto makers had met the higher standard without losing any jobs.

1990: EPA sets new pollution standards under the Clean Air Act. In response the Business Roundtable (BRT) and National Federation of Independent Business (NFIB) responded with doomsday hysterics, claiming up to 2 million jobs would be lost. Those were proven entirely wrong. Instead, according to the Investor's Business Daily, ''Pollution has been falling across the board for decades, even while the nation's population and economy have expand

1995: EPA removes lead from gasoline. A Monsanto official testified to Congress that the regulation would cost up to 43 million jobs. The removal of lead is now considered one of the biggest public health success stories while gas prices did not dramatically increase and no jobs were lost.

THE NEW INDUSTRY-FUNDED STUDY ON REGULATIONS DOESN'T PASS THE LAUGH TEST

The study just released by the National Association of Manufacturers (NAM) is not worth the paper it is printed on. NAM turned to discredited economists whose last study was so poorly done and inaccurate that it was roundly criticized by observers in bipartisan fashion, including by the CRS, Republican economists, and then OIRA Administrator Cass Sunstein. The study brought so much negative attention that the agency which commissioned it, the Small Business Administration, had to formally and publicly disavow it.

Business Media Push Industry-Funded Study On Federal Regulations Experts Call ''Bogus'': Reuters and CNBC uncritically promoted a new report claiming that government regulations cost the economy over $2 trillion each year, ignoring any benefits of regulation. But the study uses the same flawed methodology as an earlier report by the same authors that was so widely panned that even the organization that commissioned it distanced itself from it. http://mediamatters.org/research/2014/09/11/business-media-push-industry-funded-study-on-fe/200732

NAM's ''Cost of Regulations'' Estimate: An Exercise in How Not to Do Convincing Empirics: The bulk of these costs (75 percent) are estimated using a cross-country regression analysis. This cross-country analysis, however, is completely unconvincing and should be ignored. http://www.epi.org/bloginams-cost-regulations-estimate-exercise/

THE ''JOBS FOR AMERICA ACT'' IS A BROKEN RECORD

The ''Jobs for America Act'' is just a repackaging of the same old and tired legislation that the House has already passed. Each of these bills, if enacted, will significantly exacerbate the current problems in our regulatory system. Collectively, these bills amount to a virtual shutdown of our system of public protections by blocking federal agencies from responding to public health and safety crises and putting forth strong new safeguards to prevent the next one.

1. Regulations from the Executive in Need of Scrutiny Act (REINS, HR): This bill is a blatant power grab by the House GOP. Requiring Congressional approval of regulations before they take effect means, in practical terms, that the House GOP can unilaterally veto any regulation it opposes. Even Congressional inaction would kill a regulation. This is a recipe for extending the same paralysis and dysfunction that has plagued our lawmaking process to the regulatory process.

2. Regulatory Accountability Act (RAA, H.R. 2122): This bill would re-write dozens of critical public health and safety laws, including the Clean Air Act, to require agencies to choose safety standards not based on whether they are the most effective but on whether they are the least burdensome to regulated special interests. This bill is a backdoor way of gutting laws that the GOP knows are too politically popular to overturn directly.

3. Regulatory Flexibility Improvements Act (RFIA, H.R. 2542): This bill is a small business bill in name only. It does nothing to help small businesses directly. Instead, it would delay or block rules that in many instances disproportionately impact Big Business. For example, the bill requires agencies to consider the ''indirect'' effects of their rules on small businesses without ever defining what constitutes an ''indirect'' effect. Ordering an agency to discern all indirect economic impacts of any rule, however small, is akin to ordering a meteorologist to discern the effects on Washington, D.C. weather of a butterfly flapping its wings in Japan. Even worse, agencies could be sued by industry for not complying with this wholly undefined mandate. Agencies will be forced to waste precious time and resources looking for small business impacts where there clearly are none. In the meantime, lives could be lost and people could be needlessly injured.

4. Unfunded Mandates Reform Act (UMRA, H.R. 899): Once again, this legislation forces agencies to pick the least costly rule to industry, rather than the rule that is most effective at keeping the public safe. It also undermines the independence of important agencies that are working to put new Wall Street reforms and product safety standards in place. Ironically, the new mandates in this bill do not come with any additional funding for agencies, making them the very definition of ''unfunded mandates.''

5. The Sunshine for Regulatory Decrees and Settlements Act (H.R. 1493): This legislation targets citizen suits aimed at spurring agencies to move forward with overdue and congressionally mandated protections. Consent decrees and settlement agreements have long been an effective tool to provide citizens and the courts with a means of ensuring that Congressional mandates are implemented, whether they are new environmental safety standards or civil rights and antidiscrimination measures. This bill would force them to run a gauntlet of burdensome, time-consuming, and redundant procedures—furthering slowing agency action. This bill would weaken the power of citizens to ensure agencies follow the law—and waste government resources in the process.

6. The All Economic Regulations are Transparent (''ALERT'') Act (H.R. 2804): This legislation would add a blanket six-month delay to most rules essential to protecting the health, safety, and welfare of the American public. When the norm is federal agencies missing Congressional and legal deadlines for new public protections, rather than meeting or beating deadlines, the last thing our public needs is more delays.

BOTTOM LINE

A vote for H.R. 4, the ''Jobs for America Act,'' is a vote against life-saving public health and safety standards and will put American lives at risk without creating any jobs. We need stronger public protections, not a weaker system of safeguards. We need better enforcement of health and safety and environmental rules, not more needless delays.

We urge you in the strongest terms to vote against the ''Jobs for America Act.''

Mr. CAMP. Mr. Speaker, at this time, I yield 3 minutes to the gentleman from Washington (Mr. HASTINGS), the gentleman from the Natural Resources Committee.

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank my friend, Mr. CAMP, the chairman of the Ways and Means Committee, for yielding me the time.

Mr. Speaker, this jobs package includes important legislation, H.R. 1526, the Restoring Healthy Forests for Healthy Communities Act, which passed the House almost 1 year ago today. It is a long-term sustainable solution to put Americans back to work, restore forest health, and prevent wildfires.

Our national forests, unless otherwise designated, should be open for multiple uses for everything from recreation to job-creating economic activities. Instead, Mr. Speaker, due to onerous Federal regulations and litigation, our Federal forests have increasingly been shut down.

Mr. Speaker, timber harvests have dropped by 80 percent in the last 30 years. We have seen catastrophic wildfires destroy our Federal forests. We have seen loggers, mill workers, and truck drivers put out of work, and we have seen rural communities turned into ghost towns.

It is long past time for the Senate to join with the House to provide better

stewardship over our Federal forest lands. It is disappointing and, frankly, unacceptable that a year later the Senate is still sitting on the sidelines. Meanwhile, rural communities continue to suffer.

This legislation requires responsible timber production on at least one half of the Federal Forest Service's non-environmentally sensitive timber lands.

□ 1430

By restoring active forest management, this bill will create over 200,000 direct and indirect jobs. It also maintains and strengthens the historic sharing of timber receipts with local counties which is essential, given the upcoming expiration of the Secure Rural Schools program.

Instead of having to pay for wildfire suppression, this bill would allow us to reap the benefits of a responsible timber harvest that reduces wildfire threats to our communities.

Mr. Speaker, Congress must act to restore the promise that the Federal Government made over a century ago to actively manage our forests and create jobs for the benefit of rural communities. Today, the House is, once again, living up to this promise. We hope that the Senate will join us and support this commonsense reform of Federal forest management.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Certainly, we all will be getting a lot of mail from the logging companies asking for this legislation in order to create jobs. I wish included in this package would have been the earned income tax credit, a bill that keeps people who work hard each and every day out of poverty by subsidizing their wages, but that is too much like creating jobs, and it is not in this package.

I yield 3 minutes to the gentleman from Georgia (Mr. JOHNSON), a distinguished and articulate Member who serves on the Judiciary Committee and has a ranking position on the subcommittee that has jurisdiction over part of this bill.

Mr. JOHNSON of Georgia. I thank the gentleman from New York.

Mr. Speaker, I rise in strong opposition to H.R. 4, the so-called Jobs for America Act. It brings to mind occasions where, as a youth, my sister and I would go to my uncle's house in Cleveland. My uncle's wife would prepare a lot of food, and we would sit down and eat. The food would taste terrible. We had a couple of more days to be there, and so we hoped for the best. The next day, when we sat down at dinner, we had leftovers.

This is what this bill reminds me of. It is a package of anti-consumer, anti-safety, anti-environment bills that the House has already passed. This omnibus legislation is emblematic of a Republican Party that lacks vision or direction for Americans that demand cooperation and leadership.

This bill smacks of a new Republican leadership that is still on training wheels, unable to work across the aisle to deliver real solutions to grow the economy and create jobs; but what is new from a Republican Party that voted dozens and dozens of time to defund and defeat the Affordable Care Act, the same law that is helping American families by keeping millions of young people—be they recent college graduates looking for their first job or students still in school—on their parents' insurance and out of a cycle of unpayable medical debt?

Well, Mr. Speaker, it is time for the training wheels to come off so that this Chamber can, once again, do the work of the American people.

There is a clear, unmistakable thirst in our country for cooperation, bipartisan solutions, and getting things done. The American people look to the House of Representatives for leadership, not one-sided messaging bills that this Chamber has already warmed up, served yesterday—it was bad—and, today, we are eating the leftovers.

This Chamber has already considered and passed these bills, and they have no chance, no hope, of becoming law. The so-called Jobs for America Act includes a number of dangerous bills straight from the wish list of industrial polluters and unsafe manufacturers. This legislation will not create a single job.

It exists only to minimize corporate accountability while maximizing the likelihood of dangerous, unsafe conditions in our homes, vehicles, workplaces, and throughout the environment.

It is time to work together to forge real solutions, Mr. Speaker, not the same dangerous legislation that this Chamber has already passed.

Mr. CAMP. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. KELLY), a distinguished member of the Ways and Means Committee.

Mr. KELLY of Pennsylvania. I thank the chairman for his great work.

Mr. Speaker, I rise in strong support of H.R. 4, and I will tell you why: the world is looking for the next great, emerging economy, and you know where it is? It is right here. It is us. It sits here, in this country.

We talk about the American people. What are they tired of? They are tired of political talk and not policy change that will get them back to work.

This morning, Mr. Speaker, 92 million Americans woke up and decided they weren't even going to go look for a job today because there is no hope in finding a job today. That is 92 million Americans.

Now, I don't know if they vote Republican. I don't know if they vote Democrat. I think they are getting to the point where they don't want to vote for either side because all they are asking is: work together to fix America.

The President of Ukraine came to the United States today to ask for help. He didn't go anywhere else in the world. He came here. Why did he come to the United States? Why did he come to America? Why, for centuries, have people come to America? For opportunity, for jobs, and to make their life better.

We sit and debate a jobs package, and we want to talk about politics. We don't want to talk about the policy of it; we don't want to talk about the opportunity that this country has always presented. Are you kidding me?

If there is dysfunction, it is in the Senate, where 360 pieces of legislation are on a table because one man stands in the way of this legislation, and it is the leader of the Senate.

If the American people—and I am not talking about Republicans or Democrats, I am talking about the American people—are to see what actually takes place in this great House, where so much policy has been driven in the past—please, get away from the politics; we are sick of it as a people.

The opportunity is off the charts. A new day is dawning. The only thing holding it back right now is the cloud cover that comes from Washington, D.C., where we refuse to create opportunity and, instead, create anger and we create dissatisfaction and we create confusion.

The American people sit back and say, ''Why me? Why now? Why here?'' That is the great question, ''Why?'' Does a reelection mean more than the redirection of this country?

After 6 years of waiting to see this great country emerge again with all the assets that we have been given—and they are gifts from God, but we haven't capitalized on them—the American people want something done.

This is a package of jobs bills, my friends. This gets America back to work, my friends. This makes America great again. This makes us who we are. This is the very fabric of who this country has always been, the greatest Nation in the world, always a defender of personal freedoms and liberty, but we can only do it when we have a dynamic and robust company.

It is time to stop talking politics and start talking policy. It is time to get America back to work. A new day is dawning, a new opportunity is waiting for us, and the greatest emerging economy the world has ever seen is sitting right here within our borders, and the only thing it is looking for right now is dynamic leadership and direction.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the gentleman from Pennsylvania, my friend, who eloquently mentioned how the Congress should and could be working more closely together. Again, I say that yesterday proved it.

I am certain that the eloquent gentleman from Pennsylvania would have to agree that, if we were passing bills in the House and they were not going anywhere, any legislator would have to find out why.

It would seem to me that we would go to the minority party, we would ask

to sit down with the Senate, we would work with the Department of Labor and the administration, and we would do that just before we were going home to attempt to get reelected.

I don't challenge the sincerity of the gentleman from Pennsylvania, but just bringing in bills that you know are not going to pass the Senate, bringing in bills the administration has already said that they would veto is not the way to success. It may be a good political statement, but it is certainly not the way to pass legislation.

I have the great honor to yield 3 minutes to the gentleman from Maryland (Mr. CUMMINGS), who has distinguished himself nationally in terms of being a legislator with a heart and common sense.

He is the ranking member of the Oversight Committee, that has attempted to show the entire country exactly what is going on and not going on in the Congress. I look forward to his eloquent remarks on this sensitive, important subject.

Mr. CUMMINGS. Mr. Speaker, I rise in opposition to H.R. 4. The special interest bills that make up this package have all passed the House before and went nowhere in the Senate. This is not just a waste of time, it is a waste of taxpayer money. Americans work hard for their money, and here we are wasting time, and everybody knows that.

This legislation is simply a gimmick. It hurts me to even say that, but it is, in fact, a gimmick. The Republican leadership in the House cannot fool the American people by passing the same bad bills over and over again.

Just because Republican leadership has slapped the word ''jobs'' on this bill does not change the fact that the bill will not create jobs, and they know that. We each represent 700,000 people. Those people have sent us here with the mission of making their lives better.

The legislation we are considering today will not help the people we represent. This bill would help big corporations.

Let me give you an example. Under this legislation, private companies would have the ability to weigh in on agency rulemakings before individual citizens and most other stakeholders. That means that oil companies could weigh in on drilling regulations before the American public even gets a chance to submit comments.

Another section of the bill would explicitly prohibit the Office of Information and Regulatory Affairs from taking into account benefits when providing total cost estimates for proposed and final rules as required by the bill.

The bill also contains numerous provisions to degrade the regulatory process and make it nearly impossible for agencies to take actions that protect our health, our safety, our air, our water, our food, and our environment.

This is a terrible piece of legislation, and I urge my colleagues to vote against it.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Thank you, Mr. Chairman, for your service in this great institution.

Mr. Speaker, we are here debating this jobs package because our economy is stagnant. Our unemployment rate hasn't fallen below 6 percent since this President took office 6 years ago.

Although growing the economy may not remain a number one priority for the Senate, it may not remain a number one priority for the President, I assure you it is for millions of Americans who can't find a job or who continue to look for that job promotion or who feel their paycheck isn't going as far as it should.

My bill, the Hire More Heroes Act, is not a waste of our time, is not a waste of taxpayer dollars, and it overwhelmingly passed this House with only one ''no'' vote. You can't get much more bipartisan than that, Mr. Speaker.

It is part of this jobs package because the Senate has yet to take up this bipartisan bill that would help our veterans. This bill will help incentivize small businesses to hire more of our heroes. It takes away a punitive punishment in ObamaCare.

We have been told that we can't change ObamaCare, but this bill does, and it does it because any veteran who gets their health care through the VA or TRICARE wouldn't count toward a small business' 50-employee limit which would, in turn, incentivize small businesses who create the jobs in this country to hire more of our veterans.

That is not a waste of taxpayer dollars. That is not a waste of time. Frankly, we need to do what we can to stop what ObamaCare has been doing to small businesses and disincentivizing them from hiring more people and, therefore, lowering our unemployment rate.

This jobs package is crucial. This jobs package is something that we in this House should continue to push. I would urge my colleagues on the other side of the aisle to make sure that they call their colleagues in the Senate and say, ''Pass this bill.''

□ 1445

Pass this bill. Do what is right. Help our veterans. Help Americans find jobs.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would not suggest to the distinguished gentleman from Illinois what he should be doing as a part of the majority, but if I had a bill as good as the one that he had, I certainly would not allow it to be included in this piece of political legislation. Because it would serve the veterans of this great country, I would say, give me a break and let the House and the Senate and the President give this legislation a chance.

But I am not in the majority, and I respect that you are doing the best you can with what you have to work with, and I respect you for that.

Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), who is the ranking member of the Budget Committee.

Most Americans know, like with our family, he has the responsibility to suggest to this august body exactly how much we are spending, how much we owe, and which is the best way to bring some balance to it, and I am so proud to be able to serve with him.

Mr. VAN HOLLEN. Mr. Speaker, I thank my good friend from New York for all his good work on these issues.

Just to underscore what he said with respect to Mr. DAVIS' proposal, we would love to have that proposal on veterans come before the floor as a stand-alone bill. Of course it has been wrapped into a much larger package that has nothing to do with jobs and everything to do with rewarding special interests at the expense of middle class families and taxpayers. It is a continuation of the failed strategy that responds to every economic challenge with more tax breaks to corporations and more breaks to folks at the very top of the economic ladder, the old, failed trickle-down theory of economics.

There is nothing to raise the minimum wage, nothing to achieve pay equity for women, nothing to invest in America's infrastructure or our education system. Instead, it is a collection of tax cuts that together would add $572 million to the deficit over the next 10 years—no attempt to offset that cost.

That is a lot of work in one afternoon, to add over half a trillion dollars to the deficit, totally in violation of the Republican budget that was brought to the floor.

Nor is this a bill that attempts to reform the Tax Code. I have great respect for the chairman of the Ways and Means Committee, and he did a credible effort in coming up with a reform plan. It wasn't perfect, lots of things that a lot of people don't like, but it was a credible effort.

This bill takes us in the opposite direction. When the chairman introduced that bill, the Speaker of this House ran away faster than anybody else from that proposal, and this proposal runs away from it as well.

Let me give you one example. The reform bill that was proposed by Mr. CAMP repealed bonus depreciation. This bill adds $270 billion to the deficit by making bonus depreciation permanent.

Mr. CAMP's proposal was revenue-neutral in the first 10 years. This one adds over half a trillion dollars to the deficit, and it doesn't close a single corporate tax loophole.

Look, if we are going to provide over a half a trillion dollars in tax breaks to large corporations, you would think that our Republican colleagues would at least deal with the issue of inversions, this sweep we see toward more and more corporations changing their

address offshore to avoid their tax obligations to the American people. But, no, nothing to deal with inversions. In fact, this bill rewards a number of companies that have recently engaged in inversions.

I want to call attention to section 701 of the bill because it says a lot about the priorities reflected on the floor today. That section repeals the excise tax paid by medical device companies that was put in place to help finance health care reform.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RANGEL. I yield the gentleman from Maryland 30 more seconds.

Mr. VAN HOLLEN. So it repeals that—no effort to replace that. So it adds $26 billion to the deficit, just that provision. Not only that, but it repeals it going forward, and it also gives a rebate going backwards. So a company, Medtronic, which is right now moving its tax address overseas to avoid its tax obligations to the American people, is going to get a $200 million plus interest tax bonus.

So here is this bill in a nutshell: do nothing to boost the middle class.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. RANGEL. I yield the gentleman as much time as he may consume to close.

Mr. VAN HOLLEN. So just to wrap this up, because I hope people will focus on this, the bottom-line message of this is: sorry to see you leave our shores, but you know what? As a goodbye present, we are going to hand you $200 million in tax breaks.

That sums up the problems with this bill, Mr. Speaker. I urge my colleagues to vote ''no.''

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume.

I would just say my friend from Maryland mentioned the Hire Our Heroes Act. That received virtually every Democrat vote and Republican vote on the floor but one. I certainly trust that the gentleman from Maryland has urged his two Democrat Senators in the Senate to take this bill up and pass it. It has been sitting in the Senate. It is blocked.

Certainly, we don't think those who fight for our country should be penalized when they come back to the United States in terms of getting their health care. This would certainly help tremendously, and it is something that has received large bipartisan support.

Every one of these provisions help create jobs, and certainly all of them have bipartisan support:

R&D, the research and development credit, 62 Democrat votes;

Section 179, extending, 53 Democrat votes;

The S corporation reform, 42 Democrat votes;

Bonus depreciation, 34 Democrat votes;

Repealing the 30-hour work week rule, 18 Democrat votes.

All of these have bipartisan support. They are all sitting in the Senate.

I heard the gentleman say maybe nothing is being done. Well, I would submit, my friends on the other side, other than voting for these bills, have done nothing to urge their colleagues who have the majority in the Senate to move something that will actually get people back to work and really bring the American Dream back in reach for millions of Americans, and it isn't now.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding.

And I wanted to also say, the gentleman from Maryland talked about a company, and I am not familiar with this company, but a company that is moving out of America because of our burdensome Tax Code. Does that not prove the point that we need tax reform as championed by Mr. CAMP, the chairman of the Ways and Means Committee?

We need a Tax Code that is competitive. This company is probably leaving to get away from a burdensome, complicated tax system that is killing jobs. Those jobs are going overseas. They need to stay in America.

Mr. Speaker, to create jobs, we have to have a Tax Code that is clear, fair, concise, one that creates jobs. But we also need a regulatory burden that does the same thing: one that is clear; one that is concise; one that uses cost-benefit analysis.

I can't understand why there are Members of the House that oppose cost-benefit analysis on new regulations. It is a matter of common sense, because our regulatory burden, as much as the Tax Code, is driving jobs offshore. We don't need that.

One of the things that was lost in the debate earlier that I find just mind-boggling is the ability to fight forest fires, of all things. As Smokey the Bear says, ''Only you can prevent forest fires.'' Well, I guess towards this administration he is saying, ''Only you can promote forest fires through your ridiculous regulatory climate.''

And then let me say this. To create jobs in America, we need to have competitive energy. We need to use American energy resources.

As somebody who represents four military installations, I know well that it is not a matter of cheap and abundant energy for manufacturing and traveling and transportation purposes. It is also a matter of national security. Because when we depend so heavily on Middle East oil and oil from unstable anti-American countries, what we are, in fact, doing is funding both sides in the war on terrorism.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CAMP. I yield the gentleman an additional 1 minute.

Mr. KINGSTON. We need to develop American energy, and that is what this bill does. It is commonsense tax reform, commonsense regulatory reform, and commonsense energy reform.

I am appalled that the United States Senate has not had time to take up one of these bills. And, as Mr. CAMP just outlined, as a matter of public record, the number of Democrats who have supported these pieces of legislation, we need to get the Senate moving.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before I yield to the gentleman from Maryland to inform the gentleman from Georgia more about these corporations that are attempting to flee the United States, I would like to have good news for the distinguished chairman of the committee that this veterans bill has been so popular on the other side of the Capitol that it appears as though it is included in a Senate bill and, as we talk, is actually being attacked by the Republican minority on the other side. So, at least as relates to the veterans, if we can take it out of this hodgepodge that has politically been put together, maybe collectively we can do something for our beloved veterans.

As far as the gentleman from Georgia is concerned, he had a problem in identifying the U.S. company that is going to receive a bonus, that is fleeing their tax obligation.

Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. VAN HOLLEN) so he can help clarify those issues to explain exactly how this provision is costing us.

Mr. VAN HOLLEN. Mr. Speaker, I thank my friend.

Look, the Joint Tax Committee has suggested that if we don't deal with this problem of corporations changing their tax address to escape their responsibilities to the citizens of this country, it will add $20 billion to the deficit, which taxpayers will have to make up.

I just want to emphasize the point the gentleman made because Mr. CAMP has called upon Senate Democrats to vote on the Hire Our Heroes bill. In fact, that bill is in the Senate 2-year extender bill in the United States Senate, which is currently being blocked and filibustered by our Republican Senate colleagues.

I would also point out that the cost of that bill, which we all accept, is $700 million added to the deficit. You are now putting it in a package with all sorts of corporate giveaways that doesn't cost $700 million but, together, costs $573 billion to the deficit, all in an afternoon's work.

Mr. Speaker, this is an irresponsible bill. We should vote ''no.''

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. YOUNG), a distinguished member of the Ways and Means Committee.

Mr. YOUNG of Indiana. Mr. Speaker, I rise today to speak in support of H.R. 4, the Jobs for America Act.

The undeniable fact is the U.S. House has passed more than 40 individual jobs bills, sent them to the Senate, and

they remain untouched by the Democratic majority leader.

Many of the jobs proposals included in this broader package, H.R. 4, have bipartisan support and include commonsense ideas like extending the section 179 tax benefits for small businesses, helping our veterans get back to work, and a repeal of the medical device tax.

Medical device companies, in particular, play an integral role in my home State of Indiana and our economy—more than 71,000 jobs and $44 billion in personal income on account of the industry—and I hear every day how this tax has stifled innovation and led to a decrease in jobs for my fellow Hoosiers.

In 2013, 79 Senators, many of them champions of ObamaCare, took a symbolic vote to eliminate that tax. I hope that the Democrat-controlled Senate will move beyond political symbolism—and for many, political self-preservation—and vote to repeal this tax on innovation, job creation, and patient care.

Finally, I am pleased that two pieces of legislation which I authored are included in H.R. 4. The Save American Workers Act, which is also bipartisan, would simply change the definition of full-time employment within ObamaCare from 30 hours back to the traditional definition of 40 hours.

□ 1500

Now, 40 hours is what everyone agrees is full time, so let's not further harm small business employees, school cafeteria workers, adjunct university professors, and other hourly workers with this arbitrary change in the definition of ''full time.''

Also included is the REINS Act. This bipartisan bill aims to relieve much of the regulatory burden on our Nation's small- and medium-sized businesses and on all Americans who benefit from affordable goods and services.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CAMP. I yield the gentleman an additional 1 minute.

Mr. YOUNG of Indiana. The legislation ensures that, when unelected, unaccountable bureaucrats in Washington enact rules and regs that impact our economy, these regulations will be voted on by Congress to ensure that your elected Representatives are held accountable for the laws our constituents are subjected to.

I respectfully urge the American people to take a very close look at H.R. 4 and to demand that the Democratic-controlled Senate bring these bills up for consideration so we can enable people to get back to work and see their personal incomes grow.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT), a hardworking gentleman on the Ways and Means Committee, one who has been outspoken on all of the issues that concern national security as well as the protection of our economy.

Mr. DOGGETT. I thank the gentleman.

Mr. Speaker, House Republicans are shutting down this House early today, and they are shutting it down with the same happy talk and tax cut hocus pocus that they began this Congress with 21 months ago, last January.

That is when Speaker BOEHNER reserved H. Res. 1 for a form of Miracle-Gro. They were going to sprinkle around Miracle-Gro tax cuts—more special interest tax breaks on everyone—and they would grow money faster than it could grow on trees. They have given us so much talk and so many press conferences about how they would do away with all of these complex special interest provisions that Republicans have spent years writing into law for their buddies—into their Tax Code—and we would all have brighter smiles and, certainly, fatter wallets. All of that joy, all of those wonders, would be accomplished debt free. We wouldn't have to borrow another dime from the Chinese or the Saudis or from whoever would lend it to us. We would get all that and more with their proposal.

Unfortunately, their old time medicine show started brightly, but it fizzled out rather quickly.

No Democrat stood in the way of their introducing and voting in the Ways and Means Committee on a tax cut Miracle-Gro elixir. There is no reason they couldn't have brought it out here on the floor on any day the Speaker wanted to consider Miracle-Gro. Yet we are here today, closing out, and H. Res. 1 says on the Republican Web site that it is still reserved for the Speaker, as is most attention to any major issue in this country reserved, because these folks don't want to work here in Washington. Instead, we get to this sorry bill today that is before us that provides more debt, more complexity, and more sweetheart deals.

When we consider the difficult budget choices, Republicans claim that we just don't have enough money. As much as they would like to provide full funding for Alzheimer's research, for cancer, for multiple sclerosis, for diabetes, for Parkinson's, we just don't have the money. We would like to do more to prevent the many forest fires that are spreading across the country—wildfires of all types—and provide the National Weather Service better funding to deal with the dramatic changes in our climate and our weather, but we just don't have the money to do that.

And what about our roads and bridges? We can't figure out a way to fund them, even to this time next year, because we just don't have the money.

Yes, we would like each child to be able to accomplish their full, God-given potential, but we just can't afford to fund from pre-K to post grad. But somehow we can afford more Miracle-Gro today—$500 billion taken right out of the debt, added to the debt.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RANGEL. I yield the gentleman an additional 2 minutes.

Mr. DOGGETT. I am for—and I know the gentleman is for—a pro-growth, pro-job creation set of government policies that focus on workforce development, on having the research in medicine and technology not only to find cures but to produce another round of jobs.

If we lack the Federal resources to do that, we certainly don't have the Federal resources today to hand out one bonus after another, as their bill does, to corporations with special interest provisions that will ultimately fail our economy.

This bill that we have does everything that they said their tax elixir would not do. It borrows money from many to give money to a few who already have the most. This represents the first installment in new national debt, a big chunk of the more than $1 trillion that these Republicans told us they wouldn't bury us in, but they proposed the first big installment today. They continue a Tax Code that is riddled with special interest tax preferences and giveaways while making a bonus depreciation provision that even failed as a temporary stimulus measure.

The only jobs that this bill is really designed to protect—and the reason that it is here right now before they rush to the airport—are the jobs of the Republican Members of this House of Representatives, and they sure do a good job of trying to accomplish that.

We ought to reject this package that is motivated solely by a looming election for a Republican majority whose biggest contributions to job creation in America have cost us dearly. They stand steadfast against the proposal that the U.S. Chamber of Commerce and one business group after another tells us will grow this economy—that is immigration reform—because they can't overcome the Know Nothings within their party who stand against the reform that we know would grow so many jobs.

Of course, their major accomplishment that they can point to right now out of this Congress was when they put the country on Cruz control, and it cost us $24 billion in economic growth. Reject this bill.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. HURT).

Mr. HURT. I thank Chairman CAMP for his leadership on this bill. I thank Chairman HENSARLING for his leadership on the issue that I rise to speak about today.

Mr. Speaker, I rise to support the Jobs for America Act, H.R. 4.

In Virginia's Fifth District, our district, there are literally thousands of jobs that exist because of private equity investments. These critical investments allow our small businesses to innovate, expand their operations, and create the jobs that our communities need.

Unfortunately, Dodd-Frank has placed the costly and unnecessary regulatory burden of SEC registration on advisers to private equity while exempting advisers to similar investment funds. These registration requirements do not improve the stability of our financial system, and they restrict the ability of private equity to invest capital in small businesses, which would spur job growth.

Instead of complying with costly SEC registration, private equity should be encouraged to focus on investing capital in companies such as Virginia Candle, a company in our district that, through private equity investment, expanded from a garage in Lynchburg to millions of homes across the world.

That is why I, along with my colleagues Representative COOPER and Representative HIMES, introduced the Small Business Capital Access and Job Preservation Act, a provision of H.R. 4 which previously passed the House with bipartisan support.

Unfortunately, the Senate has failed to consider this and dozens of other House-passed jobs bills. At a time when unemployment in Virginia's Fifth District is still too high, the Senate needs to join us immediately in enacting pro-growth policies to spur job creation for our communities.

I ask my colleagues to join me in supporting H.R. 4 to increase the flow of private capital to our small businesses so they can innovate, grow, and create jobs for the American people.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. KIND), my friend and a distinguished, eloquent member of the Ways and Means Committee.

Mr. KIND. I thank my friend for yielding me this time.

Mr. Speaker, I am not quite sure if I have been living in a parallel universe over the last few years, but I thought there was genuine concern in this body about getting a grip on our budget deficits, about trying to get our fiscal house put back in order. Yet here we are, in the eleventh hour, before they cut us loose for the fall campaign season, and we have another bill pending before this body that costs $573 billion—with a B—with not a penny of offset, with not a dime of it paid for. Then people wonder where these budget deficits come from.

What is unfortunate is some of the policy proposals in this legislation I actually support. We have got five bills coming out of the Ways and Means Committee with some permanent changes to the Tax Code that I happen to agree with, whether it is the R&D—research and development—tax credit; the 179 expensing; the S Corp Modernization bill, which is a bill that I and my friend from Washington State (Mr. REICHERT) introduced earlier this year to help with the S corporation businesses in this country; the bonus depreciation; and the repeal of the medical device tax—again, legislation that I and my friend from Minnesota, ERIK PAULSEN, had introduced because we didn't think it was a good idea for us to be taxing our domestic medical device manufacturers, especially on a pre-revenue basis.

I always believed that, with these changes being made, they should be offset, that they should be paid for. That is the fiscally responsible approach to take, and yet we have a $573 billion bill with not one offset. This is following on the heels earlier this year of 15 permanent changes to the Tax Code being reported out of the Ways and Means Committee, at a cost approaching $1 trillion, with none of it being offset.

I would submit that, if we went forward on that type of policy prescription, we might as well forget about comprehensive tax reform because we wouldn't have any tools left to do anything with.

I give the chairman of the committee, Mr. CAMP, who is going to be retiring at the end of this year, a lot of credit for having the guts to come out with a discussion draft on what comprehensive reform should look like. In that draft, he was making some tough decisions. He was finding offsets to lower rates and simplify the Tax Code in order to help us be more competitive in the global marketplace. That is not what is being done here today.

I would request with the Republican leadership that, instead of cutting us loose today, what we ought to be doing is staying in longer and working on a true innovation agenda for our Nation, one that invests in quality educational opportunities for all of our students and good job training programs for workers in transition or for those looking to upgrade their skills so they can be competitive in the global marketplace, the crucial investments we have to make in broadband expansion, basic research funding through NIH and NSF grants and infrastructure modernization in this country, that is long overdue. We know we have to do it. Let's do it now when we need the jobs. That would be a true jobs package that, I think, we could rally around so as to get this economy humming again.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RANGEL. I yield the gentleman an additional 1 minute.

Mr. KIND. Rather than this dog and pony show and the message piece that is before us today, right before the November 4 elections, I think the American people are a lot smarter than what some people give them credit for. They know we have a fiscal problem that has to be addressed, and I think most people would realize that, by coming forward with yet another bill at a cost of $573 billion, with no offsets and no pay-fors, it is only going to make the situation worse and truly jeopardize the economic opportunities for our children and grandchildren in the future.

Instead of coming out with this legislation today, which is a grab bag for powerful special interests, let's do the tough, heavy lifting that needs to be done. Let's make these policy changes but in a fiscally responsible way, by finding offsets in the code to pay for them, so we can get our fiscal house put back in order and create the good-paying jobs that America needs today.

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume.

I would just say to my good friend from Wisconsin that that was part of the story. Many of these provisions that are bipartisan job-creating provisions have been extended time and time again without being ''offset,'' without being ''paid for.''

Look at the research and development tax credit. It has been extended 15 times over a 33-year period. It has never been paid for, but it is temporary, so it doesn't have the impact on innovation and research and development. That is what drives economies. That is what grows jobs.

Let's make this permanent. Let's not be the only nation in the world with a temporary tax policy. Then we wonder why we are not growing. Then we wonder why median incomes are flat or are declining. Then we wonder why people aren't achieving the American Dream.

Some of my friends have talked about the Senate. They didn't pay for this. What did they do? They extended some of these policies backwards a year and forward 1 year. How can anyone decide to hire a worker, to build a new building, to buy equipment, to start a new production line on 1 year of policy? This is about permanency, and it is about growing jobs.

I yield 3 minutes to the distinguished gentleman from Minnesota (Mr. PAULSEN), a member of the Ways and Means Committee.

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Mr. PAULSEN. I thank the gentleman for yielding.

Mr. Speaker, Americans have been pleading for Congress to take action to spur economic growth and create jobs. And the House has repeatedly acted to pass bipartisan legislation to get people back to work, and we are doing so once again today.

Today in this jobs bill is a provision that I authored to repeal the destructive medical device tax. It is destructive because it is a tax not on profit but on sales.

The medical device industry directly employs more than 400,000 people across the country, including 35,000 jobs in my home State of Minnesota. These companies create the lifesaving and life-improving technologies for our patients.

But, because of the President's new health care law, the device industry is now facing one of the highest effective tax rates in the world. This device tax has already resulted in the loss of 33,000 American jobs. That is the equivalent of the entire Minnesota medical device industry being wiped off the map. Another 132,000 jobs are expected to disappear or now go overseas. And these are good-paying jobs, Mr. Speaker—$60,000 to $80,000 per job. Eighty

percent of these companies are small businesses, employing 50 people or less.

I asked one company that I recently visited, with 60 employees: What does the device tax mean to you? It means I have six projects now instead of 10 projects; I will have two fewer engineers and two fewer technicians.

Another Minnesota company that I recently talked to with 20 employees that is not yet profitable told me that now they are borrowing—they are borrowing—$100,000 a month just to pay the tax. That is crazy.

So companies are cutting back on their research and development. Venture capital is disappearing. And we are seeing less innovation.

The bottom line is, this device tax is so poorly conceived, it kills jobs, it is stifling lifesaving and life-enhancing innovation, and both Democrats and Republicans in the House agree on this.

My legislation to repeal this harmful tax has 275 coauthors in this body, 46 of whom are Democrats. There is overwhelming bipartisan support to repeal this job-killing tax. But we need the Senate to take action. We need the Senate to stop blocking this bill from moving forward. That way, we can get this done.

It is time, Mr. Speaker, to come together to protect American jobs by repealing the device tax.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DAVIS), one of the hardest working members of the Ways and Means Committee.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I want to thank my colleague from New York for yielding.

I rise in strong opposition to H.R. 4 because it adds over $500 billion in permanent corporate tax giveaways that could end up causing 1 million hardworking Americans to lose their employer-provided health coverage and do nothing to help the tens of thousands of my constituents and tens of millions of Americans who are experiencing deep poverty, unemployment, and economic distress.

I cannot support adding over $500 billion to our deficit for permanent handouts to big corporations while 3.3 million long-term unemployed go unaided, while repairs and renovations to our Nation's infrastructure are threatened, while the Medicare doctors' fix goes unresolved, and while irrational budget cuts strangle education, health, research, and innovation.

This bill marks the height of Republican irresponsibility on both fiscal and policy grounds. I ask, how many millions of low-income students could complete college using Pell grants with just a fraction of the cost of this bill? How many long-term unemployed could pay their rent or provide food for their families with even a tiny amount of the cost of this bill? How many more small businesses could receive investment grants or critical low-cost loans?

Our government, yes, has the responsibility to advance policies that create jobs, strengthen our citizens, and grow our economy, not ones that undermine the health and well-being of Americans and advance the wealthiest among us at the expense of the struggling.

I will vote ''no'' on this sham jobs-creating bill.

Mr. CAMP. I am prepared to close, so I reserve the balance of my time.

Mr. RANGEL. I yield myself the balance of my time.

Mr. Speaker, as we close out on this bill, I would like to enter into the RECORD a report by the Center on Budget and Policy Priorities. This is an objective report on the subject that we have just talked about, and that is whether or not the Affordable Care Act has caused a loss in full-time jobs. This report clearly shows that we have had a rise in full-time work in connection with the health care reform bill.

[From Off the Charts, Sept. 17, 2014]

CENSUS REPORT SHOWS RISE IN FULL-TIME WORK, UNDERCUTTING CLAIMS BY HEALTH REFORM OPPONENTS

(By Paul N. Van de Water)

Yesterday's Census Bureau report shows that the share of workers with full-time, full-year work rose in 2013, while the share with part-time, part-year work fell. This finding further undercuts assertions that health reform is causing a large increase in part-time employment—as proponents of a House measure to change health reform's rules on covering full-time workers claim.

Health reform requires employers with at least 50 full-time-equivalent workers to offer coverage to full-time employees—defined as those who work at least 30 hours a week—or pay a penalty. Critics claim that employers are shifting some employees to part-time work to avoid offering them health insurance. But the data provide scant evidence of such a shift.

To the contrary, part-time work became less frequent last year. ''An estimated 72.7 percent of working men with earnings and 60.5 percent of working women with earnings worked full time, year round in 2013, both percentages higher than the 2012 estimates of 71.1 percent and 59.4 percent respectively,'' according to the new Census report. These data are consistent with a recent Urban Institute analysis that found little evidence that health reform has increased part-time work.

The share of involuntary part-timers—workers who'd rather have full-time jobs but can't find them—tells a similar story. If health reform were distorting hiring practices, as critics assert, we'd expect the share of involuntary part-timers to be growing. Instead, as the chart (based on Labor Department data) shows, it's down by 1½ percentage points from its post-recession peak. My colleague Jared Bernstein finds that this pattern is typical for this stage of a recovery.

Later this week, the House will consider a proposal (part of a so-called ''jobs bill'') to raise health reform's threshold for full-time work from 30 to 40 hours. But this step would make a shift toward part-time employment much more likely—not less so.

Only about 7 percent of employees work 30 to 34 hours (that is, at or modestly above health reform's 30-hour threshold), but 44 percent of employees work 40 hours a week and thus would be vulnerable to cuts in their hours if the threshold rose to 40 hours. Employers could easily cut back large numbers of employees from 40 to 39 hours so they wouldn't have to offer them health coverage.

If you exclude workers at firms that already offer health insurance and thus won't be tempted to cut workers' hours, more than twice as many workers would face a high risk of reduced hours under a 40-hour threshold than under the current 30-hour threshold, according to New York University economist Sherry Glied.

There's little evidence to date that health reform has caused a shift to part-time work. There's every reason to expect the impact to be small as a share of total employment, as we have explained. And raising the cutoff for the employer mandate from 30 to 40 hours a week would be a step in the wrong direction.

Mr. RANGEL. Now, the gentleman knows also that in order to get a bill passed, it really helps if you get the cooperation of the President of the United States.

I would like to submit a statement for the RECORD from the administration which says that if this bill was to reach him that he would be forced to follow the advice of his administration specialists and veto it.

On the other hand, I think it is abundantly clear that the Speaker knows that the President has reached out to him and to the Senate to come together to create jobs.

STATEMENT OF ADMINISTRATION POLICY

H.R. 4—JOBS FOR AMERICA ACT

(Rep. Camp, R-Michigan, and 4 cosponsors)

The Administration strongly opposes House passage of H.R. 4, which incorporates several bills that have previously been passed by the House during this Congress, including a number of bills for which the Administration issued Statements of Administration Policy strongly opposing passage and indicating that, if presented to the President, his senior advisors would recommend that he veto them.

The Administration wants to work with Congress to make progress on measures that strengthen the economy and help middle class families, including pro-growth business tax reform. The Administration continues to support tax proposals that would benefit the Nation's economy and small businesses, such as making permanent the research and experimentation tax credit and increased expensing for small businesses. However, making traditional tax extenders and costly business tax cuts permanent without offsets, while at the same time allowing taxes to increase on 26 million working families, represents the wrong approach.

In addition, the Administration welcomes ideas to improve the Affordable Care Act. However, H.R. 4 would undermine that Act by shifting costs to taxpayers and causing fewer Americans to have employer-sponsored health insurance coverage.

Also, the Administration is committed to ensuring that the benefits of regulation justify their costs and that they are tailored to advance statutory goals in a manner that is efficient, is cost-effective, and minimizes uncertainty. However, H.R. 4 would throw all major regulations into a months-long limbo, marking a significant departure from the longstanding separation of powers between the Executive and Legislative branches and, fostering uncertainty and impeding business investment that is vital to economic growth. Furthermore, the bill would impose other unnecessary requirements on agencies that would seriously undermine their ability to execute their statutory mandates.

Finally, the Administration is committed to sound long-term management of Federal lands for continued productivity and economic benefit, as well as for the long-term

health of the wildlife and ecological values sustained by these holdings. However, H.R. 4 includes numerous harmful provisions that would impair responsible management of Federally-owned lands and undermine many important existing public land and environmental laws, rules, and processes.

If the President were presented with H.R. 4, his senior advisors would recommend that he veto the bill.

Mr. RANGEL. Lastly, I would like to say, as the distinguished chair moves on to his retirement from this august body, that for as long as the gentleman has been a member of this Ways and Means Committee that I have admired and I continue to respect the fine work that he has contributed to the committee as well as to this House, and that his honesty, candidness, sincerity, and hard work to make this a better Congress and a better country certainly is appreciated now and will be in the future.

And I would hope that the hard work that he has done on tax reform—which is a very difficult, complex subject to deal with—that we might try to remember him for the fine work that he has done over these years, rather than on the eve of an election, where sometimes the leadership would want to make a political statement.

I, for one, will never associate him with this piece of legislation, but, rather, for the outstanding contributions that he has made year after year, session after session—not for Republicans, not for the committee, but for this great country. And I thank him for his friendship over the years.

I yield back the balance of my time.

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from New York for those kind remarks and also for the work we have been able to do together over the years.

I remember the first legislation that we really worked together on was the Adoption and Safe Families Act, which was signed into law and has done a lot to move children from a temporary situation into a permanent loving home. And I want to thank the gentleman for his leadership on that and other issues on the committee.

And as a former chairman of the committee, you have sat in the chair I am sitting in right now and know what a challenge it can be at times. But we have done some great work together.

I do happen to believe, though, that this legislation would create jobs. And it is not just my opinion. These provisions have been analyzed by the nonpartisan Joint Committee on Taxation, and that indicates that these are all important provisions.

There has been some reference to the fact that we are close to an election. And I think clearly what most Americans are sick of is the dysfunction in Washington, the lack of ability for the two parties to get together, whether it is the Republicans and Democrats in the House or Democrat majorities in the Senate and Republican majorities in the House. And these are all bipartisan provisions. These are all tax provisions that have had significant Democrat support and votes. In the case of the Help Hire Our Heroes Act, I think every Democrat but one voted for it. Clearly these are things that will help create jobs.

And not only do Americans want to see the dysfunction in this body end, but they would like to see something that will help move the economy forward, that will help make their lives better.

If you look at polling—there is certainly a lot of polling out there right now—a lot of Americans know that things are not as good as they should be. I mean, it clearly comes across in the polls how dissatisfied they are. And there are lots of reasons for that, largely because median incomes are declining.

But what is really troubling is that Americans don't believe that things are going to get better. They are worried that, for the first time, their children or their brothers and sisters or their family members or they will not have the same opportunities that many of their parents or some of their friends have had. That is a very troubling situation.

This is legislation that will help move the ball forward on getting some economic growth, some job creation, a stronger economy. And with that stronger economy comes more jobs, comes higher wages, comes benefits so that people can pay for food and gas and put something aside for their retirement and for their kids' education.

These are all things that have been extended repeatedly with bipartisan support. As I mentioned, R&D, 30 years; section 179, expensing for small businesses, 10 years; some of the S Corp perform, 12 years—seven times since 2006.

So let's not have a temporary policy. Let's make this permanent. Let's get this country moving again. Let's restore that faith that people have had in this country and in the American Dream. Let's vote ''yes'' on H.R. 4.

Mr. Speaker, I yield back the balance of my time.

Mr. LANGEVIN. Mr. Speaker, it is with a great sense of disappointment that I deliver my remarks today. For the past 21 months, this House has failed to take any meaningful action to reduce unemployment or boost job creation in America. We know what the solutions are, and yet unconscionably the Republican leadership has chosen to engage in divisive political gamesmanship rather than taking on the more challenging task of governing, which is what our constituents sent us here to do.

In my home state of Rhode Island, employers are still struggling to find qualified employees to fill available jobs. This skills gap keeps the unemployment rate stubbornly high, while many middle class families are still struggling to make ends meet.

H.R. 4 contains provisions from several bills that have already passed the House and failed to gain traction in the Senate. Instead of more duplicative messaging bills, we should be working with our colleagues across the aisles, and across the Capitol, to incentivize companies to bring jobs back home, invest in advanced research and development, educate and train our workforce for a 21st Century economy, and modernize our infrastructure to improve safety, boost commerce and create jobs.

Certainly the House and Senate have different visions about how to proceed. But when disagreements arise, the process should involve working together to find a solution that can pass both houses and reach the President's desk. Instead, House Republican leaders have decided the best course of action is to revisit bills that we already know are unacceptable to the Senate. As a fitting coda to the 113th Congress, we will again squander an opportunity to act while millions of Americans still need our help.

This Congress is set to go down in history as the least productive ever. Many members have taken a ''death or glory'' approach to legislating, demanding that either we give them everything, or nobody can have anything. It was a year ago that we suffered the first government shutdown in 17 years; a shutdown caused by the House Majority's inability to contemplate negotiation.

Even by the Speaker's own criteria of ''laws repealed'' instead of laws passed, we have been remarkably unproductive. Without any coherent legislative strategy, the Republican majority has attempted to repeal or undermine the Affordable Care Act over 50 times. However, we still cannot find the time to extend long-term unemployment insurance, fix our broken immigration system, or tackle any of the other challenges that our constituents sent us here to fix.

One of the easiest steps we can take would be to re-authorize the Carl D. Perkins Career and Technical Education Act. This main source of federal funding for career training programs was last re-authorized in 2006 and expired in 2012. There is broad, bipartisan support for revisiting Perkins and updating its provisions to reflect the realities of the 21st Century economy. Advocates across the country support re-authorizing Perkins. Unfortunately, this did not become a priority for the Committee and we are left waiting for action yet again.

There is too much work to be done to waste time on this petty political squabbling. We have the capacity to meet the challenges that face us, but a lack of courage on the part of House leadership keeps us from doing so. It is my sincere hope that in the 114th Congress we return to regular order, negotiate instead of digging in our heels, and solve problems instead of creating them.

Ms. WATERS. Mr. Speaker, I would like to submit the following:

AMERICANS FOR FINANCIAL REFORM,
Washington, DC, September 18, 2014.

DEAR REPRESENTATIVE: On behalf of Americans for Financial Reform (AFR), we are writing to urge you to oppose H.R. 4, the ''Jobs For America Act''. Division III of the legislation contains a number of extremely problematic provisions that would require regulatory agencies to satisfy dozens of additional mandates prior to any regulation of Wall Street, and which would create numerous additional opportunities for large financial firms to block any government action in court. AFR has joined the Coalition for Sensible Safeguards and dozens of other civil society organizations in a joint letter opposing these provisions.

We would also like to draw attention to Title I of Division II of this legislation, the ''Small Business Capital Access and Job Preservation Act''. This legislation would exempt private equity fund advisors—who include some of the wealthiest and most significant entities on Wall Street—from registration and reporting requirements designed to allow regulators to protect investors and the public and monitor risk in the financial system.

Prior to the Dodd-Frank Act, hedge and private equity funds received almost no regulatory monitoring, despite the fact that they manage some $3 trillion in assets in total on behalf of numerous investors, including many pension funds. The Dodd-Frank Act created more transparency for this previously dark portion of the markets, by requiring hedge and private equity fund advisors to register with the Securities and Exchange Commission (SEC), maintain a code of ethics and a compliance program, and report basic financial information relevant to systemic risk. This legislation would effectively exempt all private equity fund advisors from these requirements.

Since this legislation was voted on as a stand alone bill in December, 2013 as H.R. 1105, the SEC has reported publicly on its basic 'presence examinations' of private equity fund advisors pursuant to its new Dodd-Frank responsibilities. These examinations found widespread evidence of abuse of investors and violations of the law. In a recent speech, Andrew Bowden, the SEC's Director of Compliance Inspections and Examinations, stated that ''when we have examined how fees and expenses are handled by advisers to private equity funds, we have identified what we believe are violations of law or material weaknesses in controls over 50% of the time''. The speech details evidence of deception and abuse of investors in other areas as well. Mr. Bowden also stated that due to the opaque nature of the private equity model and the limited information rights of investors, outside investors in private equity funds ''often have little to no chance of detecting'' these abuses on their own.

Given the findings of the SEC in its initial investigations of private equity advisors, it is deeply disappointing to see that the House is once again pursuing a broad exemption from registration, reporting, and associated ethics requirements for private equity advisors. The passage of ''The Small Business Capital Access and Job Preservation Act'' would effectively remove the SEC's most effective tool for addressing the evidence of widespread investor abuses recently uncovered through their examinations. We urge you to oppose this legislation.

Thank you for your consideration. For more information please contact AFR's Policy Director, Marcus Stanley.

Sincerely,

AMERICANS FOR FINANCIAL REFORM.

FOLLOWING ARE THE PARTNERS OF AMERICANS FOR FINANCIAL REFORM

All the organizations support the overall principles of AFR and are working for an accountable, fair and secure financial system. Not all of these organizations work on all of the issues covered by the coalition or have signed on to every statement.

A New Way Forward; AFL–CIO; AFSCME; Alliance for Justice; American Income Life Insurance; American Sustainable Business Council; Americans for Democratic Action, Inc.; Americans United for Change; Campaign for America's Future; Campaign Money; Center for Digital Democracy; Center for Economic and Policy Research; Center for Economic Progress; Center for Media and Democracy; Center for Responsible Lending; Center for Justice and Democracy; Center of Concern; Center for Effective Government; Change to Win; Clean Yield Asset Management.

Coastal Enterprises Inc.; Color of Change; Common Cause; Communications Workers of America; Community Development Transportation Lending Services; Consumer Action; Consumer Association Council; Consumers for Auto Safety and Reliability; Consumer Federation of America; Consumer Watchdog; Consumers Union; Corporation for Enterprise Development; CREDO Mobile; CTW Investment Group; Demos; Economic Policy Institute; Essential Action; Greenlining Institute; Good Business International; HNMA Funding Company; Home Actions.

Housing Counseling Services; Home Defenders League; Information Press; Institute for Global Communications; Institute for Policy Studies: Global Economy Project; International Brotherhood of Teamsters; Institute of Women's Policy Research; Krull & Company; Laborers' International Union of North America; Lawyers' Committee for Civil Rights Under Law; Main Street Alliance; Move On; NAACP; NASCAT; National Association of Consumer Advocates; National Association of Neighborhoods; National Community Reinvestment Coalition; National Consumer Law Center (on behalf of its low-income clients); National Consumers League; National Council of La Raza.

National Council of Women's Organizations; National Fair Housing Alliance; National Federation of Community Development Credit Unions; National Housing Resource Center; National Housing Trust; National Housing Trust Community Development Fund; National NeighborWorks Association; National Nurses United; National People's Action; National Urban League; Next Step; OpenTheGovernment.org; Opportunity Finance Network; Partners for the Common Good; PICO National Network; Progress Now Action; Progressive States Network; Poverty and Race Research Action Council; Public Citizen; Sargent Shriver Center on Poverty Law.

SEIU; State Voices; Taxpayers for Common Sense; The Association for Housing and Neighborhood Development; The Fuel Savers Club; The Leadership Conference on Civil and Human Rights; The Seminal; TICAS. U.S. Public Interest Research Group; UNITE HERE; United Food and Commercial Workers; United States Student Association; USAction; Veris Wealth Partners; Western States Center; We the People Now; Woodstock Institute; World Privacy Forum; UNET; Union Plus; Unitarian Universalist for a Just Economic Community.

LIST OF STATE AND LOCAL AFFILIATES

Alaska PIRG; Arizona PIRG; Arizona Advocacy Network; Arizonans For Responsible Lending; Association for Neighborhood and Housing Development NY; Audubon Partnership for Economic Development LDC, New York NY; BAC Funding Consortium Inc., Miami FL; Beech Capital Venture Corporation, Philadelphia PA; California PIRG; California Reinvestment Coalition; Century Housing Corporation, Culver City CA; CHANGER NY; Chautauqua Home Rehabilitation and Improvement Corporation (NY); Chicago Community Loan Fund, Chicago IL; Chicago Community Ventures, Chicago IL; Chicago Consumer Coalition; Citizen Potawatomi CDC, Shawnee OK; Colorado PIRG; Coalition on Homeless Housing in Ohio; Community Capital Fund, Bridgeport CT.

Community Capital of Maryland, Baltimore MD; Community Development Financial Institution of the Tohono O'odham Nation, Sells AZ; Community Redevelopment Loan and Investment Fund, Atlanta GA; Community Reinvestment Association of North Carolina; Community Resource Group, Fayetteville A; Connecticut PIRG; Consumer Assistance Council; Cooper Square Committee (NYC); Cooperative Fund of New England, Wilmington NC; Corporacion de Desarrollo Economico de Ceiba, Ceiba PR; Delta Foundation, Inc., Greenville MS; Economic Opportunity Fund (EOF), Philadelphia PA; Empire Justice Center NY; Empowering and Strengthening Ohio's People (ESOP), Cleveland OH; Enterprises, Inc., Berea KY; Fair Housing Contact Service OH; Federation of Appalachian Housing; Fitness and Praise Youth Development, Inc., Baton Rouge LA; Florida Consumer Action Network; Florida PIRG.

Funding Partners for Housing Solutions, Ft. Collins CO; Georgia PIRG; Grow Iowa Foundation, Greenfield IA; Homewise, Inc., Santa Fe NM; Idaho Nevada CDFI, Pocatello ID; Idaho Chapter, National Association of Social Workers; Illinois PIRG; Impact Capital, Seattle WA; Indiana PIRG; Iowa PIRG; Iowa Citizens for Community Improvement; JobStart Chautauqua, Inc., Mayville NY; La Casa Federal Credit Union, Newark NJ; Low Income Investment Fund, San Francisco CA; Long Island Housing Services NY; MaineStream Finance, Bangor ME; Maryland PIRG; Massachusetts Consumers' Coalition; MASSPIRG; Massachusetts Fair Housing Center.

Michigan PIRG; Midland Community Development Corporation, Midland TX; Midwest Minnesota Community Development Corporation, Detroit Lakes MN; Mile High Community Loan Fund, Denver CO; Missouri PIRG; Mortgage Recovery Service Center of L.A.; Montana Community Development Corporation, Missoula MT; Montana PIRG; Neighborhood Economic Development Advocacy Project; New Hampshire PIRG; New Jersey Community Capital, Trenton NJ; New Jersey Citizen Action; New Jersey PIRG; New Mexico PIRG; New York PIRG; New York City Aids Housing Network; New Yorkers for Responsible Lending; NOAH Community Development Fund, Inc., Boston MA; Nonprofit Finance Fund, New York NY; Nonprofits Assistance Fund, Minneapolis M.

North Carolina PIRG; Northside Community Development Fund, Pittsburgh PA; Ohio Capital Corporation for Housing, Columbus OH; Ohio PIRG; Oligarchy USA; Oregon State PIRG; Our Oregon; PennPIRG; Piedmont Housing Alliance, Charlottesville VA; Michigan PIRG; Rocky Mountain Peace and Justice Center, CO; Rhode Island PIRG; Rural Community Assistance Corporation, West Sacramento CA; Rural Organizing Project OR; San Francisco Municipal Transportation Authority; Seattle Economic Development Fund; Community Capital Development; TexPIRG; The Fair Housing Council of Central New York; The Loan Fund, Albuquerque NM; Third Reconstruction Institute NC; Vermont PIRG; Village Capital Corporation, Cleveland OH; Virginia Citizens Consumer Council; Virginia Poverty Law Center; War on Poverty-Florida; WashPIRG; Westchester Residential Opportunities Inc.; Wigamig Owners Loan Fund, Inc., Lac du Flambeau WI; WISPIRG.

SMALL BUSINESSES

Blu; Bowden-Gill Environmental; Community MedPAC; Diversified Environmental Planning; Hayden & Craig, PLLC; Mid City Animal Hospital, Pheonix AZ; The Holographic Repatterning Institute at Austin; UNET.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 727, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule IXX, further consideration of H.R. 4 is postponed.

PERMISSION TO POSTPONE ADOPTION OF MOTION TO RECOMMIT ON H.R. 2, AMERICAN ENERGY SOLUTIONS FOR LOWER COSTS AND MORE AMERICAN JOBS ACT

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that the question of adopting a motion to recommit on H.R. 2 may be subject to postponement as though under clause 8 of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

AMERICAN ENERGY SOLUTIONS FOR LOWER COSTS AND MORE AMERICAN JOBS ACT

Mr. HASTINGS of Washington. Mr. Speaker, pursuant to House Resolution 727, I call up the bill (H.R. 2) to remove Federal Government obstacles to the production of more domestic energy; to ensure transport of that energy reliably to businesses, consumers, and other end users; to lower the cost of energy to consumers; to enable manufacturers and other businesses to access domestically produced energy affordably and reliably in order to create and sustain more secure and well-paying American jobs; and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 727, the bill is considered read.

The text of the bill is as follows:

H.R. 2

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''American Energy Solutions for Lower Costs and More American Jobs Act''.

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

DIVISION A—ENERGY AND COMMERCE

TITLE I—MODERNIZING INFRASTRUCTURE

Subtitle A—Northern Route Approval

SEC. 101. SHORT TITLE.

This subtitle may be cited as the ''Northern Route Approval Act''.

SEC. 102. FINDINGS.

The Congress finds the following:

(1) To maintain our Nation's competitive edge and ensure an economy built to last, the United States must have fast, reliable, resilient, and environmentally sound means of moving energy. In a global economy, we will compete for the world's investments based in significant part on the quality of our infrastructure. Investing in the Nation's infrastructure provides immediate and long-term economic benefits for local communities and the Nation as a whole.

(2) The delivery of oil from Canada, a close ally not only in proximity but in shared values and ideals, to domestic markets is in the national interest because of the need to lessen dependence upon insecure foreign sources.

(3) The Keystone XL pipeline would provide both short-term and long-term employment opportunities and related labor income benefits, such as government revenues associated with taxes.

(4) The State of Nebraska has thoroughly reviewed and approved the proposed Keystone XL pipeline reroute, concluding that the concerns of Nebraskans have had a major influence on the pipeline reroute and that the reroute will have minimal environmental impacts.

(5) The Keystone XL is in much the same position today as the Alaska Pipeline in 1973 prior to congressional action. Once again, the Federal regulatory process remains an insurmountable obstacle to a project that is likely to reduce oil imports from insecure foreign sources.

SEC. 103. KEYSTONE XL PERMIT APPROVAL.

Notwithstanding Executive Order No. 13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, and any other Executive order or provision of law, no Presidential permit shall be required for the pipeline described in the application filed on May 4, 2012, by TransCanada Keystone Pipeline, L.P. to the Department of State for the Keystone XL pipeline, as supplemented to include the Nebraska reroute evaluated in the Final Evaluation Report issued by the Nebraska Department of Environmental Quality in January 2013 and approved by the Nebraska governor. The final environmental impact statement issued by the Secretary of State on January 31, 2014, coupled with the Final Evaluation Report described in the previous sentence, shall be considered to satisfy all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and of the National Historic Preservation Act (16 U.S.C. 470 et seq.).

SEC. 104. JUDICIAL REVIEW.

(a) EXCLUSIVE JURISDICTION.—Except for review by the Supreme Court on writ of certiorari, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction to determine—

(1) the validity of any final order or action (including a failure to act) of any Federal agency or officer with respect to issuance of a permit relating to the construction or maintenance of the Keystone XL pipeline, including any final order or action deemed to be taken, made, granted, or issued;

(2) the constitutionality of any provision of this subtitle, or any decision or action taken, made, granted, or issued, or deemed to be taken, made, granted, or issued under this subtitle; or

(3) the adequacy of any environmental impact statement prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), or of any analysis under any other Act, with respect to any action taken, made, granted, or issued, or deemed to be taken, made, granted, or issued under this subtitle.

(b) DEADLINE FOR FILING CLAIM.—A claim arising under this subtitle may be brought not later than 60 days after the date of the decision or action giving rise to the claim.

(c) EXPEDITED CONSIDERATION.—The United States Court of Appeals for the District of Columbia Circuit shall set any action brought under subsection (a) for expedited consideration, taking into account the national interest of enhancing national energy security by providing access to the significant oil reserves in Canada that are needed to meet the demand for oil.

SEC. 105. AMERICAN BURYING BEETLE.

(a) FINDINGS.—The Congress finds that—

(1) environmental reviews performed for the Keystone XL pipeline project satisfy the requirements of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)) in its entirety; and

(2) for purposes of that Act, the Keystone XL pipeline project will not jeopardize the continued existence of the American burying beetle or destroy or adversely modify American burying beetle critical habitat.

(b) BIOLOGICAL OPINION.—The Secretary of the Interior is deemed to have issued a written statement setting forth the Secretary's opinion containing such findings under section 7(b)(1)(A) of the Endangered Species Act of 1973 (16 U.S.C. 1536(b)(1)(A)) and any taking of the American burying beetle that is incidental to the construction or operation and maintenance of the Keystone XL pipeline as it may be ultimately defined in its entirety, shall not be considered a prohibited taking of such species under such Act.

SEC. 106. RIGHT-OF-WAY AND TEMPORARY USE PERMIT.

The Secretary of the Interior is deemed to have granted or issued a grant of right-of-

way and temporary use permit under section 28 of the Mineral Leasing Act (30 U.S.C. 185) and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), as set forth in the application tendered to the Bureau of Land Management for the Keystone XL pipeline.

SEC. 107. PERMITS FOR ACTIVITIES IN NAVIGABLE WATERS.

(a) ISSUANCE OF PERMITS.—The Secretary of the Army, not later than 90 days after receipt of an application therefor, shall issue all permits under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) and section 10 of the Act of March 3, 1899 (33 U.S.C. 403; commonly known as the Rivers and Harbors Appropriations Act of 1899), necessary for the construction, operation, and maintenance of the pipeline described in the May 4, 2012, application referred to in section 103, as supplemented by the Nebraska reroute. The application shall be based on the administrative record for the pipeline as of the date of enactment of this Act, which shall be considered complete.

(b) WAIVER OF PROCEDURAL REQUIREMENTS.—The Secretary may waive any procedural requirement of law or regulation that the Secretary considers desirable to waive in order to accomplish the purposes of this section.

(c) ISSUANCE IN ABSENCE OF ACTION BY THE SECRETARY.—If the Secretary has not issued a permit described in subsection (a) on or before the last day of the 90-day period referred to in subsection (a), the permit shall be deemed issued under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) or section 10 of the Act of March 3, 1899 (33 U.S.C. 403), as appropriate, on the day following such last day.

(d) LIMITATION.—The Administrator of the Environmental Protection Agency may not prohibit or restrict an activity or use of an area that is authorized under this section.

SEC. 108. MIGRATORY BIRD TREATY ACT PERMIT.

The Secretary of the Interior is deemed to have issued a special purpose permit under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), as described in the application filed with the United States Fish and Wildlife Service for the Keystone XL pipeline on January 11, 2013.

SEC. 109. OIL SPILL RESPONSE PLAN DISCLOSURE.

(a) IN GENERAL.—Any pipeline owner or operator required under Federal law to develop an oil spill response plan for the Keystone XL pipeline shall make such plan available to the Governor of each State in which such pipeline operates to assist with emergency response preparedness.

(b) UPDATES.—A pipeline owner or operator required to make available to a Governor a plan under subsection (a) shall make available to such Governor any update of such plan not later than 7 days after the date on which such update is made.

Subtitle B—Natural Gas Pipeline Permitting Reform

SEC. 121. SHORT TITLE.

This subtitle may be cited as the ''Natural Gas Pipeline Permitting Reform Act''.

SEC. 122. REGULATORY APPROVAL OF NATURAL GAS PIPELINE PROJECTS.

Section 7 of the Natural Gas Act (15 U.S.C. 717f) is amended by adding at the end the following new subsection:

''(i)(1) The Commission shall approve or deny an application for a certificate of public convenience and necessity for a prefiled project not later than 12 months after receiving a complete application that is ready to be processed, as defined by the Commission by regulation.

''(2) The agency responsible for issuing any license, permit, or approval required under Federal law in connection with a prefiled project for which a certificate of public convenience and necessity is sought under this Act shall approve or deny the issuance of the license, permit, or approval not later than 90 days after the Commission issues its final environmental document relating to the project.

''(3) The Commission may extend the time period under paragraph (2) by 30 days if an agency demonstrates that it cannot otherwise complete the process required to approve or deny the license, permit, or approval, and therefor will be compelled to deny the license, permit, or approval. In granting an extension under this paragraph, the Commission may offer technical assistance to the agency as necessary to address conditions preventing the completion of the review of the application for the license, permit, or approval.

''(4) If an agency described in paragraph (2) does not approve or deny the issuance of the license, permit, or approval within the time period specified under paragraph (2) or (3), as applicable, such license, permit, or approval shall take effect upon the expiration of 30 days after the end of such period. The Commission shall incorporate into the terms of such license, permit, or approval any conditions proffered by the agency described in paragraph (2) that the Commission does not find are inconsistent with the final environmental document.

''(5) For purposes of this subsection, the term 'prefiled project' means a project for the siting, construction, expansion, or operation of a natural gas pipeline with respect to which a prefiling docket number has been assigned by the Commission pursuant to a prefiling process established by the Commission for the purpose of facilitating the formal application process for obtaining a certificate of public convenience and necessity.''.

Subtitle C—North American Energy Infrastructure

SEC. 131. SHORT TITLE.

This subtitle may be cited as the ''North American Energy Infrastructure Act''.

SEC. 132. FINDING.

Congress finds that the United States should establish a more uniform, transparent, and modern process for the construction, connection, operation, and maintenance of oil and natural gas pipelines and electric transmission facilities for the import and export of oil and natural gas and the transmission of electricity to and from Canada and Mexico, in pursuit of a more secure and efficient North American energy market.

SEC. 133. AUTHORIZATION OF CERTAIN ENERGY INFRASTRUCTURE PROJECTS AT THE NATIONAL BOUNDARY OF THE UNITED STATES.

(a) AUTHORIZATION.—Except as provided in subsection (c) and section 137, no person may construct, connect, operate, or maintain a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico without obtaining a certificate of crossing for the construction, connection, operation, or maintenance of the cross-border segment under this section.

(b) CERTIFICATE OF CROSSING.—

(1) REQUIREMENT.—Not later than 120 days after final action is taken under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a cross-border segment for which a request is received under this section, the relevant official identified under paragraph (2), in consultation with appropriate Federal agencies, shall issue a certificate of crossing for the cross-border segment unless the relevant official finds that the construction, connection, operation, or maintenance of the cross-border segment is not in the public interest of the United States.

(2) RELEVANT OFFICIAL.—The relevant official referred to in paragraph (1) is—

(A) the Secretary of State with respect to oil pipelines; and

(B) the Secretary of Energy with respect to electric transmission facilities.

(3) ADDITIONAL REQUIREMENT FOR ELECTRIC TRANSMISSION FACILITIES.—In the case of a request for a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment of an electric transmission facility, the Secretary of Energy shall require, as a condition of issuing the certificate of crossing for the request under paragraph (1), that the cross-border segment of the electric transmission facility be constructed, connected, operated, or maintained consistent with all applicable policies and standards of—

(A) the Electric Reliability Organization and the applicable regional entity; and

(B) any Regional Transmission Organization or Independent System Operator with operational or functional control over the cross-border segment of the electric transmission facility.

(c) EXCLUSIONS.—This section shall not apply to any construction, connection, operation, or maintenance of a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico—

(1) if the cross-border segment is operating for such import, export, or transmission as of the date of enactment of this Act;

(2) if a permit described in section 136 for such construction, connection, operation, or maintenance has been issued;

(3) if a certificate of crossing for such construction, connection, operation, or maintenance has previously been issued under this section; or

(4) if an application for a permit described in section 136 for such construction, connection, operation, or maintenance is pending on the date of enactment of this Act, until the earlier of—

(A) the date on which such application is denied; or

(B) July 1, 2016.

(d) EFFECT OF OTHER LAWS.—

(1) APPLICATION TO PROJECTS.—Nothing in this section or section 137 shall affect the application of any other Federal statute to a project for which a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment is sought under this section.

(2) NATURAL GAS ACT.—Nothing in this section or section 137 shall affect the requirement to obtain approval or authorization under sections 3 and 7 of the Natural Gas Act for the siting, construction, or operation of any facility to import or export natural gas.

(3) ENERGY POLICY AND CONSERVATION ACT.—Nothing in this section or section 137 shall affect the authority of the President under section 103(a) of the Energy Policy and Conservation Act.

SEC. 134. IMPORTATION OR EXPORTATION OF NATURAL GAS TO CANADA AND MEXICO.

Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended by adding at the end the following: ''No order is required under subsection (a) to authorize the export or import of any natural gas to or from Canada or Mexico.''.

SEC. 135. TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND MEXICO.

(a) REPEAL OF REQUIREMENT TO SECURE ORDER.—Section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) STATE REGULATIONS.—Section 202(f) of the Federal Power Act (16 U.S.C. 824a(f)) is amended by striking ''insofar as such State regulation does not conflict with the exercise of the Commission's powers under or relating to subsection 202(e)''.

(2) SEASONAL DIVERSITY ELECTRICITY EXCHANGE.—Section 602(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a–4(b)) is amended by striking ''the Commission has conducted hearings and made the findings required under section 202(e) of the Federal Power Act'' and all that follows through the period at the end and inserting ''the Secretary has conducted hearings and finds that the proposed transmission facilities would not impair the sufficiency of electric supply within the United States or would not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Secretary.''.

SEC. 136. NO PRESIDENTIAL PERMIT REQUIRED.

No Presidential permit (or similar permit) required under Executive Order No. 13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, Executive Order No. 12038, Executive Order No. 10485, or any other Executive order shall be necessary for the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility, or any cross-border segment thereof.

SEC. 137. MODIFICATIONS TO EXISTING PROJECTS.

No certificate of crossing under section 133, or permit described in section 136, shall be required for a modification to the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility—

(1) that is operating for the import or export of oil or natural gas or the transmission of electricity to or from Canada or Mexico as of the date of enactment of the Act;

(2) for which a permit described in section 136 for such construction, connection, operation, or maintenance has been issued; or

(3) for which a certificate of crossing for the cross-border segment of the pipeline or facility has previously been issued under section 133.

SEC. 138. EFFECTIVE DATE; RULEMAKING DEADLINES.

(a) EFFECTIVE DATE.—Sections 133 through 137, and the amendments made by such sections, shall take effect on July 1, 2015.

(b) RULEMAKING DEADLINES.—Each relevant official described in section 133(b)(2) shall—

(1) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of section 133; and

(2) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of section 133.

SEC. 139. DEFINITIONS.

In this subtitle—

(1) the term ''cross-border segment'' means the portion of an oil or natural gas pipeline or electric transmission facility that is located at the national boundary of the United States with either Canada or Mexico;

(2) the term ''modification'' includes a reversal of flow direction, change in ownership, volume expansion, downstream or upstream interconnection, or adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations);

(3) the term ''natural gas'' has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a);

(4) the term ''oil'' means petroleum or a petroleum product;

(5) the terms ''Electric Reliability Organization'' and ''regional entity'' have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824o); and

(6) the terms ''Independent System Operator'' and ''Regional Transmission Organization'' have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796).

TITLE II—MAINTAINING DIVERSE ELECTRICITY GENERATION AND AFFORDABILITY

Subtitle A—Energy Consumers Relief

SEC. 201. SHORT TITLE.

This subtitle may be cited as the ''Energy Consumers Relief Act of 2014''.

SEC. 202. PROHIBITION AGAINST FINALIZING CERTAIN ENERGY-RELATED RULES THAT WILL CAUSE SIGNIFICANT ADVERSE EFFECTS TO THE ECONOMY.

Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency may not promulgate as final an energy-related rule that is estimated to cost more than $1 billion if the Secretary of Energy determines under section 203(3) that the rule will cause significant adverse effects to the economy.

SEC. 203. REPORTS AND DETERMINATIONS PRIOR TO PROMULGATING AS FINAL CERTAIN ENERGY-RELATED RULES.

Before promulgating as final any energy-related rule that is estimated to cost more than $1 billion:

(1) REPORT TO CONGRESS.—The Administrator of the Environmental Protection Agency shall submit to Congress a report (and transmit a copy to the Secretary of Energy) containing—

(A) a copy of the rule;

(B) a concise general statement relating to the rule;

(C) an estimate of the total costs of the rule, including the direct costs and indirect costs of the rule;

(D)(i) an estimate of the total benefits of the rule and when such benefits are expected to be realized;

(ii) a description of the modeling, the calculations, the assumptions, and the limitations due to uncertainty, speculation, or lack of information associated with the estimates under this subparagraph; and

(iii) a certification that all data and documents relied upon by the Agency in developing such estimates—

(I) have been preserved; and

(II) are available for review by the public on the Agency's Web site, except to the extent to which publication of such data and documents would constitute disclosure of confidential information in violation of applicable Federal law;

(E) an estimate of the increases in energy prices, including potential increases in gasoline or electricity prices for consumers, that may result from implementation or enforcement of the rule; and

(F) a detailed description of the employment effects, including potential job losses and shifts in employment, that may result from implementation or enforcement of the rule.

(2) INITIAL DETERMINATION ON INCREASES AND IMPACTS.—The Secretary of Energy, in consultation with the Federal Energy Regulatory Commission and the Administrator of the Energy Information Administration, shall prepare an independent analysis to determine whether the rule will cause—

(A) any increase in energy prices for consumers, including low-income households, small businesses, and manufacturers;

(B) any impact on fuel diversity of the Nation's electricity generation portfolio or on national, regional, or local electric reliability;

(C) any adverse effect on energy supply, distribution, or use due to the economic or technical infeasibility of implementing the rule; or

(D) any other adverse effect on energy supply, distribution, or use (including a shortfall in supply and increased use of foreign supplies).

(3) SUBSEQUENT DETERMINATION ON ADVERSE EFFECTS TO THE ECONOMY.—If the Secretary of Energy determines, under paragraph (2), that the rule will cause an increase, impact, or effect described in such paragraph, then the Secretary, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Commerce, the Secretary of Labor, and the Administrator of the Small Business Administration, shall—

(A) determine whether the rule will cause significant adverse effects to the economy, taking into consideration—

(i) the costs and benefits of the rule and limitations in calculating such costs and benefits due to uncertainty, speculation, or lack of information; and

(ii) the positive and negative impacts of the rule on economic indicators, including those related to gross domestic product, unemployment, wages, consumer prices, and business and manufacturing activity; and

(B) publish the results of such determination in the Federal Register.

SEC. 204. DEFINITIONS.

In this subtitle:

(1) The terms ''direct costs'' and ''indirect costs'' have the meanings given such terms in chapter 8 of the Environmental Protection Agency's ''Guidelines for Preparing Economic Analyses'' dated December 17, 2010.

(2) The term ''energy-related rule that is estimated to cost more than $1 billion'' means a rule of the Environmental Protection Agency that—

(A) regulates any aspect of the production, supply, distribution, or use of energy or provides for such regulation by States or other governmental entities; and

(B) is estimated by the Administrator of the Environmental Protection Agency or the Director of the Office of Management and Budget to impose direct costs and indirect costs, in the aggregate, of more than $1,000,000,000.

(3) The term ''rule'' has the meaning given to such term in section 551 of title 5, United States Code.

SEC. 205. PROHIBITION ON USE OF SOCIAL COST OF CARBON IN ANALYSIS.

(a) IN GENERAL.—Notwithstanding any other provision of law or any executive order, the Administrator of the Environmental Protection Agency may not use the social cost of carbon in order to incorporate social benefits of reducing carbon dioxide emissions, or for any other reason, in any cost-benefit analysis relating to an energy-related rule that is estimated to cost more than $1 billion unless and until a Federal law is enacted authorizing such use.

(b) DEFINITION.—In this section, the term ''social cost of carbon'' means the social cost of carbon as described in the technical support document entitled ''Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866'', published by the Interagency Working Group on Social Cost of Carbon, United States Government, in May 2013, or any successor or substantially related document, or any other estimate of the monetized damages associated with an incremental increase in carbon dioxide emissions in a given year.

Subtitle B—Electricity Security and Affordability

SEC. 211. SHORT TITLE.

This subtitle may be cited as the ''Electricity Security and Affordability Act''.

SEC. 212. STANDARDS OF PERFORMANCE FOR NEW FOSSIL FUEL-FIRED ELECTRIC UTILITY GENERATING UNITS.

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

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

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

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

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

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

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

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

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

(c) COAL HAVING A HEAT CONTENT OF 8300 OR LESS BRITISH THERMAL UNITS PER POUND.—

(1) SEPARATE SUBCATEGORY.—In carrying out subsection (b)(1), the Administrator of the Environmental Protection Agency shall establish a separate subcategory for new sources that are fossil fuel-fired electric utility generating units using coal with an average heat content of 8300 or less British Thermal Units per pound.

(2) STANDARD.—Notwithstanding subsection (b)(2), in issuing any rule under section 111 of the Clean Air Act (42 U.S.C. 7411) establishing standards of performance for emissions of any greenhouse gas from new sources in such subcategory, the Administrator of the Environmental Protection Agency shall not set a standard based on the best system of emission reduction unless—

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

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

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

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

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

(d) TECHNOLOGIES.—Nothing in this section shall be construed to preclude the issuance, implementation, or enforcement of a standard of performance that—

(1) is based on the use of one or more technologies that are developed in a foreign country, but has been demonstrated to be achievable at fossil fuel-fired electric utility generating units in the United States; and

(2) meets the requirements of subsection (b) and (c), as applicable.

SEC. 213. CONGRESS TO SET EFFECTIVE DATE FOR STANDARDS OF PERFORMANCE FOR EXISTING, MODIFIED, AND RECONSTRUCTED FOSSIL FUEL-FIRED ELECTRIC UTILITY GENERATING UNITS.

(a) APPLICABILITY.—This section applies with respect to any rule or guidelines issued by the Administrator of the Environmental Protection Agency under section 111 of the Clean Air Act (42 U.S.C. 7411) that—

(1) establish any standard of performance for emissions of any greenhouse gas from any modified or reconstructed source that is a fossil fuel-fired electric utility generating unit; or

(2) apply to the emissions of any greenhouse gas from an existing source that is a fossil fuel-fired electric utility generating unit.

(b) CONGRESS TO SET EFFECTIVE DATE.—A rule or guidelines described in subsection (a) shall not take effect unless a Federal law is enacted specifying such rule's or guidelines' effective date.

(c) REPORTING.—A rule or guidelines described in subsection (a) shall not take effect unless the Administrator of the Environmental Protection Agency has submitted to Congress a report containing each of the following:

(1) The text of such rule or guidelines.

(2) The economic impacts of such rule or guidelines, including the potential effects on—

(A) economic growth, competitiveness, and jobs in the United States;

(B) electricity ratepayers, including low-income ratepayers in affected States;

(C) required capital investments and projected costs for operation and maintenance of new equipment required to be installed; and

(D) the global economic competitiveness of the United States.

(3) The amount of greenhouse gas emissions that such rule or guidelines are projected to reduce as compared to overall global greenhouse gas emissions.

(d) CONSULTATION.—In carrying out subsection (c), the Administrator of the Environmental Protection Agency shall consult with the Administrator of the Energy Information Administration, the Comptroller General of the United States, the Director of the National Energy Technology Laboratory, and the Under Secretary of Commerce for Standards and Technology.

SEC. 214. REPEAL OF EARLIER RULES AND GUIDELINES.

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

(1) The proposed rule—

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

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

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

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

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

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

(C) does not meet the requirements under subsections (b) and (c) of section 212.

(4) The proposed rule entitled ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units'', published at 79 Fed. Reg. 34830 (June 18, 2014).

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

(6) With respect to the proposed rules described in paragraphs (4) and (5), any successor or substantially similar proposed or final rule that—

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

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

SEC. 215. DEFINITIONS.

In this subtitle:

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

(2) EXISTING SOURCE.—The term ''existing source'' has the meaning given such term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)), except such term shall not include any modified source.

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

(A) Carbon dioxide.

(B) Methane.

(C) Nitrous oxide.

(D) Sulfur hexafluoride.

(E) Hydrofluorocarbons.

(F) Perfluorocarbons.

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

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

(6) NEW SOURCE.—The term ''new source'' has the meaning given such term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)), except that such term shall not include any modified source.

Subtitle C—Report on Energy and Water Savings Potential From Thermal Insulation

SEC. 221. REPORT ON ENERGY AND WATER SAVINGS POTENTIAL FROM THERMAL INSULATION.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in consultation with appropriate Federal agencies and relevant stakeholders, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the impact of thermal insulation on both energy and water use systems for potable hot and chilled water in Federal buildings, and the return on investment of installing such insulation.

(b) CONTENTS.—The report shall include—

(1) an analysis based on the cost of municipal or regional water for delivered water and the avoided cost of new water; and

(2) a summary of energy and water savings, including short term and long term (20 years) projections of such savings.

TITLE III—UNLEASHING ENERGY DIPLOMACY

SEC. 301. SHORT TITLE.

This title may be cited as the ''Domestic Prosperity and Global Freedom Act''.

SEC. 302. ACTION ON APPLICATIONS.

(a) DECISION DEADLINE.—For proposals that must also obtain authorization from the Federal Energy Regulatory Commission or the United States Maritime Administration to site, construct, expand, or operate LNG export facilities, the Department of Energy shall issue a final decision on any application for the authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) not later than 30 days after the later of—

(1) the conclusion of the review to site, construct, expand, or operate the LNG facilities required by the National Environmental Policy Act of 1969 (42 U.S. C. 4321 et seq.); or

(2) the date of enactment of this Act.

(b) CONCLUSION OF REVIEW.—For purposes of subsection (a), review required by the National Environmental Policy Act of 1969 shall be considered concluded—

(1) for a project requiring an Environmental Impact Statement, 30 days after publication of a Final Environmental Impact Statement;

(2) for a project for which an Environmental Assessment has been prepared, 30 days after publication by the Department of Energy of a Finding of No Significant Impact; and

(3) upon a determination by the lead agency that an application is eligible for a categorical exclusion pursuant National Environmental Policy Act of 1969 implementing regulations.

(c) JUDICIAL ACTION.—(1) The United States Court of Appeals for the circuit in which the export facility will be located pursuant to an application described in subsection (a) shall have original and exclusive jurisdiction over any civil action for the review of—

(A) an order issued by the Department of Energy with respect to such application; or

(B) the Department of Energy's failure to issue a final decision on such application.

(2) If the Court in a civil action described in paragraph (1) finds that the Department of Energy has failed to issue a final decision on the application as required under subsection (a), the Court shall order the Department of Energy to issue such final decision not later than 30 days after the Court's order.

(3) The Court shall set any civil action brought under this subsection for expedited consideration and shall set the matter on the docket as soon as practical after the filing date of the initial pleading.

SEC. 303. PUBLIC DISCLOSURE OF EXPORT DESTINATIONS.

Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended by adding at the end the following:

''(g) PUBLIC DISCLOSURE OF LNG EXPORT DESTINATIONS.—As a condition for approval of any authorization to export LNG, the Secretary of Energy shall require the applicant to publicly disclose the specific destination or destinations of any such authorized LNG exports.''.

DIVISION B—NATURAL RESOURCES COMMITTEE

SEC. 201. REFERENCES.

Except as expressly provided otherwise, any reference to ''this Act'' in any subdivision of this division shall be treated as referring only to the provisions of that subdivision.

SUBDIVISION A—LOWERING GASOLINE PRICES TO FUEL AN AMERICA THAT WORKS ACT OF 2014

SEC. 1. SHORT TITLE.

This subdivision may be cited as the ''Lowering Gasoline Prices to Fuel an America That Works Act of 2014''.

TITLE I—OFFSHORE ENERGY AND JOBS

Subtitle A—Outer Continental Shelf Leasing Program Reforms

SEC. 10101. OUTER CONTINENTAL SHELF LEASING PROGRAM REFORMS.

Section 18(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(a)) is amended by adding at the end the following:

''(5)(A) In each oil and gas leasing program under this section, the Secretary shall make available for leasing and conduct lease sales including at least 50 percent of the available unleased acreage within each outer Continental Shelf planning area considered to have the largest undiscovered, technically recoverable oil and gas resources (on a total btu basis) based upon the most recent national geologic assessment of the outer Continental Shelf, with an emphasis on offering the most geologically prospective parts of the planning area.

''(B) The Secretary shall include in each proposed oil and gas leasing program under this section any State subdivision of an outer Continental Shelf planning area that the Governor of the State that represents that subdivision requests be made available for leasing. The Secretary may not remove such a subdivision from the program until publication of the final program, and shall include and consider all such subdivisions in any environmental review conducted and statement prepared for such program under section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

''(C) In this paragraph the term 'available unleased acreage' means that portion of the outer Continental Shelf that is not under lease at the time of a proposed lease sale, and that has not otherwise been made unavailable for leasing by law.

''(6)(A) In the 5-year oil and gas leasing program, the Secretary shall make available for leasing any outer Continental Shelf planning areas that—

''(i) are estimated to contain more than 2,500,000,000 barrels of oil; or

''(ii) are estimated to contain more than 7,500,000,000,000 cubic feet of natural gas.

''(B) To determine the planning areas described in subparagraph (A), the Secretary shall use the document entitled 'Minerals Management Service Assessment of Undiscovered Technically Recoverable Oil and Gas Resources of the Nation's Outer Continental Shelf, 2006'.''.

SEC. 10102. DOMESTIC OIL AND NATURAL GAS PRODUCTION GOAL.

Section 18(b) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(b)) is amended to read as follows:

''(b) DOMESTIC OIL AND NATURAL GAS PRODUCTION GOAL.—

''(1) IN GENERAL.—In developing a 5-year oil and gas leasing program, and subject to paragraph (2), the Secretary shall determine a domestic strategic production goal for the development of oil and natural gas as a result of that program. Such goal shall be—

''(A) the best estimate of the possible increase in domestic production of oil and natural gas from the outer Continental Shelf;

''(B) focused on meeting domestic demand for oil and natural gas and reducing the dependence of the United States on foreign energy; and

''(C) focused on the production increases achieved by the leasing program at the end of the 15-year period beginning on the effective date of the program.

''(2) PROGRAM GOAL.—For purposes of the 5-year oil and gas leasing program, the production goal referred to in paragraph (1) shall be an increase by 2032 of—

''(A) no less than 3,000,000 barrels in the amount of oil produced per day; and

''(B) no less than 10,000,000,000 cubic feet in the amount of natural gas produced per day.

''(3) REPORTING.—The Secretary shall report annually, beginning at the end of the 5-year period for which the program applies, to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the progress of the program in meeting the production goal. The Secretary shall identify in the report projections for production and any problems with leasing, permitting, or production that will prevent meeting the goal.''.

SEC. 10103. DEVELOPMENT AND SUBMITTAL OF NEW 5-YEAR OIL AND GAS LEASING PROGRAM.

(a) IN GENERAL.—The Secretary of the Interior shall—

(1) by not later than July 15, 2015, publish and submit to Congress a new proposed oil and gas leasing program under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) for the 5-year period beginning on such date and ending July 15, 2021; and

(2) by not later than July 15, 2016, approve a final oil and gas leasing program under such section for such period.

(b) CONSIDERATION OF ALL AREAS.—In preparing such program the Secretary shall include consideration of areas of the Continental Shelf off the coasts of all States (as such term is defined in section 2 of that Act, as amended by this title), that are subject to leasing under this title.

(c) TECHNICAL CORRECTION.—Section 18(d)(3) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(d)(3)) is amended by striking ''or after eighteen months following the date of enactment of this section, whichever first occurs,''.

SEC. 10104. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to authorize the issuance of a lease under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) to any person designated for the imposition of sanctions pursuant to—

(1) the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note), the Comprehensive Iran Sanctions, Accountability and Divestiture Act of 2010 (22 U.S.C. 8501 et seq.), the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8701 et seq.), section 1245 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a), or the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8801 et seq.);

(2) Executive Order No. 13622 (July 30, 2012), Executive Order No. 13628 (October 9, 2012), or Executive Order No. 13645 (June 3, 2013);

(3) Executive Order No. 13224 (September 23, 2001) or Executive Order No. 13338 (May 11, 2004); or

(4) the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (22 U.S.C. 2151 note).

SEC. 10105. ADDITION OF LEASE SALES AFTER FINALIZATION OF 5-YEAR PLAN.

Section 18(d) of the Outer Continental Shelf Lands Act (43 U.S.C.1344(d)) is amended—

(1) in paragraph (3), by striking ''After'' and inserting ''Except as provided in paragraph (4), after''; and

(2) by adding at the end the following:

''(4) The Secretary may add to the areas included in an approved leasing program additional areas to be made available for leasing under the program, if all review and documents required under section 102 of the National Environmental Policy Act of 1969 (42

U.S.C. 4332) have been completed with respect to leasing of each such additional area within the 5-year period preceding such addition.''.

Subtitle B—Directing the President To Conduct New OCS Sales

SEC. 10201. REQUIREMENT TO CONDUCT PROPOSED OIL AND GAS LEASE SALE 220 ON THE OUTER CONTINENTAL SHELF OFFSHORE VIRGINIA.

(a) IN GENERAL.—Notwithstanding the exclusion of Lease Sale 220 in the Final Outer Continental Shelf Oil & Gas Leasing Program 2012–2017, the Secretary of the Interior shall conduct offshore oil and gas Lease Sale 220 under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) as soon as practicable, but not later than one year after the date of enactment of this Act.

(b) REQUIREMENT TO MAKE REPLACEMENT LEASE BLOCKS AVAILABLE.—For each lease block in a proposed lease sale under this section for which the Secretary of Defense, in consultation with the Secretary of the Interior, under the Memorandum of Agreement referred to in section 10205(b), issues a statement proposing deferral from a lease offering due to defense-related activities that are irreconcilable with mineral exploration and development, the Secretary of the Interior, in consultation with the Secretary of Defense, shall make available in the same lease sale one other lease block in the Virginia lease sale planning area that is acceptable for oil and gas exploration and production in order to mitigate conflict.

(c) BALANCING MILITARY AND ENERGY PRODUCTION GOALS.—In recognition that the Outer Continental Shelf oil and gas leasing program and the domestic energy resources produced therefrom are integral to national security, the Secretary of the Interior and the Secretary of Defense shall work jointly in implementing this section in order to ensure achievement of the following common goals:

(1) Preserving the ability of the Armed Forces of the United States to maintain an optimum state of readiness through their continued use of the Outer Continental Shelf.

(2) Allowing effective exploration, development, and production of our Nation's oil, gas, and renewable energy resources.

(d) DEFINITIONS.—In this section:

(1) LEASE SALE 220.—The term ''Lease Sale 220'' means such lease sale referred to in the Request for Comments on the Draft Proposed 5-Year Outer Continental Shelf (OCS) Oil and Gas Leasing Program for 2010–2015 and Notice of Intent To Prepare an Environmental Impact Statement (EIS) for the Proposed 5-Year Program published January 21, 2009 (74 Fed. Reg. 3631).

(2) VIRGINIA LEASE SALE PLANNING AREA.—The term ''Virginia lease sale planning area'' means the area of the outer Continental Shelf (as that term is defined in the Outer Continental Shelf Lands Act (33 U.S.C. 1331 et seq.)) that is bounded by—

(A) a northern boundary consisting of a straight line extending from the northernmost point of Virginia's seaward boundary to the point on the seaward boundary of the United States exclusive economic zone located at 37 degrees 17 minutes 1 second North latitude, 71 degrees 5 minutes 16 seconds West longitude; and

(B) a southern boundary consisting of a straight line extending from the southernmost point of Virginia's seaward boundary to the point on the seaward boundary of the United States exclusive economic zone located at 36 degrees 31 minutes 58 seconds North latitude, 71 degrees 30 minutes 1 second West longitude.

SEC. 10202. SOUTH CAROLINA LEASE SALE.

Notwithstanding exclusion of the South Atlantic Outer Continental Shelf Planning Area from the Final Outer Continental Shelf Oil & Gas Leasing Program 2012–2017, the Secretary of the Interior shall conduct a lease sale not later than 2 years after the date of the enactment of this Act for areas off the coast of South Carolina determined by the Secretary to have the most geologically promising hydrocarbon resources and constituting not less than 25 percent of the leasable area within the South Carolina offshore administrative boundaries depicted in the notice entitled ''Federal Outer Continental Shelf (OCS) Administrative Boundaries Extending from the Submerged Lands Act Boundary seaward to the Limit of the United States Outer Continental Shelf'', published January 3, 2006 (71 Fed. Reg. 127).

SEC. 10203. SOUTHERN CALIFORNIA EXISTING INFRASTRUCTURE LEASE SALE.

(a) IN GENERAL.—The Secretary of the Interior shall offer for sale leases of tracts in the Santa Maria and Santa Barbara/Ventura Basins of the Southern California OCS Planning Area as soon as practicable, but not later than December 31, 2015.

(b) USE OF EXISTING STRUCTURES OR ONSHORE-BASED DRILLING.—The Secretary of the Interior shall include in leases offered for sale under this lease sale such terms and conditions as are necessary to require that development and production may occur only from offshore infrastructure in existence on the date of the enactment of this Act or from onshore-based, extended-reach drilling.

SEC. 10204. ENVIRONMENTAL IMPACT STATEMENT REQUIREMENT.

(a) IN GENERAL.—For the purposes of this title, the Secretary of the Interior shall prepare a multisale environmental impact statement under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) for all lease sales required under this subtitle.

(b) ACTIONS TO BE CONSIDERED.—Notwithstanding section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332), in such statement—

(1) the Secretary is not required to identify nonleasing alternative courses of action or to analyze the environmental effects of such alternative courses of action; and

(2) the Secretary shall only—

(A) identify a preferred action for leasing and not more than one alternative leasing proposal; and

(B) analyze the environmental effects and potential mitigation measures for such preferred action and such alternative leasing proposal.

SEC. 10205. NATIONAL DEFENSE.

(a) NATIONAL DEFENSE AREAS.—This title does not affect the existing authority of the Secretary of Defense, with the approval of the President, to designate national defense areas on the Outer Continental Shelf pursuant to section 12(d) of the Outer Continental Shelf Lands Act (43 U.S.C. 1341(d)).

(b) PROHIBITION ON CONFLICTS WITH MILITARY OPERATIONS.—No person may engage in any exploration, development, or production of oil or natural gas on the Outer Continental Shelf under a lease issued under this title that would conflict with any military operation, as determined in accordance with the Memorandum of Agreement between the Department of Defense and the Department of the Interior on Mutual Concerns on the Outer Continental Shelf signed July 20, 1983, and any revision or replacement for that agreement that is agreed to by the Secretary of Defense and the Secretary of the Interior after that date but before the date of issuance of the lease under which such exploration, development, or production is conducted.

SEC. 10206. EASTERN GULF OF MEXICO NOT INCLUDED.

Nothing in this title affects restrictions on oil and gas leasing under the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109–432; 43 U.S.C. 1331 note).

Subtitle C—Equitable Sharing of Outer Continental Shelf Revenues

SEC. 10301. DISPOSITION OF OUTER CONTINENTAL SHELF REVENUES TO COASTAL STATES.

(a) IN GENERAL.—Section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) is amended—

(1) in the existing text—

(A) in the first sentence, by striking ''All rentals,'' and inserting the following:

''(c) DISPOSITION OF REVENUE UNDER OLD LEASES.—All rentals,''; and

(B) in subsection (c) (as designated by the amendment made by subparagraph (A) of this paragraph), by striking ''for the period from June 5, 1950, to date, and thereafter'' and inserting ''in the period beginning June 5, 1950, and ending on the date of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014'';

(2) by adding after subsection (c) (as so designated) the following:

''(d) DEFINITIONS.—In this section:

''(1) COASTAL STATE.—The term 'coastal State' includes a territory of the United States.

''(2) NEW LEASING REVENUES.—The term 'new leasing revenues'—

''(A) means amounts received by the United States as bonuses, rents, and royalties under leases for oil and gas, wind, tidal, or other energy exploration, development, and production on new areas of the outer Continental Shelf that are authorized to be made available for leasing as a result of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014 and leasing under that Act; and

''(B) does not include amounts received by the United States under any lease of an area located in the boundaries of the Central Gulf of Mexico and Western Gulf of Mexico Outer Continental Shelf Planning Areas on the date of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014, including a lease issued before, on, or after such date of enactment.''; and

(3) by inserting before subsection (c) (as so designated) the following:

''(a) PAYMENT OF NEW LEASING REVENUES TO COASTAL STATES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), of the amount of new leasing revenues received by the United States each fiscal year, 37.5 percent shall be allocated and paid in accordance with subsection (b) to coastal States that are affected States with respect to the leases under which those revenues are received by the United States.

''(2) PHASE-IN.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), paragraph (1) shall be applied—

''(i) with respect to new leasing revenues under leases awarded under the first leasing program under section 18(a) that takes effect after the date of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014, by substituting '12.5 percent' for '37.5 percent'; and

''(ii) with respect to new leasing revenues under leases awarded under the second leasing program under section 18(a) that takes effect after the date of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014, by substituting '25 percent' for '37.5 percent'.

''(B) EXEMPTED LEASE SALES.—This paragraph shall not apply with respect to any lease issued under subtitle B of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014.

''(b) ALLOCATION OF PAYMENTS.—

''(1) IN GENERAL.—The amount of new leasing revenues received by the United States with respect to a leased tract that are required to be paid to coastal States in accordance with this subsection each fiscal year shall be allocated among and paid to coastal States that are within 200 miles of the leased tract, in amounts that are inversely proportional to the respective distances between the point on the coastline of each such State that is closest to the geographic center of the lease tract, as determined by the Secretary.

''(2) MINIMUM AND MAXIMUM ALLOCATION.—The amount allocated to a coastal State under paragraph (1) each fiscal year with respect to a leased tract shall be—

''(A) in the case of a coastal State that is the nearest State to the geographic center of the leased tract, not less than 25 percent of the total amounts allocated with respect to the leased tract;

''(B) in the case of any other coastal State, not less than 10 percent, and not more than 15 percent, of the total amounts allocated with respect to the leased tract; and

''(C) in the case of a coastal State that is the only coastal State within 200 miles of a leased tract, 100 percent of the total amounts allocated with respect to the leased tract.

''(3) ADMINISTRATION.—Amounts allocated to a coastal State under this subsection—

''(A) shall be available to the coastal State without further appropriation;

''(B) shall remain available until expended;

''(C) shall be in addition to any other amounts available to the coastal State under this Act; and

''(D) shall be distributed in the fiscal year following receipt.

''(4) USE OF FUNDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a coastal State may use funds allocated and paid to it under this subsection for any purpose as determined by the laws of that State.

''(B) RESTRICTION ON USE FOR MATCHING.—Funds allocated and paid to a coastal State under this subsection may not be used as matching funds for any other Federal program.''.

(b) LIMITATION ON APPLICATION.—This section and the amendment made by this section shall not affect the application of section 105 of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109–432; (43 U.S.C. 1331 note)), as in effect before the enactment of this Act, with respect to revenues received by the United States under oil and gas leases issued for tracts located in the Western and Central Gulf of Mexico Outer Continental Shelf Planning Areas, including such leases issued on or after the date of the enactment of this Act.

Subtitle D—Reorganization of Minerals Management Agencies of the Department of the Interior

SEC. 10401. ESTABLISHMENT OF UNDER SECRETARY FOR ENERGY, LANDS, AND MINERALS AND ASSISTANT SECRETARY OF OCEAN ENERGY AND SAFETY.

There shall be in the Department of the Interior—

(1) an Under Secretary for Energy, Lands, and Minerals, who shall—

(A) be appointed by the President, by and with the advise and consent of the Senate;

(B) report to the Secretary of the Interior or, if directed by the Secretary, to the Deputy Secretary of the Interior;

(C) be paid at the rate payable for level III of the Executive Schedule; and

(D) be responsible for—

(i) the safe and responsible development of our energy and mineral resources on Federal lands in appropriate accordance with United States energy demands; and

(ii) ensuring multiple-use missions of the Department of the Interior that promote the safe and sustained development of energy and minerals resources on public lands (as that term is defined in the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.));

(2) an Assistant Secretary of Ocean Energy and Safety, who shall—

(A) be appointed by the President, by and with the advise and consent of the Senate;

(B) report to the Under Secretary for Energy, Lands, and Minerals;

(C) be paid at the rate payable for level IV of the Executive Schedule; and

(D) be responsible for ensuring safe and efficient development of energy and minerals on the Outer Continental Shelf of the United States; and

(3) an Assistant Secretary of Land and Minerals Management, who shall—

(A) be appointed by the President, by and with the advise and consent of the Senate;

(B) report to the Under Secretary for Energy, Lands, and Minerals;

(C) be paid at the rate payable for level IV of the Executive Schedule; and

(D) be responsible for ensuring safe and efficient development of energy and minerals on public lands and other Federal onshore lands under the jurisdiction of the Department of the Interior, including implementation of the Mineral Leasing Act (30 U.S.C. 181 et seq.) and the Surface Mining Control and Reclamation Act (30 U.S.C. 1201 et seq.) and administration of the Office of Surface Mining.

SEC. 10402. BUREAU OF OCEAN ENERGY.

(a) ESTABLISHMENT.—There is established in the Department of the Interior a Bureau of Ocean Energy (referred to in this section as the ''Bureau''), which shall—

(1) be headed by a Director of Ocean Energy (referred to in this section as the ''Director''); and

(2) be administered under the direction of the Assistant Secretary of Ocean Energy and Safety.

(b) DIRECTOR.—

(1) APPOINTMENT.—The Director shall be appointed by the Secretary of the Interior.

(2) COMPENSATION.—The Director shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(c) DUTIES.—

(1) IN GENERAL.—The Secretary of the Interior shall carry out through the Bureau all functions, powers, and duties vested in the Secretary relating to the administration of a comprehensive program of offshore mineral and renewable energy resources management.

(2) SPECIFIC AUTHORITIES.—The Director shall promulgate and implement regulations—

(A) for the proper issuance of leases for the exploration, development, and production of nonrenewable and renewable energy and mineral resources on the Outer Continental Shelf;

(B) relating to resource identification, access, evaluation, and utilization;

(C) for development of leasing plans, lease sales, and issuance of leases for such resources; and

(D) regarding issuance of environmental impact statements related to leasing and post leasing activities including exploration, development, and production, and the use of third party contracting for necessary environmental analysis for the development of such resources.

(3) LIMITATION.—The Secretary shall not carry out through the Bureau any function, power, or duty that is—

(A) required by section 10403 to be carried out through the Ocean Energy Safety Service; or

(B) required by section 10404 to be carried out through the Office of Natural Resources Revenue.

(d) RESPONSIBILITIES OF LAND MANAGEMENT AGENCIES.—Nothing in this section shall affect the authorities of the Bureau of Land Management under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) or of the Forest Service under the National Forest Management Act of 1976 (Public Law 94–588).

SEC. 10403. OCEAN ENERGY SAFETY SERVICE.

(a) ESTABLISHMENT.—There is established in the Department of the Interior an Ocean Energy Safety Service (referred to in this section as the ''Service''), which shall—

(1) be headed by a Director of Energy Safety (referred to in this section as the ''Director''); and

(2) be administered under the direction of the Assistant Secretary of Ocean Energy and Safety.

(b) DIRECTOR.—

(1) APPOINTMENT.—The Director shall be appointed by the Secretary of the Interior.

(2) COMPENSATION.—The Director shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(c) DUTIES.—

(1) IN GENERAL.—The Secretary of the Interior shall carry out through the Service all functions, powers, and duties vested in the Secretary relating to the administration of safety and environmental enforcement activities related to offshore mineral and renewable energy resources on the Outer Continental Shelf pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) including the authority to develop, promulgate, and enforce regulations to ensure the safe and sound exploration, development, and production of mineral and renewable energy resources on the Outer Continental Shelf in a timely fashion.

(2) SPECIFIC AUTHORITIES.—The Director shall be responsible for all safety activities related to exploration and development of renewable and mineral resources on the Outer Continental Shelf, including—

(A) exploration, development, production, and ongoing inspections of infrastructure;

(B) the suspending or prohibiting, on a temporary basis, any operation or activity, including production under leases held on the Outer Continental Shelf, in accordance with section 5(a)(1) of the Outer Continental Shelf Lands Act (43 U.S.C. 1334(a)(1));

(C) cancelling any lease, permit, or right-of-way on the Outer Continental Shelf, in accordance with section 5(a)(2) of the Outer Continental Shelf Lands Act (43 U.S.C. 1334(a)(2));

(D) compelling compliance with applicable Federal laws and regulations relating to worker safety and other matters;

(E) requiring comprehensive safety and environmental management programs for persons engaged in activities connected with the exploration, development, and production of mineral or renewable energy resources;

(F) developing and implementing regulations for Federal employees to carry out any inspection or investigation to ascertain compliance with applicable regulations, including health, safety, or environmental regulations;

(G) implementing the Offshore Technology Research and Risk Assessment Program under section 21 of the Outer Continental Shelf Lands Act (43 U.S.C. 1347);

(H) summoning witnesses and directing the production of evidence;

(I) levying fines and penalties and disqualifying operators;

(J) carrying out any safety, response, and removal preparedness functions; and

(K) the processing of permits, exploration plans, development plans.

(d) EMPLOYEES.—

(1) IN GENERAL.—The Secretary shall ensure that the inspection force of the Bureau consists of qualified, trained employees who meet qualification requirements and adhere to the highest professional and ethical standards.

(2) QUALIFICATIONS.—The qualification requirements referred to in paragraph (1)—

(A) shall be determined by the Secretary, subject to subparagraph (B); and

(B) shall include—

(i) 3 years of practical experience in oil and gas exploration, development, or production; or

(ii) a degree in an appropriate field of engineering from an accredited institution of higher learning.

(3) ASSIGNMENT.—In assigning oil and gas inspectors to the inspection and investigation of individual operations, the Secretary shall give due consideration to the extent possible to their previous experience in the particular type of oil and gas operation in which such inspections are to be made.

(4) BACKGROUND CHECKS.—The Director shall require that an individual to be hired as an inspection officer undergo an employment investigation (including a criminal history record check).

(5) LANGUAGE REQUIREMENTS.—Individuals hired as inspectors must be able to read, speak, and write English well enough to—

(A) carry out written and oral instructions regarding the proper performance of inspection duties; and

(B) write inspection reports and statements and log entries in the English language.

(6) VETERANS PREFERENCE.—The Director shall provide a preference for the hiring of an individual as a inspection officer if the individual is a member or former member of the Armed Forces and is entitled, under statute, to retired, retirement, or retainer pay on account of service as a member of the Armed Forces.

(7) ANNUAL PROFICIENCY REVIEW.—

(A) ANNUAL PROFICIENCY REVIEW.—The Director shall provide that an annual evaluation of each individual assigned inspection duties is conducted and documented.

(B) CONTINUATION OF EMPLOYMENT.—An individual employed as an inspector may not continue to be employed in that capacity unless the evaluation demonstrates that the individual—

(i) continues to meet all qualifications and standards;

(ii) has a satisfactory record of performance and attention to duty based on the standards and requirements in the inspection program; and

(iii) demonstrates the current knowledge and skills necessary to courteously, vigilantly, and effectively perform inspection functions.

(8) LIMITATION ON RIGHT TO STRIKE.—Any individual that conducts permitting or inspections under this section may not participate in a strike, or assert the right to strike.

(9) PERSONNEL AUTHORITY.—Notwithstanding any other provision of law, the Director may employ, appoint, discipline and terminate for cause, and fix the compensation, terms, and conditions of employment of Federal service for individuals as the employees of the Service in order to restore and maintain the trust of the people of the United States in the accountability of the management of our Nation's energy safety program.

(10) TRAINING ACADEMY.—

(A) IN GENERAL.—The Secretary shall establish and maintain a National Offshore Energy Safety Academy (referred to in this paragraph as the ''Academy'') as an agency of the Ocean Energy Safety Service.

(B) FUNCTIONS OF ACADEMY.—The Secretary, through the Academy, shall be responsible for—

(i) the initial and continued training of both newly hired and experienced offshore oil and gas inspectors in all aspects of health, safety, environmental, and operational inspections;

(ii) the training of technical support personnel of the Bureau;

(iii) any other training programs for offshore oil and gas inspectors, Bureau personnel, Department personnel, or other persons as the Secretary shall designate; and

(iv) certification of the successful completion of training programs for newly hired and experienced offshore oil and gas inspectors.

(C) COOPERATIVE AGREEMENTS.—

(i) IN GENERAL.—In performing functions under this paragraph, and subject to clause (ii), the Secretary may enter into cooperative educational and training agreements with educational institutions, related Federal academies, other Federal agencies, State governments, safety training firms, and oil and gas operators and related industries.

(ii) TRAINING REQUIREMENT.—Such training shall be conducted by the Academy in accordance with curriculum needs and assignment of instructional personnel established by the Secretary.

(11) USE OF DEPARTMENT PERSONNEL.—In performing functions under this subsection, the Secretary shall use, to the extent practicable, the facilities and personnel of the Department of the Interior. The Secretary may appoint or assign to the Academy such officers and employees as the Secretary considers necessary for the performance of the duties and functions of the Academy.

(12) ADDITIONAL TRAINING PROGRAMS.—

(A) IN GENERAL.—The Secretary shall work with appropriate educational institutions, operators, and representatives of oil and gas workers to develop and maintain adequate programs with educational institutions and oil and gas operators that are designed—

(i) to enable persons to qualify for positions in the administration of this title; and

(ii) to provide for the continuing education of inspectors or other appropriate Department of the Interior personnel.

(B) FINANCIAL AND TECHNICAL ASSISTANCE.—The Secretary may provide financial and technical assistance to educational institutions in carrying out this paragraph.

(e) LIMITATION.—The Secretary shall not carry out through the Service any function, power, or duty that is—

(1) required by section 10402 to be carried out through Bureau of Ocean Energy; or

(2) required by section 10404 to be carried out through the Office of Natural Resources Revenue.

SEC. 10404. OFFICE OF NATURAL RESOURCES REVENUE.

(a) ESTABLISHMENT.—There is established in the Department of the Interior an Office of Natural Resources Revenue (referred to in this section as the ''Office'') to be headed by a Director of Natural Resources Revenue (referred to in this section as the ''Director'').

(b) APPOINTMENT AND COMPENSATION.—

(1) IN GENERAL.—The Director shall be appointed by the Secretary of the Interior.

(2) COMPENSATION.—The Director shall be compensated at the rate provided for Level V of the Executive Schedule under section 5316 of title 5, United States Code.

(c) DUTIES.—

(1) IN GENERAL.—The Secretary of the Interior shall carry out, through the Office, all functions, powers, and duties vested in the Secretary and relating to the administration of offshore royalty and revenue management functions.

(2) SPECIFIC AUTHORITIES.—The Secretary shall carry out, through the Office, all functions, powers, and duties previously assigned to the Minerals Management Service (including the authority to develop, promulgate, and enforce regulations) regarding offshore royalty and revenue collection; royalty and revenue distribution; auditing and compliance; investigation and enforcement of royalty and revenue regulations; and asset management for onshore and offshore activities.

(d) LIMITATION.—The Secretary shall not carry out through the Office any function, power, or duty that is—

(1) required by section 10402 to be carried out through Bureau of Ocean Energy; or

(2) required by section 10403 to be carried out through the Ocean Energy Safety Service.

SEC. 10405. ETHICS AND DRUG TESTING.

(a) CERTIFICATION.—The Secretary of the Interior shall certify annually that all Department of the Interior officers and employees having regular, direct contact with lessees, contractors, concessionaires, and other businesses interested before the Government as a function of their official duties, or conducting investigations, issuing permits, or responsible for oversight of energy programs, are in full compliance with all Federal employee ethics laws and regulations under the Ethics in Government Act of 1978 (5 U.S.C. App.) and part 2635 of title 5, Code of Federal Regulations, and all guidance issued under subsection (c).

(b) DRUG TESTING.—The Secretary shall conduct a random drug testing program of all Department of the Interior personnel referred to in subsection (a).

(c) GUIDANCE.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue supplementary ethics and drug testing guidance for the employees for which certification is required under subsection (a). The Secretary shall update the supplementary ethics guidance not less than once every 3 years thereafter.

SEC. 10406. ABOLISHMENT OF MINERALS MANAGEMENT SERVICE.

(a) ABOLISHMENT.—The Minerals Management Service is abolished.

(b) COMPLETED ADMINISTRATIVE ACTIONS.—

(1) IN GENERAL.—Completed administrative actions of the Minerals Management Service shall not be affected by the enactment of this Act, but shall continue in effect according to their terms until amended, modified, superseded, terminated, set aside, or revoked in accordance with law by an officer of the United States or a court of competent jurisdiction, or by operation of law.

(2) COMPLETED ADMINISTRATIVE ACTION DEFINED.—For purposes of paragraph (1), the term ''completed administrative action'' includes orders, determinations, memoranda of understanding, memoranda of agreements, rules, regulations, personnel actions, permits, agreements, grants, contracts, certificates, licenses, registrations, and privileges.

(c) PENDING PROCEEDINGS.—Subject to the authority of the Secretary of the Interior and the officers of the Department of the Interior under this title—

(1) pending proceedings in the Minerals Management Service, including notices of proposed rulemaking, and applications for licenses, permits, certificates, grants, and financial assistance, shall continue, notwithstanding the enactment of this Act or the vesting of functions of the Service in another agency, unless discontinued or modified

under the same terms and conditions and to the same extent that such discontinuance or modification could have occurred if this title had not been enacted; and

(2) orders issued in such proceedings, and appeals therefrom, and payments made pursuant to such orders, shall issue in the same manner and on the same terms as if this title had not been enacted, and any such orders shall continue in effect until amended, modified, superseded, terminated, set aside, or revoked by an officer of the United States or a court of competent jurisdiction, or by operation of law.

(d) PENDING CIVIL ACTIONS.—Subject to the authority of the Secretary of the Interior or any officer of the Department of the Interior under this title, pending civil actions shall continue notwithstanding the enactment of this Act, and in such civil actions, proceedings shall be had, appeals taken, and judgments rendered and enforced in the same manner and with the same effect as if such enactment had not occurred.

(e) REFERENCES.—References relating to the Minerals Management Service in statutes, Executive orders, rules, regulations, directives, or delegations of authority that precede the effective date of this Act are deemed to refer, as appropriate, to the Department, to its officers, employees, or agents, or to its corresponding organizational units or functions. Statutory reporting requirements that applied in relation to the Minerals Management Service immediately before the effective date of this title shall continue to apply.

SEC. 10407. CONFORMING AMENDMENTS TO EXECUTIVE SCHEDULE PAY RATES.

(a) UNDER SECRETARY FOR ENERGY, LANDS, AND MINERALS.—Section 5314 of title 5, United States Code, is amended by inserting after the item relating to ''Under Secretaries of the Treasury (3).'' the following:

''Under Secretary for Energy, Lands, and Minerals, Department of the Interior.''.

(b) ASSISTANT SECRETARIES.—Section 5315 of title 5, United States Code, is amended by striking ''Assistant Secretaries of the Interior (6).'' and inserting the following:

''Assistant Secretaries, Department of the Interior (7).''.

(c) DIRECTORS.—Section 5316 of title 5, United States Code, is amended by striking ''Director, Bureau of Mines, Department of the Interior.'' and inserting the following new items:

''Director, Bureau of Ocean Energy, Department of the Interior.

''Director, Ocean Energy Safety Service, Department of the Interior.

''Director, Office of Natural Resources Revenue, Department of the Interior.''.

SEC. 10408. OUTER CONTINENTAL SHELF ENERGY SAFETY ADVISORY BOARD.

(a) ESTABLISHMENT.—The Secretary of the Interior shall establish, under the Federal Advisory Committee Act, an Outer Continental Shelf Energy Safety Advisory Board (referred to in this section as the ''Board'')—

(1) to provide the Secretary and the Directors established by this title with independent scientific and technical advice on safe, responsible, and timely mineral and renewable energy exploration, development, and production activities; and

(2) to review operations of the National Offshore Energy Health and Safety Academy established under section 10403(d), including submitting to the Secretary recommendations of curriculum to ensure training scientific and technical advancements.

(b) MEMBERSHIP.—

(1) SIZE.—The Board shall consist of not more than 11 members, who—

(A) shall be appointed by the Secretary based on their expertise in oil and gas drilling, well design, operations, well containment and oil spill response; and

(B) must have significant scientific, engineering, management, and other credentials and a history of working in the field related to safe energy exploration, development, and production activities.

(2) CONSULTATION AND NOMINATIONS.—The Secretary shall consult with the National Academy of Sciences and the National Academy of Engineering to identify potential candidates for the Board and shall take nominations from the public.

(3) TERM.—The Secretary shall appoint Board members to staggered terms of not more than 4 years, and shall not appoint a member for more than 2 consecutive terms.

(4) BALANCE.—In appointing members to the Board, the Secretary shall ensure a balanced representation of industry and research interests.

(c) CHAIR.—The Secretary shall appoint the Chair for the Board from among its members.

(d) MEETINGS.—The Board shall meet not less than 3 times per year and shall host, at least once per year, a public forum to review and assess the overall energy safety performance of Outer Continental Shelf mineral and renewable energy resource activities.

(e) OFFSHORE DRILLING SAFETY ASSESSMENTS AND RECOMMENDATIONS.—As part of its duties under this section, the Board shall, by not later than 180 days after the date of enactment of this section and every 5 years thereafter, submit to the Secretary a report that—

(1) assesses offshore oil and gas well control technologies, practices, voluntary standards, and regulations in the United States and elsewhere; and

(2) as appropriate, recommends modifications to the regulations issued under this title to ensure adequate protection of safety and the environment, including recommendations on how to reduce regulations and administrative actions that are duplicative or unnecessary.

(f) REPORTS.—Reports of the Board shall be submitted by the Board to the Committee on Natural Resources of the House or Representatives and the Committee on Energy and Natural Resources of the Senate and made available to the public in electronically accessible form.

(g) TRAVEL EXPENSES.—Members of the Board, other than full-time employees of the Federal Government, while attending meeting of the Board or while otherwise serving at the request of the Secretary or the Director while serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government serving without pay.

SEC. 10409. OUTER CONTINENTAL SHELF INSPECTION FEES.

Section 22 of the Outer Continental Shelf Lands Act (43 U.S.C. 1348) is amended by adding at the end of the section the following:

''(g) INSPECTION FEES.—

''(1) ESTABLISHMENT.—The Secretary of the Interior shall collect from the operators of facilities subject to inspection under subsection (c) non-refundable fees for such inspections—

''(A) at an aggregate level equal to the amount necessary to offset the annual expenses of inspections of outer Continental Shelf facilities (including mobile offshore drilling units) by the Department of the Interior; and

''(B) using a schedule that reflects the differences in complexity among the classes of facilities to be inspected.

''(2) OCEAN ENERGY SAFETY FUND.—There is established in the Treasury a fund, to be known as the 'Ocean Energy Enforcement Fund' (referred to in this subsection as the 'Fund'), into which shall be deposited all amounts collected as fees under paragraph (1) and which shall be available as provided under paragraph (3).

''(3) AVAILABILITY OF FEES.—

''(A) IN GENERAL.—Notwithstanding section 3302 of title 31, United States Code, all amounts deposited in the Fund—

''(i) shall be credited as offsetting collections;

''(ii) shall be available for expenditure for purposes of carrying out inspections of outer Continental Shelf facilities (including mobile offshore drilling units) and the administration of the inspection program under this section;

''(iii) shall be available only to the extent provided for in advance in an appropriations Act; and

''(iv) shall remain available until expended.

''(B) USE FOR FIELD OFFICES.—Not less than 75 percent of amounts in the Fund may be appropriated for use only for the respective Department of the Interior field offices where the amounts were originally assessed as fees.

''(4) INITIAL FEES.—Fees shall be established under this subsection for the fiscal year in which this subsection takes effect and the subsequent 10 years, and shall not be raised without advise and consent of the Congress, except as determined by the Secretary to be appropriate as an adjustment equal to the percentage by which the Consumer Price Index for the month of June of the calendar year preceding the adjustment exceeds the Consumer Price Index for the month of June of the calendar year in which the claim was determined or last adjusted.

''(5) ANNUAL FEES.—Annual fees shall be collected under this subsection for facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year. Fees for fiscal year 2013 shall be—

''(A) $10,500 for facilities with no wells, but with processing equipment or gathering lines;

''(B) $17,000 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and

''(C) $31,500 for facilities with more than 10 wells, with any combination of active or inactive wells.

''(6) FEES FOR DRILLING RIGS.—Fees for drilling rigs shall be assessed under this subsection for all inspections completed in fiscal years 2015 through 2024. Fees for fiscal year 2015 shall be—

''(A) $30,500 per inspection for rigs operating in water depths of 1,000 feet or more; and

''(B) $16,700 per inspection for rigs operating in water depths of less than 1,000 feet.

''(7) BILLING.—The Secretary shall bill designated operators under paragraph (5) within 60 days after the date of the inspection, with payment required within 30 days of billing. The Secretary shall bill designated operators under paragraph (6) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days after billing.

''(8) SUNSET.—No fee may be collected under this subsection for any fiscal year after fiscal year 2024.

''(9) ANNUAL REPORTS.—

''(A) IN GENERAL.—Not later than 60 days after the end of each fiscal year beginning with fiscal year 2015, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report on the operation of the Fund during the fiscal year.

''(B) CONTENTS.—Each report shall include, for the fiscal year covered by the report, the following:

''(i) A statement of the amounts deposited into the Fund.

''(ii) A description of the expenditures made from the Fund for the fiscal year, including the purpose of the expenditures and the additional hiring of personnel.

''(iii) A statement of the balance remaining in the Fund at the end of the fiscal year.

''(iv) An accounting of pace of permit approvals.

''(v) If fee increases are proposed after the initial 10-year period referred to in paragraph (5), a proper accounting of the potential adverse economic impacts such fee increases will have on offshore economic activity and overall production, conducted by the Secretary.

''(vi) Recommendations to increase the efficacy and efficiency of offshore inspections.

''(vii) Any corrective actions levied upon offshore inspectors as a result of any form of misconduct.''.

SEC. 10410. PROHIBITION ON ACTION BASED ON NATIONAL OCEAN POLICY DEVELOPED UNDER EXECUTIVE ORDER NO. 13547.

(a) PROHIBITION.—The Bureau of Ocean Energy and the Ocean Energy Safety Service may not develop, propose, finalize, administer, or implement, any limitation on activities under their jurisdiction as a result of the coastal and marine spatial planning component of the National Ocean Policy developed under Executive Order No. 13547.

(b) REPORT ON EXPENDITURES.—Not later than 60 days after the date of enactment of this Act, the President shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate identifying all Federal expenditures in fiscal years 2011, 2012, 2013, and 2014 by the Bureau of Ocean Energy and the Ocean Energy Safety Service and their predecessor agencies, by agency, account, and any pertinent subaccounts, for the development, administration, or implementation of the coastal and marine spatial planning component of the National Ocean Policy developed under Executive Order No. 13547, including staff time, travel, and other related expenses.

Subtitle E—United States Territories

SEC. 10501. APPLICATION OF OUTER CONTINENTAL SHELF LANDS ACT WITH RESPECT TO TERRITORIES OF THE UNITED STATES.

Section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331) is amended—

(1) in paragraph (a), by inserting after ''control'' the following: ''or lying within the United States exclusive economic zone and the Continental Shelf adjacent to any territory of the United States'';

(2) in paragraph (p), by striking ''and'' after the semicolon at the end;

(3) in paragraph (q), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(r) The term 'State' includes each territory of the United States.''.

Subtitle F—Miscellaneous Provisions

SEC. 10601. RULES REGARDING DISTRIBUTION OF REVENUES UNDER GULF OF MEXICO ENERGY SECURITY ACT OF 2006.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of the Interior shall issue rules to provide more clarity, certainty, and stability to the revenue streams contemplated by the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note).

(b) CONTENTS.—The rules shall include clarification of the timing and methods of disbursements of funds under section 105(b)(2) of such Act.

SEC. 10602. AMOUNT OF DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES.

Section 105(f)(1) of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109–432; 43 U.S.C. 1331 note) shall be applied by substituting ''2024, and shall not exceed $999,999,999 for each of fiscal years 2025 through 2055'' for ''2055''.

SEC. 10603. SOUTH ATLANTIC OUTER CONTINENTAL SHELF PLANNING AREA DEFINED.

For the purposes of this Act, the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), and any regulations or 5-year plan issued under that Act, the term ''South Atlantic Outer Continental Shelf Planning Area'' means the area of the outer Continental Shelf (as defined in section 2 of that Act (43 U.S.C. 1331)) that is located between the northern lateral seaward administrative boundary of the State of Virginia and the southernmost lateral seaward administrative boundary of the State of Georgia.

SEC. 10604. ENHANCING GEOLOGICAL AND GEOPHYSICAL INFORMATION FOR AMERICA'S ENERGY FUTURE.

Section 11 of the Outer Continental Shelf lands Act (43 U.S.C. 1340) is amended by adding at the end the following:

''(i) ENHANCING GEOLOGICAL AND GEOPHYSICAL INFORMATION FOR AMERICA'S ENERGY FUTURE.—

''(1) The Secretary, acting through the Director of the Bureau of Ocean Energy Management, shall facilitate and support the practical study of geology and geophysics to better understand the oil, gas, and other hydrocarbon potential in the South Atlantic Outer Continental Shelf Planning Area by entering into partnerships to conduct geological and geophysical activities on the outer Continental Shelf.

''(2)(A) No later than 180 days after the date of enactment of the Lowering Gasoline Prices to Fuel an America That Works Act of 2014, the Governors of the States of Georgia, South Carolina, North Carolina, and Virginia may each nominate for participation in the partnerships—

''(i) one institution of higher education located within the Governor's State; and

''(ii) one institution of higher education within the Governor's State that is a historically black college or university, as defined in section 631(a) of the Higher Education Act of 1965 (20 U.S.C. 1132(a)).

''(B) In making nominations, the Governors shall give preference to those institutions of higher education that demonstrate a vigorous rate of admission of veterans of the Armed Forces of the United States.

''(3) The Secretary shall only select as a partner a nominee that the Secretary determines demonstrates excellence in geophysical sciences curriculum, engineering curriculum, or information technology or other technical studies relating to seismic research (including data processing).

''(4) Notwithstanding subsection (d), nominees selected as partners by the Secretary may conduct geological and geophysical activities under this section after filing a notice with the Secretary 30-days prior to commencement of the activity without any further authorization by the Secretary except those activities that use solid or liquid explosives shall require a permit. The Secretary may not charge any fee for the provision of data or other information collected under this authority, other than the cost of duplicating any data or information provided. Nominees selected as partners under this section shall provide to the Secretary any data or other information collected under this subsection within 60 days after completion of an initial analysis of the data or other information collected, if so requested by the Secretary.

''(5) Data or other information produced as a result of activities conducted by nominees selected as partners under this subsection shall not be used or shared for commercial purposes by the nominee, may not be produced for proprietary use or sale, and shall be made available by the Secretary to the public.

''(6) The Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate reports on the data or other information produced under the partnerships under this section. Such reports shall be made no less frequently than every 180 days following the conduct of the first geological and geophysical activities under this section.

''(7) In this subsection the term 'geological and geophysical activities' means any oil- or gas-related investigation conducted on the outer Continental Shelf, including geophysical surveys where magnetic, gravity, seismic, or other systems are used to detect or imply the presence of oil or gas.''.

Subtitle G—Judicial Review

SEC. 10701. TIME FOR FILING COMPLAINT.

(a) IN GENERAL.—Any cause of action that arises from a covered energy decision must be filed not later than the end of the 60-day period beginning on the date of the covered energy decision. Any cause of action not filed within this time period shall be barred.

(b) EXCEPTION.—Subsection (a) shall not apply to a cause of action brought by a party to a covered energy lease.

SEC. 10702. DISTRICT COURT DEADLINE.

(a) IN GENERAL.—All proceedings that are subject to section 10701—

(1) shall be brought in the United States district court for the district in which the Federal property for which a covered energy lease is issued is located or the United States District Court of the District of Columbia;

(2) shall be resolved as expeditiously as possible, and in any event not more than 180 days after such cause or claim is filed; and

(3) shall take precedence over all other pending matters before the district court.

(b) FAILURE TO COMPLY WITH DEADLINE.—If an interlocutory or final judgment, decree, or order has not been issued by the district court by the deadline described under this section, the cause or claim shall be dismissed with prejudice and all rights relating to such cause or claim shall be terminated.

SEC. 10703. ABILITY TO SEEK APPELLATE REVIEW.

An interlocutory or final judgment, decree, or order of the district court in a proceeding that is subject to section 10701 may be reviewed by the U.S. Court of Appeals for the District of Columbia Circuit. The D.C. Circuit shall resolve any such appeal as expeditiously as possible and, in any event, not more than 180 days after such interlocutory or final judgment, decree, or order of the district court was issued.

SEC. 10704. LIMITATION ON SCOPE OF REVIEW AND RELIEF.

(a) ADMINISTRATIVE FINDINGS AND CONCLUSIONS.—In any judicial review of any Federal action under this subtitle, any administrative findings and conclusions relating to the challenged Federal action shall be presumed to be correct unless shown otherwise by clear and convincing evidence contained in the administrative record.

(b) LIMITATION ON PROSPECTIVE RELIEF.—In any judicial review of any action, or failure to act, under this subtitle, the Court shall not grant or approve any prospective relief unless the Court finds that such relief is narrowly drawn, extends no further than necessary to correct the violation of a Federal

law requirement, and is the least intrusive means necessary to correct the violation concerned.

SEC. 10705. LEGAL FEES.

Any person filing a petition seeking judicial review of any action, or failure to act, under this subtitle who is not a prevailing party shall pay to the prevailing parties (including intervening parties), other than the United States, fees and other expenses incurred by that party in connection with the judicial review, unless the Court finds that the position of the person was substantially justified or that special circumstances make an award unjust.

SEC. 10706. EXCLUSION.

This subtitle shall not apply with respect to disputes between the parties to a lease issued pursuant to an authorizing leasing statute regarding the obligations of such lease or the alleged breach thereof.

SEC. 10707. DEFINITIONS.

In this subtitle, the following definitions apply:

(1) COVERED ENERGY DECISION.—The term ''covered energy decision'' means any action or decision by a Federal official regarding the issuance of a covered energy lease.

(2) COVERED ENERGY LEASE.—The term ''covered energy lease'' means any lease under this title or under an oil and gas leasing program under this title.

TITLE II—ONSHORE FEDERAL LANDS AND ENERGY SECURITY

Subtitle A—Federal Lands Jobs and Energy Security

SEC. 21001. SHORT TITLE.

This subtitle may be cited as the ''Federal Lands Jobs and Energy Security Act''.

SEC. 21002. POLICIES REGARDING BUYING, BUILDING, AND WORKING FOR AMERICA.

(a) CONGRESSIONAL INTENT.—It is the intent of the Congress that—

(1) this subtitle will support a healthy and growing United States domestic energy sector that, in turn, helps to reinvigorate American manufacturing, transportation, and service sectors by employing the vast talents of United States workers to assist in the development of energy from domestic sources;

(2) to ensure a robust onshore energy production industry and ensure that the benefits of development support local communities, under this subtitle, the Secretary shall make every effort to promote the development of onshore American energy, and shall take into consideration the socioeconomic impacts, infrastructure requirements, and fiscal stability for local communities located within areas containing onshore energy resources; and

(3) the Congress will monitor the deployment of personnel and material onshore to encourage the development of American manufacturing to enable United States workers to benefit from this subtitle through good jobs and careers, as well as the establishment of important industrial facilities to support expanded access to American resources.

(b) REQUIREMENT.—The Secretary of the Interior shall when possible, and practicable, encourage the use of United States workers and equipment manufactured in the United States in all construction related to mineral resource development under this subtitle.

CHAPTER 1—ONSHORE OIL AND GAS PERMIT STREAMLINING

SEC. 21101. SHORT TITLE.

This chapter may be cited as the ''Streamlining Permitting of American Energy Act of 2014''.

Subchapter A—Application for Permits to Drill Process Reform

SEC. 21111. PERMIT TO DRILL APPLICATION TIMELINE.

Section 17(p)(2) of the Mineral Leasing Act (30 U.S.C. 226(p)(2)) is amended to read as follows:

''(2) APPLICATIONS FOR PERMITS TO DRILL REFORM AND PROCESS.—

''(A) TIMELINE.—The Secretary shall decide whether to issue a permit to drill within 30 days after receiving an application for the permit. The Secretary may extend such period for up to 2 periods of 15 days each, if the Secretary has given written notice of the delay to the applicant. The notice shall be in the form of a letter from the Secretary or a designee of the Secretary, and shall include the names and titles of the persons processing the application, the specific reasons for the delay, and a specific date a final decision on the application is expected.

''(B) NOTICE OF REASONS FOR DENIAL.—If the application is denied, the Secretary shall provide the applicant—

''(i) in writing, clear and comprehensive reasons why the application was not accepted and detailed information concerning any deficiencies; and

''(ii) an opportunity to remedy any deficiencies.

''(C) APPLICATION DEEMED APPROVED.—If the Secretary has not made a decision on the application by the end of the 60-day period beginning on the date the application is received by the Secretary, the application is deemed approved, except in cases in which existing reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) are incomplete.

''(D) DENIAL OF PERMIT.—If the Secretary decides not to issue a permit to drill in accordance with subparagraph (A), the Secretary shall—

''(i) provide to the applicant a description of the reasons for the denial of the permit;

''(ii) allow the applicant to resubmit an application for a permit to drill during the 10-day period beginning on the date the applicant receives the description of the denial from the Secretary; and

''(iii) issue or deny any resubmitted application not later than 10 days after the date the application is submitted to the Secretary.

''(E) FEE.—

''(i) IN GENERAL.—Notwithstanding any other law, the Secretary shall collect a single $6,500 permit processing fee per application from each applicant at the time the final decision is made whether to issue a permit under subparagraph (A). This fee shall not apply to any resubmitted application.

''(ii) TREATMENT OF PERMIT PROCESSING FEE.—Of all fees collected under this paragraph, 50 percent shall be transferred to the field office where they are collected and used to process protests, leases, and permits under this Act subject to appropriation.''.

Subchapter B—Administrative Protest Documentation Reform

SEC. 21121. ADMINISTRATIVE PROTEST DOCUMENTATION REFORM.

Section 17(p) of the Mineral Leasing Act (30 U.S.C. 226(p)) is further amended by adding at the end the following:

''(4) PROTEST FEE.—

''(A) IN GENERAL.—The Secretary shall collect a $5,000 documentation fee to accompany each protest for a lease, right of way, or application for permit to drill.

''(B) TREATMENT OF FEES.—Of all fees collected under this paragraph, 50 percent shall remain in the field office where they are collected and used to process protests subject to appropriation.''.

Subchapter C—Permit Streamlining

SEC. 21131. MAKING PILOT OFFICES PERMANENT TO IMPROVE ENERGY PERMITTING ON FEDERAL LANDS.

(a) ESTABLISHMENT.—The Secretary of the Interior (referred to in this section as the ''Secretary'') shall establish a Federal Permit Streamlining Project (referred to in this section as the ''Project'') in every Bureau of Land Management field office with responsibility for permitting energy projects on Federal land.

(b) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall enter into a memorandum of understanding for purposes of this section with—

(A) the Secretary of Agriculture;

(B) the Administrator of the Environmental Protection Agency; and

(C) the Chief of the Army Corps of Engineers.

(2) STATE PARTICIPATION.—The Secretary may request that the Governor of any State with energy projects on Federal lands to be a signatory to the memorandum of understanding.

(c) DESIGNATION OF QUALIFIED STAFF.—

(1) IN GENERAL.—Not later than 30 days after the date of the signing of the memorandum of understanding under subsection (b), all Federal signatory parties shall, if appropriate, assign to each of the Bureau of Land Management field offices an employee who has expertise in the regulatory issues relating to the office in which the employee is employed, including, as applicable, particular expertise in—

(A) the consultations and the preparation of biological opinions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536);

(B) permits under section 404 of Federal Water Pollution Control Act (33 U.S.C. 1344);

(C) regulatory matters under the Clean Air Act (42 U.S.C. 7401 et seq.);

(D) planning under the National Forest Management Act of 1976 (16 U.S.C. 472a et seq.); and

(E) the preparation of analyses under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) DUTIES.—Each employee assigned under paragraph (1) shall—

(A) not later than 90 days after the date of assignment, report to the Bureau of Land Management Field Managers in the office to which the employee is assigned;

(B) be responsible for all issues relating to the energy projects that arise under the authorities of the employee's home agency; and

(C) participate as part of the team of personnel working on proposed energy projects, planning, and environmental analyses on Federal lands.

(d) ADDITIONAL PERSONNEL.—The Secretary shall assign to each Bureau of Land Management field office identified in subsection (a) any additional personnel that are necessary to ensure the effective approval and implementation of energy projects administered by the Bureau of Land Management field offices, including inspection and enforcement relating to energy development on Federal land, in accordance with the multiple use mandate of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(e) FUNDING.—Funding for the additional personnel shall come from the Department of the Interior reforms identified in sections 21111 and 21121.

(f) SAVINGS PROVISION.—Nothing in this section affects—

(1) the operation of any Federal or State law; or

(2) any delegation of authority made by the head of a Federal agency whose employees are participating in the Project.

(g) DEFINITION.—For purposes of this section the term ''energy projects'' includes oil, natural gas, and other energy projects as defined by the Secretary.

SEC. 21132. ADMINISTRATION OF CURRENT LAW.

Notwithstanding any other law, the Secretary of the Interior shall not require a finding of extraordinary circumstances in administering section 390 of the Energy Policy Act of 2005 (42 U.S.C. 15942).

Subchapter D—Judicial Review

SEC. 21141. DEFINITIONS.

In this subchapter—

(1) the term ''covered civil action'' means a civil action containing a claim under section 702 of title 5, United States Code, regarding agency action (as defined for the purposes of that section) affecting a covered energy project on Federal lands of the United States; and

(2) the term ''covered energy project'' means the leasing of Federal lands of the United States for the exploration, development, production, processing, or transmission of oil, natural gas, or any other source of energy, and any action under such a lease, except that the term does not include any disputes between the parties to a lease regarding the obligations under such lease, including regarding any alleged breach of the lease.

SEC. 21142. EXCLUSIVE VENUE FOR CERTAIN CIVIL ACTIONS RELATING TO COVERED ENERGY PROJECTS.

Venue for any covered civil action shall lie in the district court where the project or leases exist or are proposed.

SEC. 21143. TIMELY FILING.

To ensure timely redress by the courts, a covered civil action must be filed no later than the end of the 90-day period beginning on the date of the final Federal agency action to which it relates.

SEC. 21144. EXPEDITION IN HEARING AND DETERMINING THE ACTION.

The court shall endeavor to hear and determine any covered civil action as expeditiously as possible.

SEC. 21145. STANDARD OF REVIEW.

In any judicial review of a covered civil action, administrative findings and conclusions relating to the challenged Federal action or decision shall be presumed to be correct, and the presumption may be rebutted only by the preponderance of the evidence contained in the administrative record.

SEC. 21146. LIMITATION ON INJUNCTION AND PROSPECTIVE RELIEF.

In a covered civil action, the court shall not grant or approve any prospective relief unless the court finds that such relief is narrowly drawn, extends no further than necessary to correct the violation of a legal requirement, and is the least intrusive means necessary to correct that violation. In addition, courts shall limit the duration of preliminary injunctions to halt covered energy projects to no more than 60 days, unless the court finds clear reasons to extend the injunction. In such cases of extensions, such extensions shall only be in 30-day increments and shall require action by the court to renew the injunction.

SEC. 21147. LIMITATION ON ATTORNEYS' FEES.

Sections 504 of title 5, United States Code, and 2412 of title 28, United States Code, (together commonly called the Equal Access to Justice Act) do not apply to a covered civil action, nor shall any party in such a covered civil action receive payment from the Federal Government for their attorneys' fees, expenses, and other court costs.

SEC. 21148. LEGAL STANDING.

Challengers filing appeals with the Department of the Interior Board of Land Appeals shall meet the same standing requirements as challengers before a United States district court.

Subchapter E—Knowing America's Oil and Gas Resources

SEC. 21151. FUNDING OIL AND GAS RESOURCE ASSESSMENTS.

(a) IN GENERAL.—The Secretary of the Interior shall provide matching funding for joint projects with States to conduct oil and gas resource assessments on Federal lands with significant oil and gas potential.

(b) COST SHARING.—The Federal share of the cost of activities under this section shall not exceed 50 percent.

(c) RESOURCE ASSESSMENT.—Any resource assessment under this section shall be conducted by a State, in consultation with the United States Geological Survey.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section a total of $50,000,000 for fiscal years 2015 through 2018.

CHAPTER 2—OIL AND GAS LEASING CERTAINTY

SEC. 21201. SHORT TITLE.

This chapter may be cited as the ''Providing Leasing Certainty for American Energy Act of 2014''.

SEC. 21202. MINIMUM ACREAGE REQUIREMENT FOR ONSHORE LEASE SALES.

In conducting lease sales as required by section 17(a) of the Mineral Leasing Act (30 U.S.C. 226(a)), each year the Secretary of the Interior shall perform the following:

(1) The Secretary shall offer for sale no less than 25 percent of the annual nominated acreage not previously made available for lease. Acreage offered for lease pursuant to this paragraph shall not be subject to protest and shall be eligible for categorical exclusions under section 390 of the Energy Policy Act of 2005 (42 U.S.C. 15942), except that it shall not be subject to the test of extraordinary circumstances.

(2) In administering this section, the Secretary shall only consider leasing of Federal lands that are available for leasing at the time the lease sale occurs.

SEC. 21203. LEASING CERTAINTY.

Section 17(a) of the Mineral Leasing Act (30 U.S.C. 226(a)) is amended by inserting ''(1)'' before ''All lands'', and by adding at the end the following:

''(2)(A) The Secretary shall not withdraw any covered energy project issued under this Act without finding a violation of the terms of the lease by the lessee.

''(B) The Secretary shall not infringe upon lease rights under leases issued under this Act by indefinitely delaying issuance of project approvals, drilling and seismic permits, and rights of way for activities under such a lease.

''(C) No later than 18 months after an area is designated as open under the current land use plan the Secretary shall make available nominated areas for lease under the criteria in section 2.

''(D) Notwithstanding any other law, the Secretary shall issue all leases sold no later than 60 days after the last payment is made.

''(E) The Secretary shall not cancel or withdraw any lease parcel after a competitive lease sale has occurred and a winning bidder has submitted the last payment for the parcel.

''(F) After the conclusion of the public comment period for a planned competitive lease sale, the Secretary shall not cancel, defer, or withdraw any lease parcel announced to be auctioned in the lease sale.

''(G) Not later than 60 days after a lease sale held under this Act, the Secretary shall adjudicate any lease protests filed following a lease sale. If after 60 days any protest is left unsettled, said protest is automatically denied and appeal rights of the protestor begin.

''(H) No additional lease stipulations may be added after the parcel is sold without consultation and agreement of the lessee, unless the Secretary deems such stipulations as emergency actions to conserve the resources of the United States.''.

SEC. 21204. LEASING CONSISTENCY.

Federal land managers must follow existing resource management plans and continue to actively lease in areas designated as open when resource management plans are being amended or revised, until such time as a new record of decision is signed.

SEC. 21205. REDUCE REDUNDANT POLICIES.

Bureau of Land Management Instruction Memorandum 2010–117 shall have no force or effect.

SEC. 21206. STREAMLINED CONGRESSIONAL NOTIFICATION.

Section 31(e) of the Mineral Leasing Act (30 U.S.C. 188(e)) is amended in the matter following paragraph (4) by striking ''at least thirty days in advance of the reinstatement'' and inserting ''in an annual report''.

CHAPTER 3—OIL SHALE

SEC. 21301. SHORT TITLE.

This chapter may be cited as the ''Protecting Investment in Oil Shale the Next Generation of Environmental, Energy, and Resource Security Act'' or the ''PIONEERS Act''.

SEC. 21302. EFFECTIVENESS OF OIL SHALE REGULATIONS, AMENDMENTS TO RESOURCE MANAGEMENT PLANS, AND RECORD OF DECISION.

(a) REGULATIONS.—Notwithstanding any other law or regulation to the contrary, the final regulations regarding oil shale management published by the Bureau of Land Management on November 18, 2008 (73 Fed. Reg. 69,414) are deemed to satisfy all legal and procedural requirements under any law, including the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and the Secretary of the Interior shall implement those regulations, including the oil shale leasing program authorized by the regulations, without any other administrative action necessary.

(b) AMENDMENTS TO RESOURCE MANAGEMENT PLANS AND RECORD OF DECISION.—Notwithstanding any other law or regulation to the contrary, the November 17, 2008 U.S. Bureau of Land Management Approved Resource Management Plan Amendments/Record of Decision for Oil Shale and Tar Sands Resources to Address Land Use Allocations in Colorado, Utah, and Wyoming and Final Programmatic Environmental Impact Statement are deemed to satisfy all legal and procedural requirements under any law, including the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and the Secretary of the Interior shall implement the oil shale leasing program authorized by the regulations referred to in subsection (a) in those areas covered by the resource management plans amended by such amendments, and covered by such record of decision, without any other administrative action necessary.

SEC. 21303. OIL SHALE LEASING.

(a) ADDITIONAL RESEARCH AND DEVELOPMENT LEASE SALES.—The Secretary of the Interior shall hold a lease sale within 180 days after the date of enactment of this Act offering an additional 10 parcels for lease for research, development, and demonstration of

oil shale resources, under the terms offered in the solicitation of bids for such leases published on January 15, 2009 (74 Fed. Reg. 10).

(b) COMMERCIAL LEASE SALES.—No later than January 1, 2016, the Secretary of the Interior shall hold no less than 5 separate commercial lease sales in areas considered to have the most potential for oil shale development, as determined by the Secretary, in areas nominated through public comment. Each lease sale shall be for an area of not less than 25,000 acres, and in multiple lease blocs.

CHAPTER 4—MISCELLANEOUS PROVISIONS

SEC. 21401. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed to authorize the issuance of a lease under the Mineral Leasing Act (30 U.S.C. 181 et seq.) to any person designated for the imposition of sanctions pursuant to—

(1) the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note), the Comprehensive Iran Sanctions, Accountability and Divestiture Act of 2010 (22 U.S.C. 8501 et seq.), the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8701 et seq.), section 1245 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a), or the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8801 et seq.);

(2) Executive Order No. 13622 (July 30, 2012), Executive Order No. 13628 (October 9, 2012), or Executive Order No. 13645 (June 3, 2013);

(3) Executive Order No. 13224 (September 23, 2001) or Executive Order No. 13338 (May 11, 2004); or

(4) the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (22 U.S.C. 2151 note).

Subtitle B—Planning for American Energy

SEC. 22001. SHORT TITLE.

This subtitle may be cited as the ''Planning for American Energy Act of 2014''.

SEC. 22002. ONSHORE DOMESTIC ENERGY PRODUCTION STRATEGIC PLAN.

(a) IN GENERAL.—The Mineral Leasing Act (30 U.S.C. 181 et seq.) is amended by redesignating section 44 as section 45, and by inserting after section 43 the following:

''SEC. 44. QUADRENNIAL STRATEGIC FEDERAL ONSHORE ENERGY PRODUCTION STRATEGY.

''(a) IN GENERAL.—

''(1) The Secretary of the Interior (hereafter in this section referred to as 'Secretary'), in consultation with the Secretary of Agriculture with regard to lands administered by the Forest Service, shall develop and publish every 4 years a Quadrennial Federal Onshore Energy Production Strategy. This Strategy shall direct Federal land energy development and department resource allocation in order to promote the energy and national security of the United States in accordance with Bureau of Land Management's mission of promoting the multiple use of Federal lands as set forth in the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

''(2) In developing this Strategy, the Secretary shall consult with the Administrator of the Energy Information Administration on the projected energy demands of the United States for the next 30-year period, and how energy derived from Federal onshore lands can put the United States on a trajectory to meet that demand during the next 4-year period. The Secretary shall consider how Federal lands will contribute to ensuring national energy security, with a goal for increasing energy independence and production, during the next 4-year period.

''(3) The Secretary shall determine a domestic strategic production objective for the development of energy resources from Federal onshore lands. Such objective shall be—

''(A) the best estimate, based upon commercial and scientific data, of the expected increase in domestic production of oil and natural gas from the Federal onshore mineral estate, with a focus on lands held by the Bureau of Land Management and the Forest Service;

''(B) the best estimate, based upon commercial and scientific data, of the expected increase in domestic coal production from Federal lands;

''(C) the best estimate, based upon commercial and scientific data, of the expected increase in domestic production of strategic and critical energy minerals from the Federal onshore mineral estate;

''(D) the best estimate, based upon commercial and scientific data, of the expected increase in megawatts for electricity production from each of the following sources: wind, solar, biomass, hydropower, and geothermal energy produced on Federal lands administered by the Bureau of Land Management and the Forest Service;

''(E) the best estimate, based upon commercial and scientific data, of the expected increase in unconventional energy production, such as oil shale;

''(F) the best estimate, based upon commercial and scientific data, of the expected increase in domestic production of oil, natural gas, coal, and other renewable sources from tribal lands for any federally recognized Indian tribe that elects to participate in facilitating energy production on its lands;

''(G) the best estimate, based upon commercial and scientific data, of the expected increase in production of helium on Federal lands administered by the Bureau of Land Management and the Forest Service; and

''(H) the best estimate, based upon commercial and scientific data, of the expected increase in domestic production of geothermal, solar, wind, or other renewable energy sources from 'available lands' (as such term is defined in section 203 of the Hawaiian Homes Commission Act, 1920 (42 Stat. 108 et seq.), and including any other lands deemed by the Territory or State of Hawaii, as the case may be, to be included within that definition) that the agency or department of the government of the State of Hawaii that is responsible for the administration of such lands selects to be used for such energy production.

''(4) The Secretary shall consult with the Administrator of the Energy Information Administration regarding the methodology used to arrive at its estimates for purposes of this section.

''(5) The Secretary has the authority to expand the energy development plan to include other energy production technology sources or advancements in energy on Federal lands.

''(6) The Secretary shall include in the Strategy a plan for addressing new demands for transmission lines and pipelines for distribution of oil and gas across Federal lands to ensure that energy produced can be distributed to areas of need.

''(b) TRIBAL OBJECTIVES.—It is the sense of Congress that federally recognized Indian tribes may elect to set their own production objectives as part of the Strategy under this section. The Secretary shall work in cooperation with any federally recognized Indian tribe that elects to participate in achieving its own strategic energy objectives designated under this subsection.

''(c) EXECUTION OF THE STRATEGY.—The relevant Secretary shall have all necessary authority to make determinations regarding which additional lands will be made available in order to meet the production objectives established by strategies under this section. The Secretary shall also take all necessary actions to achieve these production objectives unless the President determines that it is not in the national security and economic interests of the United States to increase Federal domestic energy production and to further decrease dependence upon foreign sources of energy. In administering this section, the relevant Secretary shall only consider leasing Federal lands available for leasing at the time the lease sale occurs.

''(d) STATE, FEDERALLY RECOGNIZED INDIAN TRIBES, LOCAL GOVERNMENT, AND PUBLIC INPUT.—In developing each strategy, the Secretary shall solicit the input of affected States, federally recognized Indian tribes, local governments, and the public.

''(e) REPORTING.—The Secretary shall report annually to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the progress of meeting the production goals set forth in the strategy. The Secretary shall identify in the report projections for production and capacity installations and any problems with leasing, permitting, siting, or production that will prevent meeting the goal. In addition, the Secretary shall make suggestions to help meet any shortfalls in meeting the production goals.

''(f) PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—Not later than 12 months after the date of enactment of this section, in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), the Secretary shall complete a programmatic environmental impact statement. This programmatic environmental impact statement will be deemed sufficient to comply with all requirements under that Act for all necessary resource management and land use plans associated with the implementation of the strategy.

''(g) CONGRESSIONAL REVIEW.—At least 60 days prior to publishing a proposed strategy under this section, the Secretary shall submit it to the President and the Congress, together with any comments received from States, federally recognized Indian tribes, and local governments. Such submission shall indicate why any specific recommendation of a State, federally recognized Indian tribe, or local government was not accepted.

''(h) STRATEGIC AND CRITICAL ENERGY MINERALS DEFINED.—For purposes of this section, the term 'strategic and critical energy minerals' means those that are necessary for the Nation's energy infrastructure including pipelines, refining capacity, electrical power generation and transmission, and renewable energy production and those that are necessary to support domestic manufacturing, including but not limited to, materials used in energy generation, production, and transportation.''.

(b) FIRST QUADRENNIAL STRATEGY.—Not later than 18 months after the date of enactment of this Act, the Secretary of the Interior shall submit to Congress the first Quadrennial Federal Onshore Energy Production Strategy under the amendment made by subsection (a).

Subtitle C—National Petroleum Reserve in Alaska Access

SEC. 23001. SHORT TITLE.

This subtitle may be cited as the ''National Petroleum Reserve Alaska Access Act''.

SEC. 23002. SENSE OF CONGRESS AND REAFFIRMING NATIONAL POLICY FOR THE NATIONAL PETROLEUM RESERVE IN ALASKA.

It is the sense of Congress that—

(1) the National Petroleum Reserve in Alaska remains explicitly designated, both in name and legal status, for purposes of providing oil and natural gas resources to the United States; and

(2) accordingly, the national policy is to actively advance oil and gas development within the Reserve by facilitating the expeditious exploration, production, and transportation of oil and natural gas from and through the Reserve.

SEC. 23003. NATIONAL PETROLEUM RESERVE IN ALASKA: LEASE SALES.

Section 107(a) of the Naval Petroleum Reserves Production Act of 1976 (42 U.S.C. 6506a(a)) is amended to read as follows:

''(a) IN GENERAL.—The Secretary shall conduct an expeditious program of competitive leasing of oil and gas in the reserve in accordance with this Act. Such program shall include at least one lease sale annually in those areas of the reserve most likely to produce commercial quantities of oil and natural gas each year in the period 2014 through 2024.''.

SEC. 23004. NATIONAL PETROLEUM RESERVE IN ALASKA: PLANNING AND PERMITTING PIPELINE AND ROAD CONSTRUCTION.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Interior, in consultation with other appropriate Federal agencies, shall facilitate and ensure permits, in a timely and environmentally responsible manner, for all surface development activities, including for the construction of pipelines and roads, necessary to—

(1) develop and bring into production any areas within the National Petroleum Reserve in Alaska that are subject to oil and gas leases; and

(2) transport oil and gas from and through the National Petroleum Reserve in Alaska in the most direct manner possible to existing transportation or processing infrastructure on the North Slope of Alaska.

(b) TIMELINE.—The Secretary shall ensure that any Federal permitting agency shall issue permits in accordance with the following timeline:

(1) Permits for such construction for transportation of oil and natural gas produced under existing Federal oil and gas leases with respect to which the Secretary has issued a permit to drill shall be approved within 60 days after the date of enactment of this Act.

(2) Permits for such construction for transportation of oil and natural gas produced under Federal oil and gas leases shall be approved within 6 months after the submission to the Secretary of a request for a permit to drill.

(c) PLAN.—To ensure timely future development of the Reserve, within 270 days after the date of the enactment of this Act, the Secretary of the Interior shall submit to Congress a plan for approved rights-of-way for a plan for pipeline, road, and any other surface infrastructure that may be necessary infrastructure that will ensure that all leasable tracts in the Reserve are within 25 miles of an approved road and pipeline right-of-way that can serve future development of the Reserve.

SEC. 23005. ISSUANCE OF A NEW INTEGRATED ACTIVITY PLAN AND ENVIRONMENTAL IMPACT STATEMENT.

(a) ISSUANCE OF NEW INTEGRATED ACTIVITY PLAN.—The Secretary of the Interior shall, within 180 days after the date of enactment of this Act, issue—

(1) a new proposed integrated activity plan from among the non-adopted alternatives in the National Petroleum Reserve Alaska Integrated Activity Plan Record of Decision issued by the Secretary of the Interior and dated February 21, 2013; and

(2) an environmental impact statement under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) for issuance of oil and gas leases in the National Petroleum Reserve-Alaska to promote efficient and maximum development of oil and natural gas resources of such reserve.

(b) NULLIFICATION OF EXISTING RECORD OF DECISION, IAP, AND EIS.—Except as provided in subsection (a), the National Petroleum Reserve-Alaska Integrated Activity Plan Record of Decision issued by the Secretary of the Interior and dated February 21, 2013, including the integrated activity plan and environmental impact statement referred to in that record of decision, shall have no force or effect.

SEC. 23006. DEPARTMENTAL ACCOUNTABILITY FOR DEVELOPMENT.

The Secretary of the Interior shall issue regulations not later than 180 days after the date of enactment of this Act that establish clear requirements to ensure that the Department of the Interior is supporting development of oil and gas leases in the National Petroleum Reserve-Alaska.

SEC. 23007. DEADLINES UNDER NEW PROPOSED INTEGRATED ACTIVITY PLAN.

At a minimum, the new proposed integrated activity plan issued under section 23005(a)(1) shall—

(1) require the Department of the Interior to respond within 5 business days to a person who submits an application for a permit for development of oil and natural gas leases in the National Petroleum Reserve-Alaska acknowledging receipt of such application; and

(2) establish a timeline for the processing of each such application, that—

(A) specifies deadlines for decisions and actions on permit applications; and

(B) provide that the period for issuing each permit after submission of such an application shall not exceed 60 days without the concurrence of the applicant.

SEC. 23008. UPDATED RESOURCE ASSESSMENT.

(a) IN GENERAL.—The Secretary of the Interior shall complete a comprehensive assessment of all technically recoverable fossil fuel resources within the National Petroleum Reserve in Alaska, including all conventional and unconventional oil and natural gas.

(b) COOPERATION AND CONSULTATION.—The resource assessment required by subsection (a) shall be carried out by the United States Geological Survey in cooperation and consultation with the State of Alaska and the American Association of Petroleum Geologists.

(c) TIMING.—The resource assessment required by subsection (a) shall be completed within 24 months of the date of the enactment of this Act.

(d) FUNDING.—The United States Geological Survey may, in carrying out the duties under this section, cooperatively use resources and funds provided by the State of Alaska.

Subtitle D—BLM Live Internet Auctions

SEC. 24001. SHORT TITLE.

This subtitle may be cited as the ''BLM Live Internet Auctions Act''.

SEC. 24002. INTERNET-BASED ONSHORE OIL AND GAS LEASE SALES.

(a) AUTHORIZATION.—Section 17(b)(1) of the Mineral Leasing Act (30 U.S.C. 226(b)(1)) is amended—

(1) in subparagraph (A), in the third sentence, by inserting '', except as provided in subparagraph (C)'' after ''by oral bidding''; and

(2) by adding at the end the following:

''(C) In order to diversify and expand the Nation's onshore leasing program to ensure the best return to the Federal taxpayer, reduce fraud, and secure the leasing process, the Secretary may conduct onshore lease sales through Internet-based bidding methods. Each individual Internet-based lease sale shall conclude within 7 days.''.

(b) REPORT.—Not later than 90 days after the tenth Internet-based lease sale conducted under the amendment made by subsection (a), the Secretary of the Interior shall analyze the first 10 such lease sales and report to Congress the findings of the analysis. The report shall include—

(1) estimates on increases or decreases in such lease sales, compared to sales conducted by oral bidding, in—

(A) the number of bidders;

(B) the average amount of bid;

(C) the highest amount bid; and

(D) the lowest bid;

(2) an estimate on the total cost or savings to the Department of the Interior as a result of such sales, compared to sales conducted by oral bidding; and

(3) an evaluation of the demonstrated or expected effectiveness of different structures for lease sales which may provide an opportunity to better maximize bidder participation, ensure the highest return to the Federal taxpayers, minimize opportunities for fraud or collusion, and ensure the security and integrity of the leasing process.

Subtitle E—Native American Energy

SEC. 25001. SHORT TITLE.

This subtitle may be cited as the ''Native American Energy Act''.

SEC. 25002. APPRAISALS.

(a) AMENDMENT.—Title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.) is amended by adding at the end the following:

''SEC. 2607. APPRAISAL REFORMS.

''(a) OPTIONS TO INDIAN TRIBES.—With respect to a transaction involving Indian land or the trust assets of an Indian tribe that requires the approval of the Secretary, any appraisal relating to fair market value required to be conducted under applicable law, regulation, or policy may be completed by—

''(1) the Secretary;

''(2) the affected Indian tribe; or

''(3) a certified, third-party appraiser pursuant to a contract with the Indian tribe.

''(b) TIME LIMIT ON SECRETARIAL REVIEW AND ACTION.—Not later than 30 days after the date on which the Secretary receives an appraisal conducted by or for an Indian tribe pursuant to paragraphs (2) or (3) of subsection (a), the Secretary shall—

''(1) review the appraisal; and

''(2) provide to the Indian tribe a written notice of approval or disapproval of the appraisal.

''(c) FAILURE OF SECRETARY TO APPROVE OR DISAPPROVE.—If, after 60 days, the Secretary has failed to approve or disapprove any appraisal received, the appraisal shall be deemed approved.

''(d) OPTION TO INDIAN TRIBES TO WAIVE APPRAISAL.—

''(1) An Indian tribe wishing to waive the requirements of subsection (a), may do so after it has satisfied the requirements of subsections (2) and (3) below.

''(2) An Indian tribe wishing to forego the necessity of a waiver pursuant to this section must provide to the Secretary a written resolution, statement, or other unambiguous indication of tribal intent, duly approved by the governing body of the Indian tribe.

''(3) The unambiguous indication of intent provided by the Indian tribe to the Secretary under paragraph (2) must include an express waiver by the Indian tribe of any claims for damages it might have against the United States as a result of the lack of an appraisal undertaken.

''(e) DEFINITION.—For purposes of this subsection, the term 'appraisal' includes appraisals and other estimates of value.

''(f) REGULATIONS.—The Secretary shall develop regulations for implementing this section, including standards the Secretary shall

use for approving or disapproving an appraisal.''.

(b) CONFORMING AMENDMENT.—The table of contents of the Energy Policy Act of 1992 (42 U.S.C. 13201 note) is amended by adding at the end of the items relating to title XXVI the following:

''Sec. 2607. Appraisal reforms.''.

SEC. 25003. STANDARDIZATION.

As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall implement procedures to ensure that each agency within the Department of the Interior that is involved in the review, approval, and oversight of oil and gas activities on Indian lands shall use a uniform system of reference numbers and tracking systems for oil and gas wells.

SEC. 25004. ENVIRONMENTAL REVIEWS OF MAJOR FEDERAL ACTIONS ON INDIAN LANDS.

Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) is amended by inserting ''(a) IN GENERAL.—'' before the first sentence, and by adding at the end the following:

''(b) REVIEW OF MAJOR FEDERAL ACTIONS ON INDIAN LANDS.—

''(1) IN GENERAL.—For any major Federal action on Indian lands of an Indian tribe requiring the preparation of a statement under subsection (a)(2)(C), the statement shall only be available for review and comment by the members of the Indian tribe and by any other individual residing within the affected area.

''(2) REGULATIONS.—The Chairman of the Council on Environmental Quality shall develop regulations to implement this section, including descriptions of affected areas for specific major Federal actions, in consultation with Indian tribes.

''(3) DEFINITIONS.—In this subsection, each of the terms 'Indian land' and 'Indian tribe' has the meaning given that term in section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501).

''(4) CLARIFICATION OF AUTHORITY.—Nothing in the Native American Energy Act, except section 25006 of that Act, shall give the Secretary any additional authority over energy projects on Alaska Native Claims Settlement Act lands.''.

SEC. 25005. JUDICIAL REVIEW.

(a) TIME FOR FILING COMPLAINT.—Any energy related action must be filed not later than the end of the 60-day period beginning on the date of the final agency action. Any energy related action not filed within this time period shall be barred.

(b) DISTRICT COURT VENUE AND DEADLINE.—All energy related actions—

(1) shall be brought in the United States District Court for the District of Columbia; and

(2) shall be resolved as expeditiously as possible, and in any event not more than 180 days after such cause of action is filed.

(c) APPELLATE REVIEW.—An interlocutory order or final judgment, decree or order of the district court in an energy related action may be reviewed by the U.S. Court of Appeals for the District of Columbia Circuit. The D.C. Circuit Court of Appeals shall resolve such appeal as expeditiously as possible, and in any event not more than 180 days after such interlocutory order or final judgment, decree or order of the district court was issued.

(d) LIMITATION ON CERTAIN PAYMENTS.—Notwithstanding section 1304 of title 31, United States Code, no award may be made under section 504 of title 5, United States Code, or under section 2412 of title 28, United States Code, and no amounts may be obligated or expended from the Claims and Judgment Fund of the United States Treasury to pay any fees or other expenses under such sections, to any person or party in an energy related action.

(e) LEGAL FEES.—In any energy related action in which the plaintiff does not ultimately prevail, the court shall award to the defendant (including any intervenor-defendants), other than the United States, fees and other expenses incurred by that party in connection with the energy related action, unless the court finds that the position of the plaintiff was substantially justified or that special circumstances make an award unjust. Whether or not the position of the plaintiff was substantially justified shall be determined on the basis of the administrative record, as a whole, which is made in the energy related action for which fees and other expenses are sought.

(f) DEFINITIONS.—For the purposes of this section, the following definitions apply:

(1) AGENCY ACTION.—The term ''agency action'' has the same meaning given such term in section 551 of title 5, United States Code.

(2) INDIAN LAND.—The term ''Indian Land'' has the same meaning given such term in section 203(c)(3) of the Energy Policy Act of 2005 (Public Law 109–58; 25 U.S.C. 3501), including lands owned by Native Corporations under the Alaska Native Claims Settlement Act (Public Law 92–203; 43 U.S.C. 1601).

(3) ENERGY RELATED ACTION.—The term ''energy related action'' means a cause of action that—

(A) is filed on or after the effective date of this Act; and

(B) seeks judicial review of a final agency action to issue a permit, license, or other form of agency permission allowing:

(i) any person or entity to conduct activities on Indian Land, which activities involve the exploration, development, production or transportation of oil, gas, coal, shale gas, oil shale, geothermal resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity; or

(ii) any Indian Tribe, or any organization of two or more entities, at least one of which is an Indian tribe, to conduct activities involving the exploration, development, production or transportation of oil, gas, coal, shale gas, oil shale, geothermal resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity, regardless of where such activities are undertaken.

(4) ULTIMATELY PREVAIL.—The phrase ''ultimately prevail'' means, in a final enforceable judgment, the court rules in the party's favor on at least one cause of action which is an underlying rationale for the preliminary injunction, administrative stay, or other relief requested by the party, and does not include circumstances where the final agency action is modified or amended by the issuing agency unless such modification or amendment is required pursuant to a final enforceable judgment of the court or a court-ordered consent decree.

SEC. 25006. TRIBAL BIOMASS DEMONSTRATION PROJECT.

The Tribal Forest Protection Act of 2004 is amended by inserting after section 2 (25 U.S.C. 3115a) the following:

''SEC. 3. TRIBAL BIOMASS DEMONSTRATION PROJECT.

''(a) IN GENERAL.—For each of fiscal years 2014 through 2018, the Secretary shall enter into stewardship contracts or other agreements, other than agreements that are exclusively direct service contracts, with Indian tribes to carry out demonstration projects to promote biomass energy production (including biofuel, heat, and electricity generation) on Indian forest land and in nearby communities by providing reliable supplies of woody biomass from Federal land.

''(b) DEFINITIONS.—The definitions in section 2 shall apply to this section.

''(c) DEMONSTRATION PROJECTS.—In each fiscal year for which projects are authorized, the Secretary shall enter into contracts or other agreements described in subsection (a) to carry out at least 4 new demonstration projects that meet the eligibility criteria described in subsection (d).

''(d) ELIGIBILITY CRITERIA.—To be eligible to enter into a contract or other agreement under this subsection, an Indian tribe shall submit to the Secretary an application—

''(1) containing such information as the Secretary may require; and

''(2) that includes a description of—

''(A) the Indian forest land or rangeland under the jurisdiction of the Indian tribe; and

''(B) the demonstration project proposed to be carried out by the Indian tribe.

''(e) SELECTION.—In evaluating the applications submitted under subsection (c), the Secretary—

''(1) shall take into consideration the factors set forth in paragraphs (1) and (2) of section 2(e) of Public Law 108–278; and whether a proposed demonstration project would—

''(A) increase the availability or reliability of local or regional energy;

''(B) enhance the economic development of the Indian tribe;

''(C) improve the connection of electric power transmission facilities serving the Indian tribe with other electric transmission facilities;

''(D) improve the forest health or watersheds of Federal land or Indian forest land or rangeland; or

''(E) otherwise promote the use of woody biomass; and

''(2) shall exclude from consideration any merchantable logs that have been identified by the Secretary for commercial sale.

''(f) IMPLEMENTATION.—The Secretary shall—

''(1) ensure that the criteria described in subsection (c) are publicly available by not later than 120 days after the date of enactment of this section; and

''(2) to the maximum extent practicable, consult with Indian tribes and appropriate intertribal organizations likely to be affected in developing the application and otherwise carrying out this section.

''(g) REPORT.—Not later than September 20, 2015, the Secretary shall submit to Congress a report that describes, with respect to the reporting period—

''(1) each individual tribal application received under this section; and

''(2) each contract and agreement entered into pursuant to this section.

''(h) INCORPORATION OF MANAGEMENT PLANS.—In carrying out a contract or agreement under this section, on receipt of a request from an Indian tribe, the Secretary shall incorporate into the contract or agreement, to the extent practicable, management plans (including forest management and integrated resource management plans) in effect on the Indian forest land or rangeland of the respective Indian tribe.

''(i) TERM.—A stewardship contract or other agreement entered into under this section—

''(1) shall be for a term of not more than 20 years; and

''(2) may be renewed in accordance with this section for not more than an additional 10 years.''.

SEC. 25007. TRIBAL RESOURCE MANAGEMENT PLANS.

Unless otherwise explicitly exempted by Federal law enacted after the date of the enactment of this Act, any activity conducted or resources harvested or produced pursuant to a tribal resource management plan or an

integrated resource management plan approved by the Secretary of the Interior under the National Indian Forest Resources Management Act (25 U.S.C. 3101 et seq.) or the American Indian Agricultural Resource Management Act (25 U.S.C. 3701 et seq.), shall be considered a sustainable management practice for purposes of any Federal standard, benefit, or requirement that requires a demonstration of such sustainability.

SEC. 25008. LEASES OF RESTRICTED LANDS FOR THE NAVAJO NATION.

Subsection (e)(1) of the first section of the Act of August 9, 1955 (25 U.S.C. 415(e)(1); commonly referred to as the ''Long-Term Leasing Act''), is amended—

(1) by striking '', except a lease for'' and inserting '', including leases for'';

(2) in subparagraph (A), by striking ''25'' the first place it appears and all that follows and inserting ''99 years;'';

(3) in subparagraph (B), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(C) in the case of a lease for the exploration, development, or extraction of mineral resources, including geothermal resources, 25 years, except that any such lease may include an option to renew for one additional term not to exceed 25 years.''.

SEC. 25009. NONAPPLICABILITY OF CERTAIN RULES.

No rule promulgated by the Department of the Interior regarding hydraulic fracturing used in the development or production of oil or gas resources shall have any effect on any land held in trust or restricted status for the benefit of Indians except with the express consent of the beneficiary on whose behalf such land is held in trust or restricted status.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 30101. ESTABLISHMENT OF OFFICE OF ENERGY EMPLOYMENT AND TRAINING.

(a) ESTABLISHMENT.—The Secretary of the Interior shall establish an Office of Energy Employment and Training, which shall oversee the hiring and training efforts of the Department of the Interior's energy planning, permitting, and regulatory agencies.

(b) DIRECTOR.—

(1) IN GENERAL.—The Office shall be under the direction of a Deputy Assistant Secretary for Energy Employment and Training, who shall report directly to the Assistant Secretary for Energy, Lands and Minerals Management, and shall be fully employed to carry out the functions of the Office.

(2) DUTIES.—The Deputy Assistant Secretary for Energy Employment and Training shall perform the following functions:

(A) Develop and implement systems to track the Department's hiring of trained skilled workers in the energy permitting and inspection agencies.

(B) Design and recommend to the Secretary programs and policies aimed at expanding the Department's hiring of women, minorities, and veterans into the Department's workforce dealing with energy permitting and inspection programs. Such programs and policies shall include—

(i) recruiting at historically black colleges and universities, Hispanic-serving institutions, women's colleges, and colleges that typically serve majority minority populations;

(ii) sponsoring and recruiting at job fairs in urban communities;

(iii) placing employment advertisements in newspapers and magazines oriented toward minorities, veterans, and women;

(iv) partnering with organizations that are focused on developing opportunities for minorities, veterans, and women to be placed in Departmental internships, summer employment, and full-time positions relating to energy;

(v) where feasible, partnering with inner-city high schools, girls' high schools, and high schools with majority minority populations to demonstrate career opportunities and the path to those opportunities available at the Department;

(vi) coordinating with the Department of Veterans Affairs and the Department of Defense in the hiring of veterans; and

(vii) any other mass media communications that the Deputy Assistant Secretary determines necessary to advertise, promote, or educate about opportunities at the Department.

(C) Develop standards for—

(i) equal employment opportunity and the racial, ethnic, and gender diversity of the workforce and senior management of the Department; and

(ii) increased participation of minority-owned, veteran-owned, and women-owned businesses in the programs and contracts with the Department.

(D) Review and propose for adoption the best practices of entities regulated by the Department with regards to hiring and diversity policies, and publish those best practices for public review.

(c) REPORTS.—The Secretary shall submit to Congress an annual report regarding the actions taken by the Department of the Interior agency and the Office pursuant to this section, which shall include—

(1) a statement of the total amounts paid by the Department to minority contractors;

(2) the successes achieved and challenges faced by the Department in operating minority, veteran or service-disabled veteran, and women outreach programs;

(3) the challenges the Department may face in hiring minority, veteran, and women employees and contracting with veteran or service-disabled veteran, minority-owned, and women-owned businesses; and

(4) any other information, findings, conclusions, and recommendations for legislative or Department action, as the Director determines appropriate.

(d) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) MINORITY.—The term ''minority'' means United States citizens who are Asian Indian American, Asian Pacific American, Black American, Hispanic American, or Native American.

(2) MINORITY-OWNED BUSINESS.—The term ''minority-owned business'' means a for-profit enterprise, regardless of size, physically located in the United States or its trust territories, that is owned, operated, and controlled by minority group members. ''Minority group members'' are United States citizens who are Asian Indian American, Asian Pacific American, Black American, Hispanic American, or Native American (terminology in NMSDC categories). Ownership by minority individuals means the business is at least 51 percent owned by such individuals or, in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more such individuals. Further, the management and daily operations are controlled by those minority group members. For purposes of NMSDC's program, a minority group member is an individual who is a United States citizen with at least ¼ or 25 percent minimum (documentation to support claim of 25 percent required from applicant) of one or more of the following:

(A) Asian Indian American, which is a United States citizen whose origins are from India, Pakistan, or Bangladesh.

(B) Asian Pacific American, which is a United States citizen whose origins are from Japan, China, Indonesia, Malaysia, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Thailand, Samoa, Guam, the United States Trust Territories of the Pacific, or the Northern Marianas.

(C) Black American, which is a United States citizen having origins in any of the Black racial groups of Africa.

(D) Hispanic American, which is a United States citizen of true-born Hispanic heritage, from any of the Spanish-speaking areas of the following regions: Mexico, Central America, South America, and the Caribbean Basin only.

(E) Native American, which means a United States citizen enrolled to a federally recognized tribe, or a Native as defined under the Alaska Native Claims Settlement Act.

(3) NMSDC.—The term ''NMSDC'' means the National Minority Supplier Development Council.

(4) WOMEN-OWNED BUSINESS.—The term ''women-owned business'' means a business that can verify through evidence documentation that 51 percent or more is women-owned, managed, and controlled. The business must be open for at least 6 months. The business owner must be a United States citizen or legal resident alien. Evidence must indicate that—

(A) the contribution of capital or expertise by the woman business owner is real and substantial and in proportion to the interest owned;

(B) the woman business owner directs or causes the direction of management, policy, fiscal, and operational matters; and

(C) the woman business owner has the ability to perform in the area of specialty or expertise without reliance on either the finances or resources of a firm that is not owned by a woman.

(5) SERVICE DISABLED VETERAN.—The term ''Service Disabled Veteran'' must have a service-connected disability that has been determined by the Department of Veterans Affairs or Department of Defense. The SDVOSBC must be small under the North American Industry Classification System (NAICS) code assigned to the procurement; the SDV must unconditionally own 51 percent of the SDVOSBC; the SDVO must control the management and daily operations of the SDVOSBC; and the SDV must hold the highest officer position in the SDVOSBC.

(6) VETERAN-OWNED BUSINESS.—The term ''veteran-owned business'' means a business that can verify through evidence documentation that 51 percent or more is veteran-owned, managed, and controlled. The business must be open for at least 6 months. The business owner must be a United States citizen or legal resident alien and honorably or service-connected disability discharged from service.

SUBDIVISION B—BUREAU OF RECLAMATION CONDUIT HYDROPOWER DEVELOPMENT EQUITY AND JOBS ACT

SEC. 1. SHORT TITLE.

This subdivision may be cited as the ''Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act''.

SEC. 2. AMENDMENT.

Section 9 of the Act entitled ''An Act authorizing construction of water conservation and utilization projects in the Great Plains and arid semiarid areas of the United States'', approved August 11, 1939 (16 U.S.C. 590z–7; commonly known as the ''Water Conservation and Utilization Act''), is amended—

(1) by striking ''In connection with'' and inserting ''(a) In connection with''; and

(2) by adding at the end the following:

''(b) Notwithstanding subsection (a), the Secretary is authorized to enter into leases of power privileges for electric power generation in connection with any project constructed under this Act, and shall have authority in addition to and alternative to any

authority in existing laws relating to particular projects, including small conduit hydropower development.

''(c) When entering into leases of power privileges under subsection (b), the Secretary shall use the processes applicable to such leases under section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)).

''(d) Lease of power privilege contracts shall be at such rates as, in the Secretary's judgment, will produce revenues at least sufficient to cover the appropriate share of the annual operation and maintenance cost of the project and such fixed charges, including interest, as the Secretary deems proper. Lease of power privilege contracts shall be for periods not to exceed 40 years.

''(e) No findings under section 3 shall be required for a lease under subsection (b).

''(f) All right, title, and interest to installed power facilities constructed by non-Federal entities pursuant to a lease of power privilege, and direct revenues derived therefrom, shall remain with the lessee unless otherwise required under subsection (g).

''(g) Notwithstanding section 8, lease revenues and fixed charges, if any, shall be covered into the Reclamation Fund to be credited to the project from which those revenues or charges were derived.

''(h) When carrying out this section, the Secretary shall first offer the lease of power privilege to an irrigation district or water users association operating the applicable transferred conduit, or to the irrigation district or water users association receiving water from the applicable reserved conduit. The Secretary shall determine a reasonable timeframe for the irrigation district or water users association to accept or reject a lease of power privilege offer. If the irrigation district or water users association elects not to accept a lease of power privilege offer under subsection (b), the Secretary shall offer the lease of power privilege to other parties using the processes applicable to such leases under section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)).

''(i) The Bureau of Reclamation shall apply its categorical exclusion process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to small conduit hydropower development under this section, excluding siting of associated transmission facilities on Federal lands.

''(j) Nothing in this section shall obligate the Western Area Power Administration or the Bonneville Power Administration to purchase or market any of the power produced by the facilities covered under this section and none of the costs associated with production or delivery of such power shall be assigned to project purposes for inclusion in project rates.

''(k) Nothing in this section shall alter or impede the delivery and management of water by Bureau of Reclamation facilities, as water used for conduit hydropower generation shall be deemed incidental to use of water for the original project purposes. Lease of power privilege shall be made only when, in the judgment of the Secretary, the exercise of the lease will not be incompatible with the purposes of the project or division involved and shall not create any unmitigated financial or physical impacts to the project or division involved. The Secretary shall notify and consult with the irrigation district or legally organized water users association operating the transferred conduit in advance of offering the lease of power privilege and shall prescribe such terms and conditions necessary to adequately protect the planning, design, construction, operation, maintenance, and other interests of the United States and the project or division involved.

''(l) Nothing in this section shall alter or affect any agreements in effect on the date of the enactment of the Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act for the development of conduit hydropower projects or disposition of revenues.

''(m) In this section:

''(1) The term 'conduit' means any Bureau of Reclamation tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.

''(2) The term 'irrigation district' means any irrigation, water conservation or conservancy, multi-county water conservation or conservancy district, or any separate public entity composed of two or more such districts and jointly exercising powers of its member districts.

''(3) The term 'reserved conduit' means any conduit that is included in project works the care, operation, and maintenance of which has been reserved by the Secretary, through the Commissioner of the Bureau of Reclamation.

''(4) The term 'transferred conduit' means any conduit that is included in project works the care, operation, and maintenance of which has been transferred to a legally organized water users association or irrigation district.

''(5) The term 'small conduit hydropower' means a facility capable of producing 5 megawatts or less of electric capacity.''.

SUBDIVISION C—CENTRAL OREGON JOBS AND WATER SECURITY ACT

SEC. 1. SHORT TITLE.

This subdivision may be cited as the ''Central Oregon Jobs and Water Security Act''.

SEC. 2. WILD AND SCENIC RIVER; CROOKED, OREGON.

Section 3(a)(72) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(72)) is amended as follows:

(1) By striking ''15-mile'' and inserting ''14.75-mile''.

(2) In subparagraph (B)—

(A) by striking ''8-mile'' and all that follows through ''Bowman Dam'' and inserting ''7.75-mile segment from a point one-quarter mile downstream from the toe of Bowman Dam''; and

(B) by adding at the end the following: ''The developer for any hydropower development, including turbines and appurtenant facilities, at Bowman Dam, in consultation with the Bureau of Land Management, shall analyze any impacts to the Outstandingly Remarkable Values of the Wild and Scenic River that may be caused by such development, including the future need to undertake routine and emergency repairs, and shall propose mitigation for any impacts as part of any license application submitted to the Federal Energy Regulatory Commission.''.

SEC. 3. CITY OF PRINEVILLE WATER SUPPLY.

Section 4 of the Act of August 6, 1956 (70 Stat. 1058), (as amended by the Acts of September 14, 1959 (73 Stat. 554), and September 18, 1964 (78 Stat. 954)) is further amended as follows:

(1) By striking ''ten cubic feet'' the first place it appears and inserting ''17 cubic feet''.

(2) By striking ''during those months when there is no other discharge therefrom, but this release may be reduced for brief temporary periods by the Secretary whenever he may find that release of the full ten cubic feet per second is harmful to the primary purpose of the project''.

(3) By adding at the end the following: ''Without further action by the Secretary, and as determined necessary for any given year by the City of Prineville, up to seven of the 17 cubic feet per second minimum release shall also serve as mitigation for City of Prineville groundwater pumping, pursuant to and in a manner consistent with Oregon State law, including any shaping of the release of the up to seven cubic feet per second to coincide with City of Prineville groundwater pumping as may be required by the State of Oregon. As such, the Secretary is authorized to make applications to the State of Oregon in conjunction with the City to protect these supplies instream. The City shall make payment to the Secretary for that portion of the minimum release that actually serves as mitigation pursuant to Oregon State law for the City in any given year, with the payment for any given year equal to the amount of mitigation in acre feet required to offset actual City groundwater pumping for that year in accordance with Reclamation 'Water and Related Contract and Repayment Principles and Requirements', Reclamation Manual Directives and Standards PEC 05–01, dated 09/12/2006, and guided by 'Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies', dated March 10, 1983. The Secretary is authorized to contract exclusively with the City for additional amounts in the future at the request of the City.''.

SEC. 4. FIRST FILL PROTECTION.

The Act of August 6, 1956 (70 Stat. 1058), as amended by the Acts of September 14, 1959 (73 Stat. 554), and September 18, 1964 (78 Stat. 954), is further amended by adding at the end the following:

''SEC. 6. Other than the 17 cubic feet per second release provided for in section 4, and subject to compliance with the Army Corps of Engineers' flood curve requirements, the Secretary shall, on a 'first fill' priority basis, store in and release from Prineville Reservoir, whether from carryover, infill, or a combination thereof, the following:

''(1) 68,273 acre feet of water annually to fulfill all 16 Bureau of Reclamation contracts existing as of January 1, 2011, and up to 2,740 acre feet of water annually to supply the McKay Creek lands as provided for in section 5 of this Act.

''(2) Not more than 10,000 acre feet of water annually, to be made available to the North Unit Irrigation District pursuant to a Temporary Water Service Contract, upon the request of the North Unit Irrigation District, consistent with the same terms and conditions as prior such contracts between the District and the Bureau of Reclamation.

''SEC. 7. Except as otherwise provided in this Act, nothing in this Act—

''(1) modifies contractual rights that may exist between contractors and the United States under Reclamation contracts;

''(2) amends or reopens contracts referred to in paragraph (1); or

''(3) modifies any rights, obligations, or requirements that may be provided or governed by Oregon State law.''.

SEC. 5. OCHOCO IRRIGATION DISTRICT.

(a) EARLY REPAYMENT.—Notwithstanding section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm), any landowner within Ochoco Irrigation District in Oregon, may repay, at any time, the construction costs of the project facilities allocated to that landowner's lands within the district. Upon discharge, in full, of the obligation for repayment of the construction costs allocated to all lands the landowner owns in the district, those lands shall not be subject to the ownership and full-cost pricing limitations of the Act of June 17, 1902 (43 U.S.C. 371 et seq.), and Acts supplemental to and amendatory of that Act, including the Reclamation Reform Act of 1982 (43 U.S.C. 390aa et seq.).

(b) CERTIFICATION.—Upon the request of a landowner who has repaid, in full, the construction costs of the project facilities allocated to that landowner's lands owned within the district, the Secretary of the Interior shall provide the certification provided for in subsection (b)(1) of section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm(b)(1)).

(c) CONTRACT AMENDMENT.—On approval of the district directors and notwithstanding project authorizing legislation to the contrary, the district's reclamation contracts are modified, without further action by the Secretary of the Interior, to—

(1) authorize the use of water for instream purposes, including fish or wildlife purposes, in order for the district to engage in, or take advantage of, conserved water projects and temporary instream leasing as authorized by Oregon State law;

(2) include within the district boundary approximately 2,742 acres in the vicinity of McKay Creek, resulting in a total of approximately 44,937 acres within the district boundary;

(3) classify as irrigable approximately 685 acres within the approximately 2,742 acres of included lands in the vicinity of McKay Creek, where the approximately 685 acres are authorized to receive irrigation water pursuant to water rights issued by the State of Oregon and have in the past received water pursuant to such State water rights; and

(4) provide the district with stored water from Prineville Reservoir for purposes of supplying up to the approximately 685 acres of lands added within the district boundary and classified as irrigable under paragraphs (2) and (3), with such stored water to be supplied on an acre-per-acre basis contingent on the transfer of existing appurtenant McKay Creek water rights to instream use and the State's issuance of water rights for the use of stored water.

(d) LIMITATION.—Except as otherwise provided in subsections (a) and (c), nothing in this section shall be construed to—

(1) modify contractual rights that may exist between the district and the United States under the district's Reclamation contracts;

(2) amend or reopen the contracts referred to in paragraph (1); or

(3) modify any rights, obligations or relationships that may exist between the district and its landowners as may be provided or governed by Oregon State law.

SUBDIVISION D—STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION; EPA HYDRAULIC FRACTURING RESEARCH

TITLE I—STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION

SEC. 101. SHORT TITLE.

This title may be cited as the ''Protecting States' Rights to Promote American Energy Security Act''.

SEC. 102. STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION.

The Mineral Leasing Act (30 U.S.C. 181 et seq.) is amended by redesignating section 44 as section 45, and by inserting after section 43 the following:

''SEC. 44. STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION.

''(a) IN GENERAL.—The Department of the Interior shall not enforce any Federal regulation, guidance, or permit requirement regarding hydraulic fracturing, or any component of that process, relating to oil, gas, or geothermal production activities on or under any land in any State that has regulations, guidance, or permit requirements for that activity.

''(b) STATE AUTHORITY.—The Department of the Interior shall recognize and defer to State regulations, permitting, and guidance, for all activities related to hydraulic fracturing, or any component of that process, relating to oil, gas, or geothermal production activities on Federal land.

''(c) TRANSPARENCY OF STATE REGULATIONS.—

''(1) IN GENERAL.—Each State shall submit to the Bureau of Land Management a copy of its regulations that apply to hydraulic fracturing operations on Federal land.

''(2) AVAILABILITY.—The Secretary of the Interior shall make available to the public State regulations submitted under this subsection.

''(d) TRANSPARENCY OF STATE DISCLOSURE REQUIREMENTS.—

''(1) IN GENERAL.—Each State shall submit to the Bureau of Land Management a copy of any regulations of the State that require disclosure of chemicals used in hydraulic fracturing operations on Federal land.

''(2) AVAILABILITY.—The Secretary of the Interior shall make available to the public State regulations submitted under this subsection.

''(e) HYDRAULIC FRACTURING DEFINED.—In this section the term 'hydraulic fracturing' means the process by which fracturing fluids (or a fracturing fluid system) are pumped into an underground geologic formation at a calculated, predetermined rate and pressure to generate fractures or cracks in the target formation and thereby increase the permeability of the rock near the wellbore and improve production of natural gas or oil.''.

SEC. 103. GOVERNMENT ACCOUNTABILITY OFFICE STUDY.

(a) STUDY.—The Comptroller General of the United States shall conduct a study examining the economic benefits of domestic shale oil and gas production resulting from the process of hydraulic fracturing. This study will include identification of—

(1) State and Federal revenue generated as a result of shale gas production;

(2) jobs created both directly and indirectly as a result of shale oil and gas production; and

(3) an estimate of potential energy prices without domestic shale oil and gas production.

(b) REPORT.—The Comptroller General shall submit a report on the findings of such study to the Committee on Natural Resources of the House of Representatives within 30 days after completion of the study.

SEC. 104. TRIBAL AUTHORITY ON TRUST LAND.

The Department of the Interior shall not enforce any Federal regulation, guidance, or permit requirement regarding the process of hydraulic fracturing (as that term is defined in section 44 of the Mineral Leasing Act, as amended by section 102 of this Act), or any component of that process, relating to oil, gas, or geothermal production activities on any land held in trust or restricted status for the benefit of Indians except with the express consent of the beneficiary on whose behalf such land is held in trust or restricted status.

TITLE II—EPA HYDRAULIC FRACTURING RESEARCH

SEC. 201. SHORT TITLE.

This title may be cited as the ''EPA Hydraulic Fracturing Study Improvement Act''.

SEC. 202. EPA HYDRAULIC FRACTURING RESEARCH.

In conducting its study of the potential impacts of hydraulic fracturing on drinking water resources, with respect to which a request for information was issued under Federal Register Vol. 77, No. 218, the Administrator of the Environmental Protection Agency shall adhere to the following requirements:

(1) PEER REVIEW AND INFORMATION QUALITY.—Prior to issuance and dissemination of any final report or any interim report summarizing the Environmental Protection Agency's research on the relationship between hydraulic fracturing and drinking water, the Administrator shall—

(A) consider such reports to be Highly Influential Scientific Assessments and require peer review of such reports in accordance with guidelines governing such assessments, as described in—

(i) the Environmental Protection Agency's Peer Review Handbook 3rd Edition;

(ii) the Environmental Protection Agency's Scientific Integrity Policy, as in effect on the date of enactment of this Act; and

(iii) the Office of Management and Budget's Peer Review Bulletin, as in effect on the date of enactment of this Act; and

(B) require such reports to meet the standards and procedures for the dissemination of influential scientific, financial, or statistical information set forth in the Environmental Protection Agency's Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the Environmental Protection Agency, developed in response to guidelines issued by the Office of Management and Budget under section 515(a) of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106–554).

(2) PROBABILITY, UNCERTAINTY, AND CONSEQUENCE.—In order to maximize the quality and utility of information developed through the study, the Administrator shall ensure that identification of the possible impacts of hydraulic fracturing on drinking water resources included in such reports be accompanied by objective estimates of the probability, uncertainty, and consequence of each identified impact, taking into account the risk management practices of States and industry. Estimates or descriptions of probability, uncertainty, and consequence shall be as quantitative as possible given the validity, accuracy, precision, and other quality attributes of the underlying data and analyses, but no more quantitative than the data and analyses can support.

(3) RELEASE OF FINAL REPORT.—The final report shall be publicly released by September 30, 2016.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. REVIEW OF STATE ACTIVITIES.

The Secretary of the Interior shall annually review and report to Congress on all State activities relating to hydraulic fracturing.

SUBDIVISION E—PREVENTING GOVERNMENT WASTE AND PROTECTING COAL MINING JOBS IN AMERICA

SEC. 1. SHORT TITLE.

This subdivision may be cited as the ''Preventing Government Waste and Protecting Coal Mining Jobs in America''.

SEC. 2. INCORPORATION OF SURFACE MINING STREAM BUFFER ZONE RULE INTO STATE PROGRAMS.

(a) IN GENERAL.—Section 503 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1253) is amended by adding at the end the following:

''(e) STREAM BUFFER ZONE MANAGEMENT.—

''(1) IN GENERAL.—In addition to the requirements under subsection (a), each State program shall incorporate the necessary rule regarding excess spoil, coal mine waste, and buffers for perennial and intermittent streams published by the Office of Surface Mining Reclamation and Enforcement on December 12, 2008 (73 Fed. Reg. 75813 et seq.) which complies with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in view of the 2006 discussions between the Director of

the Office of Surface Mining and the Director of the United States Fish and Wildlife Service, and the Office of Surface Mining Reclamation and Enforcement's consideration and review of comments submitted by the United States Fish and Wildlife Service during the rulemaking process in 2007.

''(2) STUDY OF IMPLEMENTATION.—The Secretary shall—

''(A) at such time as the Secretary determines all States referred to in subsection (a) have fully incorporated the necessary rule referred to in paragraph (1) of this subsection into their State programs, publish notice of such determination;

''(B) during the 5-year period beginning on the date of such publication, assess the effectiveness of implementation of such rule by such States;

''(C) carry out all required consultation on the benefits and other impacts of the implementation of the rule to any threatened species or endangered species, with the participation of the United States Fish and Wildlife Service and the United States Geological Survey; and

''(D) upon the conclusion of such period, submit a comprehensive report on the impacts of such rule to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, including—

''(i) an evaluation of the effectiveness of such rule;

''(ii) an evaluation of any ways in which the existing rule inhibits energy production; and

''(iii) a description in detail of any proposed changes that should be made to the rule, the justification for such changes, all comments on such changes received by the Secretary from such States, and the projected costs and benefits of such changes.

''(3) LIMITATION ON NEW REGULATIONS.—The Secretary may not issue any regulations under this Act relating to stream buffer zones or stream protection before the date of the publication of the report under paragraph (2), other than a rule necessary to implement paragraph (1).''.

(b) DEADLINE FOR STATE IMPLEMENTATION.—Not later than 2 years after the date of the enactment of this Act, a State with a State program approved under section 503 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1253) shall submit to the Secretary of the Interior amendments to such program pursuant to part 732 of title 30, Code of Federal Regulations, incorporating the necessary rule referred to in subsection (e)(1) of such section, as amended by this section.

DIVISION C—JUDICIARY

SEC. 1. SHORT TITLE.

This division may be cited as the ''Responsibly And Professionally Invigorating Development Act of 2014'' or as the ''RAPID Act''.

SEC. 2. COORDINATION OF AGENCY ADMINISTRATIVE OPERATIONS FOR EFFICIENT DECISIONMAKING.

(a) IN GENERAL.—Chapter 5 of part 1 of title 5, United States Code, is amended by inserting after subchapter II the following:

''SUBCHAPTER IIA—INTERAGENCY COORDINATION REGARDING PERMITTING

''§ 560. Coordination of agency administrative operations for efficient decisionmaking

''(a) CONGRESSIONAL DECLARATION OF PURPOSE.—The purpose of this subchapter is to establish a framework and procedures to streamline, increase the efficiency of, and enhance coordination of agency administration of the regulatory review, environmental decisionmaking, and permitting process for projects undertaken, reviewed, or funded by Federal agencies. This subchapter will ensure that agencies administer the regulatory process in a manner that is efficient so that citizens are not burdened with regulatory excuses and time delays.

''(b) DEFINITIONS.—For purposes of this subchapter, the term—

''(1) 'agency' means any agency, department, or other unit of Federal, State, local, or Indian tribal government;

''(2) 'category of projects' means 2 or more projects related by project type, potential environmental impacts, geographic location, or another similar project feature or characteristic;

''(3) 'environmental assessment' means a concise public document for which a Federal agency is responsible that serves to—

''(A) briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact;

''(B) aid an agency's compliance with NEPA when no environmental impact statement is necessary; and

''(C) facilitate preparation of an environmental impact statement when one is necessary;

''(4) 'environmental impact statement' means the detailed statement of significant environmental impacts required to be prepared under NEPA;

''(5) 'environmental review' means the Federal agency procedures for preparing an environmental impact statement, environmental assessment, categorical exclusion, or other document under NEPA;

''(6) 'environmental decisionmaking process' means the Federal agency procedures for undertaking and completion of any environmental permit, decision, approval, review, or study under any Federal law other than NEPA for a project subject to an environmental review;

''(7) 'environmental document' means an environmental assessment or environmental impact statement, and includes any supplemental document or document prepared pursuant to a court order;

''(8) 'finding of no significant impact' means a document by a Federal agency briefly presenting the reasons why a project, not otherwise subject to a categorical exclusion, will not have a significant effect on the human environment and for which an environmental impact statement therefore will not be prepared;

''(9) 'lead agency' means the Federal agency preparing or responsible for preparing the environmental document;

''(10) 'NEPA' means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(11) 'project' means major Federal actions that are construction activities undertaken with Federal funds or that are construction activities that require approval by a permit or regulatory decision issued by a Federal agency;

''(12) 'project sponsor' means the agency or other entity, including any private or public-private entity, that seeks approval for a project or is otherwise responsible for undertaking a project; and

''(13) 'record of decision' means a document prepared by a lead agency under NEPA following an environmental impact statement that states the lead agency's decision, identifies the alternatives considered by the agency in reaching its decision and states whether all practicable means to avoid or minimize environmental harm from the alternative selected have been adopted, and if not, why they were not adopted.

''(c) PREPARATION OF ENVIRONMENTAL DOCUMENTS.—Upon the request of the lead agency, the project sponsor shall be authorized to prepare any document for purposes of an environmental review required in support of any project or approval by the lead agency if the lead agency furnishes oversight in such preparation and independently evaluates such document and the document is approved and adopted by the lead agency prior to taking any action or making any approval based on such document.

''(d) ADOPTION AND USE OF DOCUMENTS.—

''(1) DOCUMENTS PREPARED UNDER NEPA.—

''(A) Not more than 1 environmental impact statement and 1 environmental assessment shall be prepared under NEPA for a project (except for supplemental environmental documents prepared under NEPA or environmental documents prepared pursuant to a court order), and, except as otherwise provided by law, the lead agency shall prepare the environmental impact statement or environmental assessment. After the lead agency issues a record of decision, no Federal agency responsible for making any approval for that project may rely on a document other than the environmental document prepared by the lead agency.

''(B) Upon the request of a project sponsor, a lead agency may adopt, use, or rely upon secondary and cumulative impact analyses included in any environmental document prepared under NEPA for projects in the same geographic area where the secondary and cumulative impact analyses provide information and data that pertains to the NEPA decision for the project under review.

''(2) STATE ENVIRONMENTAL DOCUMENTS; SUPPLEMENTAL DOCUMENTS.—

''(A) Upon the request of a project sponsor, a lead agency may adopt a document that has been prepared for a project under State laws and procedures as the environmental impact statement or environmental assessment for the project, provided that the State laws and procedures under which the document was prepared provide environmental protection and opportunities for public involvement that are substantially equivalent to NEPA.

''(B) An environmental document adopted under subparagraph (A) is deemed to satisfy the lead agency's obligation under NEPA to prepare an environmental impact statement or environmental assessment.

''(C) In the case of a document described in subparagraph (A), during the period after preparation of the document but before its adoption by the lead agency, the lead agency shall prepare and publish a supplement to that document if the lead agency determines that—

''(i) a significant change has been made to the project that is relevant for purposes of environmental review of the project; or

''(ii) there have been significant changes in circumstances or availability of information relevant to the environmental review for the project.

''(D) If the agency prepares and publishes a supplemental document under subparagraph (C), the lead agency may solicit comments from agencies and the public on the supplemental document for a period of not more than 45 days beginning on the date of the publication of the supplement.

''(E) A lead agency shall issue its record of decision or finding of no significant impact, as appropriate, based upon the document adopted under subparagraph (A), and any supplements thereto.

''(3) CONTEMPORANEOUS PROJECTS.—If the lead agency determines that there is a reasonable likelihood that the project will have similar environmental impacts as a similar project in geographical proximity to the project, and that similar project was subject to environmental review or similar State procedures within the 5-year period immediately preceding the date that the lead agency makes that determination, the lead

agency may adopt the environmental document that resulted from that environmental review or similar State procedure. The lead agency may adopt such an environmental document, if it is prepared under State laws and procedures only upon making a favorable determination on such environmental document pursuant to paragraph (2)(A).

''(e) PARTICIPATING AGENCIES.—

''(1) IN GENERAL.—The lead agency shall be responsible for inviting and designating participating agencies in accordance with this subsection. The lead agency shall provide the invitation or notice of the designation in writing.

''(2) FEDERAL PARTICIPATING AGENCIES.—Any Federal agency that is required to adopt the environmental document of the lead agency for a project shall be designated as a participating agency and shall collaborate on the preparation of the environmental document, unless the Federal agency informs the lead agency, in writing, by a time specified by the lead agency in the designation of the Federal agency that the Federal agency—

''(A) has no jurisdiction or authority with respect to the project;

''(B) has no expertise or information relevant to the project; and

''(C) does not intend to submit comments on the project.

''(3) INVITATION.—The lead agency shall identify, as early as practicable in the environmental review for a project, any agencies other than an agency described in paragraph (2) that may have an interest in the project, including, where appropriate, Governors of affected States, and heads of appropriate tribal and local (including county) governments, and shall invite such identified agencies and officials to become participating agencies in the environmental review for the project. The invitation shall set a deadline of 30 days for responses to be submitted, which may only be extended by the lead agency for good cause shown. Any agency that fails to respond prior to the deadline shall be deemed to have declined the invitation.

''(4) EFFECT OF DECLINING PARTICIPATING AGENCY INVITATION.—Any agency that declines a designation or invitation by the lead agency to be a participating agency shall be precluded from submitting comments on any document prepared under NEPA for that project or taking any measures to oppose, based on the environmental review, any permit, license, or approval related to that project.

''(5) EFFECT OF DESIGNATION.—Designation as a participating agency under this subsection does not imply that the participating agency—

''(A) supports a proposed project; or

''(B) has any jurisdiction over, or special expertise with respect to evaluation of, the project.

''(6) COOPERATING AGENCY.—A participating agency may also be designated by a lead agency as a 'cooperating agency' under the regulations contained in part 1500 of title 40, Code of Federal Regulations, as in effect on January 1, 2011. Designation as a cooperating agency shall have no effect on designation as participating agency. No agency that is not a participating agency may be designated as a cooperating agency.

''(7) CONCURRENT REVIEWS.—Each Federal agency shall—

''(A) carry out obligations of the Federal agency under other applicable law concurrently and in conjunction with the review required under NEPA; and

''(B) in accordance with the rules made by the Council on Environmental Quality pursuant to subsection (n)(1), make and carry out such rules, policies, and procedures as may be reasonably necessary to enable the agency to ensure completion of the environmental review and environmental decisionmaking process in a timely, coordinated, and environmentally responsible manner.

''(8) COMMENTS.—Each participating agency shall limit its comments on a project to areas that are within the authority and expertise of such participating agency. Each participating agency shall identify in such comments the statutory authority of the participating agency pertaining to the subject matter of its comments. The lead agency shall not act upon, respond to or include in any document prepared under NEPA, any comment submitted by a participating agency that concerns matters that are outside of the authority and expertise of the commenting participating agency.

''(f) PROJECT INITIATION REQUEST.—

''(1) NOTICE.—A project sponsor shall provide the Federal agency responsible for undertaking a project with notice of the initiation of the project by providing a description of the proposed project, the general location of the proposed project, and a statement of any Federal approvals anticipated to be necessary for the proposed project, for the purpose of informing the Federal agency that the environmental review should be initiated.

''(2) LEAD AGENCY INITIATION.—The agency receiving a project initiation notice under paragraph (1) shall promptly identify the lead agency for the project, and the lead agency shall initiate the environmental review within a period of 45 days after receiving the notice required by paragraph (1) by inviting or designating agencies to become participating agencies, or, where the lead agency determines that no participating agencies are required for the project, by taking such other actions that are reasonable and necessary to initiate the environmental review.

''(g) ALTERNATIVES ANALYSIS.—

''(1) PARTICIPATION.—As early as practicable during the environmental review, but no later than during scoping for a project requiring the preparation of an environmental impact statement, the lead agency shall provide an opportunity for involvement by cooperating agencies in determining the range of alternatives to be considered for a project.

''(2) RANGE OF ALTERNATIVES.—Following participation under paragraph (1), the lead agency shall determine the range of alternatives for consideration in any document which the lead agency is responsible for preparing for the project, subject to the following limitations:

''(A) NO EVALUATION OF CERTAIN ALTERNATIVES.—No Federal agency shall evaluate any alternative that was identified but not carried forward for detailed evaluation in an environmental document or evaluated and not selected in any environmental document prepared under NEPA for the same project.

''(B) ONLY FEASIBLE ALTERNATIVES EVALUATED.—Where a project is being constructed, managed, funded, or undertaken by a project sponsor that is not a Federal agency, Federal agencies shall only be required to evaluate alternatives that the project sponsor could feasibly undertake, consistent with the purpose of and the need for the project, including alternatives that can be undertaken by the project sponsor and that are technically and economically feasible.

''(3) METHODOLOGIES.—

''(A) IN GENERAL.—The lead agency shall determine, in collaboration with cooperating agencies at appropriate times during the environmental review, the methodologies to be used and the level of detail required in the analysis of each alternative for a project. The lead agency shall include in the environmental document a description of the methodologies used and how the methodologies were selected.

''(B) NO EVALUATION OF INAPPROPRIATE ALTERNATIVES.—When a lead agency determines that an alternative does not meet the purpose and need for a project, that alternative is not required to be evaluated in detail in an environmental document.

''(4) PREFERRED ALTERNATIVE.—At the discretion of the lead agency, the preferred alternative for a project, after being identified, may be developed to a higher level of detail than other alternatives in order to facilitate the development of mitigation measures or concurrent compliance with other applicable laws if the lead agency determines that the development of such higher level of detail will not prevent the lead agency from making an impartial decision as to whether to accept another alternative which is being considered in the environmental review.

''(5) EMPLOYMENT ANALYSIS.—The evaluation of each alternative in an environmental impact statement or an environmental assessment shall identify the potential effects of the alternative on employment, including potential short-term and long-term employment increases and reductions and shifts in employment.

''(h) COORDINATION AND SCHEDULING.—

''(1) COORDINATION PLAN.—

''(A) IN GENERAL.—The lead agency shall establish and implement a plan for coordinating public and agency participation in and comment on the environmental review for a project or category of projects to facilitate the expeditious resolution of the environmental review.

''(B) SCHEDULE.—

''(i) IN GENERAL.—The lead agency shall establish as part of the coordination plan for a project, after consultation with each participating agency and, where applicable, the project sponsor, a schedule for completion of the environmental review. The schedule shall include deadlines, consistent with subsection (i), for decisions under any other Federal laws (including the issuance or denial of a permit or license) relating to the project that is covered by the schedule.

''(ii) FACTORS FOR CONSIDERATION.—In establishing the schedule, the lead agency shall consider factors such as—

''(I) the responsibilities of participating agencies under applicable laws;

''(II) resources available to the participating agencies;

''(III) overall size and complexity of the project;

''(IV) overall schedule for and cost of the project;

''(V) the sensitivity of the natural and historic resources that could be affected by the project; and

''(VI) the extent to which similar projects in geographic proximity were recently subject to environmental review or similar State procedures.

''(iii) COMPLIANCE WITH THE SCHEDULE.—

''(I) All participating agencies shall comply with the time periods established in the schedule or with any modified time periods, where the lead agency modifies the schedule pursuant to subparagraph (D).

''(II) The lead agency shall disregard and shall not respond to or include in any document prepared under NEPA, any comment or information submitted or any finding made by a participating agency that is outside of the time period established in the schedule or modification pursuant to subparagraph (D) for that agency's comment, submission or finding.

''(III) If a participating agency fails to object in writing to a lead agency decision, finding or request for concurrence within the time period established under law or by the lead agency, the agency shall be deemed to

have concurred in the decision, finding or request.

''(C) CONSISTENCY WITH OTHER TIME PERIODS.—A schedule under subparagraph (B) shall be consistent with any other relevant time periods established under Federal law.

''(D) MODIFICATION.—The lead agency may—

''(i) lengthen a schedule established under subparagraph (B) for good cause; and

''(ii) shorten a schedule only with the concurrence of the cooperating agencies.

''(E) DISSEMINATION.—A copy of a schedule under subparagraph (B), and of any modifications to the schedule, shall be—

''(i) provided within 15 days of completion or modification of such schedule to all participating agencies and to the project sponsor; and

''(ii) made available to the public.

''(F) ROLES AND RESPONSIBILITY OF LEAD AGENCY.—With respect to the environmental review for any project, the lead agency shall have authority and responsibility to take such actions as are necessary and proper, within the authority of the lead agency, to facilitate the expeditious resolution of the environmental review for the project.

''(i) DEADLINES.—The following deadlines shall apply to any project subject to review under NEPA and any decision under any Federal law relating to such project (including the issuance or denial of a permit or license or any required finding):

''(1) ENVIRONMENTAL REVIEW DEADLINES.—The lead agency shall complete the environmental review within the following deadlines:

''(A) ENVIRONMENTAL IMPACT STATEMENT PROJECTS.—For projects requiring preparation of an environmental impact statement—

''(i) the lead agency shall issue an environmental impact statement within 2 years after the earlier of the date the lead agency receives the project initiation request or a Notice of Intent to Prepare an Environmental Impact Statement is published in the Federal Register; and

''(ii) in circumstances where the lead agency has prepared an environmental assessment and determined that an environmental impact statement will be required, the lead agency shall issue the environmental impact statement within 2 years after the date of publication of the Notice of Intent to Prepare an Environmental Impact Statement in the Federal Register.

''(B) ENVIRONMENTAL ASSESSMENT PROJECTS.—For projects requiring preparation of an environmental assessment, the lead agency shall issue a finding of no significant impact or publish a Notice of Intent to Prepare an Environmental Impact Statement in the Federal Register within 1 year after the earlier of the date the lead agency receives the project initiation request, makes a decision to prepare an environmental assessment, or sends out participating agency invitations.

''(2) EXTENSIONS.—

''(A) REQUIREMENTS.—The environmental review deadlines may be extended only if—

''(i) a different deadline is established by agreement of the lead agency, the project sponsor, and all participating agencies; or

''(ii) the deadline is extended by the lead agency for good cause.

''(B) LIMITATION.—The environmental review shall not be extended by more than 1 year for a project requiring preparation of an environmental impact statement or by more than 180 days for a project requiring preparation of an environmental assessment.

''(3) ENVIRONMENTAL REVIEW COMMENTS.—

''(A) COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT.—For comments by agencies and the public on a draft environmental impact statement, the lead agency shall establish a comment period of not more than 60 days after publication in the Federal Register of notice of the date of public availability of such document, unless—

''(i) a different deadline is established by agreement of the lead agency, the project sponsor, and all participating agencies; or

''(ii) the deadline is extended by the lead agency for good cause.

''(B) OTHER COMMENTS.—For all other comment periods for agency or public comments in the environmental review process, the lead agency shall establish a comment period of no more than 30 days from availability of the materials on which comment is requested, unless—

''(i) a different deadline is established by agreement of the lead agency, the project sponsor, and all participating agencies; or

''(ii) the deadline is extended by the lead agency for good cause.

''(4) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—Notwithstanding any other provision of law, in any case in which a decision under any other Federal law relating to the undertaking of a project being reviewed under NEPA (including the issuance or denial of a permit or license) is required to be made, the following deadlines shall apply:

''(A) DECISIONS PRIOR TO RECORD OF DECISION OR FINDING OF NO SIGNIFICANT IMPACT.—If a Federal agency is required to approve, or otherwise to act upon, a permit, license, or other similar application for approval related to a project prior to the record of decision or finding of no significant impact, such Federal agency shall approve or otherwise act not later than the end of a 90-day period beginning—

''(i) after all other relevant agency review related to the project is complete; and

''(ii) after the lead agency publishes a notice of the availability of the final environmental impact statement or issuance of other final environmental documents, or no later than such other date that is otherwise required by law, whichever event occurs first.

''(B) OTHER DECISIONS.—With regard to any approval or other action related to a project by a Federal agency that is not subject to subparagraph (A), each Federal agency shall approve or otherwise act not later than the end of a period of 180 days beginning—

''(i) after all other relevant agency review related to the project is complete; and

''(ii) after the lead agency issues the record of decision or finding of no significant impact, unless a different deadline is established by agreement of the Federal agency, lead agency, and the project sponsor, where applicable, or the deadline is extended by the Federal agency for good cause, provided that such extension shall not extend beyond a period that is 1 year after the lead agency issues the record of decision or finding of no significant impact.

''(C) FAILURE TO ACT.—In the event that any Federal agency fails to approve, or otherwise to act upon, a permit, license, or other similar application for approval related to a project within the applicable deadline described in subparagraph (A) or (B), the permit, license, or other similar application shall be deemed approved by such agency and the agency shall take action in accordance with such approval within 30 days of the applicable deadline described in subparagraph (A) or (B).

''(D) FINAL AGENCY ACTION.—Any approval under subparagraph (C) is deemed to be final agency action, and may not be reversed by any agency. In any action under chapter 7 seeking review of such a final agency action, the court may not set aside such agency action by reason of that agency action having occurred under this paragraph.

''(j) ISSUE IDENTIFICATION AND RESOLUTION.—

''(1) COOPERATION.—The lead agency and the participating agencies shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of the environmental review or could result in denial of any approvals required for the project under applicable laws.

''(2) LEAD AGENCY RESPONSIBILITIES.—The lead agency shall make information available to the participating agencies as early as practicable in the environmental review regarding the environmental, historic, and socioeconomic resources located within the project area and the general locations of the alternatives under consideration. Such information may be based on existing data sources, including geographic information systems mapping.

''(3) PARTICIPATING AGENCY RESPONSIBILITIES.—Based on information received from the lead agency, participating agencies shall identify, as early as practicable, any issues of concern regarding the project's potential environmental, historic, or socioeconomic impacts. In this paragraph, issues of concern include any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project.

''(4) ISSUE RESOLUTION.—

''(A) MEETING OF PARTICIPATING AGENCIES.—At any time upon request of a project sponsor, the lead agency shall promptly convene a meeting with the relevant participating agencies and the project sponsor, to resolve issues that could delay completion of the environmental review or could result in denial of any approvals required for the project under applicable laws.

''(B) NOTICE THAT RESOLUTION CANNOT BE ACHIEVED.—If a resolution cannot be achieved within 30 days following such a meeting and a determination by the lead agency that all information necessary to resolve the issue has been obtained, the lead agency shall notify the heads of all participating agencies, the project sponsor, and the Council on Environmental Quality for further proceedings in accordance with section 204 of NEPA, and shall publish such notification in the Federal Register.

''(k) LIMITATION ON USE OF SOCIAL COST OF CARBON.—

''(1) IN GENERAL.—In the case of any environmental review or environmental decisionmaking process, a lead agency may not use the social cost of carbon.

''(2) DEFINITION.—In this subsection, the term 'social cost of carbon' means the social cost of carbon as described in the technical support document entitled 'Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order No. 12866', published by the Interagency Working Group on Social Cost of Carbon, United States Government, in May 2013, revised in November 2013, or any successor thereto or substantially related document, or any other estimate of the monetized damages associated with an incremental increase in carbon dioxide emissions in a given year.

''(l) REPORT TO CONGRESS.—The head of each Federal agency shall report annually to Congress—

''(1) the projects for which the agency initiated preparation of an environmental impact statement or environmental assessment;

''(2) the projects for which the agency issued a record of decision or finding of no significant impact and the length of time it took the agency to complete the environmental review for each such project;

''(3) the filing of any lawsuits against the agency seeking judicial review of a permit,

license, or approval issued by the agency for an action subject to NEPA, including the date the complaint was filed, the court in which the complaint was filed, and a summary of the claims for which judicial review was sought; and

''(4) the resolution of any lawsuits against the agency that sought judicial review of a permit, license, or approval issued by the agency for an action subject to NEPA.

''(m) LIMITATIONS ON CLAIMS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of a permit, license, or approval issued by a Federal agency for an action subject to NEPA shall be barred unless—

''(A) in the case of a claim pertaining to a project for which an environmental review was conducted and an opportunity for comment was provided, the claim is filed by a party that submitted a comment during the environmental review on the issue on which the party seeks judicial review, and such comment was sufficiently detailed to put the lead agency on notice of the issue upon which the party seeks judicial review; and

''(B) filed within 180 days after publication of a notice in the Federal Register announcing that the permit, license, or approval is final pursuant to the law under which the agency action is taken, unless a shorter time is specified in the Federal law pursuant to which judicial review is allowed.

''(2) NEW INFORMATION.—The preparation of a supplemental environmental impact statement, when required, is deemed a separate final agency action and the deadline for filing a claim for judicial review of such action shall be 180 days after the date of publication of a notice in the Federal Register announcing the record of decision for such action. Any claim challenging agency action on the basis of information in a supplemental environmental impact statement shall be limited to challenges on the basis of that information.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to create a right to judicial review or place any limit on filing a claim that a person has violated the terms of a permit, license, or approval.

''(n) CATEGORIES OF PROJECTS.—The authorities granted under this subchapter may be exercised for an individual project or a category of projects.

''(o) EFFECTIVE DATE.—The requirements of this subchapter shall apply only to environmental reviews and environmental decisionmaking processes initiated after the date of enactment of this subchapter. In the case of a project for which an environmental review or environmental decisionmaking process was initiated prior to the date of enactment of this subchapter, the provisions of subsection (i) shall apply, except that, notwithstanding any other provision of this section, in determining a deadline under such subsection, any applicable period of time shall be calculated as beginning from the date of enactment of this subchapter.

''(p) APPLICABILITY.—Except as provided in subsection (p), this subchapter applies, according to the provisions thereof, to all projects for which a Federal agency is required to undertake an environmental review or make a decision under an environmental law for a project for which a Federal agency is undertaking an environmental review.

''(q) SAVINGS CLAUSE.—Nothing in this section shall be construed to supersede, amend, or modify sections 134, 135, 139, 325, 326, and 327 of title 23, sections 5303 and 5304 of title 49, or subtitle C of title I of division A of the Moving Ahead for Progress in the 21st Century Act and the amendments made by such subtitle (Public Law 112–141).''.

(b) TECHNICAL AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by inserting after the items relating to subchapter II the following:

''SUBCHAPTER IIA—INTERAGENCY COORDINATION REGARDING PERMITTING

''560. Coordination of agency administrative operations for efficient decisionmaking.''.

(c) REGULATIONS.—

(1) COUNCIL ON ENVIRONMENTAL QUALITY.—Not later than 180 days after the date of enactment of this division, the Council on Environmental Quality shall amend the regulations contained in part 1500 of title 40, Code of Federal Regulations, to implement the provisions of this division and the amendments made by this division, and shall by rule designate States with laws and procedures that satisfy the criteria under section 560(d)(2)(A) of title 5, United States Code.

(2) FEDERAL AGENCIES.—Not later than 120 days after the date that the Council on Environmental Quality amends the regulations contained in part 1500 of title 40, Code of Federal Regulations, to implement the provisions of this division and the amendments made by this division, each Federal agency with regulations implementing the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall amend such regulations to implement the provisions of this division.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) and the gentleman from Oregon (Mr. DEFAZIO) each will control 60 minutes.

The Chair recognizes the gentleman from Washington.

□ 1530

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I stand here on the House floor, only a few hundred yards away from the Senate, and it feels as if we are worlds apart. In the House, we are listening to the American people who are telling us that it is time to expand American energy production.

Hardworking Americans know how important energy is in their lives. They need it to commute to and from work. It fuels the buses that take our kids to school. It powers the businesses on Main Street.

It provides jobs and improves the livelihoods of millions of Americans who are struggling to make ends meet in President Obama's economy; and, Mr. Speaker, Sunday, it will power the Jumbotron at CenturyLink Field in Seattle as the Seahawks take on the Broncos.

Unfortunately, on the other side of the Capitol, these calls to expand American energy production are falling on deaf ears. The House has passed dozens of energy bills, including a number from the House Natural Resources Committee, on which the Senate has failed to act. By doing so, they are standing in the way of American job creation, affordable energy, and increased national security.

H.R. 2, the American Energy Solutions for Lower Costs and More American Jobs Act, would protect and expand American energy production by removing this administration's roadblocks and preventing unnecessary bureaucratic red tape.

Mr. Speaker, since President Obama took office, total Federal offshore oil production has dropped 13 percent, Federal offshore natural gas production has dropped by nearly one-half, and the Obama administration has placed over 85 percent of America's offshore acreage off limits.

Onshore, Mr. Speaker, it is the same story. This administration has had the 4 lowest years of Federal acres leased for onshore energy production going back to 1988. It has also pledged to impose a duplicative layer of red tape on hydraulic fracturing, which would only hurt American job creation.

The Obama administration has also waged a war on coal and on coal jobs. Coal is a reliable and affordable energy resource that provides 30 percent of America's electricity and supports millions of American jobs.

Unfortunately, with one proposed regulation by the Obama administration, those jobs could disappear. Their rewrite of the stream buffer zone rule could cost 7,000 coal jobs and cause economic harm in 22 States.

But there is good news, and the good news are the provisions in these bills. These provisions are a direct response to the Obama administration's actions that have locked up our energy resources. The bill would end the regulatory delays blocking the construction of the Keystone XL pipeline.

After nearly 6 years of review, this is a commonsense solution that would eliminate the need for a Presidential permit, addresses all other necessary Federal permits, and limit litigation that would delay the project.

The bill would also expand offshore energy production. It would require this administration to responsibly move forward with new offshore energy production in areas that contain the most oil and natural gas resources. What a novel idea, going where the product is, and those areas include areas off the Atlantic and the Pacific coasts.

It also requires the administration to hold oil and natural gas lease sales that have been delayed or canceled, such as offshore of Virginia. This expanded offshore production would generate over $1 billion in new revenue to the Federal Treasury and create up to 1.2 millions of jobs long-term.

Mr. Speaker, the bill would expand onshore energy production. It would reform the leasing and permitting process to remove unnecessary delays, set

clear rules for the development of U.S. oil shale resources, and establish Internet-based auctions for leases. It would also help foster expanded energy production on tribal lands.

The bill would stop the Federal Government from imposing duplicative Federal hydraulic regulations and prevent it from implementing job-destroying coal regulations. It would help protect consumers from EPA regulations that could destroy jobs and increase energy costs.

Finally, Mr. Speaker, the bill would expand production of clean, renewable hydropower by removing outdated barriers and streamlining the regulatory process. It would authorize hydropower development at existing manmade water canals and pipes at 12 Bureau of Reclamation projects.

Mr. Speaker, the American Energy Solutions for Lower Costs and More American Jobs Act is a commonsense action plan to create over 1 million new American jobs and provide relief to hardworking Americans who are feeling the squeeze of higher gasoline and electricity prices. It would strengthen our economy and—probably more importantly in this unsettled world—increase America's energy security.

Mr. Speaker, I urge my colleagues to support this important bipartisan piece of legislation, and I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

Well, Mr. Speaker, I would start out by saying this feels like Groundhog Day, but I have already done that when we brought up these same bills multiple times in the past. I could start, as I did the last time we considered this package of bills, by reading a statement from the last time we debated these bills and then pretend to get angry at my staff because they gave me a statement that is 8 months old, but I made that point the last time we debated this energy package on the floor.

Mr. Speaker, the House has passed nearly all the provisions in this bill at least two times. Now, I think most Americans still remember high school civics. The House passes a bill; they send it to the Senate.

The Senate either takes it up or not; and, if they do, then we work out our differences in conference committee and send it to the President for signature. We just keep sending the same bills over to the Senate under the premise that, somehow, they will do something because it has been sent multiples times from the House. It hasn't worked in the past, and it won't work in the future.

This package really also ignores reality. We are producing more natural gas than we ever have and more oil than in over 25 years. We are projected to be the number one oil producer in the world in the next few years.

Meanwhile, thanks to a worldwide glut of oil, gas prices are going down. They are the lowest they have been this time of year since 2010, except perhaps in my State, where we are getting price-gouged because we don't have a refinery.

If Republicans really cared about keeping gas prices down for American consumers, maybe they would take a serious look at the fact that we are exporting 1.6 million barrels of gasoline and diesel every day. There is no shortage.

We are exporting 1.6 million barrels a day; yet truckers are paying extraordinarily high diesel prices because we are exporting more and more diesel and saying, ''Well, you have got to pay the same price they are going to pay in Europe.''

Mr. Speaker, inside the Beltway here, we don't really deal with facts and statistics very much; so, today, we will take up and pass the same tired legislation for the second, third, or fourth time so any Republican Members who happen to be in a tough race can claim that they have been productive on this issue.

This is just an opportunity to check the energy box again and again so you can try to get voters to check the box for the so-called energy experts on the ballot, but we are not legislating; instead, we are wasting time and taxpayer money to put on a rerun show. If you are going to do a rerun show, at the risk of sounding like a broken record, then I am going to do the same.

Every time we have come to the floor to debate another legislative fish wrap this summer, I have brought up the same issue, Western wildfires.

Now, this poster shows Weed, California—or what is left of it. A wildfire destroyed half the town and over 150 homes. In my home State, a major fire is burning 10 miles away from the town of Estacada, threatening over 150 homes, forcing evacuations, and forcing the Governor to use the State's conflagration act to mobilize emergency resources.

In the West, there are over 50 active fires burning, one in the Willamette Forest outside of Eugene and Springfield. It is costing $1 million a day with attempts to keep it from running toward a town. Two days ago, the Forest Service said they have $179 million left for suppression.

Last week alone, they spent $150 million on suppression efforts. That means, next week, while we are out of session, they will run out of money, and they will do what they always do: they will start pulling back money from the fuel reduction, forest health, and other programs to fight the fires.

You can't stop fighting the fires. These fires are enormous, unnatural, and unprecedented in many ways. On top of that, we have a drought which might or might not have to do with climate change, which the other side of the aisle doesn't believe in, but, nonetheless, they are a fact.

Now, it doesn't have to be this way. We could do something real. We have the rarest thing in Washington, D.C.—a bipartisan—that means Democrats and Republicans are on a bill, 52 House Members, including myself, 52 Republicans on a bill—bicameral—similar bill, same bill in the Senate—supported by Democrats and Republicans, and, lo and behold, it is a bill supported by President Obama.

Maybe that is why they won't even hold a hearing on it or move it—because the President supports it—despite the fact that it would deal with a very real problem.

We aren't investing enough money in a regular fashion to get ahead of the fire problem in the West and to do the fuel reduction and the forest health we need. The agencies don't have enough in their budgets, and, every year, in fact, they overspend their firefighting budgets, and they have to cancel projects and other needed activities.

There has been no hearing on the bill. We can't find time to hold a hearing on a bill that has to do with wildfires that are burning up the West. We can't find the time; instead, we are going to pass these bills for the second, third, fourth, fifth, or sixth time. We can't find the time. We are too busy here pretending.

We have 196 Democrats who have signed a petition to overrule the Republican leadership and bring that bill to the floor of the United States House of Representatives. Fifty-two Republicans are cosponsors of that bill.

Many of them have active fires burning in their districts; and will they defy their leadership and do something that is needed for Americans in the Western United States, needed for our natural resources, and needed to prevent these towns from burning down? No. They can't do that. They will not sign the petition.

So here we are. Western communities are burning. You can pretty much step outside the door and smell the smoke from here. We have a potential solution to get ahead of this problem in the future and deal better with it, but, instead, we are wasting time here today passing, yet again, bills that have already been passed and have already been sent to the Senate, but we will send them over to the Senate again, and they can put them on the same stack of paper.

If you look at these pictures, we are wasting the second-to-last day—well, now, it is the last day, actually—on repeat because we have to get home for elections.

I mean, we don't need to pass the budget for the year, the appropriations bills. We don't need to take more meaningful consideration of what we are getting into in the Middle East and spend more time on it, and we can't certainly find any time to deal with the wildfire issue. Let's just pretend.

Yet, again, you get to check a pointless box, and I don't think the American people are going to be fooled.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 4 minutes to the gentleman from Oregon (Mr. WALDEN), my colleague from Oregon, across the Columbia River from my district.

Mr. WALDEN. I thank the chairman of the Natural Resources Committee who has been most helpful in our endeavors in the West on the issues of private property, water rights, improving the health of our forest, and diminishing wildfires through active forest management.

I want to thank him again for his legislation and one that a number of us have shared in helping draft, H.R. 1526, which has been part of our jobs package that we are again sending over to the Senate because they have done nothing in the area of improving forest health and management and stopping these horrible wildfires that we are all trying to deal with—because they are much more than just a budgeting issue, although that is important, it really is about how do you get ahead of these fires, have active management, generate revenues, and generate jobs.

Mr. Speaker, another bill that we are taking up again in the House is one that actually has passed twice in this House unanimously—unanimously—in the last couple of years.

This will be the third time in less than 3 years we have acted. Why are we doing that? Because, at some point, we hope to wake up the Senate to where they actually will take up this issue and pass it because it means jobs for Crook County, which has a very high unemployment rate and a very high poverty rate.

It means better water quality for fish because we changed a designation on a dam that will allow the water to come out in a better way by adding renewable, carbon friendly hydropower to be generated off this dam. It would create 50 jobs over 2 years when they do the hydro piece. The water will come out better, and it will be better for the fish.

The city of Prineville—you talk about drought—the city of Prineville has several hundred residents who cannot access city water because they don't have enough of it.

This legislation will free up 5,100 acre feet of water that will take care of the city of Prineville for some time to come and allow them to actually take care of their citizens with city water. They will pump it out downstream, and water will stay instream for—I think it is something like 20 miles upriver from Bowman Dam.

There is 80,000 acre feet of water sitting unallocated in this reservoir. We take 5,100 acre feet of it. The city is going to pay the appropriate price so there is no cost to the Treasury. It will serve 500 homes, and we have got a bunch of data centers that have come up in Prineville.

They need to make sure they have access to water for cooling. Apple and Facebook and a couple of others need access to this, and all we do is fix an errant boundary decision made many years ago that laid down the boundary of wild and scenic right across the top of the dam.

Now, there is nothing wild or scenic about a dam unless you are falling off the face of it. It was temporary, and that has been decades ago. This moves it a quarter mile downstream.

□ 1545

Beyond that, there are benefits for Ochoco Irrigation District farmers to ensure they will continue to operate their family farms for generations to come. We make sure there is enough water behind the dam for flat water recreation and fishing, which is an important part of the economy there. And we worked with the tribes and others to expedite the McKay Creek restoration project, which will result in increased water flows for redband trout and summer steelhead, a project long supported by the Warm Springs Tribe and the Deschutes River Conservancy.

Just like other bills in this package, this is a good, commonsense piece of legislation. It has achieved overwhelming—in fact, in the House, unanimous—support.

We look forward to working with the Senate, but it is hard to dance with yourself. It is just no fun. So we need a dance partner over in the Senate that will come to the table so we can take this years of work, pull it together in a package that can finally get to the President's desk.

I don't know what else you do. You try again. You never quit trying. And that is what this package of bills is all about. One more time before we leave town, trying to create jobs in America, do the right thing for the environment, and take care of problems at home, that is what this is about.

We hope the Senate will finally take a look at these bills in a meaningful and thoughtful way and be able to come to the table with terms and work these things out.

So I commend the chairman of the House Natural Resources Committee for all his work over the years, but especially for the work he and I have done together to improve forest health, improve forest jobs, improve water quality, take care of these issues that are so important to the rural West.

Mr. DEFAZIO. I yield 3 minutes to the gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. I thank the distinguished gentleman from Oregon for yielding as well as for his leadership.

Mr. Speaker, once again, as we stand on the brink of a 7-week recess, we are here in this Chamber considering a package of warmed-over bills that will be dead on arrival when it reaches the Senate. It is an empty legislative vessel that has no meaningful port of destination. We are on a joyride that is going to waste the time and treasure of the American people.

That is not to suggest, Mr. Speaker, that the House majority hasn't been busy during the 113th Congress. This majority has been busy unleashing a parade of horribles on the American people.

The House majority, Mr. Speaker, began by bringing to the American people sequestration, tens of billions of dollars of painful cuts to important domestic programs that will adversely impact the American people.

This House majority, Mr. Speaker, has been busy bringing us a 16-day reckless government shutdown, costing the American people $24 billion in lost economic productivity.

Mr. Speaker, this House majority has been busy engaging in a serial flirtation with defaulting on our debt, threatening the full faith and credit of the United States of America, resulting in an increase in interest rates.

This House majority, Mr. Speaker, has been busy enacting a reckless Republican budget: $137 billion in cuts to nutritional assistance to the American people, many of whom have gone hungry; $260 billion in cuts to higher education; $732 billion in cuts to Medicaid—enacted by this House majority in a reckless Republican budget.

We failed to enact a minimum-wage increase despite the fact that you have got working families living in poverty while going to work each and every day.

We failed to enact comprehensive immigration reform, fixing a broken immigration system, giving life to the American Dream for those who are otherwise now living in the shadows.

We have failed to invest in transportation and infrastructure.

We failed to renew unemployment insurance, leaving millions of Americans on the battlefield of the Great Recession.

What are we doing here on the final day?

I would just ask the American people to ponder this question: What grade should you give the House majority during the 113th Congress?

I would suggest, humbly, there are only two options: D for ''disaster'' and F for ''failure.''

Mr. HASTINGS of Washington. Mr. Speaker, I yield 4 minutes to the gentleman from Nebraska (Mr. TERRY), the author of this legislation.

Mr. TERRY. Mr. Speaker, DOC HASTINGS, I really appreciate your leadership on energy issues and natural resources issues. It has just been incredibly important to our Congress.

I want to thank my colleagues for allowing me to bring this package here today because this is a commonsense energy approach that grows our economy, creates jobs, and ensures our energy is affordable and reliable.

Yes, Mr. Speaker, most of these, or all of them, have already been voted on at some point in time over the last couple years. It is important that we continue to push the Senate into taking up these energy bills so we can expand our economy and grow the jobs.

Too many of the rules and regulations coming out of this administration are making energy more costly

and less reliable to the consumers. This is the point of this bill. The House continues to do our job with legislation, but the Senate continues to block it. I am not going to stand idly by and keep allowing that to happen.

This approach puts together bills that allow us to build up our infrastructure of abundance, streamlines permitting processes, Mr. Speaker, and provides commonsense guidance to the EPA rulemakers, all of which provides reliability and affordability for our consumers, which is an inherent cornerstone to economic success.

So what does this bill do?

It allows the United States to take advantage of the fact that we are incredibly close to being self-sufficient, no longer reliant on those outside of North America. This bill approves the Keystone pipeline, which was filed, originally, 6 years ago tomorrow. But yet 22,000 pages of studies have been completed that show that this pipeline does not pose an environmental risk to land or aquifer and will actually reduce CO_2 emissions compared to not allowing the pipeline.

Recently, Larry Summers, President Obama's former senior economic adviser, was quoted as saying: ''I am very much aware of the toll that the Keystone pipeline issue has taken on the relations with a crucial U.S. ally, Canada.''

So it is even straining our relationship with our good friend Canada.

This bill also removes Federal barriers to offshore energy production, enhances onshore production by removing red tape and making sure that any regulations are reasonable.

This bill will expedite LNG exportation to our allies, allowing us to maintain a strong, strategic position in the world.

This bill will modernize the permit process for natural gas pipelines. This is important as we use more natural gas for manufacturing, electrical production, and as a transportation fuel.

There is an abundant supply of natural gas here in North America and it has been proven to be cheaper and cleaner, but I believe it is greatly underutilized. We need to make natural gas a priority, which this bill does.

Our country is blessed to have these abundant natural resources. We must do everything in our power to make sure that our policies support resource development and minimize the red tape that strangles our job creators.

I am proud to lead this effort in support of lower cost energy and more American jobs. With these policies, we can make real progress towards reducing prices at the pump and protecting families.

Mr. WAXMAN. I yield 3 minutes to the gentleman from Texas (Mr. GENE GREEN).

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in opposition to H.R. 2. Here we are, the next day after we passed bipartisan legislation with a majority on both sides, and now today we come up with H.R. 2, which has a combination of bills that this House has already considered.

And what, we are here the last day of voting, the day before we go home to campaign, passing a bill that has zero chance of becoming law.

H.R. 2 is an affront to the bipartisan work we have done in the Energy and Commerce Committee. Over the past year, the members of our committee have worked together to craft legislation that would support the dramatic energy renaissance our country is experiencing. Unfortunately, H.R. 2 that we are considering today is not reflective of this hard work, some of the compromises we did.

Instead of working to improve the decisionmaking made by Federal agencies, H.R. 2 seeks to eliminate Federal authority.

Instead of expediting export permits, H.R. 2 opens the door to sending U.S. gas to countries that are not even our friends.

Instead of respecting the balance we worked so hard to establish between the States and the Federal Government, H.R. 2 rescinds all the authority for our government in State affairs.

It is my hope that we would stop wasting time on these bills that have no bipartisan support and work together to pass legislation in a bipartisan fashion.

We actually have addressed a number of these bills already on this House floor. Everyone, Democrat or Republican, has acknowledged that the energy sector has common ground. We may not always agree on what fuel mix we have or how to best serve our country, but we can agree that the energy sector is vital to our economy and our independence.

The bills included in H.R. 2 include bills I have cosponsored and worked hard to craft with my Republican and Democratic colleagues. It is disappointing that our leadership would use this window of opportunity to pass bills that harm our environment, create uncertainty in our economy, and ultimately delay job growth and energy development.

In the Energy and Commerce Committee, we work across party lines to draft legislation that solves the problems of the American people and American industry. We work to ensure that the EPA, the Environmental Protection Agency, is promulgating rules that make not only economic sense, but, as well, environmental sense. We work to support our natural resources sector and send American gas and refined products overseas to benefit our U.S. economy and balance of trade.

All of these things will garner bipartisan support and establish the U.S. and North America as the world energy leader. But this H.R. 2 takes away all that we have worked for for almost 2 years, and that is why I oppose H.R. 2.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2½ minutes to the gentleman from Colorado (Mr. LAMBORN), the subcommittee chairman on the Natural Resources Committee.

Mr. LAMBORN. I thank the chairman for recognizing me and for his contribution to energy and other policies of our country over many years.

Mr. Speaker, I rise in strong support of the bipartisan H.R. 2, the American Energy Solutions for Lower Costs and More American Jobs Act.

I am pleased that this package of energy legislation includes legislation I introduced and that has previously passed the House, H.R. 1965, the Federal Lands Jobs and Energy Security Act.

H.R. 2 will help ensure the successful production of onshore and offshore energy and provides the regulatory certainty energy producers need to produce American-made energy. This creates American jobs, increases revenues to State and local governments, and promotes economic development across the economy.

H.R. 2 promotes an all-of-the-above energy strategy, streamlining regulations and expediting the production of both conventional and renewable energy. It will ensure that the Bureau of Land Management has the resources they need to expeditiously process permits for all energy projects on Federal land.

□ 1600

The Obama administration has made energy production on Federal land so burdensome and so uncertain that conventional and renewable energy producers are avoiding Federal lands in favor of State and private lands. That is where permits are approved in a timely fashion and are not subject to burdensome and obstructionist lawsuits, and projects can move forward in a stable environment.

In my home State of Colorado, a permit for an energy project can be approved in 27 days for State land projects. For a project on Federal land in Colorado, the Obama administration takes nearly a year to approve the same permit. This delay in approvals not only delays energy production, it delays job creation and revenues to State and local governments.

Energy producers should not have to choose between whether to produce energy on Federal versus State land just because of permit timelines, lawsuits, and regulations.

This legislation injects much-needed certainty into every step of the energy production process. It will ensure timely permit approvals, allow Bureau of Land Management field offices to have the resources they need for energy permits, open up offshore areas for energy production, and ensures that our Nation has a plan for our future energy needs.

I urge my colleagues to join me in strong support of this critical legislation.

Mr. WAXMAN. Mr. Speaker, may I inquire how much time is remaining.

The SPEAKER pro tempore (Mr. WOMACK). The gentleman from California has 47½ minutes remaining. The gentleman from Washington has 44 minutes remaining.

Mr. WAXMAN. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Speaker, I thank my very good friend and our leader from California for yielding me the time.

Mr. Speaker, I rise in opposition to this bill.

So this is the last day we are in session until after the elections. But rather than consider substantive legislation today—or really at any point in this session—that would have extended long-term unemployment benefits, or simplify the Tax Code, or reform our immigration system, or extend expiring tax provisions, or lower foreign trade barriers with new trade authority, or invest in our Nation's deteriorating public infrastructure, we are going home.

Mr. Speaker, the list goes on and on of what we could and should be doing. But we are wasting what limited floor time remains debating a compilation of bad anti-environmental legislative proposals that this Chamber has already passed.

These bills will not be considered by the Senate, and they are bills that the President has already expressed his intention of vetoing if they were to get through the Senate.

It is disappointing, but it is not surprising.

With the vote on this bill, this Chamber will have voted 218 times just this session to weaken existing laws that protect our health and our environment; 58 times this session we voted to block action on climate change; 43 times to weaken the Clean Air Act; and 75 times to weaken the Clean Water Act.

Mr. Speaker, more oil is being produced now during the Obama administration than at any point in the previous 25 years. Our dependence on foreign sources of oil is at a record low. Gasoline prices are actually stabilizing or in decline in many parts of the country.

But with this bill, we will be waiving environmental reviews and advancing more drilling in areas that pose potential harm to the environment and to other American jobs and industries, such as the tourist industry, the fishing industry, and many other industries that don't seem to be given equal weight but are certainly equally or more important than the industries that we are trying against all odds to protect.

Mr. Speaker, the climate is warming. The only place where a majority of the American people are in denial is here in this Chamber.

I have seen a poll that shows that 53 percent of all self-identified Republicans under the age of 34 think politicians who deny climate change are either—and I am quoting here; obviously, these would not be my words, but I am quoting—either ''ignorant,'' ''out of touch,'' or ''crazy.''

So I will let the majority of young Republicans have the last word, Mr. Speaker. But the point is, I oppose this measure, and I urge my colleagues to do so as well by voting ''no.''

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 2½ minutes to the gentleman from Pennsylvania (Mr. MARINO).

Mr. MARINO. Mr. Speaker, H.R. 2 is a practical bill that would lower costs for energy, create over 1 million long-term jobs, improve our energy security, and substantially reduce redtape.

This is exactly the type of bipartisan legislation Congress should be passing to revitalize our economy and create jobs.

According to an April 2014 report issued by the U.S. Government Accountability Office, the average wait time for an environmental impact study in 2012 was running 4.6 years. This is the highest average since 1997 and includes projects with wait times of 10 to 20 years.

The World Bank and International Finance Corporation's recent Ease of Doing Business index embarrassingly ranked the U.S. 34th in the world in the category of ''dealing with construction permits.''

This is no longer a political game. This is costing the United States real dollars and good-paying jobs.

Today, the Environmental Protection Agency and other regulatory bodies are filing numerous claims to deny and delay companies from receiving permits for as long as 10 to 15 years just to break ground.

At a time when our economy is lagging and job creation is moving at a very slow pace, this is an outrage. The RAPID Act would set hard deadlines for agencies to approve or deny permits. The RAPID Act would also crack down on prolonged lawsuits, creating a window of 180 days for any claim challenging a permit decision.

This bill would also substantially streamline the process by empowering lead agencies to manage environmental reviews efficiently from start to finish to avoid waste and duplication of efforts among the bureaucratic agencies.

Mr. Speaker, simply because the leader of the Democratic Senate, HARRY REID, will not allow over 260 bills to go to the floor doesn't mean that we should refrain from continuing to do our job here. My constituents back home deserve this legislation and America needs this legislation, and we will continue to fight on a daily basis to make sure that we improve the economy and create jobs.

Mr. WAXMAN. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Mrs. CAPPS), my colleague and good friend.

Mrs. CAPPS. Mr. Speaker, I thank my colleague for yielding.

Mr. Speaker, here we go again.

H.R. 2 is yet another example of the majority's backward energy policy, which doubles-down on dirty fossil fuels instead of investing in a clean energy future. I strongly oppose it. While fossil fuels will undoubtedly be a significant part of our energy mix for years to come, they are really only one piece of a very large energy puzzle.

So rather than focusing on dead-end, shortsighted policies like these, we should be considering comprehensive energy legislation that looks at the big picture. We should be investing in cutting edge research, high-tech innovation, and new clean energy technologies. We should be increasing energy efficiency, modernizing the electric grid, and promoting sustainable energy. And we should be taking action to reduce toxic greenhouse gas emissions and finally embrace the overwhelming science of climate change.

Not only does H.R. 2 do nothing to address the serious environmental problems we face, it also creates new ones. H.R. 2 overrides the expressed will of voters in my congressional district and many other communities throughout the Nation by recklessly expanding offshore oil drilling.

We have seen time and time again the devastating environmental and economic threats posed by offshore oil drilling. That is why voters in my congressional district and California have repeatedly rejected new offshore drilling. Yet this bill ignores these wishes and explicitly requires new oil drilling off the central coast of California and in other areas.

I find it ironic that the same majority that decries ''an overreaching Federal Government'' seems to have no qualms about forcing new drilling upon local populations against their expressed wishes.

I have submitted several amendments to the Rules Committee to address this in this legislation and other problems with this bill, but none of them were made in order. In fact, the majority has prohibited consideration of any and all amendments. No debate, no votes.

And if these weren't enough reasons to oppose H.R. 2, the bill is also completely unnecessary because the House has already passed every single provision included in this bill.

H.R. 2 is nothing more than 13 previously passed bills stapled together with a new bill number on the top.

Even worse, this is the third time this Congress, and the fifth time in 4 years, that we are voting on the exact same offshore drilling expansion legislation.

Stapling old bills together doesn't make this a new idea.

One would think that after nearly 4 years in control of this House the majority would have come up with some new ideas by now. But sadly they just found a bigger staple machine.

H.R. 2 is simply a political gimmick and a waste of taxpayer time and money. This is no way to legislate.

Mr. Speaker, the American people expect better from us. They expect us to find common ground and work together across party lines to solve our Nation's problems. And there is certainly no shortage of problems we could be working on right now: strengthening our economy, raising the minimum wage, passing comprehensive immigration reform, making college more affordable, rebuilding our crumbling infrastructure. And that list does not even include the multitude of energy challenges that this bill completely ignores.

This is what the American people are calling for. They are calling on Congress to stop the political gimmicks, they are calling on us to help create middle class jobs to support working families, and they are calling on us to get to work and build a more prosperous and sustainable energy future for our Nation.

H.R. 2 accomplishes none of these things. This bill is simply harmful energy policy and an embarrassing waste of time.

I urge my colleagues to reject this bill and join us in working toward a clean, more sustainable, energy future for the American people.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from Louisiana (Mr. CASSIDY).

Mr. CASSIDY. Mr. Speaker, I thank my colleague from Nebraska, Mr. TERRY, Chairman UPTON, and Chairman HASTINGS for incorporating important provisions that I have worked on in this bill, specifically provisions that would prevent or roll back onerous EPA regulations and provisions that would greatly increase revenue sharing among gulf States, adding billions to Louisiana's coastal restoration effort to build hurricane protection to protect not just our State but energy infrastructure.

Now, we have passed these bills before, sometimes three times before, and there are over 40 jobs bills this Chamber has passed that have gone nowhere in the Senate. The bills sit on Majority Leader HARRY REID's desk. Senator REID and his colleagues like to speak of helping the middle class, but when it comes to a jobs bill they talk and we act.

Now, Louisiana and Louisiana's workers are greatly benefiting from America's energy renaissance. There are over 66 industrial projects—worth some $90 billion—that will break ground over the next 5 years in Louisiana, creating tens of thousands of new jobs for working Americans.

The only thing that can stop these jobs is Federal regulation. For example, some proposed EPA rules would destroy 117,000 jobs in Louisiana alone. Sometimes I think my colleagues on the other side of the aisle are so busy saving the Earth they will sacrifice the American family. My, my, I think we save the Earth by first saving the family.

We should be rolling out the red carpet for these jobs, not the red tape. But already the red tape has made these jobs more difficult and life more difficult for these families.

We have seen the price of utilities, gasoline, groceries, and, of course, health insurance increased under President Obama's administration.

□ 1615

Hardworking families are struggling. They pray for better jobs with better benefits. Fortunately, the energy industry is creating these jobs.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Washington. Mr. Speaker, I yield the gentleman 30 additional seconds.

Mr. CASSIDY. These jobs are at risk when President Obama blocked the ability to construct pipeline infrastructure or blocked exploration and production off the Outer Continental Shelf or places hurdles in front of the exportation of liquefied natural gas and when EPA proposes job-killing regulations driving blue-collar jobs to foreign countries.

I urge my colleagues to support this bill. I urge the Senate to pass the dozens of job-producing bills this House has passed and that have been stalled at the majority leader's desk for months.

Mr. WAXMAN. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. I thank the gentleman from California for yielding.

Mr. Speaker, the bill before us today is yet another exercise that explains why the public has such a low opinion of Congress.

We have considered this package of bills before. The Senate will not take it up. The President and administration would not approve it. We are wasting valuable time on our last day in session before the lameduck period.

This bill delivers more benefits to big fossil fuel and mining interests. It would allow them to extract fossil fuels and minerals from our coastlines and public lands with no serious consideration of public health, the environment, or of the many other business interests that rely on a clean, healthy environment to support their continued success.

Our Nation has real challenges. We need faster, broader job growth in all regions of our country and in all sectors of our economy. We need a national energy policy that provides more energy security through efficiency and expanded use of renewable energy resources.

We need an energy policy that recognizes and deals with the challenges of climate change. We need a thoughtful path forward that enables a transition to the energy sector of the future that brings workers and communities into this new model productively and profitably.

We need to invest in our transportation and water infrastructure—infrastructure that is in need of repair, in need of rebuilding, and in need of redesign—to meet our needs into the future. The financing structure in place today and the Federal resources being devoted to these essential systems is outdated and inadequate.

We need to do more to address the lingering problems from the financial debacle that crashed the economy in 2007. Too many of our citizens are still struggling under heavy debt loads as a result of the housing bubble, the stagnant wages, student loans, unemployment, and underemployment.

Our Tax Code needs revision to spur business investment, to bring down the deficit, and to make the Code fair for all taxpayers. We need to invest in research and development, the lifeblood of innovation and progress; instead, this legislation proposes to provide more to a sector of the economy that is already thriving.

Oil and gas production are at record levels, as are the profits of these industries. This bill continues the same old energy policy that we have been following for decades and ignores the mounting social and environmental costs associated with its continuation. This package doubles down on carbon emissions because it is a fossil fuel only policy.

With this proposal, we ask our citizens to accept greatly reduced public health and environmental protection not just to support our domestic use of these fuels, but to enhance our exports of fossil fuels.

It is sad and ironic that, during the week of the 50th anniversary of the Wilderness Act and of the Land and Water Conservation Fund—laws that recognize all the values of public lands and resources to current and future generations and that have provided so much—that we are considering this bill.

H.R. 2 represents a narrow view of natural resources as assets to be exploited for short-term profit by this generation with little regard for our stewardship responsibility to our children and to our grandchildren. If we do not act decisively and soon, our generation's legacy will be one of shortsightedness and wasted opportunity.

We have ignored real challenges for far too long. We need to demonstrate the vision, the courage, and generosity of spirit that previous generations expressed on our behalf. We need to stop making policy in increments of months and do what we were sent here to do, govern by working together and compromising to find solutions with consideration of the present and an eye to the future with bold plans and initiatives.

Generally, I am a big fan of recycling, but H.R. 2 is only suitable for disposal. This is a deeply flawed piece of legislation. I cannot support it, and I strongly urge my colleagues to reject it.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 2

minutes to the gentleman from Louisiana (Mr. SCALISE), the distinguished majority whip.

Mr. SCALISE. Mr. Speaker, I want to thank the distinguished gentleman from Washington for yielding and for his leadership over the years. We are going to miss him in this House, but I appreciate him leading on these energy efforts as he has over the years. I want to also thank my colleague from Nebraska (Mr. TERRY), for bringing this bill forward.

This is a jobs bill, but this is also a bill about American energy security, and, Mr. Speaker, it is a bill about national security.

Let's go through each of those. First of all, this bill green-lights the Keystone pipeline. Here, you have got a bill that has been sitting on Barack Obama's desk for 6 years, Mr. Speaker, where 40,000 jobs hang in the mix, and President Obama continues to say ''no.''

We are finally saying ''yes'' to 40,000 American jobs, a great investment in a trading partner in Canada. We can get energy from Canada that we would no longer have to get from Middle Eastern countries who don't like us, Mr. Speaker.

What this bill also does is opens up some of those vast natural resources throughout the Outer Continental Shelf that are closed right now off the coast of places like Virginia, Alaska, and, yes, even in Louisiana, where in our State we have said those extra revenue sources—that money that would be coming into our treasury—would help us reduce the national debt, but the revenue-sharing States would also be able to play a role in that.

If a State wants to help produce energy for America, they can also help our own economy. In our State, we said we want to focus on restoring our coast, putting that buffer in place that blocks future storms.

Mr. Speaker, this also helps lower gas prices at the pumps. Families who are struggling in this tough economy because of all the radical regulations coming out of the Obama administration can finally get some relief in gas prices through that energy security, again, removing the dependence we have on Middle Eastern countries and other people who don't like us.

We dealt with and started to address the threat from groups like ISIL, Mr. Speaker. Do you know that ISIL makes over $2 million a day from the oil fields they control that funds their terrorist activities?

Let's become energy secure as a Nation and get the energy security that goes with it, the jobs that go with it and all the great access to those resources that improve our economy.

I urge adoption of the bill.

Mr. WAXMAN. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Montana (Mr. DAINES), a hardworking member of the Natural Resources Committee.

Mr. DAINES. Mr. Speaker, I rise in strong support of H.R. 2, the American Energy Solutions for Lower Costs and More American Jobs Act.

New technology has fueled a 21st century energy boom, but Americans are still paying way too much for everyday expenses like gas, groceries, and electricity. That is why the House has passed dozens of bills to lower energy costs and create jobs, like a bill that I introduced—and passed—called the Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act.

It passed unanimously last year. This is commonsense legislation. It would expand hydropower production in a number of Western States. It creates jobs while lowering electric prices for thousands of families.

Whether it is from approving the Keystone XL pipeline to stopping these out-of-touch regulations on our coal industry, the House is fighting to protect and grow American energy and the jobs it supports.

In fact, in Montana alone, more than 5,000 jobs depend on coal, and thousands of middle class families rely on coal-fired power for an affordable source of energy. Fifty-one percent of the electric supply in Montana comes from coal.

Construction of the Keystone pipeline will not only create thousands of good jobs, it is going to help keep energy prices low for Montana families. Let me tell you why.

I was out traveling in eastern Montana in my pickup. I visited the NorVal Electric Co-op in Glasgow, Montana. It will provide power for a future Keystone pump station on the pipeline.

If Keystone is built, NorVal will be able to keep their consumers' electric rates flat for the next 10 years, but, if it isn't, they expect that rates will grow upwards of 40 percent for those ratepayers over the course of the next decade.

These are hardworking Montana families, many of them living paycheck to paycheck, many on fixed incomes, that we will help with the Keystone pipeline.

Unfortunately, tomorrow marks the 6-year anniversary from the time the first permit to build the Keystone pipeline was filed. It took the Canadians 7 months to approve it. We are now at 6 years and waiting with this President.

The American people have waited far too long. That is why the House has passed legislation to approve its construction, but the Senate refuses to act. It is time for the Senate and the President to join us in fighting for solutions to create jobs, lower energy costs, and protect middle class American families.

Mr. WAXMAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Virginia (Mr. GOODLATTE), the distinguished chairman of the Judiciary Committee.

Mr. GOODLATTE. I thank the chairman for yielding and for his leadership on this issue.

Energy is vital to every aspect of American life. Working families, retirees, and businesses large and small are all dependent upon reliable and affordable energy.

An unwelcome increase in the electric bill leaves many families no other option but to cut elsewhere. For businesses, higher energy costs mean less money to invest in jobs or expansion. As business costs increase, so does the price of goods down the line, triggering a chain reaction felt throughout the economy.

Unfortunately, the Obama administration's policies are contributing to the rise in energy costs by discouraging exploration of domestic resources, imposing additional regulatory hurdles on energy creation, and attempting to bypass Congress to implement economically devastating policies like cap-and-trade.

Today, Congress reminds the Obama administration about what they seem to have forgotten—that America's economy is intrinsically linked to affordable energy.

This bill encourages us to expand energy production. I am particularly pleased that it includes provisions I have worked on for a long time to move forward, a lease sale off the Virginia coast.

This sale will provide necessary energy resources for our Nation, while providing a significant boost to the economy of the Commonwealth of Virginia. It also includes other important provisions, like the Judiciary-approved RAPID Act, which cuts through the government red tape impeding development of our resources.

Today's bill helps to ensure that America is an energy leader, utilizing our resources to strengthen the reliability and affordability of energy for American consumers.

We must encourage more legislation like the American Energy Solutions for Lower Costs and More American Jobs Act, adopting policies that seek to rebuild our economy and create more jobs.

I urge all Members to vote for this legislation that ensures our energy security while boosting our economy.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 4 minutes to the gentleman from Kentucky (Mr. WHITFIELD), one of my classmates.

Mr. WHITFIELD. Mr. Speaker, I am delighted that we have this bill on the floor today.

I am going to confine my remarks to one piece of legislation, and that is the Electricity Security and Affordability Act. This legislation has passed the House before, and it is designed to do two things. One is to reverse the extreme regulations coming out of the

EPA on existing coal-fired plants and new coal-fired plants.

We all understand that the President of the United States views that the number one issue facing mankind today is climate change, and, while we all recognize that there is climate change, we do not view it as the most important issue facing man today.

Because of the President's position—his extreme views—he is dictating to the EPA to take positions that are damaging the coal industry but, more important than the coal industry, damaging the electricity produced from coal.

□ 1630

Now, what does that mean to the American people?

Well, how many of you are aware that CO_2 emissions in America today are lower than they have been for 20 years?

America does not have to take a backseat to any country in the world. And yet, this President, with his EPA, has passed regulations that make it impossible to build a new coal plant in America and in an amount that makes it commercially feasible to do.

So here we are in America, doing a better job than any other country in the world, and yet this President, because of his extreme views, makes it impossible to build a new coal plant.

Now, I would be the first to admit that a new coal plant is not going to be built in America because our natural gas prices are very low. We are fortunate, with the shale development, that gas prices are extremely low.

But what if we find ourselves in the position that they found themselves in Europe?

Gas prices coming from Russia are so high that they started mothballing their natural gas plants to produce electricity and started building new coal plants, and last year, they imported 53 percent of the coal exports from America. So, in Europe, they have that flexibility.

But in America we don't have that flexibility. So, if gas prices go up, which they may very well do, then we can't build a new coal plant because it is too expensive and the technology is not there to meet the extreme, stringent emission standards set by EPA.

So this legislation would stop that, and it would say, EPA, you can regulate CO_2 emissions, but you can build a new coal plant if you use the best available control technology.

Now, what do we do—you know, next June EPA is coming out with a new regulation that, in effect, will federalize the electricity-generating business in America for the first time. EPA is setting standard emission caps for every State in America. We already know that in Kentucky they have identified 15 coal units that will be closed down. And guess what? When they adopted this regulation, they did not do any thorough reliability studies.

Now, we all recognize that renewables play an important role, but they cannot be the base load of electricity production in America. And if America is going to remain competitive in the global marketplace, we have to have low-cost, abundant, affordable, reliable electricity.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 30 seconds.

Mr. WHITFIELD. So all we are saying to the President is, okay, let's be reasonable. This legislation will allow EPA to regulate CO_2 emissions, but you can build a new coal plant if you use the best available control technology. And if you want to regulate existing plants, you adopt the regulation, but Congress will set the effective date.

The President is going to be gone from office when all of these regulations really start hitting, and America is going to be hit in its ability to compete in the global marketplace.

Mr. Speaker, I urge passage of this legislation.

Mr. WAXMAN. Mr. Speaker, I yield myself 2 minutes.

I am going to have more to say about this bill later, but I want to comment on the comments that were just made to us by the gentleman from Kentucky.

He suggested that we don't need to do anything more about climate change because greenhouse gas emissions are falling in the United States. Well, that is not an accurate story because, while U.S. greenhouse gas emissions did fall in 2008 and 2009 during the economic recession, since that time our overall emissions have grown. Cumulatively, U.S. emissions grew, not fell, in 2010 and 2011, the most recent years for which data is available.

But the fact of the matter is that if coal is being displaced by natural gas, it is not because of any regulation; it is because the market forces are moving in that direction. It is just cheaper.

And why do we want to say that is wrong? Let the market work its will.

But unless we regulate the emissions from powerplants that cause greenhouse gases to be spewed into the air, we are neglecting the major reason we have climate change in this country today.

This bill would prevent the EPA from doing anything about the problem. Burning coal would be completely unregulated, and we would continue to add greenhouse gases to our atmosphere.

I think that this is hiding their heads in the sand, denying that there is climate change, denying that we need to do anything about it, pretending like it is not a problem. This is a disservice to the American people and the future of our economy.

Those businesses that develop the technologies for the future, which will be technologies that reduce carbon pollution, are going to be the place where the economies are going to be benefited, not those that deny the problem and do nothing about it.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Speaker, today I rise in strong support of H.R. 2, the American Energy Solutions for Lower Costs and More American Jobs Act.

This important legislation will unleash America's energy potential, create thousands of jobs, and stop the administration from destroying tens of thousands of jobs. I urge all of my colleagues to support it.

Representative LAMBORN and I sponsored the Preventing Government Waste and Protecting Coal Mining Jobs in America Act, which is a portion of this package. This specific title of the bill stops the administration's efforts to virtually eliminate underground mining in the Eastern United States, cost thousands of jobs, and lead to skyrocketing energy costs for all Americans.

Since President Obama came into office, his Department of the Interior has tried to rewrite the stream buffer zone rule. The President's preferred rule would cost at least 7,000 direct jobs and thousands more indirect jobs. This estimate is the administration's own estimate, and it could potentially be much worse.

The President's rewrite of the rule has been ongoing now for 5 years, has cost taxpayers millions of dollars, and has been the subject of an ongoing investigation by Chairman HASTINGS and the House Natural Resources Committee.

As we have seen across the administration, the Interior Department has largely refused to turn over documents and recordings to the committee in a clear violation of the House's oversight authority. The administration is clearly holding back information that they know would be damaging to their efforts.

The House has previously passed this legislation on two separate occasions, both times on a bipartisan basis. Unfortunately, the Senate has refused to even consider the legislation either time.

I specifically want to thank Chairman HASTINGS and Chairman LAMBORN for their leadership on this issue. Without their investigation of the Department on this rulemaking process, we might not have been able to stop it from going forward. However, we will continue our oversight and make sure that the Department doesn't try to push through a rule in their final 2 years.

Again, I thank the chairman for his hard work not only this particular title of H.R. 2, but for his work and leadership on the entire package. This legislation will be a big step forward toward energy independence and security, and I urge all of my colleagues to support the legislation.

Mr. WAXMAN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill is not a new bill to be presented on the House floor. It is a compilation of bills that have already been proposed and passed, for the most part, on a partisan Republican basis.

People have complained on the other side of the aisle that their bills didn't go anywhere. Well, they didn't go anywhere because they didn't have support in the other body, the U.S. Senate. The President of the United States said he would veto it.

They can't pass a bill in the House with Republican votes and put it into law. So if you can't pass a law without working with the Democrats and reaching compromises, what Republicans think is the most effective thing to do is to say it over and over and over again.

Let's not forget, we know that our Republican colleagues didn't like the Affordable Care Act, sometimes known as ObamaCare, so on this House floor we voted over 50 times to repeal it.

The Republicans said we are going to repeal it and replace it. Well, we never heard what they are going to replace it with. They just wanted to repeal it. Well, they didn't repeal it when they passed the first vote, and they didn't repeal it when they passed the 50th vote. But they thought if they say it over and over and again and do it over and over again, they would get somewhere, I presume.

When psychologists talk about this, they call it perseveration, saying the same thing over and over again.

But I don't think this is a reasonable way to legislate. If they want to legislate and you don't have the power, you have to compromise. You have to talk with the President. You have to talk with the Senate majority. You have to talk with your own colleagues. But the Republicans don't want to talk to anybody except themselves over and over and over again.

Let me give you an example. Since Republicans took control of the House less than 4 years ago, they have cast over 500 antienvironmental votes. They have voted over 500 times to weaken protection for public health and the environment, to let polluters off the hook, and even to deny science.

Well, I presume they think that is a good idea. They have voted against clean renewable energy and energy efficiency. They have voted to give taxpayer dollars to oil companies. They have voted to allow more toxic mercury pollution in our air and more contaminants in our drinking water.

I suppose they think that is a good idea, but others don't agree with them nor, I think, do the American people.

They have voted repeatedly to deny the reality of climate change and block any action to cut carbon pollution. They don't want a cap-and-trade. They don't want a price on carbon. They don't want the EPA to regulate.

What is their plan? Well, their plan is to deny the existence of climate change and pretend it is not doing any harm.

We have kept track of these votes that we consider antienvironmental, and there were over 300 antienvironmental votes last Congress, and today Ranking Member DEFAZIO and I released another report that there were over 200 more antienvironment votes in this Congress.

Now, Republicans like to complain about a mythical war on coal. It is a fantasy. But there is a war on the environment that is being waged on the floor of the House, and the bill before us today is proof of that. It contains dozens of antienvironment provisions.

All of us want prosperity and security for America. We know, many of us, that climate change is harming us today through droughts and fires and floods and more, and we know that it will endanger our children's future if we don't act.

Democrats, for the most part, have recognized the threat and we know that we can tackle it while, at the same time, growing jobs and our economy.

How do we know this? Because that was the history of the Clean Air Act. Every time we strengthened the Clean Air Act, industry opponents said it would cost too much, it would weaken our economy, it would mean lost jobs, but when we acted, we found that our air is cleaner and our economy is stronger.

Republicans take a much different approach. They refuse to admit that climate change is real because then, if they did, they would have to do something about it. Their policies embodied in this bill deny the problem and threaten our future.

Remember the health care debate? We said it is not fair to discriminate against people.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WAXMAN. I yield myself 2 additional minutes.

We said it is not fair to discriminate and deny, allow insurance companies to deny the chance for people with preexisting conditions to buy insurance.

The Republicans said, Oh, yeah, we don't think that is a good idea, but they didn't have a plan to do anything about it. They were happy to let it continue.

They wanted to say it was okay for insurance companies to put caps on the amount that the policies would pay. They wanted a system where people were priced out of insurance; if they couldn't afford it, well, that is just too bad.

They deny the realities of what has been happening to millions of Americans, and now we have a health care law that is benefiting millions of Americans.

This bill is not about health care, but they are denying these environmental problems and they are trying to keep Federal agencies from doing their job.

Powerplants are the single largest uncontrolled source of carbon pollution in the United States. EPA has proposed critically important regulations to cut carbon pollution for powerplants in a balanced, cost-effective, commonsense way.

□ 1645

These rules would cut smog, and they would stop deadly particulate pollution. They would save thousands of lives per year and avoid tens of billions of dollars in costs, but this bill eliminates EPA's authority to issue any rules. Nothing can happen.

Mr. Speaker, powerplants aren't the only source of carbon pollution. Tar sands are another big source. They produce 17 percent more carbon pollution than conventional oil, yet this bill grants a regulatory earmark to the Canadian Keystone XL pipeline, effectively exempting it from all U.S. Federal permitting requirements, including ones that apply to every other major construction project in the United States.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WAXMAN. I yield myself an additional 1 minute.

This bill creates a new process to rubberstamp every other pending and future tar sands pipeline. It even exempts these massive projects from the National Environmental Policy Act by limiting the NEPA review, which was adopted by Congress overwhelmingly on a bipartisan basis, to only a tiny sliver of the pipeline only where it crosses the border. There are many other anti-environmental provisions. This bill would allow the Department of Energy to veto the rules established by the EPA, even though they are not within the jurisdiction or the expertise of the Department of Energy.

This all may make sense to the oil companies, and this may be a giveaway to the Koch Brothers, but I don't think Americans would agree that this is a good bill. Energy interests should not automatically trump everything else we care about, such as raising healthy children.

Mr. Speaker, I hope my colleagues will vote against this bill. We have had it on the floor too many times, and I hope that we defeat it this time.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Texas (Mr. GOHMERT), a member of the Natural Resources Committee.

Mr. GOHMERT. Mr. Speaker, my late mother used to say maybe I should be a college professor because I really do enjoy educating people, and nothing gives me more thrill than to help educate people here on the floor.

My friend says that Republicans deny what is happening to millions of people. No. Actually, there are 11 million people who are not working today who were working when President Obama took office and who are not retired. They just gave up looking for jobs. We care deeply about those people.

When it comes to climate change, my friend says the Republicans continue to deny its existence. Climate change is real. It is a fact. Where I live it happens four times a year. It is real. We acknowledge that. It is a real thing.

Now, under this bill, my friend says that coal would be completely unregulated. He is right if he is talking about China, but here in the United States, where we are talking about real jobs, cheaper energy, and helping families who are struggling to make ends meet, we are talking about helping Americans, not the Chinese to whom we lose so many jobs.

My friend says bills don't have support in the Senate. He is right if he is talking about HARRY REID, but if HARRY REID will bring these bills to the floor, my friend is going to see Democrats either vote for them or lose their seats. They know they have to support them, because it helps real Americans.

Now, what our President and others on the other side of the aisle don't acknowledge is the fact that the policies they have supported help Big Oil. They help their friends in the crony capitalist Big Business. They help the Solyndras and those kinds of folks, but the fact is, even when President Obama proposed what he called a ''jobs bill,'' it gutted independent oil companies and gas companies in America. Big oil companies only operate about 5 percent of the oil and gas wells in America, and 95 percent are drilled and operated by independent oil companies. They are regulated. If we really want to help America, we need to pass this bill and force HARRY REID to either deal with it or lose his position as majority leader.

My friend had previously talked about wilderness areas. National parks are suffering. Why? Because this administration and my friends across the aisle and HARRY REID want to blow money on solar companies that won't work, yet, actually, if this administration were not reducing the number of permits by 40 to 60 percent from what they were under President Clinton, then we would have all the money we would need to have the most wonderful wilderness areas and national parks that you can imagine.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 30 seconds.

Mr. GOHMERT. We are pro-people. They are pro-government, pro-regulation. Let's get back to helping the people, like the 80-year-old lady who lives outside of Carthage who told me she was born with only a wooden stove in her home. She may die with it if we don't stop gutting the energy that we can produce.

Mr. WAXMAN. Mr. Speaker, may I inquire as to how much time we have remaining?

The SPEAKER pro tempore. The gentleman from California has 25 minutes remaining. The gentleman from Washington has 22 minutes remaining.

Mr. WAXMAN. Mr. Speaker, I won't take 25 minutes to rebut the statement that was just made. I yield myself 3 minutes.

I am impressed by the statement we had from a man who is trying to educate, as he says, the American people in that Republicans worry about 11 million people not working. I don't know if that number is right or wrong, but we have got millions of people without jobs today. It is because the Congress is busy passing, over and over and over again, bills to benefit the oil companies and the energy industry, and not to help people get jobs.

Now, they care so much about them, but they won't give them unemployment compensation. They care so much about them that they want to take away their food stamps. They care so much about them that they don't want to allow them to have a minimum living wage. They care so much about them that they want them to go to the lowest paying jobs they can possibly find, and if they can't find them, well, it must be their own fault.

HARRY REID is the majority leader in the Senate. The Senate allows amendments to any bill—they don't have to be germane—but in the House of Representatives, no bill or amendment can be offered unless it is germane or permitted under the rule, and the Rules Committee is controlled by the Republican leadership in the House.

If we would have been allowed to have voted on an immigration bill that passed overwhelmingly on a bipartisan basis in the Senate, it would have passed the House, but we were denied that opportunity. If we had been allowed to vote on background checks on gun purchases so that we wouldn't find guns and assault weapons in the hands of the people who are a danger to their communities because of mental illness, or who have criminal records where they have already used guns for illegal purposes, that would have passed. Even a majority of the National Rifle Association supports that kind of measure.

Let's not be so pious as we educate the American people to say, ''Oh, in the Senate, they can't even consider these things,'' because, in the House, we are denied every day an opportunity to talk about many things. Let me give you another example that is pertinent to this debate.

The Energy and Commerce Committee has jurisdiction over the issue of climate change. We have not been able to get a single hearing that would bring in the scientists to tell us why they are concerned about climate change, to tell us all the pronouncements from consensus discussions among scientists internationally and here from the Institute of Medicine and the National Academy of Sciences and others as to why they think this is a problem that we have got to deal with. If you don't even allow the scientists to talk, you are purposely encouraging your own ignorance and acting upon it.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Michigan (Mr. UPTON), the chairman of the Energy and Commerce Committee.

Mr. UPTON. Mr. Speaker, it is not often in life that you get a second chance, but, today, we are here to offer the Senate a second chance, a second chance to stand up and say ''yes''—''yes'' to these American energy solutions that, indeed, will help create jobs and lower costs for American families.

Several of the bills included in today's package were advanced through our committee, Energy and Commerce, and many were bipartisan from the very start. It includes a solution to finally build the Keystone pipeline 6 years after the application went forward.

Here we are 6 years later from when the application was first submitted. We still don't have a pipeline, and folks are still out of work. It shouldn't take 6 years to approve a pipeline, and the President's continued political delays are simply unacceptable. That is why we are taking action to ensure that this does not happen again. We have got a solution today to bring certainty to the approval process for cross-border energy projects so that we don't have to endure another Keystone-like delay in the future.

As part of the Architecture of Abundance, we are also going to need to build more interstate natural gas pipelines. Last winter, millions of customers throughout the country suffered high heating bills, along with the cold temperatures, due to inadequate infrastructure. Today, we are voting on a solution to get those much-needed pipelines in the ground safely and quickly so that we can start delivering relief from those high energy bills.

We are also working to prevent energy prices from spiking even further with solutions to stop EPA's destructive new rules on powerplants and other energy-related rules that will lead only to higher prices and, yes, to fewer jobs. Everyone is affected by energy cost increases, but they also hurt the Nation's poor and the most vulnerable.

One of the easiest and most effective ways to save consumers money is through energy efficiency, which is why we are also advancing solutions that encourage the development and use of new efficient and renewable technologies—very important.

Finally, we have a solution to not only create energy jobs here at home but also to help our allies across the world by giving them access to our abundant natural gas supply. Just this morning, a few hours ago, we heard from the Ukrainian President about the urgent need for the U.S. to act and help weaken Russia's threat to the region. Every one of us was on his feet.

He said this:

You support a Nation, meaning the United States, that has chosen freedom. In Ukraine, you don't have to build a democracy; it already exists. You need to defend it.

That is what our LNG export bill does.

Many of America's energy solutions that we are voting on today are part of the package that received, yes, strong bipartisan support in the House, but Senate Leader REID has failed to bring any of them to the floor for a vote.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the chairman an additional 30 seconds.

Mr. UPTON. Creating jobs and keeping energy affordable is a subject that should rise above partisanship. Today, we are giving the Senate yet another shot to try to put politics aside and American families first. We welcome the Senate to join us as we say ''yes'' to American jobs and ''yes'' to American energy.

Mr. WAXMAN. Mr. Speaker, may I inquire of the chairman how many more speakers he has?

Mr. HASTINGS of Washington. Mr. Speaker, I will advise the gentleman that we still have several more. I will advise you when we get down to that point, but we do have several Members still waiting to speak.

Mr. WAXMAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Thank you, Mr. Chairman.

Mr. Speaker, I rise today in support of the American Energy Solutions for Lower Costs and More American Jobs Act. This bill is a substantive step towards more affordable energy prices and job creation across the country.

Today's average gas price of $3.28 is well up from the $2.35 per gallon in 2009. Not only are gas prices up, but so too are the prices of groceries and the prices for heating and cooling your home.

Among other important measures, this bill would approve the Keystone pipeline. Friday marks 6 years of delays on Keystone by this administration. That is too long for a job-creating measure. Domestic energy production helps middle class Americans with their everyday costs.

Vote ''yes'' for the middle class. Vote ''yes'' for jobs and more affordable energy. Vote ''yes'' on this bill.

Mr. WAXMAN. Mr. Speaker, I continue to reserve the balance of my time.

□ 1700

Mr. HASTINGS of Washington. Mr. Speaker, I would advise my friend from California that I am prepared to close if the gentleman is prepared to close.

Mr. WAXMAN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from the District of Columbia (Ms. NORTON), who ought to be here rightfully as a full voting Member of the House, in my opinion.

Ms. NORTON. I thank my good friend from California. I can't say enough about how much this Congress will miss him and how indebted we are to his outstanding service.

Mr. Speaker, I would like to say some closing words about this Congress. I have spent most of my time in the Congress in the minority, with my good friends on the other side in control.

I must say that this is a most unusual 113th Congress. This package of bills is a shameful way to close this Congress.

Usually, this is a time—as I have seen it under Republican Congresses—when you make room for must-pass bills, not for never-to-pass bills or sure to be vetoed bills.

Today certainly was not the time to make up for running through the 113th Congress with neither an agenda, nor legislation to show for it, perhaps to show that Congress was entitled to be paid for being here for 2 years.

Instead of some must-pass bills—and I will suggest a few—what we have heard from my good friends on the other side are some tax and other giveaway bills that add to the deficit or bills that should be stamped ''special interest.''

There was legislation before us that, with small changes in law, could have been passed. Had those bills passed, they never would have been considered bills of one side or the other.

For instance, the Paycheck Fairness Act simply updates, in quite small ways, the Equal Pay Act. That is the act that I administered when I chaired the Equal Employment Opportunity Commission. It is already on the books. Nobody wants to repeal it.

All the Paycheck Fairness Act would have done was to make small changes to bring it into the 21st century, and those changes have no ideological impact.

Or take the Federal Student Loan Refinancing Act. That begged for passage, to give students faced with debt and no jobs—this cohort of students who had the bad luck to come out of school in a bad economy—some relief. That bill surely deserved bipartisan support.

For me, however, the biggest piece of missing legislation is the reauthorized transportation bill, and I say that because that would have been the functional equivalent of the JOBS Act of 2014; instead, we are going to leave here this evening, having given nothing to the American people to assure them that there will be jobs for the 7 weeks that we are gone. That is what they most wanted. That is what we have been given least.

We are on track to beat last year's record. We are on track to become the least productive Congress in the history of our country. Closing the Congress with a bunch of never-to-pass bills that nobody envisioned would be taken up will never make up for the shameful record of the 113th Congress.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. WAXMAN. Mr. Speaker, I yield myself the balance of my time.

I thank the gentlewoman from the District of Columbia.

Mr. Speaker, as I understand what the gentlelady has said is that, if we had passed a transportation bill, that would have provided help for our infrastructure and provided jobs. We didn't vote for that bill even once.

The gentlelady also said we should have done a paycheck fairness law. Well, we didn't have a chance to vote on that. The Speaker of the House or the majority leader of the House wouldn't allow it to be brought to the House floor.

So many young people are struggling with student loans, and there have been proposals to deal with that, yet we were not allowed to even vote on a bill to deal with the student loan problem.

We haven't tackled the real things that people care about, and, if they care about what is in this bill today, it has been passed by the House. Why aren't we moving on and using the time on the House floor for other worthwhile purposes?

I think that is a question that the American people are going to have to think about as they go to the polls in another month, but we have had a 6-week recess. Now, we have been here for 2 whole weeks, and, now, we are going to take another recess until the election, and then we will come back for maybe another couple of weeks.

It doesn't mean you have to work too hard in the Congress of the United States to get nothing done. We are getting nothing done, and the American people are losing out.

Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, this is a good bill. It has been acknowledged on both sides of the aisle that this bill is a package of bills that has passed the Senate. It has been talked about that the Senate hasn't acted on the individual bills. It has been talked about the Senate hasn't acted on a lot of bills.

As a matter of fact, the main bill we passed yesterday, the continuing resolution—which is a terrible way to run the government, by the way, when you haven't got certainty—was passed largely because the Senate had not passed one of the 13 House bills out of the Senate. How do you negotiate when you have that sort of a situation?

Here is a point that has not been made today—and maybe my friends on the other side of the aisle aren't familiar with what our Founders envisioned when they created a bicameral legislative body.

In order for our system to work, both Houses have to pass bills. Now, the American people, in their judgment—

you know, they made good judgments every 2 years. Sometimes, some of us don't like what that judgment is—but, in their wisdom, they created one of the Houses that is controlled by the Democrats, and, in their wisdom, they created a House that is controlled by Republicans.

Now, just by the very definition of that, clearly, you are going to have two different views—clearly, you are going to have two different views. I acknowledge that, and I doubt if anybody on the other side would dispute that too.

When we talk about sending bills that we think are important from here over to the Senate—and, by the way, I should add that within this package of bills were a number of bills that came out of the House Natural Resources Committee that I have the privilege to chair. Every one of them, every one of them passed with bipartisan support. That means there are Democrats that voted for it.

Here is the issue: if the Senate, then, has a different view on these topics than we do, then fine. Pass a bill. Pass a bill. If there is a difference between the House version and the Senate version, we have a means to work that out. It is called going to conference, but the fact is the Senate hasn't passed anything.

So how do you go to conference? The only way that we find that we could make our point over and over and over again is to say, ''Okay. We will send it over.'' Maybe somebody, somebody in the other body will finally get the message and say, ''Maybe we ought to pass it.''

Finally, I just want to make another point too. I had the privilege of serving on the Rules Committee for 12 years, and, yes, the Rules Committee, in a larger body like the House, does set the rules for debate.

When the Democrats were in the majority, they set the rules for debate that we criticized. Obviously, they are criticizing us because we are setting the rules for the debate, but my friend from California said that the Senate doesn't work that way with rules. They work by unanimous consent, that anybody can offer an amendment on any bill.

Well, that may be, that may be how the Senate rules work, but, when it is manipulated by the majority leader, all that goes away. It is a process that—I admit I don't know a whole lot about the Senate rules—but it is a process called filling the amendment tree, amendments to be offered, and the majority leader fills the tree, and nobody has an amendment.

It has gotten so bad, so bad over there in the last 6 years that the junior Senator from Alaska, the junior Senator from Alaska who has been there for 6 years has not had an opportunity to offer one amendment on the floor, and the junior Senator happens to be a member of the majority party. You talk about openness. There is no openness that way.

We feel in this body here that the best way to make the case by debating bills that we think are important for the American people—jobs bills, energy bills, energy security bills—the best way to do that is to continue to send the same stuff over to the Senate. Maybe, maybe—because hope springs eternal, at least from my perspective—they will take one of these up.

All they have to do, by the way, is take up one of these bills and change it and send it back over here, and we will negotiate the difference, but they haven't even done that. You see, that was never acknowledged during this whole debate of defense of what the Senate has or has not done, but, as a matter of fact, Mr. Speaker, that is exactly what has happened, and that is why we are where we are.

Mr. Speaker, this is, once again, a very good bill that deals with energy and energy security and American jobs. I urge its passage, and I yield back the balance of my time.

Mr. SANFORD. Mr. Speaker, I would like to support this bill. I believe in energy independence, as do the people I represent at home, and accordingly am supportive of opening up these offshore areas—but I do not think this should occur without the concurrence and input of coastal states that might be affected were something to go wrong. This fits with what I have consistently heard from people up and down the coast.

Not all decisions must be made in Washington, and the idea of a drilling rig going up just a few miles from our coast without having to acknowledge any degree of state input to me is the codification of Washington control. Some may be for a drilling rig these few thousands of feet from their local beach, others may be against it . . . but in keeping with the principal of federalism, that decision needs to be made by those affected—not an unelected government worker in DC.

Toward that end, I introduced a bill, H.R. 3051, the Coastal States Extension Act of 2013, which would give states the final say on oil and natural gas leases out to twelve nautical miles from the current three nautical mile limit. States no longer have a direct economic tie as you move beyond the line of sight and in this regard, I thought my bill a reasonable compromise between drill and no drill interests. This would give states the flexibility to consider what is best for their economies in terms of the balance between tourism, drilling, fisheries and other considerations. Texas, for instance, already has control of oil and natural gas leases out to nine nautical miles and the model there has worked well. It has not hampered drilling. I testified before the Rules committee the last time this bill came up, but unfortunately, this idea was not attached as an amendment to the bill we had before us and the current bill before us tonight is unamendable. I would have supported the bill if my proposal had been included and I hope we can include it in the future.

Toward that end, I look forward to working with the Committee on Natural Resources to find a way forward on striking a more favorable balance between states' rights and energy independence.

Mr. SMITH of Texas. Mr. Speaker, today we consider H.R. 2, ''the American Energy Solutions for Lower Costs and More American Jobs Act.'' I thank the gentleman from Nebraska, Mr. TERRY, for his initiative on this bill.

Title III of this bill includes H.R. 2850, ''the Hydraulic Fracturing Study Improvement Act'' that was reported out of the Science Committee last year.

The EPA has been conducting a ''Study of the Potential Impact of Hydraulic Fracturing on Drinking Water Resources'' since 2010.

Unfortunately, the EPA's track record of sloppy and secret science and rushed conclusions suggest this study will be yet another attempt to justify new regulations to derail our shale gas revolution and the manufacturing renaissance.

The Science Committee language in Title III of this bill addresses a fundamental flaw in EPA's hydraulic fracturing study design. Specifically, the current study is focused on a search for possible problems with hydraulic fracturing instead of identifying what is likely or probable.

EPA's own Science Advisory Board has repeatedly recommended that the Agency focus on probabilities and uncertainties in its work.

The Science Committee provision addresses those concerns, and requires EPA to follow basic, objective scientific processes in carrying out its study. It also requires peer review of any final or interim report before its release.

Problems with this study underscore EPA's lack of transparency and serious flaws in its peer review process. EPA's conclusions are used to justify billions of dollars in regulations. Science that supports public regulations should be public, not secret.

The Science Advisory Board was created to provide independent scientific advice to Congress and the EPA. However, EPA has hijacked this process.

EPA cherry-picked the reviewers. Among the 22 member Advisory Board panel that the EPA created to look at EPA's hydraulic fracturing research, no member had experience in hydraulic fracturing or had an understanding of current industry practices.

The scientific panel that reviews EPA studies should be balanced and unbiased. And the data behind EPA regulations should be available for independent scientific review. These principles cannot be compromised.

I hope to bring H.R. 4012, ''the Secret Science Reform Act,'' and H.R. 1422, ''the EPA Science Advisory Board Reform Act of 2013,'' to the floor this fall to address these systemic problems.

The provisions in H.R. 2 are an important first step in ensuring the EPA adheres to these principles in their report on hydraulic fracturing.

More comprehensive EPA scientific reform is the next step we must take in the public's interest. We cannot afford to wait.

I urge my colleagues to support this bill.

Mr. VAN HOLLEN. Mr. Speaker, today we are considering once again a range of bills to give away public resources to Big Oil, strip environmental and public health protections, and prioritize drilling over all other uses, including recreation and conservation, on federal lands.

Let's look at the facts. Oil and gas production has reached near historic highs in the United States. Our dependence on foreign oil has dropped from 57 percent in 2008 to 29 percent today. The provisions in this bill—which would block the proposed carbon standard to protect public health, order federal

agencies to pretend that climate change has no impact on our communities, and limit oversight on drilling projects on federal lands—will not improve our energy security. They will endanger our health and resources.

There is nothing new in today's debate. This package includes the same old ideas that the Majority has been pushing, without result, since 2011. Rather than working together for the American people, they are recycling the same partisan agenda. Our constituents deserve better. I urge a no vote.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 727, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. SCHNEIDER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SCHNEIDER. I am opposed in its original form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Schneider moves to recommit the bill H.R. 2 to the Committee on Natural Resources and the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

DIVISION D—MISCELLANEOUS PROVISIONS

SEC. 1. POLICING EXCESSIVE SPECULATION IN ENERGY MARKETS.

The Mineral Leasing Act (30 U.S.C. 181 et seq.) is amended by redesignating section 44 as section 45, and by inserting after section 43 the following:

''SEC. 44. REVENUES TO BE MADE AVAILABLE TO THE COMMODITY FUTURES TRADING COMMISSION.

''(a) ESTABLISHMENT OF TREASURY ACCOUNT.—The Secretary of the Treasury (in this section referred to as the 'Secretary') shall establish an account in the Treasury of the United States.

''(b) DEPOSIT INTO ACCOUNT OF CERTAIN REVENUES GENERATED BY THIS ACT.—The Secretary shall deposit into the account established under subsection (a) $10,000,000 of the total of the amounts received by the United States each fiscal year under leases issued under this Act or any plan, strategy, or program under this Act.

''(c) AVAILABILITY AND USE OF FUNDS.—

''(1) IN GENERAL.—Subject to paragraph (2), the amounts in the account established under subsection (a) shall be made available to the Commodity Futures Trading Commission to use its existing authorities to limit excessive speculation in energy markets.

''(2) SUBJECT TO APPROPRIATIONS.—The authority provided in paragraph (1) may be exercised only to such extent, and with respect to such amounts, as are provided in advance in appropriations Acts.''.

SEC. 2. PROTECTING NATIONAL SECURITY.

Any lease issued pursuant to this Act shall specify that United States oil, petroleum products, and natural gas shall not be exported to any nation, corporation, or person that—

(1) provides material support to al Qaeda, the Islamic State of Iraq and the Levant, or other terrorist organizations;

(2) is a state sponsor of terrorism; or

(3) steals America's military technology or intellectual property through cyber-attacks such as Russia and China.

SEC. 3. NO EXPEDITED PERMITTING FOR CORPORATIONS THAT RELEASE TOXIC AIR POLLUTANTS FROM PETROLEUM COKE.

Section 17(p)(2) of the Mineral Leasing Act (30 U.S.C. 226(p)(2)), as amended by section 21111 of division B of this Act, is further amended by adding at the end the following:

''(F) NO EXPEDITED PERMITTING FOR CORPORATIONS THAT RELEASE TOXIC AIR POLLUTANTS FROM PETROLEUM COKE.—Subparagraphs (A), (B), (C), and (D) shall not apply to any corporation or other person that owns petroleum coke stored at a petroleum coke facility, or owns or operates such a facility, that—

''(i) releases toxic air pollutants that harm air quality or contaminate drinking water; and

''(ii) is located within 5 miles of a school, hospital, or nursing home.''.

Mr. SCHNEIDER (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. HASTINGS of Washington. Objection.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

Mr. HASTINGS of Washington (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois is recognized for 5 minutes in support of his motion.

□ 1715

Mr. SCHNEIDER. Mr. Speaker, this is the final amendment to the bill which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, I rise in strong opposition to the underlying bill and to the policy direction that this legislation would take us in.

As I read this legislation, I asked myself a simple question: What in this bill will improve the everyday lives of my constituents? What will help make our country and our communities stronger? Unfortunately, the answer is nothing.

This bill would roll back commonsense safeguards that protect the communities I represent and the Great Lakes upon which we depend from harmful pollutants emitted from powerplants.

This bill would reduce the quality of our drinking water and threaten the safety of the air we breathe. This bill would deny the necessity of combating climate change through the regulation of greenhouse gases, even as the communities I represent and the communities around our country have been ravaged by unprecedented severe weather events that can only be attributed to the effects of climate change.

This bill does not seek to create a healthier environment for our children; instead, it sacrifices our ability to pass to future generations their rightful legacy of a clean, healthy, and dynamic natural world.

For these and other related reasons, I offer an amendment to this legislation. This amendment would seek to limit the release of toxic air pollutants around schools, hospitals, and nursing homes from the massive storage of petroleum coke in populated areas.

This toxic dust, when improperly stored, can easily become an airborne pollutant which the EPA has shown to cause severe health effects to the heart and lungs.

It would ensure that we safeguard our strategic resources by denying U.S. oil and gas exports from being sold to any country, company, or individual that supports or harbors terrorist organizations, including ISIS or al Qaeda. Denying our enemies these critical resources is in the vital national security interest of the United States.

Finally, this amendment would empower the Commodity Futures Trading Commission to combat energy speculation which manipulates fuel prices and distorts markets, harming consumers at the gas pump.

Increasing these efforts will bolster transparency for consumers while discouraging bad actors from gaming energy markets for financial gain.

Like many of my colleagues in this Chamber, I want to pursue an energy policy that utilizes an all-of-the-above strategy, including renewable energy and innovative technologies to save consumers money at the pump and lower their home energy costs.

Unfortunately, Mr. Speaker, the underlying legislation does not achieve this goal and, in fact, would do harmful damage to our environment and the health of our communities. My amendment would be a step forward rather than several steps backward in the underlying bill.

Mr. Speaker, I ask my colleagues to support this commonsense amendment, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I rise in opposition to the gentleman's amendment.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, this is probably my last opportunity to respond to a Democratic motion to recommit, and I have heard a whole gamut of them in the time that I have had the privilege to do that, and I kind of surmise, from reading the motion to recommit, that he is talking about energy and energy supply.

Well, Mr. Speaker, that is precisely what the underlying legislation is all about. My friends on the other side of the aisle talked about how oil and gas production has gone up in the United States—increased in the United States—which it has.

But, Mr. Speaker, he left out the important part: it is not because of this administration, it is in spite of this administration's actions, because all of that activity is increasing on State and private lands where they don't have the burdensome regulation from the Federal Government inhibiting that growth.

However, the focus of this legislation is to do exactly the same thing which happened on private and State lands on Federal lands because, if you have a problem with supply, what is the best way to respond to that? You increase the opportunity for supply.

What does that do to the marketplace? In the long run, it tends to lower prices. Who benefits? American people, American jobs.

Mr. Speaker, I just simply want to say these motions to recommit have been procedural motions. They have been political motions over time, not that that isn't something we deal with on the floor, but, once again, it is a motion that, I think, is not worthy of passing.

Mr. Speaker, I urge my colleagues to reject—reject—the motion to recommit and vote for the underlying bill, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. SCHNEIDER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the order of the House of today, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6 p.m. today.

Accordingly (at 5 o'clock and 20 minutes p.m.), the House stood in recess.

□ 1801

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 6 o'clock and 1 minute p.m.

JOBS FOR AMERICA ACT

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the bill (H.R. 4) to make revisions to Federal law to improve the conditions necessary for economic growth and job creation, and for other purposes, will now resume.

The Clerk read the title of the bill.

MOTION TO RECOMMIT

Mr. BISHOP of New York. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BISHOP of New York. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bishop of New York moves to recommit the bill H.R. 4 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Add at the end of division I the following new title:

TITLE VIII—STOP CORPORATIONS FROM OUTSOURCING AMERICAN JOBS

SEC. 801. CREDIT FOR INSOURCING EXPENSES.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 45S. CREDIT FOR INSOURCING EXPENSES.

''(a) IN GENERAL.—For purposes of section 38, the insourcing expenses credit for any taxable year is an amount equal to 20 percent of the eligible insourcing expenses of the taxpayer which are taken into account in such taxable year under subsection (d).

''(b) ELIGIBLE INSOURCING EXPENSES.—For purposes of this section—

''(1) IN GENERAL.—The term 'eligible insourcing expenses' means—

''(A) eligible expenses paid or incurred by the taxpayer in connection with the elimination of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located outside the United States, and

''(B) eligible expenses paid or incurred by the taxpayer in connection with the establishment of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located within the United States,

if such establishment constitutes the relocation of business unit so eliminated. For purposes of the preceding sentence, a relocation shall not be treated as failing to occur merely because such elimination occurs in a different taxable year than such establishment.

''(2) ELIGIBLE EXPENSES.—The term 'eligible expenses' means—

''(A) any amount for which a deduction is allowed to the taxpayer under section 162, and

''(B) permit and license fees, lease brokerage fees, equipment installation costs, and, to the extent provided by the Secretary, other similar expenses.

Such term does not include any compensation which is paid or incurred in connection with severance from employment and, to the extent provided by the Secretary, any similar amount.

''(3) BUSINESS UNIT.—The term 'business unit' means—

''(A) any trade or business, and

''(B) any line of business, or functional unit, which is part of any trade or business.

''(4) EXPANDED AFFILIATED GROUP.—The term 'expanded affiliated group' means an affiliated group as defined in section 1504(a), determined without regard to section 1504(b)(3) and by substituting 'more than 50 percent' for 'at least 80 percent' each place it appears in section 1504(a). A partnership or any other entity (other than a corporation) shall be treated as a member of an expanded affiliated group if such entity is controlled (within the meaning of section 954(d)(3)) by members of such group (including any entity treated as a member of such group by reason of this paragraph).

''(5) EXPENSES MUST BE PURSUANT TO INSOURCING PLAN.—Amounts shall be taken into account under paragraph (1) only to the extent that such amounts are paid or incurred pursuant to a written plan to carry out the relocation described in paragraph (1).

''(6) OPERATING EXPENSES NOT TAKEN INTO ACCOUNT.—Any amount paid or incurred in connection with the on-going operation of a business unit shall not be treated as an amount paid or incurred in connection with the establishment or elimination of such business unit.

''(c) INCREASED DOMESTIC EMPLOYMENT REQUIREMENT.—No credit shall be allowed under this section unless the number of full-time equivalent employees of the taxpayer for the taxable year for which the credit is claimed exceeds the number of full-time equivalent employees of the taxpayer for the last taxable year ending before the first taxable year in which such eligible insourcing expenses were paid or incurred. For purposes of this subsection, full-time equivalent employees has the meaning given such term under section 45R(d) (and the applicable rules of section 45R(e)), determined by only taking into account wages (as otherwise defined in section 45R(e)) paid with respect to services performed within the United States. All employers treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as a single employer for purposes of this subsection.

''(d) CREDIT ALLOWED UPON COMPLETION OF INSOURCING PLAN.—

''(1) IN GENERAL.—Except as provided in paragraph (2), eligible insourcing expenses shall be taken into account under subsection (a) in the taxable year during which the plan described in subsection (b)(5) has been completed and all eligible insourcing expenses pursuant to such plan have been paid or incurred.

''(2) ELECTION TO APPLY EMPLOYMENT TEST AND CLAIM CREDIT IN FIRST FULL TAXABLE YEAR AFTER COMPLETION OF PLAN.—If the taxpayer elects the application of this paragraph, eligible insourcing expenses shall be taken into account under subsection (a) in the first taxable year after the taxable year described in paragraph (1).

''(e) POSSESSIONS TREATED AS PART OF THE UNITED STATES.—For purposes of this section, the term 'United States' shall be treated as including each possession of the United States (including the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands).

''(f) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section.''.

(b) CREDIT TO BE PART OF GENERAL BUSINESS CREDIT.—Subsection (b) of section 38 of such Code is amended by striking ''plus'' at the end of paragraph (35), by striking the period at the end of paragraph (36) and inserting '', plus'', and by adding at the end the following new paragraph:

''(37) the insourcing expenses credit determined under section 45S(a).''.

(c) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:''.

''Sec. 45S. Credit for insourcing expenses.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts

paid or incurred after the date of the enactment of this Act.

(e) APPLICATION TO UNITED STATES POSSESSIONS.—

(1) PAYMENTS TO POSSESSIONS.—

(A) MIRROR CODE POSSESSIONS.—The Secretary of the Treasury shall make periodic payments to each possession of the United States with a mirror code tax system in an amount equal to the loss to that possession by reason of section 45S of the Internal Revenue Code of 1986. Such amount shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

(B) OTHER POSSESSIONS.—The Secretary of the Treasury shall make annual payments to each possession of the United States which does not have a mirror code tax system in an amount estimated by the Secretary of the Treasury as being equal to the aggregate benefits that would have been provided to residents of such possession by reason of section 45S of such Code if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply with respect to any possession of the United States unless such possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will promptly distribute such payment to the residents of such possession.

(2) COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—No credit shall be allowed against United States income taxes under section 45S of such Code to any person—

(A) to whom a credit is allowed against taxes imposed by the possession by reason of such section, or

(B) who is eligible for a payment under a plan described in paragraph (1)(B).

(3) DEFINITIONS AND SPECIAL RULES.—

(A) POSSESSIONS OF THE UNITED STATES.—For purposes of this section, the term ''possession of the United States'' includes the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands.

(B) MIRROR CODE TAX SYSTEM.—For purposes of this section, the term ''mirror code tax system'' means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(C) TREATMENT OF PAYMENTS.—For purposes of section 1324(b)(2) of title 31, United States Code, the payments under this section shall be treated in the same manner as a refund due from sections referred to in such section 1324(b)(2).

SEC. 802. DENIAL OF DEDUCTION FOR OUTSOURCING EXPENSES.

(a) IN GENERAL.—Part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 280I. OUTSOURCING EXPENSES.

''(a) IN GENERAL.—No deduction otherwise allowable under this chapter shall be allowed for any specified outsourcing expense.

''(b) SPECIFIED OUTSOURCING EXPENSE.—For purposes of this section—

''(1) IN GENERAL.—The term 'specified outsourcing expense' means—

''(A) any eligible expense paid or incurred by the taxpayer in connection with the elimination of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located within the United States, and

''(B) any eligible expense paid or incurred by the taxpayer in connection with the establishment of any business unit of the taxpayer (or of any member of any expanded affiliated group in which the taxpayer is also a member) located outside the United States,

if such establishment constitutes the relocation of business unit so eliminated. For purposes of the preceding sentence, a relocation shall not be treated as failing to occur merely because such elimination occurs in a different taxable year than such establishment.

''(2) APPLICATION OF CERTAIN DEFINITIONS AND RULES.—

''(A) DEFINITIONS.—For purposes of this section, the terms 'eligible expenses', 'business unit', and 'expanded affiliated group' shall have the respective meanings given such terms by section 45S(b).

''(B) OPERATING EXPENSES NOT TAKEN INTO ACCOUNT.—A rule similar to the rule of section 45S(b)(6) shall apply for purposes of this section.

''(c) SPECIAL RULES.—

''(1) APPLICATION TO DEDUCTIONS FOR DEPRECIATION AND AMORTIZATION.—In the case of any portion of a specified outsourcing expense which is not deductible in the taxable year in which paid or incurred, such portion shall neither be chargeable to capital account nor amortizable.

''(2) POSSESSIONS TREATED AS PART OF THE UNITED STATES.—For purposes of this section, the term 'United States' shall be treated as including each possession of the United States (including the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands).

''(d) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section, including regulations which provide (or create a rebuttable presumption) that certain establishments of business units outside the United States will be treated as relocations (based on timing or such other factors as the Secretary may provide) of business units eliminated within the United States.''.

(b) LIMITATION ON SUBPART F INCOME OF CONTROLLED FOREIGN CORPORATIONS DETERMINED WITHOUT REGARD TO SPECIFIED OUTSOURCING EXPENSES.—Subsection (c) of section 952 of such Code is amended by adding at the end the following new paragraph:

''(4) EARNINGS AND PROFITS DETERMINED WITHOUT REGARD TO SPECIFIED OUTSOURCING EXPENSES.—For purposes of this subsection, earnings and profits of any controlled foreign corporation shall be determined without regard to any specified outsourcing expense (as defined in section 280I(b)).''.

(c) CLERICAL AMENDMENT.—The table of sections for part IX of subchapter B of chapter 1 of such Code is amended by adding at the end the following new item:''.

''Sec. 280I. Outsourcing expenses.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after the date of the enactment of this Act.

TITLE IX—STOP CORPORATIONS FROM MOVING OVERSEAS TO AVOID PAYING TAXES

SEC. 901. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

''(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

''(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting '80 percent' for '60 percent', or

''(B) such corporation is an inverted domestic corporation.

''(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes after May 8, 2014, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

''(B) after the acquisition, either—

''(i) more than 50 percent of the stock (by vote or value) of the entity is held—

''(I) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

''(II) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership, or

''(ii) the management and control of the expanded affiliated group which includes the entity occurs, directly or indirectly, primarily within the United States, and such expanded affiliated group has significant domestic business activities.

''(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term 'substantial business activities' shall have the meaning given such term under regulations in effect on May 8, 2014, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.

''(4) MANAGEMENT AND CONTROL.—For purposes of paragraph (2)(B)(ii)—

''(A) IN GENERAL.—The Secretary shall prescribe regulations for purposes of determining cases in which the management and control of an expanded affiliated group is to be treated as occurring, directly or indirectly, primarily within the United States. The regulations prescribed under the preceding sentence shall apply to periods after May 8, 2014.

''(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—Such regulations shall provide that the management and control of an expanded affiliated group shall be treated as occurring, directly or indirectly, primarily within the United States if substantially all of the executive officers and senior management of the expanded affiliated group who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the expanded affiliated group are based or primarily located within the United States. Individuals who in fact exercise such day-to-day responsibilities shall be treated as executive officers and senior management regardless of their title.

''(5) SIGNIFICANT DOMESTIC BUSINESS ACTIVITIES.—For purposes of paragraph (2)(B)(ii), an expanded affiliated group has significant

domestic business activities if at least 25 percent of—

''(A) the employees of the group are based in the United States,

''(B) the employee compensation incurred by the group is incurred with respect to employees based in the United States,

''(C) the assets of the group are located in the United States, or

''(D) the income of the group is derived in the United States,

determined in the same manner as such determinations are made for purposes of determining substantial business activities under regulations referred to in paragraph (3) as in effect on May 8, 2014, but applied by treating all references in such regulations to 'foreign country' and 'relevant foreign country' as references to 'the United States'. The Secretary may issue regulations decreasing the threshold percent in any of the tests under such regulations for determining if business activities constitute significant domestic business activities for purposes of this paragraph.''

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking ''after March 4, 2003,'' and inserting ''after March 4, 2003, and before May 9, 2014,''.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)(i)'', and

(ii) by inserting ''or (b)(2)(A)'' after ''(a)(2)(B)(i)'' in subparagraph (B),

(B) in paragraph (3), by inserting ''or (b)(2)(B)(i), as the case may be,'' after ''(a)(2)(B)(ii)'',

(C) in paragraph (5), by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)(i)'', and

(D) in paragraph (6), by inserting ''or inverted domestic corporation, as the case may be,'' after ''surrogate foreign corporation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after May 8, 2014.

SEC. 902. TAX BENEFITS DISALLOWED IN CASE OF INVERTED CORPORATIONS.

In the case of a foreign corporation treated as an inverted domestic corporation under section 7874(b) of the Internal Revenue Code of 1986 (as amended by this Act), such Code shall be applied and administered as if the provisions of, and amendments made by, this division (other than this title) had never been enacted.

Add at the end of the bill the following:

DIVISION VI—PROVIDING FOR CONSIDERATION OF THE MIDDLE CLASS JUMPSTART AGENDA

SEC. 101. The Speaker of the House of Representatives shall, as if pursuant to clause 2(b) of rule XVIII of the Rules of the House, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 377), the Paycheck Fairness Act. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV of the Rules of the House, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 102. Immediately upon disposition of H.R. 377, the Speaker shall, as if pursuant to clause 2(b) of rule XVIII of the Rules of the House, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1010), the Fair Minimum Wage Act. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV of the Rules of the House, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 103. Immediately upon disposition of H.R. 1010, the Speaker shall, as if pursuant to clause 2(b) of rule XVIII of the Rules of the House, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4582), the Bank on Students Emergency Loan Refinancing Act. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV of the Rules of the House, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 104. Immediately upon disposition of H.R. 4582, the Speaker shall, as if pursuant to clause 2(b) of rule XVIII of the Rules of the House, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1286), the Healthy Families Act. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV of the Rules of the House, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 105. Immediately upon disposition of H.R. 1286, the Speaker shall, as if pursuant to clause 2(b) of rule XVIII of the Rules of the House, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3461), the Strong Start for America's Children Act. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV of the Rules of the House, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 106. Clause 1(c) of rule XIX of the Rules of the House shall not apply to the consideration of H.R. 377, H.R. 1010, H.R. 4582, H.R. 1286, or H.R. 3461 pursuant to this Division.

SEC. 107. It shall not be in order in the House to consider any measure or motion waiving the requirements of this Division.

Mr. BISHOP of New York (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes in support of his motion.

Mr. BISHOP of New York. Mr. Speaker, this is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage.

Mr. Speaker, my straightforward amendment adds three important provisions to the underlying bill that, unfortunately, continue to be ignored by the majority.

First, this amendment declares that any company engaged in the offshoring of American jobs will be ineligible for Federal tax breaks.

I think that every Member of Congress can agree that if a company wants to ship domestic jobs overseas, U.S. taxpayers should not be expected to pick up the tab; yet H.R. 4, as currently written, does nothing to prevent outsourcers from receiving Federal tax breaks. My amendment addresses this egregious omission.

Second, the amendment prevents hardworking American families from subsidizing so-called inverted domestic corporations. It is important to remember that an inverted domestic corporation is a business that used to be incorporated in the United States but whose leaders have chosen to incorporate overseas.

These businesses typically reincorporate on foreign soil in order to avoid domestic taxes by finding tax shelters on unregulated shores of places like Bermuda and the Cayman Islands.

Since 2012, these corporate bad actors have been banned from contracting with many agencies of the Federal Government, including the Department of Defense, NASA, and the GSA; still, American taxpayers are subsidizing this corporate tax evasion to the tune of billions of dollars per year.

I commend my colleagues, the gentleman from Michigan (Mr. LEVIN) and the gentleman from Maryland (Mr. VAN HOLLEN), for their leadership in introducing legislation responding to the rapidly increasing frequency of inversions by limiting tax breaks to corporations carrying them out by tightening section 7874 of the IRS Code.

This Congress has the opportunity to make clear that it will not tolerate Tax Code manipulators taking advantage of tax breaks and sticking the middle class with the bill.

Finally, my amendment allows the House to move the economy forward by bringing up for consideration components of the Democratic jump-start agenda: pay equity, an increased minimum wage, student loan refinancing, paid family sick leave, and early childhood education.

These policies have the overwhelming support of the American people and are needed if we are to take seriously the goal of strengthening the middle class and making it possible for families to get their slice of the American Dream. Unsurprisingly, the House has taken no action on addressing any of these pressing issues, but we can today, by passing this amendment.

Rather than take up these important issues, the Republican majority instead prepares to adjourn the House for a 54-day recess. This impending recess is in addition to the 38-day recess from August 1 to September 8 from which the House just returned.

In fact, the U.S. House of Representatives will have been in session for a grand total of 8 days in the 101-day span between August 1 and November 12. The American people sent us here to work and find solutions facing their family each and every day. This is simply unacceptable.

Mr. Speaker, more work needs to be done. Let's pass this amendment and actually get to work on addressing the mounting and diverse needs of our constituents. The time for political games is over, and the time for action is now.

I urge a ''yes'' vote on the motion to recommit, and I yield back the balance of my time.

Mr. TIBERI. Mr. Speaker, I oppose the motion to recommit.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 5 minutes.

Mr. TIBERI. Mr. Speaker, the motion to recommit does not solve the problem that the gentleman talked about. There is one thing that will solve the problem that the gentleman talked about, and it is about lowering corporate rates and going to a territorial system, which all other countries in the world who have been successful in stopping this problem have done.

America has not led. America has fallen behind. The gentleman from Michigan (Mr. CAMP) has led. He has a draft that seeks to solve this problem. There hasn't been any leadership from the House Democrats. There hasn't been any leadership on the issue from Senate Democrats, and there certainly hasn't been any leadership from the White House.

Everything in this bill before us today, Mr. Speaker, is bipartisan, meaning Democrats and Republicans have supported it. Everything in this bill, Mr. Speaker, will help Americans create American jobs. There is no reason not to support this bill, except what is happening in November.

Mr. Speaker, I urge my colleagues to vote ''no'' on the motion to recommit and vote ''yes'' on this American job-creating bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. BISHOP of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX and the order of the House of today, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 4, if ordered; the motion to recommit on H.R. 2; and passage of H.R. 2, if ordered.

The vote was taken by electronic device, and there were—yeas 191, nays 218, not voting 22, as follows:

[Roll No. 512]

YEAS—191

Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NAYS—218

Aderholt
Amash
Amodei
Bachmann
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler

Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—22

Bachus
Barton
Capito
Conaway
Davis (CA)
DesJarlais
Hall
Hastings (FL)
Johnson (GA)
Lamborn
Lee (CA)
McKeon
Miller, Gary
Nunnelee
Palazzo
Rush
Sánchez, Linda T.
Shuster
Southerland
Thornberry
Wasserman Schultz
Wenstrup

□ 1837

Messrs. HANNA, FARENTHOLD, CULBERSON, TIPTON, TURNER, and Mrs. HARTZLER changed their vote from ''yea'' to ''nay.''

Mrs. MCCARTHY of New York and Ms. MCCOLLUM changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. DAVIS of California. Mr. Speaker, on rollcall No. 512, had I been present, I would have voted "yes."

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCDERMOTT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 253, nays 163, not voting 15, as follows:

[Roll No. 513]

YEAS—253

Aderholt
Amash
Amodei
Bachmann
Barber
Barletta
Barr
Barrow (GA)
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Byrne
Calvert
Camp
Campbell
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Cook
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Delaney
Denham
Dent
DeSantis
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Enyart
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Keating
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nolan
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schneider
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shea-Porter
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—163

Bass
Beatty
Becerra
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis
Lipinski
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Negrete McLeod
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruppersberger
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—15

Bachus
Barton
Capito
Conaway
DesJarlais
Hall
Hastings (FL)
Lee (CA)
McKeon
Miller, Gary
Nunnelee
Rush
Sánchez, Linda T.
Wasserman Schultz
Wenstrup

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1844

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONGRATULATING BRIGADIER GENERAL HECK

(Mr. MCCARTHY of California asked and was given permission to address the House for 1 minute.)

Mr. MCCARTHY of California. Mr. Speaker, yesterday our friend and colleague from Nevada, Congressman JOE HECK, was promoted to the rank of brigadier general in the U.S. Army Reserve.

As you all know, while the gentleman from Nevada has been serving in Congress, he has also been working as a physician and member of the U.S. Army Reserve. Since 1991, he has been called to duty three times, most recently in Iraq in 2008. His accomplishments and service to our country in a variety of fields are truly remarkable.

On behalf of this House, I would like to offer Doctor, Congressman, General HECK our warmest and most sincere congratulations.

AMERICAN ENERGY SOLUTIONS FOR LOWER COSTS AND MORE AMERICAN JOBS ACT

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (H.R. 2) to remove Federal Government obstacles to the production of more domestic energy; to ensure transport of that energy reliably to businesses, consumers, and other end users; to lower the cost of energy to consumers; to enable manufacturers and other businesses to access domestically produced energy affordably and reliably in order to create and sustain more secure and well-paying American jobs; and for other purposes, offered by the gentleman from Illinois (Mr. SCHNEIDER), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 193, nays 222, not voting 16, as follows:

[Roll No. 514]

YEAS—193

Barber
Barrow (GA)
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NAYS—222

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—16

Barton
Bass
Capito
Conaway
DesJarlais
Hall
Hastings (FL)
Lee (CA)
McKeon
Miller, Gary
Nunnelee
Rush
Sánchez, Linda T.
Southerland
Stivers
Wasserman Schultz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1853

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 191, not voting 14, as follows:

[Roll No. 515]

YEAS—226

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Enyart
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)

Southerland	Upton	Williams
Stewart	Valadao	Wilson (SC)
Stivers	Wagner	Wittman
Stockman	Walberg	Wolf
Stutzman	Walden	Womack
Terry	Walorski	Woodall
Thompson (PA)	Weber (TX)	Yoder
Thornberry	Webster (FL)	Yoho
Tiberi	Wenstrup	Young (AK)
Tipton	Westmoreland	Young (IN)
Turner	Whitfield	

NAYS—191

Barber	Green, Al	Negrete McLeod
Bass	Green, Gene	Nolan
Beatty	Grijalva	O'Rourke
Becerra	Gutiérrez	Owens
Bera (CA)	Hahn	Pallone
Bishop (NY)	Hanabusa	Pascrell
Blumenauer	Heck (WA)	Pastor (AZ)
Bonamici	Higgins	Payne
Brady (PA)	Himes	Pelosi
Braley (IA)	Hinojosa	Perlmutter
Brown (FL)	Holt	Peters (CA)
Brownley (CA)	Honda	Peters (MI)
Bustos	Horsford	Pingree (ME)
Butterfield	Hoyer	Pocan
Capps	Huffman	Polis
Capuano	Israel	Price (NC)
Cárdenas	Jackson Lee	Quigley
Carney	Jeffries	Rangel
Carson (IN)	Johnson (GA)	Richmond
Cartwright	Johnson, E. B.	Roybal-Allard
Castor (FL)	Jones	Ruiz
Castro (TX)	Kaptur	Runyan
Chu	Keating	Ruppersberger
Cicilline	Kelly (IL)	Ryan (OH)
Clark (MA)	Kennedy	Sanchez, Loretta
Clarke (NY)	Kildee	Sanford
Clay	Kilmer	Sarbanes
Cleaver	Kind	Schakowsky
Clyburn	Kirkpatrick	Schiff
Cohen	Kuster	Schneider
Connolly	Langevin	Schrader
Conyers	Larsen (WA)	Schwartz
Cooper	Larson (CT)	Scott (VA)
Courtney	Levin	Scott, David
Crowley	Lewis	Serrano
Cummings	Lipinski	Sewell (AL)
Davis (CA)	LoBiondo	Shea-Porter
Davis, Danny	Loebsack	Sherman
DeFazio	Lofgren	Sinema
DeGette	Lowenthal	Sires
Delaney	Lowey	Slaughter
DeLauro	Lujan Grisham (NM)	Smith (NJ)
DelBene	Luján, Ben Ray (NM)	Smith (WA)
Deutch	Lynch	Speier
Dingell	Maffei	Swalwell (CA)
Doggett	Maloney, Carolyn	Takano
Doyle	Maloney, Sean	Thompson (CA)
Duckworth	Matsui	Thompson (MS)
Edwards	McCarthy (NY)	Tierney
Ellison	McCollum	Titus
Engel	McDermott	Tonko
Eshoo	McGovern	Tsongas
Esty	McNerney	Van Hollen
Farr	Meeks	Vargas
Fattah	Meng	Veasey
Foster	Michaud	Vela
Frankel (FL)	Miller, George	Velázquez
Frelinghuysen	Moore	Visclosky
Fudge	Moran	Walz
Gabbard	Murphy (FL)	Waters
Gallego	Nadler	Waxman
Garamendi	Napolitano	Welch
Garcia	Nolan	Wilson (FL)
Gibson	O'Rourke	Yarmuth
Grayson	Owens	

NOT VOTING—14

Barton	Lee (CA)	Sánchez, Linda T.
Capito	McKeon	Wasserman Schultz
Conaway	Miller, Gary	
DesJarlais	Neal	
Hall	Nunnelee	
Hastings (FL)	Rush	

□ 1900

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CONAWAY. Mr. Speaker, I am not recorded on today's votes because I was absent to attend a funeral. Had I been present: on rollcall No. 510 on ordering the previous question, I would have voted "aye;" on rollcall No. 511 on H. Res. 727, I would have voted "aye;" on rollcall No. 512 on recommitting H.R. 4 with instructions, I would have voted "nay;" on rollcall No. 513 on H.R. 4, I would have voted "aye;" on rollcall No. 514 on recommitting H.R. 2 with instructions, I would have voted "nay;" on rollcall No. 515 on H.R. 2, I would have voted "aye."

PROVIDING FOR THE APPOINTMENT OF MICHAEL LYNTON AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. HARPER. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the joint resolution (S.J. Res. 40) providing for the appointment of Michael Lynton as a citizen regent of the Board of Regents of the Smithsonian Institution, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mr. MEADOWS). Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 40

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the resignation of France A. Córdova of Indiana on March 13, 2014, is filled by the appointment of Michael Lynton of California. The appointment is for a term of 6 years, beginning on the date of enactment of this joint resolution.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONDEMNING ALL FORMS OF ANTI-SEMITISM

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of the resolution (H. Res. 707) condemning all forms of anti-Semitism and rejecting attempts to justify anti-Jewish hatred or violent attacks as an acceptable expression of disapproval or frustration over political events in the Middle East or elsewhere, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the resolution is as follows:

H. RES. 707

Whereas there is clear evidence of increasing incidents and expressions of anti-Semitism throughout the world;

Whereas the United States Department of State released this week the International Religious Freedom Report for 2013 and noted in the Executive Summary, ''Throughout Europe, the historical stain of anti-Semitism continued to be a fact of life on Internet fora, in soccer stadiums, and through Nazi-like salutes, leading many individuals who are Jewish to conceal their religious identity.'';

Whereas anti-Semitic acts committed and recorded in 2014 around the world, including countries in the Middle East, Latin America, Europe, and North America, include incidents of murder at Jewish sites, violent attacks and death threats against Jews, as well as gun violence, arson, graffiti, anti-Semitic cartoons, and other property desecration at Jewish places of worship and communal activity;

Whereas a survey by the Anti-Defamation League of attitudes towards Jews in more than 100 countries around the world, released in May 2014 found that over a quarter of the people surveyed (26 percent) hold anti-Semitic views, a stunning indicator of the stubborn resilience of anti-Semitic beliefs, even in countries where no Jews reside;

Whereas anti-Semitic attitudes in the Middle East and North Africa (74 percent) far surpass those in any other region;

Whereas the finding that 70 percent of those around the world who harbor anti-Semitic attitudes have never met a Jew shows how deeply embedded stereotypes of Jews that developed over centuries are in the consciousness of many countries and societies;

Whereas the Anti-Defamation League survey also found that a majority of people surveyed overall have either not heard of the Holocaust or do not believe it happened as has been documented by factual accounts and recorded by history;

Whereas this month Hungarian Prime Minister Viktor Orban erected a monument commemorating the Nazi Occupation of Hungary that white washes the Hungarian government's role in deporting over 400,000 Jews, most of whom died in Auschwitz;

Whereas President Barack Obama said in his remarks at the USC Shoah Foundation Dinner on May 7, 2014, ''. . . if the memories of the Shoah survivors teach us anything, it is that silence is evil's greatest co-conspirator. And it's up to us—each of us, every one of us—to forcefully condemn any denial of the Holocaust. It's up to us to combat not only anti-Semitism, but racism and bigotry and intolerance in all their forms, here and around the world. It's up to us to speak out against rhetoric that threatens the existence of a Jewish homeland and to sustain America's unshakeable commitment to Israel's security'';

Whereas in 2004, Congress passed the Global Anti-Semitism Review Act, which established an Office to Monitor and Combat Anti-Semitism, headed by a Special Envoy to Monitor and Combat Anti-Semitism;

Whereas the United States Government has consistently supported efforts to address the rise in anti-Semitism through its bilateral relationships and through engagement in international organizations such as the United Nations (UN), the Organization for Security and Cooperation in Europe (OSCE), and the Organization of American States (OAS);

Whereas during Israel's July 2014 Operation Protective Edge aiming to stem the rocket fire and terrorist infiltrations by Hamas, Jews and Jewish institutions and property have been attacked in Europe and

elsewhere, including attempts to invade a synagogue in Paris, fire-bombings of synagogues in France and Germany, assaults on Jewish individuals, and swastikas spray-painted in a heavily Jewish area of London and also in Rome's historic Jewish quarter;

Whereas anti-Semitic imagery and comparisons of Jews and Israel to Nazis have been on display at demonstrations against Israel's actions in Gaza around the United States, Europe, the Middle East and Latin America, including—

(1) placards held at many demonstrations across the globe comparing Israeli leaders to Nazis, accusing Israel of carrying out a ''Holocaust'' against Palestinians, and equating the Jewish Star of David with the Nazi swastika, and

(2) demonstrations that have included chants of ''Death to Jews'', ''Death to Israel'', or expressions of support for suicide terrorism against Israeli or Jewish civilians;

Whereas Turkish Prime Minister Recep Tayyip Erdogan's continued anti-Israel incitement, including stating that Israel's defense against Hamas rocket fire is ''barbarism that surpasses Hitler'', sparks unwarranted anger towards Jews and endangers the Turkish Jewish community and Jews around the world;

Whereas the Governments in France, Germany, and Italy, the three countries where the majority of incidents have occurred, have strongly condemned anti-Semitism as unacceptable in European society, including French President Hollande and Prime Minister Valls, German Chancellor Merkel, and the foreign ministers of France, Germany, and Italy collectively, have all made clear statements that such attacks on their Jewish communities are intolerable, and they have matched those words with strong law enforcement;

Whereas some civil society leaders have set strong examples, including the condemnation by the Union of Mosques of France, on behalf of their 500 mosques, called the attacks ''morally unjust and unacceptable'', and stated, ''nothing can justify any act that could harm our Jewish compatriots, their institutions or their places of worship'' and, in Germany, the largest circulation paper, Bild, featured statements against anti-Semitism from politicians, business leaders, civic leaders, media personalities and celebrities with ''Never Again Jew Hatred'' on the front page; and

Whereas Congress supports freedom of expression and the right to criticize any government or its policy and has played an essential role in shining a spotlight on the resurgence of anti-Semitism worldwide: Now, therefore, be it

Resolved, That the House of Representatives—

(1) unequivocally condemns all forms of anti-Semitism and rejects attempts to justify anti-Jewish hatred or violent attacks as an acceptable expression of disapproval or frustration over political events in the Middle East or elsewhere;

(2) decries and condemns the comparison of Israel to Nazis perpetrating a Holocaust or genocide as an insult to the memory of those who perished in the Holocaust and an affront to those who survived and their children and grandchildren, the righteous gentiles who saved Jewish lives at peril to their own lives and to those who bravely fought to defeat the Nazis;

(3) applauds those foreign leaders, especially in France, Italy, and Germany, who have condemned anti-Semitic acts and calls on those who have yet to take firm action against anti-Semitism in their countries, to do so;

(4) reaffirms its support for the mandate of the United States Special Envoy to Monitor and Combat Anti-Semitism;

(5) pledges to support and expand Holocaust educational programs at home and abroad to increase awareness, counter prejudice, and enhance efforts to teach the universal lessons of the Holocaust; and

(6) urges the Secretary of State to—

(A) maintain the fight against anti-Semitism as a United States foreign policy priority and to convey United States concern in bilateral meetings;

(B) ensure that the instruments of United States public diplomacy including President Barack Obama's emissary to the Organization of the Islamic Conference pursue ways to address the issue of anti-Semitism where data show it is needed most;

(C) ensure high-level United States participation in the 2014 Organization for Security and Cooperation in Europe high level event marking the 10th anniversary of the 2004 OSCE Berlin Declaration against anti-Semitism;

(D) urge governments to ensure that adequate laws are in place to punish anti-Semitic violence and hate crimes as well as establish mechanisms to monitor, investigate and punish perpetrators;

(E) continue robust United States reporting on anti-Semitism as a human rights and religious freedom issue by the Department of State and the Special Envoy to Combat and Monitor Anti-Semitism;

(F) provide necessary training and instruction for personnel posted in United States embassies and missions to analyze and report on anti-Semitic incidents as well as the response of governments to those incidents and to hate crimes in general;

(G) ensure that United States efforts to train law enforcement personnel and prosecutors abroad incorporate tools to address anti-Semitism and other bias motivated incidents;

(H) deepen engagement with the Organization for Security and Cooperation in Europe and support its specialized efforts to monitor and address anti-Semitism, including through support for its law enforcement and civil society training programs; and

(I) redouble his commitment to oppose all efforts to prevent any individual from freely exercising their religion without fear of prosecution or violence.

AMENDMENT OFFERED BY MR. ROYCE

Mr. ROYCE. I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike all after the resolving clause and insert the following:

That the House of Representatives—

(1) unequivocally condemns all forms of anti-Semitism and rejects attempts to justify anti-Jewish hatred or violent attacks as an acceptable expression of disapproval or frustration over political events in the Middle East or elsewhere;

(2) decries and condemns the comparison of Israel to Nazis as an insult to the memory of those who perished in the Holocaust and an affront to those who survived and their children and grandchildren, the righteous gentiles who saved Jewish lives at peril to their own lives and to those who bravely fought to defeat the Nazis;

(3) applauds those foreign leaders who have condemned anti-Semitic acts and calls on those who have yet to take firm action against anti-Semitism in their countries, to do so;

(4) reaffirms its support for the mandate of the United States Special Envoy to Monitor and Combat Anti-Semitism as part of the broader policy priority of fostering international religious freedom;

(5) supports expanded Holocaust educational programs that increase awareness, counter prejudice, and enhance efforts to teach the universal lessons of the Holocaust; and

(6) urges the Secretary of State to—

(A) maintain combating anti-Semitism as a United States foreign policy priority;

(B) ensure that the instruments of United States public diplomacy, including the United States Representative to the Organization of Islamic Conference, are utilized to effectively combat anti-Semitism;

(C) ensure high-level United States participation in the 2014 Organization for Security and Cooperation in Europe (OSCE) high level event marking the 10th anniversary of the 2004 OSCE Berlin Declaration against anti-Semitism;

(D) urge governments to ensure that adequate laws are in place to punish anti-Semitic violence against persons and property;

(E) continue robust United States reporting on anti-Semitism by the Department of State and the Special Envoy to Combat and Monitor Anti-Semitism;

(F) provide necessary training and instruction for personnel posted in United States embassies and missions to analyze and report on anti-Semitic violence against persons and property as well as the response of governments to those incidents;

(G) ensure that United States Government efforts to train law enforcement personnel and prosecutors abroad incorporate tools to address anti-Semitic violence against persons and property; and

(H) strongly support the Organization for Security and Cooperation in Europe's specialized efforts to monitor and address anti-Semitism, including through support for its law enforcement and civil society training programs.

Mr. ROYCE (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The amendment was agreed to.

The resolution, as amended, was agreed to.

AMENDMENT TO THE PREAMBLE OFFERED BY MR. ROYCE

Mr. ROYCE. I have an amendment to the preamble at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike the preamble and insert the following:

Whereas there is clear evidence of increasing incidents and expressions of anti-Semitism throughout the world;

Whereas on April 30, 2014, the United States Department of State released the International Religious Freedom Report for 2013 and noted that, ''Throughout Europe, the historical stain of anti-Semitism continued to be a fact of life on Internet fora, in soccer stadiums, and through Nazi-like salutes, leading many individuals who are Jewish to conceal their religious identity.'';

Whereas anti-Semitic acts committed and recorded in 2014 around the world, including countries in the Middle East, Latin America, Europe, and North America, include incidents of murder at Jewish sites, violent attacks and death threats against Jews, as well as gun violence, arson, graffiti, anti-Semitic cartoons, and other property desecration at Jewish cemeteries, places of worship, and communal activity;

Whereas a survey by the Anti-Defamation League of attitudes towards Jews in more than 100 countries around the world, released in May 2014 found that over a quarter of the people surveyed (26 percent), and nearly three quarters of those surveyed in the Middle East (74 percent) hold anti-Semitic views, a stunning indicator of the stubborn resilience of anti-Semitic beliefs, even in countries where few Jews reside;

Whereas the Anti-Defamation League survey also found that a majority of people surveyed overall have either not heard of the Holocaust or do not believe it happened as has been documented by factual accounts and recorded by history;

Whereas President Barack Obama said in his remarks at the USC Shoah Foundation Dinner on May 7, 2014, ''. . . if the memories of the Shoah survivors teach us anything, it is that silence is evil's greatest co-conspirator. And it's up to us—each of us, every one of us—to forcefully condemn any denial of the Holocaust. It's up to us to combat not only anti-Semitism, but racism and bigotry and intolerance in all their forms, here and around the world. It's up to us to speak out against rhetoric that threatens the existence of a Jewish homeland and to sustain America's unshakeable commitment to Israel's security'';

Whereas in 2004, Congress passed the Global Anti-Semitism Review Act, which established an Office to Monitor and Combat Anti-Semitism, headed by a Special Envoy to Monitor and Combat Anti-Semitism;

Whereas the United States Government has consistently supported efforts to address the rise in anti-Semitism through its bilateral relationships and through engagement in international organizations such as the United Nations (UN), the Organization for Security and Cooperation in Europe (OSCE), and the Organization of American States (OAS);

Whereas in recent decades there has been a clear and troubling pattern of increased violence against Jewish persons and their property, purportedly in connection with increased opposition to policies enacted by the Government of Israel;

Whereas during Israel's 2014 Operation Protective Edge aiming to stem the rocket fire and terrorist infiltrations by Hamas, Jews and Jewish institutions and property were attacked in Europe and elsewhere, including attempts to invade a synagogue in Paris, fire-bombings of synagogues in France and Germany, assaults on Jewish individuals, and swastikas spray-painted in a heavily Jewish area of London and also in Rome's historic Jewish quarter;

Whereas anti-Semitic imagery and comparisons of Jews and Israel to Nazis have been on display at demonstrations against Israel's actions in Gaza throughout the United States, Europe, the Middle East and Latin America, including—

(1) placards comparing Israeli leaders to Nazis, accusing Israel of carrying out a ''Holocaust'' against Palestinians, and equating the Jewish Star of David with the Nazi swastika, and

(2) demonstrations that have included chants of ''Death to Jews'', ''Death to Israel'', or expressions of support for suicide terrorism against Israeli or Jewish civilians;

Whereas the Governments in France, Germany, and Italy, the three countries where the majority of incidents have occurred, have strongly condemned anti-Semitism as unacceptable in European society and have all made clear statements that such attacks on their Jewish communities are intolerable, and they have matched those words with strong law enforcement;

Whereas some civil society leaders have set strong examples, including the condemnation by the Union of Mosques of France, on behalf of their 500 mosques, called the attacks ''morally unjust and unacceptable'', and stated, ''nothing can justify any act that could harm our Jewish compatriots, their institutions or their places of worship'';

Whereas the largest newspaper in circulation in Germany, Bild, featured statements against anti-Semitism from politicians, business leaders, civic leaders, media personalities and celebrities with ''Never Again Jew Hatred'' on the front page; and

Whereas Congress has played an essential role in illustrating and counteracting the resurgence of anti-Semitism worldwide: Now, therefore, be it

Mr. ROYCE (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The amendment to the preamble was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING THE CONDOLENCES OF THE HOUSE OF REPRESENTATIVES TO THE FAMILIES OF JAMES FOLEY AND STEVEN SOTLOFF, AND CONDEMNING THE TERRORIST ACTS OF THE ISLAMIC STATE OF IRAQ AND THE LEVANT

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of House Resolution 734, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the resolution is as follows:

H. RES. 734

Whereas James Foley and Steven Sotloff were highly respected journalists whose integrity and dedication were a credit to their profession;

Whereas James Foley and Steven Sotloff embodied the spirit of our Nation's First Amendment liberties, including the freedom of the press;

Whereas James Foley and Steven Sotloff made significant contributions to our Nation through their courageous reporting of events in Libya, Syria, and elsewhere; and

Whereas the Islamic State of Iraq and the Levant (ISIL) is a terrorist organization responsible for committing barbaric acts against United States citizens, religious and ethnic minorities, and those who do not subscribe to ISIL's depraved, violent, and oppressive ideology: Now, therefore, be it

Resolved, That the House of Representatives—

(1) strongly condemns the terrorist acts of ISIL, including the barbaric and deplorable murders of James Foley and Steven Sotloff;

(2) salutes James Foley and Steven Sotloff for their unwavering and courageous pursuit of journalistic excellence under the most difficult and dangerous of conditions;

(3) mourns the deaths of James Foley and Steven Sotloff; and

(4) offers condolences to the families, friends, and loved ones of James Foley and Steven Sotloff.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill and a joint resolution of the House of the following titles:

H.R. 4323. An act to reauthorize programs authorized under the Debbie Smith Act of 2004, and for other purposes.

H.J. Res. 124. Joint resolution making continuing appropriations for fiscal year 2015, and for other purposes.

A SPECIAL BIRTHDAY TRIBUTE TO KERMIT WOMACK

(Mr. WOMACK asked and was given permission to address the House for 1 minute.)

Mr. WOMACK. Mr. Speaker, I rise today to offer special birthday wishes to someone very important to me, my father, Kermit Womack.

Dad turns 80 years old tomorrow, and it is a special honor to recognize him for his many outstanding accomplishments.

He is a 35-year veteran of the National Guard in Missouri and Arkansas. As an accomplished broadcaster, owning and operating five broadcast stations in Arkansas, his ''old school'' philosophy of community-involvement radio is legendary. He is also a dedicated cattleman.

Mr. Speaker, Dad is also a great family man. He raised seven children and taught them the important and valuable lessons of life, and he should know because, as a child in humble circumstances, Dad won a three-State FFA public speaking contest and a scholarship to pay his way through college.

Dad, on the eve of your 80th birthday, I want America to know the importance you have meant to your family, the communities you serve, the Nation, and this grateful Congressman. Happy birthday.

CLINICAL RESEARCH EFFORTS

(Mr. PETERS of California asked and was given permission to address the House for 1 minute.)

Mr. PETERS of California. Mr. Speaker, I rise today to highlight the valuable and lifesaving contributions of America's clinical research efforts and to urge my colleagues to support my resolution to make September clinical research innovation month.

Innovation and scientific research are critical to ensuring America's future competitiveness. San Diego understands this and has become a hub for innovation and technology.

Clinical research organizations are components of our leading innovation sector in San Diego and across the country. They are fundamental to the development of drugs, biologics, and medical devices that are changing the face of health care in America.

Mr. Speaker, last year alone, clinical research efforts led to over 85 new drugs approved by the FDA, aiding in the fights against cancer, diabetes, Alzheimer's, and many other ailments.

Clinical research connected to the veterans hospital in San Diego is looking for the best ways to treat our brave men and women as they return home.

The lifesaving innovations coming out of clinical research are helping people across the country live longer and healthier lives, and I encourage my colleagues to join me in establishing clinical research innovation month.

THE ISLAMIC STATE IN THE LEVANT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, it is hard to overstate the threat posed by ISIL. Former U.S. Ambassador to Iraq and Afghanistan Ryan Crocker recently stated:

> I call it al Qaeda version 6.0. They are far better organized, equipped, and funded. They are more experienced and more numerous, and, for the first time since 9/11, a determined and capable enemy has the space and security to plan complex, longer-range operations.

We are presented few good options in confronting ISIL. However, failing to confront this brutal terrorist group is not one of them.

The combat component of this strategy must be executed by local forces. Yesterday, the House passed a bipartisan resolution that reinforces this principle. The measure authorizes neither U.S. troops in a combat role nor additional taxpayer funding.

It does allow the Department of Defense to seek to reprogram existing funds for training, and it also includes new oversight provisions to ensure the administration's plan is managed within the confines of the law.

Mr. Speaker, this action is a step forward in helping the region take on and defeat ISIL, which is fundamental to U.S. national security.

RECOGNIZING UNION CITY POLICE CHIEF BRIAN FOLEY

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, today I rise to recognize Union City Police Chief Brian Foley as he retires at the end of September after almost 30 years of service.

Brian grew up in California before graduating from California State University, Chico, with a degree in business administration. In 1986, Brian joined the Union City Police Department, fulfilling a dream of becoming a police officer.

He worked for the Union City Police Department in a variety of areas, including crime scene investigator, homicide detective, and SWAT team member. His hard work and skills propelled him into leadership roles such as SWAT team leader, sergeant, captain, and—since January 2012—chief.

On behalf of the residents of Union City and the 15th Congressional District, I want to thank Chief Foley for his years of dedicated and courageous service. He has played a key role in helping to keep the streets of Union City safe, and he will be sorely missed.

I also wish Brian well as he enters the next phase of his life. I am sure he is looking forward to spending more time with his wife and children. After so many years of hard work for the people of Union City, this opportunity is well-deserved.

RECOGNIZING DR. BINDUKUMAR KANSUPADA OF YARDLEY, BUCKS COUNTY, PENNSYLVANIA

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, I rise before you today to recognize Dr. Bindukumar Kansupada of Yardley, Bucks County, Pennsylvania, a member of the Eighth Congressional District, my constituent, and my good friend.

As a cardiologist, successful businessman, and faithful community servant, Dr. Kansupada has been an incredible asset for the health and well-being to the families that call the Delaware Valley home.

As a member of both my physician's advisory and Indian American communities, Dr. Kansupada's talents and experience have been a vital part of my legislative and outreach efforts as we work together to provide Bucks County families with the type of patient-centered health care solutions that keep our communities happy and healthy.

Mr. Speaker, I am honored to call Dr. Kansupada a personal friend of mine, and I look forward to partnering with him in the future so that Bucks County continues to be a great place to live, to work, to raise a family, and to grow old in.

CONDEMNING THE RISE OF GLOBAL ANTI-SEMITISM

(Mr. NADLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NADLER. Mr. Speaker, with the unanimous passage today of H. Res. 707, we send a clear, strong, and bipartisan message condemning the rising tide of anti-Semitism around the world.

In 2014 alone, we have seen an increasing number of murders at Jewish sites, of violent attacks, and death threats against Jews. There has been a disturbing increase of anti-Semitism throughout Europe, Latin America, and the Middle East, including in Hungary, Turkey, Greece, Britain, France, and Germany.

We must ensure that the world views such actions for what they are—the vile and hate-fueled persecution of an entire people—rather than an acceptable expression of frustration with political events in the Middle East or anywhere else.

Tragically, 70 years after 6 million Jewish men, women, and children were murdered simply for being Jews, many Jews in Europe again face violent anti-Semitism and must live in constant fear.

Anti-Semitic imagery and comparisons of Jews and Israel to Nazis have been on display at demonstrations against Israel throughout the United States and the world. Make no mistake, this is a new face on a very old hatred. Disagreeing with Israeli policy is no excuse for anti-Semitism.

I want to thank my colleagues, but I want to thank especially PETER ROSKAM, NITA LOWEY, and KAY GRANGER for leading this effort with me; and I want to thank NANCY PELOSI, STENY HOYER, KEVIN MCCARTHY, ED ROYCE, and ELIOT ENGEL who helped bring this important bipartisan piece of legislation to the floor.

□ 1915

JIHADISTS KILLING AMERICAN SOLDIERS

(Mr. GOHMERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOHMERT. Mr. Speaker, an article today by Andrew McCarthy that I want to read in part:

> Meanwhile, back in Afghanistan . . . Bill Roggio reports that jihadists have killed four American soldiers. Three were killed in a suicide bombing in Kabul and the Taliban have claimed responsibility. A fourth was killed in a so-called ''green-on-blue'' assassination. He was an American there to train ''moderate Islamist allies'' at a military base in western Afghanistan, and one of these Afghans shot him dead and wounded two others before finally being killed.
>
> It was the fourth green-on-blue attack this year. The last one, in August, claimed the life of Major General Harold Greene, the highest ranking American officer since the

Vietnam war to be killed in combat—being murdered by a jihadist in an Afghan military base while training moderate Islamists . . . Roggio observes the Taliban ''have devoted significant efforts to stepping up attempts to kill'' U.S. and allied forces.

Mr. Speaker, this is outrageous. We don't need to be helping the so-called moderate jihadists.

And with that, I will insert the full article into the RECORD.

[From the National Review Online, Sept. 18, 2014]

TRAINING 'MODERATE ISLAMISTS'—FOUR MORE AMERICANS KILLED IN AFGHANISTAN

(By Andrew C. McCarthy)

Meanwhile back in Afghanistan . . . the Long War Journal's Bill Roggio reports that jihadists have killed four American soldiers. Three were killed in a suicide bombing in Kabul for which the Taliban have claimed responsibility. A fourth was killed in a so-called ''green-on-blue'' assassination—i.e., he was an American there to train our ''moderate Islamist allies'' at a military base (in Western Afghanistan), and one of these Afghans shot him dead and wounded two others before finally being killed.

It was the fourth green-on-blue attack this year. I wrote here about the last one, in August, which claimed the life of Major General Harold Greene, the highest ranking American officer since the Vietnam War to be killed in combat—being murdered by a jihadist in an Afghan military base while training moderate Islamists is quite appropriately considered combat (although being murdered at an American base while preparing to deploy for combat against jihadists is considered ''workplace violence''). As Bill explains, green-on-blue attacks are down, from a high of 44 in 2012, mostly because of the U.S. draw-down and reduced ''partnering'' with the ''moderate'' Afghan forces (because doing so has proven perilous).

Nevertheless, Bill observes that the Taliban ''have devoted significant efforts to stepping up attempts to kill'' U.S. and allied forces. Mullah Omar has bragged that the Taliban ''cleverly infiltrated the ranks of the enemy'' in accordance with a plan hatched in 2011. As I've noted before, the Taliban knows our forces are leaving and wants to make it appear that they are chasing us out of the country.

Although the Taliban has never stopped conducting jihadist terror attacks against our forces, President Obama released five Taliban commanders from Guantanamo Bay in May, enabling their return to the anti-American jihad. And now, as American forces retreat from Afghanistan, our soldiers will be assigned to train more ''moderate Islamists'' in Syria—which apparently will not be a combat mission . . . unless the trainees go green-on-blue.

MOMENT OF SILENCE FOR RETURN OF AUSTIN TICE

(Mr. AL GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AL GREEN of Texas. Mr. Speaker, I am on a mission of mercy. I have a constituent who is missing in Syria. He is the son of Marc and Debra Tice. His name is Austin Tice.

On August 11, 2012, he celebrated his 31st birthday in Syria. On August 13, he was reported missing. He is a graduate of Georgetown University, and he was there pursuing his career in journalism.

Mr. Speaker, his parents are gravely concerned, and we are asking anyone with any information concerning this young man, Austin Tice, to please contact the FBI hotline at 1 (800) 225–5324, repeating 1 (800) 225–5324. My number is (202) 225–7508.

I would like to now have a moment of silence for his return.

HONORING THE RETIREMENT OF WILLIAM MCMANUS

(Mr. GALLEGO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GALLEGO. Mr. Speaker, I rise today to say thank you to Bill McManus, William McManus, who has announced his retirement as the chief of the San Antonio Police Department in the seventh largest city in the country.

Chief McManus has been on board in San Antonio for some 8 years, but he brought with him 30 years of experience in law enforcement in such areas as diverse as narcotics, tactical positions, criminal investigations, internal investigations, the full range of experience.

As a result of his service in San Antonio, their police department is more well-respected, more well-trained than ever in San Antonio's history.

Chief McManus I first met when he was testifying before the legislature and I served as chair of the committee on criminal jurisprudence.

I know well his passion for law enforcement and his passion for people. We will miss him dearly at the city, but we wish him well in his future endeavors.

HONORING JAZZ LEGEND JOE SAMPLE

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, I rise to honor and mourn a great American in my district. His name is Joe Sample. He made people happy by the wonderful jazz that he played.

Born in 1939, in his high school he joined with fellow students and created the Jazz Crusaders. In doing so, he enjoyed a wonderful career that saw him working with people such as Miles Davis, George Benson, Jimmy Witherspoon, B.B. King, Eric Clapton, Steely Dan, and the Supremes. He incorporated jazz in many things that he did, but he also understood gospel, blues, Latin, and the classical form.

In talking to his family this week, and to his family and his wife, I give them my deepest sympathy.

He said he was proud of his gospel music album.

We are saddened that he has lost his life in his battle against lung cancer. I am delighted to salute him as a great American who shared his talent with young people, who was kind to those with whom he grew up, who made Texas proud, and certainly is renowned throughout this great community of Houston and the Nation.

Starting the piano at 5, Joe Sample never left his love of music and always tried to share it and be a representative of the value of what music is to children and the American people.

I ask this Congress to acknowledge with me this great hero, Joe Sample, a musician, an American, someone who we can be proud of that lived good in this country.

MAKE OUR ENERGY MORE RELIABLE AND MORE AFFORDABLE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Nebraska (Mr. TERRY) is recognized for 60 minutes as the designee of the majority leader.

Mr. TERRY. Mr. Speaker, today the House passed a commonsense approach to make our energy more reliable and more affordable. Our vote today would create jobs and secures our energy future by making us dependent on North American resources, not OPEC, Venezuela, or others.

I am proud to lead this effort in support of lower energy costs and more American jobs. With commonsense policies like these, we can make real progress toward reducing prices at the pump and protecting families from higher monthly electric bills. Lower energy costs also mean lower prices for groceries and other consumer goods; and by producing more American energy, we can create more American jobs. These are the issues that families struggle with at the kitchen table every night and keep you awake at night.

But House Republicans have put forward a positive bipartisan solution to strengthen our energy policy that will allow us to begin fostering the development and use of our own energy resources. Today the House acted. We passed commonsense energy legislation that takes advantage of our abundant North American energy and puts our country on a path to better infrastructure.

This approach is simple. It is a package of 13 bills the House has already passed on a bipartisan basis, including three of which were even voice-voted. They are not controversial.

For instance, this bill includes the Natural Gas Pipeline Permitting Reform Act that would expedite and modernize the Federal review process for natural gas pipeline permits to help facilitate the construction of new pipeline infrastructure. This bill passed with 26 Democratic votes.

It also includes H.R. 6, the Domestic Prosperity and Global Freedom Act, sponsored by my good friend CORY GARDNER from Colorado. This would

speed up the approval of liquid natural gas exports. We have an abundant supply of natural gas here in the United States, an abundance of which will allow other countries to become dependent upon us for their energy needs.

Now, our Energy and Commerce Subcommittee, several of us on the Republican side went to North Dakota last year to visit the oilfields. We flew in at night. When you fly over western North Dakota at night, it looks like you are flying over a birthday cake with lots of candles. Those candles are flaring off natural gas because the price is so low and it is so plentiful that it just makes better economic sense to burn it off. So we need to find additional resources and uses for the natural gas. They are already there: exporting, transportation. We just need to focus more on those.

Just today we heard in a joint meeting of Congress from the President of Ukraine. He talked about the security in his own country and the strong partnership with the United States. Can you imagine how much weaker Russia would be if Ukraine was more dependent or would use North American U.S. natural gas resources?

Former Obama National Security Adviser General Jim Jones testified before the Senate that Vladimir Putin uses energy as a weapon. I believe that we would be using our energy resources as our weapon. And by expediting the permitting processes for liquified natural gas terminals, it would allow us to export natural gas to countries like Ukraine and our European partners and Japan.

These policies to develop natural gas would further cement U.S. leadership in the world and grow our economy and create jobs here at home.

Secondly, this package includes the Electricity Security and Affordability Act. That would protect an affordable and diverse electricity portfolio by providing reasonable alternatives to the EPA's greenhouse gas emissions rule. It would require the EPA to develop practical solutions for new coal-fired powerplants, including just saying that you can't implement a rule until the technology exists.

Doesn't that make sense to have a rule that the technology can actually comply with instead of making a rule where there is no technology allowing you to comply with it? I wonder if there is another agenda behind that.

Lastly, this bill includes H.R. 3, the Northern Route Approval Act, which would approve the permit for the Keystone XL pipeline.

Tomorrow marks the sixth birthday or anniversary of the filing of that permit—6 years. We have liberated continents and put a man on the Moon in less time than it has taken to review this permit and approve it. It not only has strong bipartisan support in the House, it is one of the few issues that enjoys broad bipartisan coalition in the Senate as well.

We can't get this done because the President lacks the leadership to make a decision. He would rather make a decision based on politics, continuing to delay the decision until after the next election. It is just now the third election.

Consider these few things about the Keystone pipeline that come directly from this administration's environmental impact statement on the Keystone pipeline.

It would create over 42,000 jobs directly related to the construction of the pipeline project and downstream jobs.

During the construction of the pipeline, it would contribute $2 billion in wages to the economy in the United States—$2 billion.

The administration acknowledged that by not building the Keystone pipeline, we had actually increased carbon emissions by 28 to 41 percent.

Many people come up to me and say, I don't get how it would reduce. The reality is, the alternative is, the pipeline that Canada is building to the east and to the west will then be exported. So that oil then is put on a ship, tanker, at least for the west it will be shipped directly to China. Maybe even the east coast pipeline will go down into the Panama Canal and over to the east.

So when you use the energy taken to ship it to China and then refined in China with less pollution controls and emission controls in their refineries than we have in the United States, you will actually be increasing the CO_2 carbon emissions.

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Now, like every other piece of legislation in this package, this is stuck in the Senate and being held hostage by the majority leader. Time is of the essence before the clock runs out on this Congress. So this package of energy bills to grow our economy actually does HARRY REID a favor.

Instead of having to schedule 13 different bills, Mr. Speaker, he only has to bring up one. We have nearly 400 bills that this House Chamber has sent to him that have not been acted upon. Let's make it easier, package them together, and if he passes ten of the bills like this then maybe we are making some real progress.

The Senate floor wants the comprehensive package and to hold one vote to meet our national energy needs and grow our economy.

Mr. Speaker, I ran to make our country energy independent, to have the level of security, national security, when you can be in control of your own economy and destiny. In my view, the cornerstone of a dynamic economy is your own energy and your own resources. You compare the countries that have the resources that they can control themselves and not be dependent on others and you see the strongest economies in the United States. This is the cornerstone. It creates jobs, it creates security. And I just don't understand why our majority leader—the majority leader in the Senate—won't bring these great bills to the Senate floor. In fact, I think he is scared they are going to pass, and they will. They have a great deal of support.

So let's say ''yes'' to American energy, ''yes'' to more affordable energy in the United States.

I would like to recognize the gentleman from Indiana to say a little bit more on how we secure America's energy.

Mr. BUCSHON. Thank you for yielding, Congressman TERRY.

I rise today in support of American energy and the families that it supports.

Mr. Speaker, American families are struggling. Many are living paycheck to paycheck as the price of everything continues to rise: a gallon of gas, a gallon of milk, electrical costs. And do you know who the rising electrical costs will affect the most? American's seniors on a fixed income and the poor.

Here in the House we have solutions, like investing and expanding American energy production. It creates jobs on which families can depend and lowers costs at home and for businesses.

Mr. Speaker, my father was a United Mine Worker in Illinois for over 30 years. It was hard work, but it was a good-paying job and provided for our family, and we are proud of the work my dad did. It afforded me the opportunity to pursue an education and become the first person in my family to receive a 4-year college degree. I went on to medical school and became a surgeon. His job as a coal miner made the American Dream possible for me. This is what America is about.

In my home State of Indiana, over 80 percent of our electricity comes from coal. My district is home to nine coal mines, every mine in the State, and they employ thousands of Hoosiers. Next door, in southern Illinois, more coal mines, which employ Hoosiers. Coal not only keeps the lights on in Indiana, but it puts food on the table for Hoosier families.

I have been to several coal mines recently, went down in the coal mine—because I like going down in coal mines since I did it when I was a kid—and talked to the hardworking men and women who every day are working these jobs. And I keep hearing the same thing, Mr. Speaker: Washington regulations are crushing our business and I am afraid for my job, what that may mean to my family.

The fact is that coal is being mined cleaner and safer than it ever has. Despite what this administration would have you believe, the coal industry has made great strides in protecting our environment while providing low energy costs for their consumers.

But every time they invest their own money to improve their mines, this administration moves the goalpost. They do this without consideration of how many jobs they are eliminating in southwest Indiana and other coal-producing States. How this impact on the energy prices consumers pay has an effect on Indiana's families.

In my district, two coal-fired power plants are closing because of this administration's energy policies.

It is not just coal jobs that are being threatened. Indiana's manufacturing jobs are beginning to feel the impact of these harmful energy regulations. You see, manufacturing makes up around 28 percent of our gross State product. We are a huge manufacturing State; in fact, the highest percentage of gross State product in the country.

Indiana also leads the Nation in manufacturing employment, and low-cost energy is part of the reason.

But the plants in my district are telling me they may not be able to survive when Washington continues to squeeze them more and more. How can Alcoa, with 3,000 jobs, stay open in my district if their energy costs double or triple?

We can bring more manufacturing to the United States, Mr. Speaker, more jobs—which is what this is about—if we just get Washington, D.C., out of the way of American businesses.

Yesterday, in a committee hearing, I asked the EPA to visit my district and, for that matter, other coal-producing States, to hear our story and listen to what my constituents have to say. While we wait for their response, the House is working.

I am proud to have supported H.R. 2, the American Energy Solutions for Lower Costs and More American Jobs Act. This comprehensive package that has already been outlined by Congressman TERRY included the best energy ideas that the House has produced this Congress. The most important piece of this legislation is it will ensure every American access to affordable, reliable energy.

This legislation approves the Keystone pipeline, the most studied pipeline in history, which even the President's own State Department has determined will not negatively impact the environment.

This project is critical to our future generations to address their future energy needs, but, unfortunately, this administration has been blocking his project for years for politics. While they turn their back on our Nation's energy needs, they have been implementing new regulations that have been costing our Nation billions of dollars. It just doesn't make sense.

Part of H.R. 2 includes Representative BILL CASSIDY's Energy Consumers Relief Act, which ensures congressional oversight of energy-related rules costing more than $1 billion.

This commonsense bill will allow Congress to have oversight of some of those billion dollar regulations that are crushing American consumers across the Nation and that probably won't meet our standards once they are looked at by Congress. They are just costing too much, with no benefit other than an ideological approach for the administration. We need to get back to science and common sense.

H.R. 2 also included legislation that helps speed up the permitting process on Federal lands, protects our Nation's electrical grid, and protects coal mining jobs.

Most of these bills had already passed the House and are sitting over in the Senate waiting for action. They are waiting for a vote. In fact, they are waiting for a hearing, waiting for a debate amongst our Senators about the energy solutions the House has passed.

I understand that the Senate at this point—or at least one party in the Senate—may not agree with these ideas, but let's have a discussion about it. Let's hear your ideas in the Senate to lower our Nation's energy costs. The House has spoken. This is what our constituents expect of us, Mr. Speaker, an honest, vigorous debate about the issues facing our Nation.

Doing nothing is not an energy policy, and it is no way to legislate.

I hope our friends across the Capitol and the President are watching and learning from the House's example.

Mr. Speaker, finally, in closing, I want to say we need to tap our energy resources. We are on the verge of an energy renaissance in the United States, a manufacturing renaissance. What does this mean? Low-cost energy, American jobs, putting families back to work. And that is what we all want, that is why we are here, that is why we ran for office, Mr. Speaker, to help people. It provides for lower costs. We are doing it in a cleaner way than we ever have.

Mr. Speaker, let's not look right in the face of success in creating jobs and look the other way.

I am hopeful that the Senate will take up some of the House-passed bills, including this one, before the end of the year. If not, Mr. Speaker, the next Congress in this House will act again to show the American people we want lower costs for their energy, we want good-paying jobs, we want manufacturing in America, and we will act again and, hopefully, the Senate in the next Congress can see it to where they will step forward and act.

Mr. TERRY. Thank you, Mr. BUCSHON.

You mentioned manufacturing and how important it is to your State. The reality is also that manufacturing is reliant on affordable and reliable energy.

I am the chairman of the Commerce, Manufacturing, and Trade Subcommittee under Energy and Commerce. We did a series of hearings, Mr. Speaker, on manufacturing in the United States. We had industries of all sorts testify in front of our committee. I left that series of hearings very optimistic about manufacturing in the United States, because what we are seeing is many manufacturers returning to the United States.

There was one common theme to every one of the manufacturers that were moving to the United States or returning to the United States, and it was affordable and reliable energy. Many of them use natural gas, whether it is the steel industry that is having a resurgence right now—by the way, a beginning job in the steel industry—and, yes, they are looking for workers right now—$77,000.

That is the middle class that is being hammered right now. We need to create those jobs, expand those jobs, but you need affordable and reliable energy.

So what is this administration doing? They pass a rule on existing electrical generation plants, existing plants, not ones yet to be built, and they say you have to lower your emission rates to the level of using natural gas. So when we talk about Mr. BUCSHON and Mrs. BROOKS, who is going to come up here and talk about the impact on coal and jobs, that is the war on coal. They aren't using ''don't use coal''; they just put the number of emission particulates below what you can get if you use coal.

But, now, here is what happens in a State like Nebraska. The State of Nebraska has older coal-fired plants, most of them are smaller, in our rural areas of Nebraska. They won't be able to afford to pay for all of the changes that have to occur to meet that. And, by the way, this rule is not even finalized yet, but when it becomes finalized these plants have until June 30, 2016. We are in September of 2014. That is less than 2 years that they have to prepare.

That is why some of these rules are just so ridiculous and so obvious in how they are attacking our energy sector and making affordability and reliability a question mark.

Now I would like to yield to the gentleman from South Carolina, JEFF DUNCAN.

Mr. DUNCAN of South Carolina. I want to thank the gentleman from Nebraska for his leadership on energy, and for having this opportunity to discuss with the American people the things you are talking about, the impact of the rules and regulations the Obama administration has put forward with coal-fired power plants.

In my State of South Carolina, with the number of power plants that we have that are coal-fired generated, we will see rates go up. And, as you say, they have got until 2016. Well, the Obama administration will leave office in 2016, and that is when you are really going to see the impact of rates going up in States like South Carolina, Nebraska, and others that use coal. The Obama administration won't feel the impact and the pressure from the voters because they will no longer be in office.

But let me tell you about a winning message, and that is jobs, energy, and the Founding Fathers, things we have talked about this week as we passed this energy package.

Jobs. Let's unleash and unbridle that innovative and entrepreneurial spirit in America. Let Americans create jobs with the understanding that government creates jobs, but the government creates government jobs.

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Americans create American jobs, and they do that through energy. Energy is a segue to job creation, and, if you dispute that fact, go to North Dakota, Oklahoma, Texas, or Louisiana. Look at the jobs that are created there. There are low unemployment rates, even negative unemployment rates, in North Dakota.

It is an energy-driven economy. Jobs and energy. Energy is a segue to job creation. Our Founding Fathers unleashing that entrepreneurial spirit, understanding the American Dream, understanding limited government, free markets, and individual liberties.

We do that by simple things like approving the Keystone pipeline to bring that friendly Canadian oil down to the refineries where we have capacity in this country, working with our best and largest trading partner to the North.

It just makes sense as you approach American energy independence. If we as a Congress can't approach American energy independence, why not North American energy independence, working with the Canadians and also looking south to Mexico, which just did away with the nationalization of their energy sector, privatizing more and more of Pemex and the other energy resources, opening up the Transboundary Hydrocarbon Agreement area in the western gap? A million and a half acres are now open to production on the Mexican and U.S. sides of the western gap.

In South Carolina, we want offshore energy production. I want to applaud the Palmetto Policy Forum for a study they just put out that shows the economic impact. When people think about energy jobs and offshore, they think about the guys in the hard hats and the oily uniforms turning the drill on the derrick.

But guess what? It is all the jobs that are created onshore to support that effort offshore. Those are the pipefitters and the welders and the widgetmakers and the auto body mechanics and the supply vessels and the heating and air repair guys that go out to the rigs and repair the heating and air and the refrigeration and other things that are going on out there because it is a way of life.

Those guys are onshore, at home, and they are eating at their local restaurants and tipping their waitresses and going to their churches and tithing. They are joining the United Way and the chamber of commerce and sponsoring those ball teams.

It is a trickle down. The first domino that falls is for us to allow offshore drilling.

The bill we passed this week does a lot. I want to applaud the Energy and Commerce Committee, but I also want to applaud DOC HASTINGS and the Natural Resources Committee.

It increases offshore production, increases onshore production. It opens up that Federal land that is currently off the table for oil and gas production, but also wind, solar, and transmission lines and all the things that happen, that is now off the table on Federal land out West.

Look at a map of the West. There are a lot of sunny areas out there in the desert; but guess what? You own it. Your taxpayer dollars set it aside. It is Federal lands, but it is off-limits. Even if you believe in solar and wind power, you can't have that on Federal land because it is off the table for that type of production as well.

This prevents duplicative hydraulic fracturing regulations. Guess what? We have got an abundance of natural gas in this country, and we are finding more and more every day onshore. We can build LNG terminals.

We heard a great speech from the President of Ukraine today. If we could export LNG from America to Ukraine, lessen Ukraine's dependence on Russian gas and also export the technology that we have for fracturing, they want that technology because they want to lessen their dependence on Russian gas.

It is because of a word that he mentioned over and over today, Mr. Speaker, and that was ''freedom.'' Freedom. Freedom from Russian gas and that dependence. Europe wants it because they are dependent on Russian gas as well.

Let's export the LNG, the gas that we are producing in abundance in this country, and let's help our allies in Europe and Ukraine.

All that we do, all the bills that we talked about, we have had an absent Senate when it comes to energy independence, and we have had an absent White House when it comes to energy independence, other than supporting Solyndra and other green initiatives and wasting taxpayer dollars.

We need real things that work. It takes 24/7 base load power in this country to make the engines of the economy work. 24/7. What does that mean? Base load power, what does that mean? That means when you flip the light switch and the lights come on; and, when the companies that are manufacturing products all over this great land cut those machines on, this power supply is available to turn the engines of the economy, producing American jobs, producing American manufacturing items.

That happens with 24/7 base load power that comes from coal, natural gas, hydro, that comes from nuclear power, all of the things we should support while we continue to work on the necessary components for wind and solar to actually work, and that is the storage capacity because wind and solar is intermittent.

The sun doesn't always shine, and the wind doesn't always blow, but I will tell you what works, and that is the proven technologies of oil and gas, nuclear, hydro, the things that we are talking about in the bills we passed today that actually work.

Jobs, energy, and our Founding Fathers. Let's put Americans to work. Let's unleash that innovative and entrepreneurial spirit. Let's have an energy-driven economy, and we can do it.

South Carolina wants to be a part of that. Nebraska is already a part of that. Indiana—I have talked with Indiana folks that are here. South Carolina wants to be a part of that as well.

I thank the gentleman for his leadership on this.

Mr. TERRY. Thank you. I appreciate that.

I now yield to Mrs. BROOKS from Indiana.

Mrs. BROOKS of Indiana. Thank you to the gentleman from Nebraska for bringing together my colleagues, with tremendous energy—my colleagues who have the energy to talk about this package of bills that will encourage investment in our infrastructure, lower energy prices, and create good-paying jobs for millions of Americans.

My home State of Indiana is especially well-positioned to take advantage of Chairman UPTON's and what they are calling in Energy and Commerce the ''architecture of abundance'' that is embodied in the bill that we just voted on and passed.

Last week, the commissioner of Indiana's Department of Environmental Management testified before the Energy and Commerce Committee that, in fact, 28,000 Hoosiers are employed in the coal industry and that our State sits on top of a 300-year supply of this abundant resource.

By rolling back the disastrous proposed EPA regulations on coal-fired gas plants, this bill will save Hoosiers 32 percent on their electric rates and keep our businesses competitive.

As the Nation's leading manufacturing State, Indiana heavily contributes to the oil and gas extraction business by producing the equipment that makes the energy renaissance possible.

In fact, the industry already contributes $16.6 billion to the Hoosier economy, while supporting over 136,000 jobs. H.R. 2 will expedite LNG export applications and approve the Keystone pipeline, initiatives that we know would add billions of annual GDP to our economy and create tens of thousands of good-paying jobs.

Make no mistake, I also fully understand the value that renewable resources play in our energy mix. My district alone is home to two ethanol plants, a wind farm, and a newly-opened solar plant.

Renewables bolster Indiana's local economies while supporting 53,000 Hoosier jobs. This is a massive growth sector in our State, and H.R. 2 would continue to promote the development of alternative sources of energy for the benefit of our economy and the environment.

The Congressman from Nebraska's bill makes pipelines more feasible; and, as the nonpartisan Congressional Research Service found, ''pipelines provide safer, less expensive transportation than railroads'' that currently carry gas and oil.

Pipelines mean fewer spills, less emissions from vehicles transporting fuel, and better access to natural gas which produces 30 percent less emissions than petroleum.

Republicans are committed to a responsible environmental policy that protects our children from pollutants and preserves our pristine wildlife for generations to come.

However, American ingenuity and technological advancements have allowed U.S. energy-related carbon emissions to fall to their lowest levels in nearly two decades, showing we can tap into our vast natural resources while still being responsible stewards of our environment.

Indiana Governor Mike Pence and 14 other Governors recently wrote to the President:

The economic health of our Nation depends on accomplishing a balanced energy and environmental policy.

Madam Speaker, that is exactly what this bill does. I hope the President listens, and I applaud the gentleman from Nebraska for his leadership on this issue.

Mr. TERRY. Thank you, Representative BROOKS. You had mentioned something that we really haven't injected into this particular conversation, and that is the renewables.

I am proud that our local power district has 30 percent of their energy produced by wind, a renewable source. I personally think that solar is going to be, over time, a significant part of a portfolio, but maybe not in the way that many people think because many people think of filling the desert with these solar panels.

The reality is that technology today is to be integrated into buildings. Think of your office building's windows generating power. That is exciting technology that is in the research labs right now, so we need to include that.

I am glad you brought it up because people listening may think that we only want fossil—but it is just that fossil fuels are under attack—and you need a diverse portfolio; otherwise, you really jeopardize your economy. If you are just only on oil and you only get it from overseas, you can see where you are in jeopardy.

I just wanted to thank you for bringing that up.

Mrs. BROOKS of Indiana. Thank you. And the diverse all-of-the-above energy policy, if we use renewables in addition to oil and gas, that creates even more jobs, and I applaud you for your effort to always think about the environment as well.

Mr. TERRY. Thank you.

I want to yield to the gentleman from Georgia. I don't know if you are a Bulldog or not, but you are in Congress.

I now yield to ROB WOODALL, the gentleman from Georgia.

Mr. WOODALL. I thank my friend from Nebraska. We are all Bulldogs in Georgia, even those folks who went to the trade school in downtown Atlanta known as Georgia Tech. We are Bulldogs at heart.

I want to thank you for leading this hour tonight because, so often, when folks think about what we do here, they are thinking about Republican this, Democrat that, partisan this, partisan that. Folks get mired down in philosophical debates.

What you have done here tonight is get into the core of what I think we all, as Americans, care about. We are talking about energy security. We are talking about an all-of-the-above energy strategy that lowers energy prices, puts more money in the pockets of every single family through lower prices, and creates job opportunities not just in your State or my State, but all across this country, and, Madam Speaker, that provides us with energy security.

I grew up in the seventies. I remember the gas lines. I remember sitting outside. That was our great President from the State of Georgia that was presiding in those days, and I will never forget President Reagan's first inaugural address.

He was talking about the challenges that we were facing as Americans. He was talking about the big dreams that it was going to take to overcome those challenges. He conceded that they were big dreams, but he said, ''Why shouldn't we dream those dreams?'' Because, after all, we are Americans, we are Americans.

What my friend from Nebraska said about the oil exploration in Canada really struck me. We have this debate about whether or not we should build a pipeline to bring Canadian energy down into America to provide American jobs, American construction, American manufacturing, and there are those who say, ''Well, no, don't do it because it would be better if that oil stayed in the ground.''

That is not a choice. That is not an option that is anywhere in this House or that is anywhere within our jurisdiction. The gentleman pointed out exactly the truth of the matter which is, if we don't do it, somebody else will. If we don't do it, somebody else will.

There is not a nation on the planet that is going to burn that oil more responsibly than we will, and I love that about us. Madam Speaker, I love that about us, that no one will do it better than we will.

This bill is H.R. 2. We reserve those numbers for the most important things that we do. I don't know if folks know that, Madam Speaker.

Those top 10 numbers in the bill calendar are reserved for the biggest and best thing that we do, but, because people think this is such a partisan institution, they might think we save those numbers for the ''Republicans are the Greatest Act.'' They might think we save those numbers for the ''It's Our Way or the Highway Act.'' Nonsense. We save those numbers for the things that matter to everyone.

My friend from Nebraska can correct me if I am wrong, but we have packaged together a collection of bills that have passed this House. We put them together in H.R. 2, and every single bill in that package passed with a bipartisan vote.

Mr. TERRY. It is true.

Mr. WOODALL. Madam Speaker, I want you to hear that. We had a chance here. Republicans run this show. If we wanted to just jam something through, we could, but, when we talk about energy independence, we are not talking about Republicans and Democrats. We are talking about Americans.

□ 2000

We are talking about every family in this country. And what the gentleman from Nebraska has done is put together those commonsense ideas that have been agreed upon by both sides of the aisle—bipartisan votes, every one—and said let's not let this year expire without doing those things that we can do, agreeing on those things on which we can agree.

Mr. TERRY. May I interrupt you on that point because it is interesting.

When I am back home—and maybe you get this—we get input from our constituents. And one of the most frequent ones is: Why don't you do the bills that you do agree on?

In essence, that is what this bill does because we have had 30, 40, 50 Democrats involved in the bills and voting for them; and so this is an amalgamation of bipartisan bills, but yet we had less Democratic support for today's bill than we did as individual bills, and I think maybe there is a little bit of politics being played.

Mr. WOODALL. You may not know, Madam Speaker, but my friend from Nebraska is the author of the Northern Route Approval Act. It is one of those bills that passed here with a bipartisan majority, and it is in this package. It is in this underlying package.

We talk about this as if it is an energy bill. Because it is H.R. 2, it is the energy bill. But that very same language that my friend has authored and led through this House of Representatives is included in the Study Committee package known as the JOBS bill, JOBS Act, that collection of bills that will put Americans back to work, that will grow the economy, that will do those things that are on the minds of every single American family.

Too often we talk about energy issues as if they are separate from those issues; and what my friend knows and what he has been leading in this hour tonight, Madam Speaker, is that energy issues are jobs issues. Energy issues are family issues. Energy issues are issues to every single American citizen.

Never before in my lifetime have I had the hope that we would get the hands that have been around the American neck by those who supply us with energy. We have that opportunity.

I was listening to my friend from Indiana talk about coal. We are the Saudi Arabia of coal in America, the Saudi

Arabia of coal. And the administration is trying to singlehandedly tie the hands of the energy industry not to exploit—and I mean ''exploit'' in the best possible sense of the word; I mean ''exploit'' in the utilize, in the harness, in the grow sense of the word—taking that off the table. That is not an environmental decision. That is a jobs decision, and we feel that in each and every one of our districts.

Madam Speaker, there are a lot of ways to run this institution. You can run this institution with the iron fist that says ''my way or the highway,'' or you can run this institution with those commonsense ideas that speak to every single American family.

Folks think this is an election year, I say to my friend from Nebraska, and they think that that brings out the worst in this body. What I want to say to you, under your leadership, these bills that we see here tonight, these bills that were packaged in H.R. 2, that most preeminent number in priority here at the House of Representatives, what you are leading is that language, that bill, that opportunity that puts America first and being a Republican or a Democrat way, way down the list.

I think that is what folks are looking for. I think good policy is good politics. I think doing the right thing for the right reason is better than having the right commercial at the right time.

It matters, and it matters to me that we have leaders like you who carry that message. I am grateful to you for leading the hour tonight. I am grateful to you for including me in it, and I am grateful to you for yielding me the time.

Mr. TERRY. And I am grateful you stayed long enough to speak tonight. You did a great job, and I really appreciate all of the work and effort you do to secure America's future.

In conclusion, Madam Speaker, energy, again, is the cornerstone of our economy. Sometimes we speak rather scientifically. We don't speak in the terms of how does it really affect me, not as a Member of Congress, but, you know, we represent 600,000 or 700,000 people in our districts. What we are trying to do is secure America's future. If we focus on energy, we secure it in so many different ways.

I hear from my constituents that they are frustrated at the increase of food prices in the grocery store, the continuous up-and-down swings of gasoline at the pump. The costs per family for just transportation fuel has gone from 6 percent of their income to now 11.6 percent, just in the last 6 years. Those are the type of things that really make it more difficult for our families in our districts. So a solid, encompassing energy policy helps alleviate those cost frustrations of every family.

Many people will say, You talk about affordability and reliability. What are you talking about? How does it actually make things more affordable? What is reliability?

Well, if your electric bill is going to go up, if you have an existing powerplant that can't meet the new rule where the plans have to be submitted in June of 2016, so what they will have to do is either close that plant or invest, some are talking anywhere from 100 to $500 million or more to comply to this rule. What do you think happens when that power district spends $500 million? They pass that on to the consumers. Your electric bills will go up.

We met with our electric generators over the break, and they told me that some of these, they are just going to have to shut down these smaller powerplants.

What happens to those communities? They can't invest $100 million or more into those, so they just close them down, go onto the market and bid for the energy that is out there.

But when you have—and a new GAO report just came out recently, or some report, that they expect even more powerplants to close because of these rules. So when you have more communities and districts bidding against each other, the price is going to go up for that electricity as well.

So you have kind of got it both ways. If you comply to the rule, you are going to raise costs. If you just close the powerplant, the rates are going to go up.

What we are trying to do here is just figure out a pathway where we don't have to have this level of disruption and price increases by these rules. And what we are saying here is, come forward with a better rule that gives us more time and a bright pathway so that we don't make a financial impact to our families.

So the bottom line here, Madam Speaker, is, if we secure our own energy future, our country will continue to be the greatest country in the world.

I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. WALORSKI). The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

MILITANT ISLAMISM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Florida (Mr. CLAWSON) for the remainder of the hour as the designee of the majority leader.

Mr. CLAWSON of Florida. Madam Speaker, I would like to start by commending the Congressman from Nebraska. Having invested across borders in many different countries around the world, I believe that good-paying American jobs come mostly from competitiveness.

In order for our companies to be competitive and produce good-paying American jobs, we need competitive energy prices. Therefore, I support this bill and think that it can produce lots of great jobs in America. I, for one, drive an automobile made by Americans in America.

Yesterday, I voted ''no'' on the proposal to train and arm Syrian rebels. I did so because I am convinced that we and our allies need to come together and unite behind a much broader and very long-term plan with the goal of ending militant Islamism across the globe once and for all. In my opinion, anything less, such as reacting crisis by crisis, like playing Whac-A-Mole, is doomed to failure.

To begin, we must accept the realities of the challenges we face and the generational nature of the threat. We can easily agree that ISIS today is the most visible and immediate threat of militant Islamic extremism. It is a clear and present danger to the Middle East region and, yes, beyond. We can all agree, ISIS must be eliminated. But moving forward, it would be a mistake and, I think, a missed opportunity to focus solely on ISIS. ISIS is only one part of a widespread metastasizing cancer of hatred, intolerance, and violence.

We are facing a cancer of militant Islamism, with cells under various names in dozens of countries. In planning the elimination of ISIS, we, with a coalition of the willing, must do so, recognizing it as part of an overall global disease. Success requires a broad, diverse, and longstanding international coalition committed to defeating the cancer of militant Islamism once and for all.

Now America is uniquely qualified to provide the leadership, including the airpower and mission command structure; but this time, the funding, military equipment, and ground forces must be provided by others.

Too many times in the past, the United States has borne an extremely disproportionate part of these burdens. This time it must be understood that U.S. forces are not going to be the combat boots on the ground, nor will the American taxpayer be paying the bill.

It is time for our allies, especially the Arab and Muslim nations, those most significantly and most immediately threatened, to step up. They need to provide the resources, especially the ground forces that are needed in this conflict. And coalition plans and action plans going forward must be guided by an overarching strategic vision of a world someday, somehow free of militant Islamism. That must be our cause.

Success will begin but not end with the containment, isolation, and, over time, elimination of ISIS and other militant cells, wherever and whenever they arise.

One by one, Islamic militant organizations must be eradicated around the world. They must be eliminated from the Middle East, from the Near East, sub-Saharan and north Africa, and south Asia. Any additional cancer cells or seeds of cancer in Europe, the U.S., or elsewhere must be also be eliminated.

The coalition must also follow the money and take actions to halt all financing for militant jihadists from banks, oil revenues, and states sponsoring terrorism. The coalition must be united long term behind a goal of a world where today's oppression, intolerance, violence, brainwashing, and genocide give way to liberty, religious and ethnic tolerance, and opportunity for all, regardless of one's sex, faith, or ethnicity.

The coalition must also address the root causes of the cancer, something we have been avoiding up until now, something that presents an additional challenge of monumental proportions. This means correcting conditions that become recruitment tools for jihadist organizations.

Impoverished areas, especially those with disadvantaged Muslim populations, must evolve to where they can provide information, education, skills training, and economic opportunities for their young people to counter environmental conditions that are so ripe for radicalization by radical jihadists.

These challenges are huge, even generational. Handouts are not the answer, in my view. The coalition must address these issues with the nations involved and with moderate Muslim leaders, providing assistance wherever possible. Ultimately, the battle for the hearts and minds must be won by voices of moderation and opportunity in rejection of extremist voices who offer only hatred and bloodshed.

□ 2015

Schools and hospitals and, yes, even mosques must condemn and combat violence and militant jihad.

Moderate Muslim leaders must be encouraged to speak out against extremism.

This does require courage. And as moderate Muslims emerge, the coalition must stand ready to defend and support them against those who would try to silence their voices.

Over time, any and all teachings of hatred and intolerance must be brought to an end.

As with cancer in our bodies, the worst thing to do is to deny it, ignore it, minimize it, or hope that it will just go away on its own. Or fail to call it by its proper name. And when a cancer metastasizes, we must accept that we cannot cut it out in one location.

For decades, we have been fighting the cancer of militant Islamism sort of like playing Whac-A-Mole. Whenever an Islamic threat pops up of radical nature, be it in the Near East or in the Middle East, New York, London, Nigeria, Sudan, Southeast Asia, or elsewhere, be it an organized effort or even a lone wolf, we react to it and try to smash it away, only to see another Whac-A-Mole pop up soon after in a different location.

After decades of rising Islamism, the Middle and Near East regions have seen leadership voids filled by Islamic radicals. As despots are threatened or driven out by revolutions or internal civil wars, the resulting voids are being filled by others, many of whom are bad players. Often the new leaders are worse than those they replace.

Transforming nations from totalitarian rule to a sustainable form of representative governance poses huge challenges, as we have seen in recent years.

This challenge will not end with the elimination of ISIS. Am I overstating my concerns? I don't think so.

I am convinced that America must lead the civilized world and accept the nature and breadth and complexity of global militant Islamism and call it by its name. And lead a coalition resolved to stay the course and end this cancer once and for all.

We must stop kicking this cancer down the road to jeopardize future generations.

It is neither naive nor idealistic to suggest that the world must unite behind the long-term goal of ending radical global militant Islamism. Because the alternative is simply not acceptable.

Madam Speaker, I yield back the balance of my time.

GREEN THE ECONOMY: SAVE THE WORLD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. SWALWELL) is recognized for 60 minutes as the designee of the minority leader.

Mr. SWALWELL of California. When it comes to climate change, we are facing a stark choice in America. We can do nothing and see if it happens or we can do something, protect our children, and actually grow jobs and our economy.

If you believe climate change is not happening, if you are a denier of climate change, you do not need to listen any further.

But I do have a wall that I would like to put your name on. I call it the Wall of Climate Denial. Heck, let's put this wall on the National Mall. And I would like to invite all my colleagues across the aisle to put their names on it. And that way our children and grandchildren can visit this wall decades from now and see for themselves who acted on climate change and who stood in the way.

If we act, we can start to change course, and that wall would only be a monument to a way of thinking that was on the wrong side of science.

If we do not act, it will be a monument to those responsible for the massive loss of human life and economic productivity. It will also be, if we do not act, likely, a wall that is underwater.

Global climate change is one of the greatest challenges that we face. And I agree with the previous speaker: there is no question one of the most immediate threats that we face in our country right now is defeating and wiping from this Earth ISIL.

But one of the longest-term threats to our own energy security and our existence is global climate change.

Last September, the Intergovernmental Panel on Climate Change released a report which states with a 95 percent certainty that human activities are responsible for climate change.

This report was based on a rigorous review of thousands of scientific papers published by over 800 of the world's leading scientists making it clear that if we do not act on climate change, if we don't take the necessary steps to halt this change, the repercussions for humans across this globe and the environment will be catastrophic.

We need to move forward now at this moment to take the necessary steps to combat the warming of our planet before these impacts become inevitable.

I represent the East Bay in California, where people understand the effects of climate change and are willing to do whatever is necessary to take the big steps, do the big things, take some risk to address this and grow our economy.

We are facing big energy challenges in this country and around the world. But we know that our old, dirty methods are not sustainable.

We know that the dynamics of the energy marketplace are shifting. Far from being stagnant and hopeless, we are now seeing an unprecedented amount and an unprecedented pace of change that was unpredictable even a few years ago.

For instance, renewables are penetrating at a remarkable rate, with growth in wind alone outpacing natural gas in 2012.

Our responsibility is to make sure that our country is prepared for whatever changes the markets may experience.

Overreliance on a limited range of technologies and finite resources is unreasonable. We know that the United States consumes 25 percent of the world's oil. But, at best, we only have 3 percent of the U.S. oil reserves. This is not a problem that we can drill our way out of. That is only a short-term bridge.

Our strength will lay in our ability to transition to new, cleaner, more sustainable resource energy future.

We must be competitive and not let ourselves get behind. As Washington bickers, our competitors are pulling out every imaginable stop to capitalize on the booming clean-energy economy.

It is time for us to get serious about creating green energy policy to enable us to compete more globally.

A recent article in The New York Times over the weekend pointed out how far ahead our European friends are. Germany will soon be getting 30 percent, 30 percent of their power, from renewable sources. By contrast, in 2013, renewable sources of energy accounted for only about 10 percent of the United States' energy consumption and 13 percent of electricity generation.

Are we any less capable than Germany of harnessing the energy from the wind and the sun?

I believe, Madam Speaker, we are not. We are not less capable. But right now, we might be less willing.

Step one in addressing climate change is admitting that it is a problem. Too often in Washington we see this false choice, this debate that if we accept climate change as a problem, then it is going to kill jobs, and we should do, therefore, nothing about it.

But if we don't accept climate change as a problem, we will never be singing off the same sheet of music. Once we sing off the same sheet of music, we can start to take the steps necessary to address that climate change is indeed a problem.

There is overwhelming consensus among scientists across our globe that it is a problem.

Here is what we know: the current warming trend is a particular concern because it is very likely that it is based on human-induced activities.

The heat-trapping nature of carbon dioxide and other gases was demonstrated in the mid-19th century. Ice cores drawn from Greenland, Antarctica, and tropical mountain glaciers show that the Earth's climate responds to changes in solar output, and the Earth's orbit, and in greenhouse gas levels. They also show that in the past, large changes in climate happened very quickly, geologically speaking—in tens of years, not millions or thousands.

How about sea-level rise? Global sea level rose about 17 centimeters, that is just under 7 inches, in the last century.

As far as global temperature rise, all three major levels of global surface temperatures showed that the Earth has warmed since 1880. Most of this warming occurred since 1970, with 20 of the warmest years having occurred since 1981, and with 10 of the warmest years occurring in the past 12.

The oceans are also rising and warming. The oceans have absorbed much of this increased heat, with the top 700 meters of ocean showing a warming of 0.302 degrees Fahrenheit since 1969.

Extreme events, the number of record high temperature events in the United States, have been increasing, while the number of record low temperature events has been decreasing, since 1950. The U.S. has also witnessed increasing numbers of intense windfall events.

So once we can address and accept that climate change is occurring, we can end this false debate of, do we do anything or do we do something?

And I submit to America that if we do something, not only can we address climate change, save the world, protect our children, we can actually create jobs.

My district is home to several businesses and initiatives that are fighting to green our economy and combat global warming but that are also economically successful.

In my district, we have a program called i-GATE, or the Innovation for Green Advanced Transportation Excellence. I-GATE is a regional incubator in the Tri-Valley specializing in growing green technology startups. With a network that includes two national laboratories, Lawrence Livermore National Laboratory and Sandia National Laboratories, with over 7,000 scientists, investors, and advisers, and leading universities and corporate partners, i-GATE has created a unique ecosystem for growing the startups that are working to address our biggest energy challenges.

The startups that i-GATE incubates are working to create better lithium ion batteries, provide region- and crop-specific information to farmers on how climate change could change and affect their crop revenue, and create low-cost diagnostics to screen for life-threatening diseases.

We also have an interesting company that I had the opportunity to visit at their ribbon-cutting called Siluria Technologies. It is in Hayward, California. And they are pioneering the commercial production of fuels and chemicals made from clean, abundant natural gas and renewable methane.

Since its opening in 2013, Siluria has already demonstrated how their technology can be employed to produce gasoline, an achievement that paves the way for the first such commercial facilities producing liquid fuels in 2017.

This year, Siluria unveiled a first-of-its-kind development for producing cleaner fuels from natural gas and renewable methane.

This accomplishment is an important milestone in moving forward. It represents the last scale upstep prior to full commercialization of Siluria platform technology.

Then there is UltraCell. James Kaschmitter, a former employee of Lawrence Livermore National Lab, founded the company UltraCell in Livermore, California. They are designated as a veteran-owned small business, making compact high power, long endurance, off-grid portable power.

I also want to tell you the story of a small business in Dublin, California. I visited this small business when they put solar panels on their rooftop just a few weeks ago.

Now, their business owner is admittedly a pretty conservative guy. And so I asked him, I said: ''You're putting solar on your rooftop. You know, solar is often affiliated with addressing climate change and investing in renewables, and sometimes conservatives don't always agree with that.''

Well, the business owner told me: ''Eric, this is going to reduce my energy bill, which is about the equivalent cost of a supermarket, by hundreds of thousands of dollars every year.''

□ 2030

He used a small company in my district called Cool Earth Solar which also came out of our national laboratories; so they used federally-funded research dollars that were put into our national laboratories, and then they transferred that out to the private market and created this technology that a small conservative business owner is using in my district to save money so he can create more jobs. We can green the economy, save the world, and protect our planet for our children.

Cool Earth Solar joined with the Livermore Valley Open Campus and Sandia National Laboratories in a public-private partnership to make solar energy more affordable and accessible. Sandia National Laboratories researchers, with the laboratory's solar energy program, are testing and helping bring to market their innovative technology which uses cheaper and fewer materials to capture solar energy so that it is more affordable for small business owners, like the one in Dublin at All American Label, so that they can save money and create more jobs.

Then there are the two national laboratories. Sandia National Laboratories is home to the Combustion Research Facility. The Combustion Research Facility is a public-private partnership, and I stress these public-private partnerships because the Federal Government cannot do this alone.

We could spend the money on the basic research to get this to the marketplace, but we need faithful, committed actors in the private sector to make this successful. It is a public-private collaboration with industry, including General Motors, Cummins, ExxonMobil, and Caterpillar.

The facility focuses on the advanced combustion strategies required by industry to develop a new generation of high-efficiency clean engines.

Then there is the Lawrence Livermore National Laboratory which is also in my district, and it is home to the National Ignition Facility, also known as NIF. NIF is the largest and most energetic inertial confinement fusion device built to date, and it is the largest laser in the world. Fusion holds the promise of providing a practically limitless supply of clean energy to the world.

Across the country, there are other national laboratories, including Argonne National Laboratory, which is the home to the Joint Center for Energy Storage Research.

This world class research is working towards developing new technologies that move beyond lithium ion batteries and store at least five times more energy than today's battery, at one-fifth the cost. Then there is the Idaho National Laboratory, managing the Feedstock Process Demonstration Unit.

Look at this: across America, different laboratories are harnessing their local resources. The PDU provides an industrial-scale research system for testing feedstock formulation processes, collecting process data, and producing larger quantities of formulated feedstocks for conversion testing, a key step to getting a new biofuel to the market.

There are also very interesting ventures across America taking place in a bipartisan way to address climate

change. Launched in October 2013, the Risky Business project focuses on quantifying and publicizing the economic risks from the impacts of a changing climate.

Risky Business was cochaired by a bipartisan group of leaders, Hank Paulson, Michael Bloomberg, and Tom Steyer. The Risky Business project has found that our economy is vulnerable to an overwhelming number of risks from climate change and that the current path will only make these risks worse.

Climate change is our planet's way of charging compound interest. They find that the longer we wait to pay down our climate debt, the more it will cost the American economy, and the harder it gets to adapt. There is no such thing, they find, as ''business as usual'' and that the only path forward for businesses and individuals is to act now to reduce these risks.

Their assessment found that, if we act immediately, we can still avoid some of the worst impacts and significantly reduce the odds of costly, catastrophic climate outcomes, but only if we start changing our business and public policy decisions today.

They are calling on American business leaders and investors to get into the game, to get into the game of climate investment. America's businesses are fully capable of rising to this challenge of climate change, and we must do more now, just as we are seeing done in Germany.

This is not a problem for another day. The investments that we are making today, this week, this month, this year will determine our economic future.

They point to short-term problems and long-term problems. In the short term, we are going to see the cost of coastal property and infrastructure. Within the next 15 years, higher sea levels combined with a storm surge will likely increase the average annual cost of coastal storms along the Eastern coast and the Gulf of Mexico by $2 billion to $3.5 billion. Adding in potential changes in hurricane activity, the likely increase in annual losses grows to about $7.3 billion.

How about agriculture? California is the largest agriculture State in the country. A defining characteristic of agriculture in the United States is its ability to adapt, but the adaptation challenge going forward for certain farmers in specific counties in the Midwest and in the South will be significant.

Without adaptation, some midwestern and southern counties could still see a decline in yields of more than 10 percent over the next 5 to 25 years should they continue to sow corn, wheat, soy, and cotton, with a 1 in 20 chance of yield losses of these crops of more than 20 percent.

Most importantly, energy. Greenhouse-driven changes in temperature will likely necessitate the construction of up to 95 gigawatts of new power generation capacity over the next 5 to 25 years, the equivalent of roughly 200 average coal or natural gas-fired power plants, costing residential and commercial ratepayers up to $12 billion a year.

Then there are the large-scale losses to coastal property and infrastructure. If we continue on this current path, by 2050, between $66 billion and $106 billion worth of existing coastal property will likely be below sea level nationwide, with $238 billion to $507 billion worth of property below sea level by 2100.

Who is standing in the way of climate change action? We know who they are. We know this family. Koch Industries spent over $25 million in campaign contributions by the end of 2013.

They have spent over $84 million in lobbying as of the end of 2013. Americans for Prosperity does not have to fully disclose spending since, technically, it is a not-for-profit entity; so the numbers are actually truly unknown.

The Koch brothers have funneled $67 million to groups who deny climate change and actively try to delay policies and regulations aimed at stopping global warming.

The Koch brothers run oil refineries and control thousands of miles of pipeline, giving them a massive personal financial stake in the fossil fuel industry.

Koch-owned Flint Hills Resources, a subsidiary, owns refineries in Alaska, Minnesota, and Texas that process more than 800,000 barrels of crude oil daily. The company owns a 3 percent stake in the Trans-Alaska Pipeline System, 4,000 miles of oil and products pipelines in the United States, and an 80,000 barrels per day refinery in Rotterdam.

In addition, Koch Industries has held multiple leases on the polluting tar sands of Alberta, Canada, since the 1990s, and the Koch Pipeline Company operates the pipelines that carry the tar sands from Canada into Minnesota and Wisconsin, where Koch's Flint Hills Resources owns oil refineries.

It is time that we have real campaign finance reform in this country. It is time that we pass a constitutional amendment that reverses the decision in Citizens United. It is time that we take the influence that Koch Industries has on policymakers to standing up for climate change.

It is also time that we end this false debate. Let's accept that climate change is truly happening. Let's believe in the science, the overwhelming majority of scientists who accept that it is happening. Let's move past that debate.

Once we move past that debate, let's have the real debate: What do we do next? How do we address climate change without killing jobs in America? How do we invest in our own energy resources?

It is often said that, ''Well, if the sun doesn't shine and the wind doesn't blow, there is not much you can do with renewables.'' Well, there is great research taking place in our national laboratories and in the private sector to better store renewables, to use fuel storage methods for our renewables. Let's look at better investments and fuel storage renewables.

We have a unique opportunity in this country to do something. The cost of doing nothing is too great. The cost of doing nothing means leaving our children a future that is more insecure. The cost of doing nothing means spending more money in defense because we don't have our own energy resources that we can draw from, making us more vulnerable to people across oceans who aren't necessarily our allies to receive our energy resources.

The cost of doing nothing means our entire planet could one day be under water. We have an opportunity to do something. We can green our economy. We can create jobs.

My district is not unique. There are great minds across our country who can answer this call for action. There are great minds who can create jobs in every district in this country through wind, solar, fuel storage, and other alternatives to dirty fossil fuels. I believe in an all-of-the-above energy approach.

We should not just pull the plug immediately on fossil fuels; but, if we don't look forward, as our ally Germany is doing—30 percent renewable consumption by the end of 2014, 30 percent. If we don't look forward in that way, we will pay a steep, steep price.

Let's build that climate wall—I hope there aren't many names on it. Let's build that wall of climate denial. If you truly believe we should do nothing, if you believe the answer is to just cover our eyes, put our fingers in our ears, bury our heads in the sand, and just reject all of the science, that wall will likely be under water.

But America is too great. America has always responded to changing science and has always harnessed our own resources. I believe we can seize on this opportunity. We can green our economy, save the world, and leave a better planet for our children.

With that, Madam Speaker, I yield back the balance of my time.

BOSNIA TODAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from New Jersey (Mr. SMITH) for 30 minutes.

Mr. SMITH of New Jersey. Madam Speaker, last week Congressman TRENT FRANKS and I had an important meeting with Reis Emeritus Dr. Mustafa Ceric, the former Grand Mufti of the Islamic community of Bosnia-Herzegovina.

Dr. Ceric is internationally recognized and renowned as a man of peace, a leader in interreligious dialogue. For example, in 2008, he led the Muslim delegation to the Catholic-Islamic Forum,

and he did that kind of work on many, many occasions.

Last week, we talked about Bosnia since the conflict and the genocide of the 1990s, about where Bosnia is today and where it needs to go.

□ 2045

I would like to share with my colleagues what Reis Ceric had to say. Dr. Ceric briefed and updated us on Bosnia's struggle to hold itself together, build its economy, and integrate into NATO and the European Union.

He talked about a country where, 19 years after Srebrenica and the horrific genocide that occurred there and the Dayton Peace Accords, ethnic divisions remain strong and, in many ways, have hardened as a generation has grown up in a system that classifies people into one of three ethnic communities—Bosniak, Serb, or Croat—and in a system that diminishes the rights of anyone that doesn't belong to one of those communities, including Jews and Roma.

In Bosnia today, only ethnic Bosniaks, Serbs, and Croats can be elected to the legislature—the House of Peoples—or to the Presidency. This structurally-embedded discrimination is a legacy of the Dayton Peace Accords brokered under American watch.

While this design was probably necessary at the time to stop the genocide and aggression, in today's time and expanding Europe, it clearly violates our basic values of freedom and equality.

As a result, in Bosnia today, all persons are not equal and—based on race, religion, and ethnicity—entire segments of the population are excluded from full political participation.

The Dayton Peace Accords were a tourniquet to end the genocidal conflict in 1995. However, that is all they were really intended to be. Dayton was never intended to operate as Bosnia's Constitution, certainly not for 19 years.

As a result of Dayton's severe limitations on its democracy, Bosnia cannot be fully integrated into Euro-Atlantic structures. Without amending the Dayton Accords to respect basic human rights and political rights of one person-one vote, Bosnia will never even be a candidate for the European Union.

So a question mark hangs over Bosnia's future, as ethnic activists continue to agitate to partition the country and threaten daily to secede, taking large swaths of ethnically-cleansed territories with them. Such action might lead to a revival of hostilities.

What further aggravates the condition is a sustained campaign of mischaracterization and outright denial of genocide by some government officials of the Republika Srpska, the smaller of Bosnia's two entities.

Milorad Dodik, the President of the Republika Srpska, is publicly calling for the naming of public squares, roads, and boulevards after indicted war criminals such as Ratko Mladic and Radovan Karadzic; yet Dayton provides no mechanism by which Bosnia, Madam Speaker, can be fully democratized.

Significant leadership by Bosnian leaders is going to be absolutely necessary to break through the stalemate created by ethnic interests, and, of course, the United States must do its part to ensure that the Bosnian dream of a robust democracy, respect for the fundamental human rights, and rule of law is reached. I respectfully submit that delay is denial and that the Bosnians deserve better.

Madam Speaker, the United States has a special responsibility to Bosnia. We could have done more for them in the 1990s. I know, I was here.

I held hearing after hearing, traveled to the former Yugoslavia repeatedly, joined by other colleagues like FRANK WOLF, trying to get this country to stand up and assist those who were being victimized by an invasion; instead, we left it to the Europeans in the 1990s, and, unfortunately, it was a train wreck.

We could have lifted the arms embargo on Bosnia earlier, which may have prevented the genocide.

I would note, parenthetically, that I was the sponsor of legislation to lift the egregiously-flawed arms embargo that hindered both the Croats' and the Bosnians' ability to defend against aggression.

Only after the tragic and preventable Srebrenica genocide in early July 1995—and thanks to the leadership of some of us in the House and Senate—did our government swing into action and broker the peace deal.

Bosnians, Madam Speaker, of every ethnicity and faith look to the United States to help move the country forward. I agree with Reis Ceric that, without American leadership and help to evolve the Dayton Accords toward a democratic constitution, the situation will likely fester and get worse.

Madam Speaker, in the 1990s, throughout the darkness of the Balkan war, Reis Ceric was a powerful, persistent, reasonable, and dynamic voice for peace, human rights, the rule of law, and accountability for genocide.

Reis Ceric is a good friend of mine and truly an inspiring man of God.

TAX-PAYER-FUNDED ABORTION

Mr. SMITH of New Jersey. Madam Speaker, I would like to address another issue before the House today.

Madam Speaker, 5 years ago, about 5 feet from where I am standing right now, President Obama told lawmakers and the American public in a specially called joint session of Congress on health care reform that, ''Under our plan, no Federal dollars will be used to fund abortion.''

That was September 9, 2009. In an eleventh hour ploy to garner support from a remnant of pro-life congressional Democrats absolutely needed for passage of ObamaCare, the President issued an executive order on March 24, 2010, that said:

The Affordable Care Act maintains current Hyde amendment restrictions governing abortion policy and extends those restrictions to newly-created health insurance exchanges.

It turns out, Madam Speaker, that those ironclad promises made by the President himself are absolutely untrue.

Agree or disagree with public funding of abortion—and a significant majority of Americans oppose it—but no one likes to be misled. Today, as I think many of my colleagues know, a growing number of Americans are recognizing that abortion is violence against children and hurts women.

Abortion methods rip, tear, and dismember or chemically poison the fragile bodies of unborn children. There is nothing benign, compassionate, or just about an act that utterly destroys a baby and often physically, psychologically, or emotionally harms the mother.

At its core, Madam Speaker—and this has been missed by many, especially in the media—the Hyde amendment has two parts. It prohibits funding for abortion, but it also prohibits funding for any insurance plan that includes abortion, except in the cases of rape, incest, or to save the life of the mother.

Remember, the President stood here and then, in his executive order, said that the act maintains the Hyde amendment restrictions governing abortion and extends those restrictions to the newly-created health insurance exchanges. That is what the executive order said, and yet, now, we know that is absolutely untrue.

A comprehensive Government Accountability Office report released this week documents massive new public funding for abortion in the President's new health care law.

Like so many of the President's promises that litter the political landscape, GAO has found that, in 2014, taxpayers are funding over 1,000—let me repeat that—1,000 ObamaCare health plans that subsidize abortion on demand—even late-term abortion—decimating the Hyde amendment that the President said he would honor.

Again, if you fund the insurance plan, the purchase of a plan, it is a violation of the Hyde amendment that the President said that he would extend to the newly-created health insurance exchanges.

According to the Government Accountability Office, in their findings, every ObamaCare taxpayer-funded health insurance plan in my own State of New Jersey, Connecticut, Vermont, Rhode Island, and Hawaii pays for abortion on demand, every one of them.

In New York, a whopping 405 out of 426 ObamaCare plans subsidize abortion on demand. In California, it is 86 plans out of 90; in Massachusetts, 109 out of 111; in Oregon, 92 out of 102; in Washington, 23 of the 34 plans; and so it goes.

According to the Congressional Budget Office, or CBO, their April 2014 estimate, Madam Speaker, between 2014

and 2024, taxpayer subsidies to buy ObamaCare health plans will total $855 billion, making taxpayers unwittingly, wherever they live, complicit in abortion.

GAO has also found that even an accounting trick embedded in ObamaCare requiring premium payers to be assessed a separate, monthly abortion surcharge is being completely ignored. The surcharge would have added some modicum of transparency so individuals would know whether they are purchasing a pro-life or pro-abortion health insurance plan.

Senator Ben Nelson of Nebraska summed up the plain meaning—the absolutely plain meaning—of the law when he said that you have to write two checks, one for the abortion coverage and one for the rest of the premium.

According to the GAO, none of the 18 insurance companies they interviewed are billing the abortion surcharge separately. None. So much for the rule of law.

Last year, Members of Congress and some staff were barred from any further participation in the Federal Employees Health Benefits plan, the FEHB, and compelled on to ObamaCare exchanges.

After months of misinformation, obfuscation, and delay, I finally learned that, of the 112 plans offered on the exchange for my family, 103 of those plans pay for abortion on demand, a clear violation of the Smith amendment, a Hyde-like amendment that I first sponsored on the floor back in 1983 and has been the law of the land for all of these years, except for 2 years during the Clinton administration.

Madam Speaker, Americans throughout the country have raised very serious questions that they find it nearly impossible to determine whether the plan that they are purchasing finances or subsidizes the killing of unborn children—there is little or no transparency—hence the request by several Members of Congress, including our distinguished Speaker, Speaker BOEHNER, that the Government Accountability Office investigate.

As the November 15 open enrollment approaches for ObamaCare, we have no reason now to believe that the President's promise of this most transparent government in history will give consumers basic information about the abortion coverage.

First, we were told it wouldn't be in there—again, a promise made right from this podium, Madam Speaker—and then by way of executive order; and, now, we can't even find out, clearly and unmistakably, which plans include abortion and which do not.

To end President Obama's massive new funding of abortion on demand, Madam Speaker, last January, the House of Representatives passed my bill—a totally bipartisan bill—overwhelmingly known as the No Taxpayers Funding for Abortion and Abortion Insurance Full Disclosure Act.

Madam Speaker, when our friend and colleague on the other side of this building, HARRY REID, was a Member of the House, he was as pro-life as Henry Hyde. Now, as a majority leader, he refuses to even allow H.R. 7 and its companion bill offered by Senator WICKER to come up for a vote.

With respect to the distinguished Senator and on behalf of the weakest and the most vulnerable, the unborn children and those who will be hurt by abortion—their moms—I respectfully ask that he reconsider and post the legislation for a vote.

Madam Speaker, I yield back the balance of my time.

UNITED STATES TAX CODE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Georgia (Mr. WOODALL) for 30 minutes.

□ 2100

Mr. WOODALL. Madam Speaker, I appreciate the recognition. I appreciate you staying with me into the evening tonight.

I wish I could tell you I was bringing you good news, but I am bringing you some bad news. It is bad news that you have already heard. I have the most recent Tax Foundation rankings of international tax competitiveness.

We talk so much about jobs and the economy. We talk about how to make a difference in the lives of middle class families. We talk about jobs that are moving overseas. We talk about whether or not we are going to grow this economy. This is the ranking of the most competitive Tax Codes in this country.

I want you to think about, Madam Speaker, what those things are that we can do to be more competitive in this country.

We could lower everyone's wages. That would make it cheaper to build things in this country. I think that is an awful idea.

We could ignore environmental regulations. That would make things easier and cheaper to build in this country. That is an awful idea.

One of the things we could do, though, is deal with our tax system, a tax system that, so says the Tax Foundation, is the 32nd worst tax system of the 34 OECD countries—32nd worst in tax competitiveness.

Now, they are looking at everything. They are looking at individual taxes. They are looking at corporate taxes. You go way over here on the end, Madam Speaker, you get to the international tax rules rank. That is how well we work with the rest of the world with our tax system. America ranks dead last.

Why do I bring that up, Madam Speaker? I bring it up because I am reading from our Treasury Secretary, Jack Lew, his comments at the Urban Institute last week. He's talking about American corporations moving their headquarters overseas. Not moving a factory overseas, but moving their international headquarters overseas. And he says this:

> This practice allows the corporation to avoid their civic responsibilities while continuing to benefit from everything that makes America the best place in the world to do business.

Worst place in the world to do business, that is what the Tax Foundation tells us.

I read on from Jack Lew's speech. He said:

> The best place in the world to do business: our rule of law, our intellectual property rights, our support for research and development, our universities, our innovative and entrepreneurial culture, our skilled workforce.

Again, speaking about the practice of moving your headquarters overseas, he says:

> This may be legal, but it is wrong, and our laws should change. By effectively renouncing their citizenship, these companies are eroding America's corporate tax base.

That means all other taxpayers will have to shoulder their responsibility.

I go again to a Tax Foundation chart, Madam Speaker. It is a chart of what the rate is. And you can't see what the individual corporate tax rates are, but what you can see is the green lines here. That is the average corporate tax rate. Around the world, it is 25 percent.

You see another green line, that is the weighted average by the size of the economy. That of course gives more weight to the larger economies on the planet. That goes up to 29 percent.

And at the bottom of this chart, Madam Speaker, you see in red the United States of America, with the absolute highest corporate tax rate in the world. By our own design—and I say ''our own.'' I have not gotten to vote on a corporate Tax Code, Madam Speaker, since I have been in this Chamber for 3½ years, but by our design as a nation we have created the absolute worst place to do business on the entire planet.

Our Treasury Secretary calls companies who observe that and make changes because of that so that our grandmothers and our grandfathers and our pension programs and everyone who relies on the success of those companies in order to meet their fixed income demands so that those companies can succeed, he calls that a shirking of civic responsibility.

I am on the floor tonight, Madam Speaker, to suggest that it is not those companies that observed that America is the worst on the planet and move elsewhere that are shirking their responsibilities. It is those of us in this Chamber, those of us on Capitol Hill, those of us in Washington, D.C., who are responsible for this corporate tax road, it is we who are shirking our civic responsibilities because we can do better.

I know it is getting late, Madam Speaker, and I hate to take you

through the math, but when we talk about tax codes and why they are so bad, it is the math that matters. This is the tax liability for a corporation doing business in the United States of America.

Let's say you earned $1,000. You are going to pay a 35 percent rate. You are going to add State taxes to that rate as well. It is going to be about 39.1 percent, on average, about $391 out of every $1,000. So at the end of the day, you are going to be able to take home $609 to pay your salaries, to invest in your business, to grow your company—$609. That is an American company doing business in America.

How about a Canadian company doing business in Canada? Same $1,000 worth of income. They are paying a 15 percent tax rate at the national level. They are also having a provincial tax rate added to that, totals to about 26.5 percent, $265. They are taking home $735.

You earn $1,000 worth of income as an American company doing business in America, you take home $609. You earn $1,000 in income in a Canadian company doing business in Canada, you take home $735.

I know what you are thinking, Madam Speaker. You are thinking that's apples to oranges. One is doing business in America; one is doing business in Canada. Let's look further.

Let's say we take those same two companies, that one American company, that one Canadian company, and let's say they are both doing business in the United States of America. They earn $1,000. They pay $391 in taxes. They are at the highest corporate tax rate in the world. That American company takes home $609.

Go to the Canadian company doing business in America. They earn that same $1,000. They pay that same highest corporate tax rate that America has, the highest in the world. They take home $609. Whether you are the U.S. company or the Canadian company, you do business in America, you pay the same tax.

I know what you are thinking, Madam Speaker. You are saying, Well, what is the argument here? What is the issue that we have to come together and solve? It is this issue right here, Madam Speaker.

Let's say you are not doing business in America. Let's say you are doing business in Canada. We are going to take that same American company, we are going to take that same Canadian company, and we are going to look at what happens when they are doing business in Canada.

That American company earns $1,000. It pays the Canadian Government $265. The Canadian company raises $1,000, and they pay the Canadian Government $265. But it is what happens next that makes America one of the worst tax codes in the world.

When you try to bring that $735 you have left over back to America, you pay American taxes on top of what you have already paid Canada.

So the U.S. corporation doing business in Canada earns $1,000; they end up with $650 at the end of the day. The Canadian company doing $1,000 worth of business in Canada pays their taxes, ends up with $735 at the end of the day. That is why companies are moving overseas. They do exactly the same business in exactly the same place as all of their international competitors, but simply because their headquarters is based in America, they pay more.

The power to tax is the power to destroy. And because of the way we have chosen to tax our companies, a methodology that has been rejected by most of the rest of the world, we punish every single company that chooses to stay in America employing Americans.

We have been talking about it in terms of Burger King and Tim Hortons. I don't know if you are a Burger King fan, Madam Speaker. I don't know if you are a Tim Hortons fan. I love them both. I love them both. And the suggestion has been made that when Burger King and Tim Hortons are going to get together and the headquarters is going to be located in Canada instead of America, that that is somehow an unpatriotic decision being made by Burger King.

I want you to see the revenue by category that this new Burger King-Tim Hortons merger is going to have. This acquisition by Burger King is going to have about 20 percent of the revenue coming from America, about 67 percent of the revenue coming from Canada, about 13 percent coming internationally.

I go back to this chart, Madam Speaker, where I said, What if you are doing business in Canada? If you are an American company, you take home less, not a little less, but more than 10 percent less. If you are a Canadian company, you take home more. Same amount of business, same country of business location, but because your headquarters is somewhere different, you take home less money.

Well, if you are Burger King and you are in this Tim Hortons acquisition, you are making most of your money in Canada, so what are you supposed to do?

If I ask the White House, they would tell me I am supposed to stay in America and put up with the absolute worst Tax Code the country has ever seen, this country has ever seen, but also the worst tax code anywhere on the planet.

This is America for Pete's sakes. We can do better.

It is not that Burger King is choosing to leave America; it is that America is running Burger King out. And that, that responsibility lies with us here in this Chamber.

It is an arcane issue called a worldwide tax system versus a territorial tax system. When you are in a worldwide tax system—and there are only seven countries left in the world that do this—you double-tax your companies. You charge them a tax based on the country in which they earned the money, and then if they bring that money back to America, you charge them another tax on top of that.

Most nations on this planet, most nations with First World economies, they use what is called a territorial tax system. That means whatever country you raise the money in, you pay the tax in; and when you bring that money back to your home country, you are not double-taxed one more time.

This is the issue we ought to be talking about. We shouldn't be talking about patriotism. We should be talking about common sense as it relates to having America compete in a global economy.

I ask you, Madam Speaker, if we have the absolute worst tax code in the world, if we have the absolute highest corporate tax rate in the would, if we have the least competitive international tax system in the world, what do you think is going to happen to international businesses when they make their decision about whether or not to locate in America? They decide no. They decide no.

Madam Speaker, I want to talk just a little bit about what President Obama has said. It is called corporate inversion. When you move your headquarters from America, you acquire a different company overseas, you make that your international headquarters, it is called a corporate inversion. You may have seen that in the news. Here is what President Obama's has had to say about it:

> Even as corporate profits are higher than ever, there is a small but growing rube of big corporations that are fleeing the country to get out of paying taxes.

Fleeing the country to get out of paying taxes.

President Obama goes on. He says,

> I say ''fleeing the country,'' but they are not actually doing that. They are not going anywhere. They are keeping their business here, but they are moving their headquarters. They don't want to give up the best universities, the best military, the advantages. They just don't want to pay for it, so they are technically renouncing their U.S. citizenship.

Well, that sounds very similar to what I read from Jack Lew a little bit earlier. That is the party line coming out of the White House.

I go on. President Obama says:

> These businesses are playing by the rules, but these companies are cherry-picking the rules and it damages our Nation's finances. It makes it harder to invest in things like job training.

He says:

> I am not interested in punishing these companies, but I am interested in economic patriotism.

As a government, we have crafted the most punishing tax code on the face of this Earth. We have created the longest list of disincentives to locate your business in our country that is available anywhere on the planet today. And the question the President is asking is: I don't want to punish these companies, but where is their economic patriotism?

Madam Speaker, where is our economic patriotism? The Tax Code is something we created. Do you believe for a moment if the 435 of us in this Chamber got together to write the Tax Code today we would write the absolute worst tax code available anywhere on planet Earth? I don't think so. If we designed this Tax Code from scratch, we would have done something very different, but this is where we would have ended up.

I will close with this from the President:

> Now, the problem is this loophole. They are using it in our tax laws, but it is actually legal. My attitude is I don't care if it is legal; it is wrong.

I don't care if it's the law of the land, I don't care if it's the law, they shouldn't do it anyway.

□ 2115

When I think about the law, Madam Speaker, I don't know where you go, but I go to the courts for answers. And it is interesting that this idea of economic patriotism—this isn't the first time we have heard it—it has been argued in court time and time again.

I quote from the Second Circuit, affirmed by the Supreme Court:

> Anyone may so arrange his affairs that his taxes shall be as low as possible; he is not bound to choose that pattern which best pays the Treasury. There is not even a patriotic duty to increase one's taxes.

We have had the suggestion: economic patriotism, you should pay more, you should pay more. It is not our fault, it is the Congress; it is not our fault, it is the government; it is your fault as the job creator out in America, you should be doing something different.

We saw this again, another Second Circuit case:

> Over and over again the courts have said that there is nothing sinister in so arranging one's affairs as to keep taxes as low as possible. Everybody does so, rich or poor alike, and all do right. For nobody owes any public duty to pay more than the law demands. Taxes are enforced extractions, not voluntary contributions. To demand more in the name of morals is mere cant. Taxes are extractions, not voluntary contributions.

Madam Speaker, I want to say to all of my colleagues, everybody in the administration: If you don't believe you are paying enough in taxes, we can give you an address to the Treasury Department where you can mail your check. Taxes are extractions. If you are interested in a voluntary contribution, I can tell you where to mail your check.

Tax law exists to provide certainty, not just certainty to employers, but also to investors, also to entrepreneurs, also to families, also to employees, to those folks who show up to work day in and day out. The law provides us with certainty.

We, as a government, have created the worst tax environment on the planet in which to do business, and the leader of our government wants to blame the companies that have stuck with us day in and day out for the last 50 years. The wonder isn't that companies are leaving us today, Madam Speaker; the wonder is that companies didn't leave us long ago. It is a punishing environment to do business in America.

So what is the solution? Because, Madam Speaker, you know I am not going to come down here and identify a problem and not talk to you about how to solve it. But before I get to my solutions, I want to talk to you about President Obama, whom I have quoted tonight; what Secretary of Treasury Jack Lew, whom I quoted tonight, what they have to say about the solution, and it is this: the best way to level the playing field is through tax reform that lowers the corporate tax rate, closes wasteful loopholes, and simplifies the Tax Code for everybody. I am with him 100 percent—with him 100 percent. What the President has said here, I support 100 percent.

That is not what he is saying on the campaign trail. On the campaign trail he is saying: any business that tries to do what is best for its employees, what is best for its shareholders, and what is best for its customers is unpatriotic. If they choose to try to improve the lot of their customers, their shareholders, and their employees that somehow there is an obligation to subject yourself to what this Congress and this White House, this country, has created, a monstrosity of a tax code.

Maybe Jack Lew had a different idea as Treasury Secretary. He says:

> Only tax reform can solve the problems in our Tax Code that lead to inversions.

I know what you are thinking, Madam Speaker. You are wondering if I brought the wrong slides to the floor tonight. You are wondering if I made some sort of terrible mistake. Because I have been talking about how President Obama said it was unpatriotic, how he said it was their fault, how he said they ought to fix it, they ought to stay. And Jack Lew said it is their fault, they have a duty, they ought to fix it, and they ought to stay.

No. These are the very same men saying something entirely different. Because they know, not on the campaign trail, but in the serious rooms where they are talking about serious policy, that the only way to take America into this next century, the only way to make us the most competitive Nation on the planet, the only way to get those jobs back in America, back from overseas, is fundamental Tax Code reform.

Burger King can't do fundamental Tax Code reform, only the Congress can. Tim Hortons can't do fundamental Tax Code reform, only the Congress can. Warren Buffett can't do fundamental tax reform, only this Congress can. We can and we should. In fact, our Ways and Means chairman, DAVE CAMP, Madam Speaker, has tried.

Let me go on and just get the other side of the issue from folks here on Capitol Hill. I quoted folks in the White House and the administration. House Speaker JOHN BOEHNER says this, talking about all these statements about unpatriotic behavior:

> Instead of dividing people for political advantage, the President can endorse our push for comprehensive tax reform or convince Senate Democrats to act. Let's solve the real problem here.

Because it is the real problem here: the worst tax code on the planet. We have done this to ourselves.

House Ways and Means chairman, DAVE CAMP:

> Everyone agrees that tax reform is the only solution that will both keep companies from moving their headquarters out of the United States and, more importantly, encourage more businesses to grow, hire, and increase wages for American workers.

Folks, that is what it is about: grow, hire, increase wages for American workers. It is not about passing a mandatory minimum wage. That is going to kill jobs. It is going to increase some people's salaries at the expense of others. It is not about doing away with environmental protections. We support environmental protections.

Obviously, there are some regulations that make no sense, but those regulations that protect us, we need those. It is not going back to the time when rivers were on fire and our environment was at risk. The answer is in fundamental Tax Code reform so that we can grow, so that we can hire, so that we can increase American wages.

And over on the Senate side, Chairman RON WYDEN, Democratic Senate Finance Committee Chairman RON WYDEN, says this:

> America should not be part of a race to the bottom. It is clear that America must establish a more efficient and competitive corporate tax rate.

People wonder why it is we can't get things done here, Madam Speaker. You and I wonder why it is we can't get more done. It is because when folks are on the campaign trail, they tell one story. They tell a story that divides us. They tell a story that tells us who to blame. They tell a story about the big corporations who happen to provide a lot of jobs to a lot of American families. But that is not the story they tell. They tell the story of greed and perversion in the Tax Code.

But when they get down to serious policy conversations, when they get off the campaign trail and start talking about what really makes a difference, they all agree fundamental tax reform makes the difference.

Now, how are we going to get there? We have seen the shenanigans that go on that prevent us from going there, we have seen the desperate need that requires that we get there. How are we going to get there?

Well, Madam Speaker, the President's Council on Jobs and Competitiveness has been clear on this topic. This is President Obama's Council on Jobs and Competitiveness:

> We have to view our corporate tax rates as part of our national package for attracting job-creating investment.

I will give you a hint, Madam Speaker. If you want your corporate tax rates to be part of a package for attracting jobs in national investment, you don't want them to be the worst in the world, you want them to be the best in the world. The President's Council knows this.

Our system of corporate taxation hurts business competitiveness and American workers and it cries out for reforms. The President's Council says our corporate Tax Code hurts American workers and business competitiveness. They don't conclude that businesses are evil and greedy and out to stick it to American taxpayers. They conclude that businesses are struggling and trying, but it is our Tax Code that is the albatross around their neck:

A growing body of research also shows that in a world of mobile capital, workers bear a rising share of the burden of the corporate income tax in the form of reduced employment opportunities and lower wages.

Madam Speaker, I am going to read that again, because we don't have that conversation enough. These are not my words, these are the words of the President's Council on Jobs and Competitiveness:

A growing body of research also shows that in a world of mobile capital, workers bear a rising share of the burden of the corporate income tax in the form of reduced employment opportunities and lower wages.

The United States of America, worst international competitiveness anywhere on the planet, worst international tax code anywhere on the planet. The United States of America, highest corporate tax rate anywhere on the planet, largest disincentive to do business anywhere on the planet.

The President's Council on Jobs and Competitiveness:

These giant corporate tax rates don't punish corporations, they punish American workers.

My friends, Madam Speaker, we don't have corporations that pay taxes, we have corporations that raise prices. We don't have corporations that pay taxes, we have corporations that lower wages. We don't have corporations that pay taxes, we have corporations that lower return on capital. Corporations don't pay taxes, they collect taxes. They collect them from the people who buy their products, they collect them from their employees in those lower wages, they collect them in lower returns to capital—their shareholders, our seniors on those fixed incomes. High corporate tax rates don't punish corporations, they don't punish employers, they punish employees, they punish middle class American families.

Madam Speaker, the President's Council recommended a move to that territorial tax system I talk about. They recommended eliminating this vestige of an older time where capital was not so mobile, a vestige only seven countries in the world still use. We are the largest economy to still use it. It disadvantages us more than it does anybody else. The President's Council recommends eliminating that territorial tax system, not double-taxing. It says:

The current worldwide system makes investing . . . in the United States more expensive from a tax point of view than reinvesting them abroad, where they are not subject to additional corporate income tax.

Think about the lunacy of that, Madam Speaker. In the name of so-called ''helping the American economy'' by bringing in more revenue through higher tax rates, what we do to American companies is discourage them from bringing money home and investing it here, and instead encourage them to keep the money overseas and invest there.

I don't know what you are thinking of when you are thinking of investment. I am thinking of building a new factory, I am thinking of expanding productivity of your workers, I am thinking of those things that grow economies.

The President's Council says our Tax Code encourages those things to happen for other people's citizens. I want to encourage those things to happen for our citizens. Corporate tax reform is the answer.

Madam Speaker, I am going to close in a place that makes me happy. I told you I had bad news when I got down here to start. I did have bad news. The bad news is we have tied one arm of the American economy behind America's back. We have burdened ourselves with the worst Tax Code the world has ever seen, and we are demanding that American companies follow our disastrous model or else face the accusation that they are somehow unpatriotic. That has been the White House's solution to a slow economy and rapid job deterioration.

Madam Speaker, what you can't see on this poster is Ronald Reagan's solution to some of those very same challenges. Because when he was elected in 1980, he faced some of those very same economic challenges that we are facing here today. And Ronald Reagan came together with the U.S. House of Representatives, led by Democrats, and passed fundamental tax reform for the last time it was passed in this country—1986—last large tax reform that we had in this country. They said he couldn't do it. They said he couldn't do it, Madam Speaker. They said it was too big.

He did two things that this White House, this administration, has not done, and that I implore them to do, Madam Speaker—two things.

Number one, he didn't just talk about it, he released a proposal of his own. He didn't just release one proposal, his Treasury Department released two proposals. Our Treasury Department giving speeches on why it is a corporation's fault, Ronald Reagan's Treasury Department offering solutions; two entire fundamental tax reform proposals for the Congress to examine, improve, and pass.

Ronald Reagan said this, Madam Speaker. He said:

Just as sure as Ruth could hit home runs and Rose can break records, during this session of the Congress, America's tax plan will become law. But it's going to take all of us and all of you letting the folks in Washington know you that you want this change made.

He led, Madam Speaker. I thank you for your leadership, I ask my colleagues for their leadership, and, together, we can make sure that American jobs come first and the American economy is first in the world.

With that, Madam Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. CAPITO (at the request of Mr. MCCARTHY of California) for today and for the balance of the week on account of a death in the family.

Mr. CONAWAY (at the request of Mr. MCCARTHY of California) for today and for the balance of the week on account of attending a funeral.

Mr. HASTINGS of Florida (at the request of Ms. PELOSI) for today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2651. An act to repeal certain mandates of the Department of Homeland Security Office of Inspector General; to the Committee on Transportation and Infrastructure; in addition, to the Committee on Homeland Security for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4751. An act to make technical corrections to Public Law 110–229 to reflect the renaming of the Bainbridge Island Japanese American Exclusion Memorial, and for other purposes.

H.R. 4809. An act to reauthorize the Defense Production Act, to improve the Defense Production Act Committee, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 476. An act to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission.

S. 1603. An act to reaffirm that certain land has been taken into trust for the benefit of the Match-E-Be-Nash-She-Wish Band of Pottawatami Indians, and for other purposes.

S. 2154. An act to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children Program.

S. 2258. An act to provide for an increase, effective December 1, 2014, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

ADJOURNMENT

Mr. WOODALL. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, September 19, 2014, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7245. A letter from the Director, Issuance Staff, Office of Policy and Program Development, Department of Agriculture, transmitting the Department's final rule — Modernization of Poultry Slaughter Inspection [Docket No.: FSIS-2011-0012] (RIN: 0583-AD23) received September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7246. A letter from the Acting Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Litchi and Logan Fruit From Vietnam Into the Continental United States [Docket No.: APHIS-2010-0116] (RIN: 0579-AD51) received September 8, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7247. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Washington; Modification of the Handling Regulations for Yellow Fleshed and White Types of Potatoes [Docket No.: AMS-FV-14-0026; FV14-946-1 FIR] received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7248. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Regulations Issued Under the Export Apple Act; Exempting Bulk Shipments to Canada From Minimum Requirements and Inspection [Doc. No.: AMS-FV-14-0022; FV14-33-1 FIR] received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7249. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Domestic Dates Produced or Packed in Riverside County, California; Decreased Assessment Rate [Doc. No.: AMS-FV-14-0057; FV14-987-3 IR] received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7250. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Spearmint Oil Produced in the Far West; Decreased Assessment Rate [Doc. No.: AMS-FV-14-0027; FV14-985-3 FIR] received September 8, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7251. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species (HMS); Commercial Blacknose Sharks and Non-Blacknose Small Coastal Sharks (SCS) in the Atlantic Region [Docket No.: 120706221-2705-02] (RIN: 0648-XD369) received September 18, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7252. A letter from the Chief of Staff, Natural Resources Conservation Service, transmitting the Service's final rule — Changes to Existing Conservation Program Regulations [Docket No.: NRCS-2014-0006] (RIN: 0578-AA60) received August 14, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7253. A letter from the Secretary, Department of Defense, transmitting notification that the Department anticipates it will be prepared to commence chemical agent destruction operations at the Pueblo Chemical Depot chemical demilitarization site in Pueblo, Colorado, pursuant to 50 U.S.C. 1512(4); to the Committee on Armed Services.

7254. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Clyde D. Moore II, United States Air Force, and his advancement on the retired list to the grade of lieutenant general; to the Committee on Armed Services.

7255. A letter from the Director, Congressional Activities, Department of Defense, transmitting a letter regarding the report known as ''World Wide Threat Report''; to the Committee on Armed Services.

7256. A letter from the Acting Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID FEMA-2014-0002] [Internal Agency Docket No. FEMA-8349] received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7257. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Environmental Compliance Recordkeeping Requirements [Docket No.: FR-5616-F-02] (RIN: 2506-AC34) received September 4, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7258. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Federal Housing Administration (FHA): Adjustable Rate Mortgage Notification Requirements and Look-Back Period for FHA-Insured Single Family Mortgages [Docket No.: FR-5744-F-02] (RIN: 2502-AJ20) received September 9, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7259. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Federal Housing Administration (FHA): Handling Prepayments: Eliminating Post-Payment Interest Charges [Docket No: FR-5360-F-02] (RIN: 2502-AJ17) received September 9, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7260. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Removal of Obsolete Community Planning and Development (CPD) Regulations [Docket No.: FR-5798-F-01] (RIN: 2506-AC36) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7261. A letter from the Regulatory Specialist, LRAD, Department of the Treasury, transmitting the Department's final rule — OCC Guidelines Establishing Heightened Standards for Certain Large Insured National Banks, Insured Federal Savings Associations, and Insured Federal Branches; Integration of Regulations [Docket ID: OCC-2014-001] (RIN: 1557-AD78) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7262. A letter from the Deputy Director, Centers for Disease Control and Prevention, transmitting the Centers' final rule — Specifications for Medical Examinations of Coal Miners [Docket No.: CDC-2014-0011; NIOSH-276] (RIN: 0920-AA57) received August 4, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7263. A letter from the Deputy General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7264. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Eighteenth Report on the Progress Made in Licensing and Constructing the Alaska Natural Gas Pipeline, pursuant to 42 U.S.C. 16523 Public Law 109-58, section 1810; to the Committee on Energy and Commerce.

7265. A letter from the Deputy Director — ODRM, Department of Health and Human Services, transmitting the Department's final rule — Coverage of Certain Preventive Services Under the Affordable Care Act [CMS-9939-IFC] (RIN: 0938-AR42) received August 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7266. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Postmarketing Safety Reports for Human Drug and Biological Products; Electronic Submission Requirements [Docket No. FDA-2008-N-0334] (RIN: 9010-AF96) received September 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7267. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Disposal of Controlled Substances [Docket No.: DEA-316] (RIN: 1117-AB18) received September 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7268. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of Suvorexant into Schedule IV [Docket No.: DEA-381] received August 28, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7269. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wyoming; Revisions to the Wyoming Air Quality Standards and Regulations; Ambient Standards for Nitrogen Oxides and for Ozone [EPA-R08-OAR-2011-0659; FRL-9916-43-Region-8] received September 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7270. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of Arizona; Redesignation of Phoenix-Mesa Area to Attainment of the 1997 8-Hour Ozone Standard [EPA-R09-OAR-2013-0686;

FRL-9916-12-Region 9] received September 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7271. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Kansas; Infrastructure SIP Requirements for the 2008 Lead National Ambient Air Quality Standard [EPA-R07-OAR-2014-0271; FRL-9916-50-Region 7] received September 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7272. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New York; Infrastructure SIP for the 2010 Nitrogen Dioxide Primary Standards [EPA-R02-OAR-2013-0527; FRL-9916-49-Region 2] received September 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7273. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Sulfentrazone; Pesticide Tolerances [EPA-HQ-OPP-2013-0712; FRL-9915-47] received September 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7274. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; California; South Coast 1-Hour and 8-Hour Ozone [EPA-R09-OAR-2014-0185; FRL-9915-86-Region 9] received August 29, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7275. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plan Revisions; State of California; South Coast VMT Emissions Offset Demonstrations [EPA-R095-OAR-2013-0823; FRL-9915-85-Region 9] received August 29, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7276. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Finding of Failure to Submit a Prevention of Significant Deterioration State Implementation Plan Revision for Particulate Matter Less Than 2.5 Micrometers (PM2.5); California; North Coast Air Quality Management District [EPA-R09-OAR-2014-0589; FRL-9916-04-Region 9] received August 29, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7277. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Kasugamycin; Pesticide Tolerances [EPA-HQ-OPP-2010-0297; FRL-9911-57] received August 29, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7278. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oklahoma: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2013-0785] received August 29, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7279. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2012-0727; FRL-9914-19] (RIN: 2070-AB27) received August 29, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7280. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Indiana PSD Increments [EPA-R05-2012-0567; FRL-9914-94-Region 5] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7281. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Removal of Two Operating Permits and a Consent Agreement for the Potomac River Generating Station from the State Implementation Plan [EPA-R03-OAR-2014-0511; FRL-9915-06-Region 3] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7282. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revision to the Maintenance Plans for the Richmond 1990 1-Hour and Richmond-Petersburg 1997 8-Hour Ozone Maintenance Areas to Remove the Stage II Vapor Recovery Program [EPA-R03-OAR-2014-0142; FRL-9914-49-Region 2] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7283. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revisions to the Definition of Volatile Organic Compounds [EPA-R03-OAR-2014-0499; FRL-9914-54-Region 3] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7284. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Finding of Failure to Submit a PSD State Implementation Plan Revision for PM2.5 [EPA-R05-OAR-2014-0517; FRL-9914-95-Region 5] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7285. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Idaho: Infrastructure Requirements for the 2010 Nitrogen Dioxide and 2010 Sulfur Dioxide National Ambient Air Quality Standards [EPA-R10-OAR-2013-0708; FRL-9914-90-Region 10] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7286. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Commonwealth of Virginia; Infrastructure Requirements for the 1997 8-Hour Ozone and the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [EPA-R03-OAR-2010-0160; FRL-9914-70-Region 3] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7287. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fluopicolide; Pesticide Tolerances [EPA-HQ-OPP-2014-0225; FRL-9914-37] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7288. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Emergency Vehicle Rule — SCR Maintenance and Regulatory Flexibility for Nonroad Equipment [EPA-HQ-OAR-2011-1032; FRL-9914-63-OAR] (RIN: 2060-AR46) received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7289. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emissions Standards for Hazardous Air Pollutants Residual Risk and Technology Review for Flexible Polyurethane Foam Production [EPA-HQ-OAR-2012-0510; FRL-9914-30-OAR] (RIN: 2060-AR58) received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7290. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives; Extension of Compliance and Attest Engagement Reporting Deadlines for 2013 Renewable Fuel Standards [EPA-HQ-OAR-2014-0575; FRL-9914-88-OAR] (RIN: 2060-AS29) received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7291. A letter from the Associate Bureau Chief, Wireline Competition, Federal Communications Commission, transmitting the Commission's final rule — Modernizing the E-rate Program for Schools and Libraries [WC Docket No.: 13-184] received September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7292. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Department's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Caseville and Pigeon, Michigan; Harbor Beach and Lexington, Michigan [MM Docket No.: 01-229] [RM-10257] [RM-11285] [RM-11291] [MM Docket No.: 01-231] [RM-10259] [RM-11285] received September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7293. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule — Telemarketing Sales Rule Fees (RIN: 3084-AA98) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7294. A letter from the Acting Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Environmental Issues Associated with New Reactors [NRC-2013-0212] received September 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7295. A letter from the Acting Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Specific Environmental Guidance for Light Water Small Modular Reactor Reviews [NRC-2013-0211] received September 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7296. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Updated Statements of Legal Authority for the Export Administration Regulations [Docket No.: 140812660-4660-01] (RIN: 0694-AG26) received September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

7297. A letter from the Census Bureau Federal Register Liaison Officer, Department of Commerce, transmitting the Department's

final rule — Foreign Trade Regulations (FTR): Clarification on Uses of Electronic Export Information [Docket Number: 140626542-4542-01] (RIN: 0607-AA52) received September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

7298. A letter from the Under Secretary, Department of Commerce, transmitting a report on Russian Sanctions: Restriction on Certain Military End Uses and End-Users; to the Committee on Foreign Affairs.

7299. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Implementation of Understandings Reached at the 2005, 2012, and 2013 Nuclear Suppliers Group (NSG) Plenary Meetings and a 2009 NSG Intersessional Decision; Additions to the List of NSG Participating Countries; Correction [FR Doc. 2014-18064] (RIN: 0694-AD58) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

7300. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 09-14 informing of an intent to sign the Memorandum of Understanding with the United Kingdom of Great Britain and Northern Ireland; to the Committee on Foreign Affairs.

7301. A letter from the Assistant Legal Advisor, Office of Treaty Affairs, Department of State, transmitting a report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

7302. A letter from the Secretary, Department of the Treasury, transmitting the semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services pursuant to the Department of the Treasury specific licenses as required by section 1705(e)(6) of the Cuban Democratic Solidarity (LIBERTAD) Act of 1996, 22 U.S.C. 6004(e)(6), and pursuant to Executive Order 13313 of July 31, 2003; to the Committee on Foreign Affairs.

7303. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995; to the Committee on Foreign Affairs.

7304. A letter from the Office of the General Counsel, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7305. A letter from the Office of the General Counsel, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7306. A letter from the Acting Secretary, Federal Trade Commission, transmitting the Commission's annual report for Fiscal Year 2012 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

7307. A letter from the Acting Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, ''District of Columbia Agencies' Compliance with Fiscal Year 2014 Small Business Enterprise Expenditure Goals through the 3rd Quarter of Fiscal Year 2014''; to the Committee on Oversight and Government Reform.

7308. A letter from the Departmental Privacy Officer, Department of the Interior, transmitting the Department's final rule — Privacy Act Regulations; Exemption for the Debarment and Suspension Program (RIN: 1090-AA94) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7309. A letter from the Departmental Privacy Officer, Department of the Interior, transmitting the Department's final rule — Privacy Act Regulations; Exemption for the Incident Management, Analysis and Reporting System (RIN: 1090-AB02) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7310. A letter from the Deputy Assistant Administrator for Regulatory Programs, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations (RIN: 0648-BC90) received September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7311. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 130925839-4174-02] (RIN: 0648-XD449) received September 9, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7312. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trimester Closure for the Common Pool Fishery [Docket No.: 140106011-4338-02] (RIN: 0648-XD441) received September 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7313. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area [Docket No.: 131021878-4158-02] (RIN: 0648-XD379) received September 18, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7314. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Visas: Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended; TN Visas from NAFTA Countries (RIN: 1400-AD29) received September 9, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7315. A letter from the Secretary, Judicial Conference of the United States, transmitting a letter regarding H.R. 1233 and H.R. 5170; to the Committee on the Judiciary.

7316. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Lower Mississippi River Mile 94.0 to Mile 95.0; New Orleans, LA [Docket: USCG-2014-0531] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7317. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Seafood Festival Fireworks, Fox River, Menasha, WI [Docket No.: USCG-2014-0748] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7318. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulfstar 1 SPAR, Mississippi Canyon Block 724, Outer Continental Shelf on the Gulf of Mexico [Docket No.: USCG-2014-0242] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7319. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation and Safety Zone; Marine Events in Captain of the Port Long Island Sound Zone [Docket Number USCG-2014-0717] (RIN: 1625-AA08; 1625-AA00) September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7320. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Detroit Offshore Grand Prix, Detroit River, Detroit, MI [Docket No.: USCG-2014-0729] (RIN: 1625-AA08) received September 18, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7321. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events, Wrightsville Channel; Wrightsville Beach, NC [Docket No.: USCG-2014-0200] (RIN: 1625-AA08) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7322. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone, Change of Enforcement Period, Chesapeake Bay; Between Sandy Point and Kent Island, MD [Docket No.: USCG-2014-0296] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7323. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone: Martha's Vineyard, Massachusetts [USCG-2014-0708] (RIN: 1625-AA87) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7324. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation, Hydrocross, Lake Dora; Tavares, FL [Docket No.: USCG-2014-0691] (RIN: 1625-AA08) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7325. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Diego Tri-Rock Triathlon; San Diego Bay, San Diego, CA [Docket No.: USCG-2014-0600] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7326. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Vigor Industrial Ferry Construction, West Duwamish Waterway, Seattle, WA

[Docket No.: USCG-2014-0805] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7327. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Tarague Basin; Andersen AFB, GU [Docket No.: USCG-2014-0732] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7328. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones, Facilities on the Outer Continental Shelf in the Gulf of Mexico [Docket No.: USCG-2013-0874] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7329. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Urban Shield 2014, South San Francisco Bay, Oakland, CA [Docket No.: USCG-2014-0658] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7330. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Shallowbag Bay; Manteo, NC [Docket No.: USCG-2014-0723] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7331. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lucas Oil Thunder on the River; Thompson Bay, Lake Havasu City, AZ [Docket No.: USCG-2014-0611] (RIN: 1625-AA00) received September 15, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7332. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2014-0176; Directorate Identifier 2013-NM-066-AD; Amendment 39-17951; AD 2014-16-27] (RIN: 2120-AA64) received September 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7333. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Beechcraft Corporation (Type Certificate Previously Held by Hawker Beechcraft Corporation; Raytheon Aircraft Company) Airplanes [Docket No.: FAA-2014-0254; Directorate Identifier 2013-NM-047-AD; Amendment 39-17910; AD 2014-15-98] (RIN: 2120-AA64) received September 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7334. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ocean Dumping: Cancellation and Modification of Final Site Designations [EPA-R06-OW-2014-0234; FRL-9914-59-Region 6] received August 6, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7335. A letter from the Deputy Director, Office of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Special Home Adaptation Grants for Members of the Armed Forces and Veterans with Certain Vision Impairment (RIN: 2900-AP12) received September 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

7336. A letter from the Director, Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Substitution in Case of Claimant (RIN: 2900-AN91) received September 4, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

7337. A letter from the Deputy Director, Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Updating Certain Citations in VA Medical Regulations (RIN: 2900-AP04) received September 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

7338. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Examination of Returns and Claims for refund, credit, or abatement; determination of tax liability (Rev. Proc. 2014-53) received September 9, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7339. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Coverage of Certain Preventive Services Under the Affordable Care Act [TD 9690] (RIN: 1545-BM38) received August 28, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7340. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Modification of Rev. Proc. 2011-16 (Rev. Proc. 2014-51) received September 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7341. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Investment in group trusts by certain Puerto Rico retirement plans and by certain insurance company separate accounts (Rev. Rul. 2014-12) received September 16, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7342. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Extension of the Expiration Date for State Disability Examiner Authority to Make Fully Favorable Quick Disability Determinations and Compassionate Allowances [Docket No.: SSA-2014-0045] (RIN: 0960-AH69) received September 9, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7343. A letter from the Management and Program Analyst, Department of Agriculture, transmitting the Department's final rule — Law Enforcement Support Activities (RIN: 0596-AB61) received September 17, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Agriculture and Natural Resources.

7344. A letter from the Deputy Director, Department of Health and Human Services, transmitting the Department's final rule — 2014 Edition Release 2 Electronic Health Record (EHR) Certification Criteria and the ONC HIT Certification Program; Regulatory Flexibilities, Improvements, and Enhanced Health Information Exchange (RIN: 0991-AB92) received September 10, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

7345. A letter from the Deputy Director — ODRM, Department of Health and Human Services, transmitting the Department's final rule — Medicare and Medicaid Programs; Modifications to the Medicare and Medicaid Electronic Health Record (EHR) Incentive Program for 2014 and Other Changes to the EHR Incentive Program; and Health Information Technology: Revisions to the Certified EHR Technology Definition and EHR Certification Changes Related to Standards [CMS-0046-F and CMS-0052-F] (RINs: 0938-AR71 and 0938-AS30) (RINs: 0991-AB89 and 0991-AB97) received September 4, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

7346. A letter from the Designated Federal Official, World War One Commission, transmitting a periodic report for the period ended 6/30/14; jointly to the Committees on Natural Resources and Oversight and Government Reform.

7347. A letter from the Acting Director, Office of the National Drug Control Policy, transmitting 2014 National Drug Control Strategy, pursuant to 21 U.S.C. 1504; jointly to the Committees on the Judiciary, Agriculture, Armed Services, Energy and Commerce, Financial Services, Oversight and Government Reform, Foreign Affairs, Transportation and Infrastructure, Ways and Means, Veterans' Affairs, Homeland Security, Natural Resources, Intelligence (Permanent Select), and Education and the Workforce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Omitted from the Record of July 29, 2014]

Mr. UPTON: Committee on Energy and Commerce. H.R. 4709. A bill to improve enforcement efforts related to prescription drug diversion and abuse, and for other purposes (Rept. 113–605 Pt. 1). Ordered to be printed.

[Submitted September 18, 2014]

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 5077. A bill to amend the Federal Water Pollution Control Act to provide guidance and clarification regarding issuing new and renewal permits, and for other purposes; with an amendment (Rept. 113–604). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. SLAUGHTER (for herself, Mr. DUNCAN of Tennessee, and Mr. WALZ):

H.R. 5525. A bill to amend the Lobbying Disclosure Act of 1995 to require the disclosure of political intelligence activities, to amend title 18, United States Code, to provide for restrictions on former officers, employees, and elected officials of the executive and legislative branches regarding political intelligence contacts, and for other purposes; to the Committee on the Judiciary.

By Ms. ESTY (for herself and Mr. COLLINS of New York):

H.R. 5526. A bill to emphasize manufacturing in engineering programs by directing the National Institute of Standards and Technology, in coordination with other appropriate Federal agencies including the Department of Defense, Department of Energy, and National Science Foundation, to designate United States manufacturing universities; to the Committee on Science, Space, and Technology.

By Ms. ESTY (for herself and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 5527. A bill to authorize the National Science Foundation to support entrepreneurial programs for women; to the Committee on Science, Space, and Technology.

By Mr. CAMP (for himself and Mr. LEVIN):

H.R. 5528. A bill to amend the Internal Revenue Code of 1986 to make technical corrections, and for other purposes; to the Committee on Ways and Means.

By Mr. MCKINLEY (for himself and Mr. WELCH):

H.R. 5529. A bill to establish a worker adjustment assistance program to provide assistance and job retraining for workers who have lost their jobs due to unplanned closures of coal and coal dependent industries, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROUN of Georgia:

H.R. 5530. A bill to require that hunting activities be a land use in all management plans for Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture to the extent that such use is not clearly incompatible with the purposes for which the Federal land is managed, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself and Mr. MARINO):

H.R. 5531. A bill to amend title XVIII of the Social Security Act to permit the 2-year phase-in for changes in hospital wage index classification from rural to urban without requiring waiver of a wage index increase, and for other purposes; to the Committee on Ways and Means.

By Mr. BARLETTA:

H.R. 5532. A bill to improve the Compliance, Safety, Accountability initiative of the Federal Motor Carrier Safety Administration, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POCAN (for himself, Mr. GEORGE MILLER of California, Ms. NORTON, Mr. GRIJALVA, Mr. BLUMENAUER, Mr. ELLISON, Ms. MOORE, Mr. SERRANO, Ms. WILSON of Florida, and Mr. CONYERS):

H.R. 5533. A bill to promote apprenticeships for credentials and employment, and for other purposes; to the Committee on Education and the Workforce.

By Mr. TONKO (for himself and Mr. WAXMAN):

H.R. 5534. A bill to amend the Safe Drinking Water Act to increase assistance for States, water systems, and disadvantaged communities; to encourage good financial and environmental management of water systems; to strengthen the Environmental Protection Agency's ability to enforce the requirements of the Act; and for other purposes; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE:

H.R. 5535. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize the Attorney General to provide grants to States and units of local government for the video recording of custodial interrogations; to the Committee on the Judiciary.

By Ms. JACKSON LEE:

H.R. 5536. A bill to encourage States to provide for enhanced sentencing penalties for persons convicted of committing, or attempting to commit, an act of domestic violence in the presence of minor children; to the Committee on the Judiciary.

By Mr. MCKINLEY:

H.R. 5537. A bill to require the Comptroller General to conduct a study of the interoperability of computer systems used by hospitals to store and access electronic health records, and for other purposes; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE:

H.R. 5538. A bill to establish a grant program to empower relatives, friends, and coworkers of domestic violence victims to create safety plans; to the Committee on the Judiciary.

By Mr. BURGESS (for himself and Ms. SCHWARTZ):

H.R. 5539. A bill to amend title XI of the Social Security Act to exempt from manufacturer transparency reporting certain transfers used for educational purposes, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE (for herself and Mr. CARTWRIGHT):

H.R. 5540. A bill to establish a grant program for stipends to assist in the cost of compensation paid by employers to certain recent college graduates and to provide funding for their further education in subjects relating to mathematics, science, engineering, and technology; to the Committee on Education and the Workforce.

By Mr. FARR (for himself and Ms. DUCKWORTH):

H.R. 5541. A bill to promote the provision of exercise and fitness equipment that is accessible to individuals with disabilities; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRAWFORD (for himself, Mr. GRIFFIN of Arkansas, Mr. WOMACK, and Mr. COTTON):

H.R. 5542. A bill to amend the Agricultural Act of 2014 to require the Secretary of Agriculture to extend the term of a marketing assistance loan and the deadline for repayment of a farm ownership, operating, or emergency loan when the purchaser of the agricultural commodity subject to the marketing assistance loan declared bankruptcy before paying the farmer for the commodity; to the Committee on Agriculture.

By Mr. DAINES:

H.R. 5543. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of East Rosebud Creek in Carbon County, Montana, as components of the Wild and Scenic Rivers System; to the Committee on Natural Resources.

By Mr. BROUN of Georgia (for himself, Mr. SMITH of Texas, Mr. BUCSHON, Mr. JOHNSON of Ohio, and Mr. COLLINS of New York):

H.R. 5544. A bill to increase the understanding of the health effects of low doses of ionizing radiation; to the Committee on Science, Space, and Technology.

By Mr. FARR (for himself, Mr. YOUNG of Alaska, and Mrs. CAPPS):

H.R. 5545. A bill to reauthorize the Federal Ocean Acidification Research and Monitoring Act of 2009; to the Committee on Science, Space, and Technology.

By Mr. HECK of Washington (for himself, Mr. MCDERMOTT, Mr. HUFFMAN, Mr. BLUMENAUER, Mr. KILMER, Mr. SMITH of Washington, and Mr. LARSEN of Washington):

H.R. 5546. A bill to authorize the Secretary of Commerce to identify, declare, and respond to marine disease emergencies, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself and Mr. MICHAUD):

H.R. 5547. A bill to ensure that Medicaid beneficiaries have the opportunity to receive care in a home and community-based setting; to the Committee on Energy and Commerce.

By Mr. CARTWRIGHT:

H.R. 5548. A bill to provide for the establishment of clean technology consortia to enhance the economic, environmental, and energy security of the United States by promoting domestic development, manufacture, and deployment of clean technologies, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT:

H.R. 5549. A bill to amend the Internal Revenue Code to include in income the unrepatriated earnings of groups that include an inverted corporation; to the Committee on Ways and Means.

By Ms. JACKSON LEE:

H.R. 5550. A bill to provide for a reduction in the amount that may be awarded to a unit of local government under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) for a unit of local government that funds an amount that is greater than 18 percent of its operating budget using revenue generated from collecting fines and other fees related to violations of traffic laws, and for other purposes; to the Committee on the Judiciary.

By Mrs. BACHMANN (for herself, Mr. HUELSKAMP, Mr. HARRIS, Mr. PEARCE, Mr. BRADY of Texas, Mr. PITTS, Mr. LONG, Mr. GIBBS, Mr. HUIZENGA of Michigan, Mr. LATTA, and Mr. JOHNSON of Ohio):

H.R. 5551. A bill to ensure that women seeking an abortion receive an ultrasound and an opportunity to review the ultrasound before giving informed consent to receive an abortion; to the Committee on Energy and Commerce.

By Mr. BARBER (for himself, Mr. PASTOR of Arizona, Mr. GRIJALVA, Mrs. KIRKPATRICK, Ms. SINEMA, and Mr. SCHWEIKERT):

H.R. 5552. A bill to designate the United States Customs and Border Protection Port of Entry located at First Street and Pan American Avenue in Douglas, Arizona, as the ''Raul Hector Castro Port of Entry''; to the Committee on Ways and Means.

By Mrs. BEATTY (for herself and Mr. HECK of Washington):

H.R. 5553. A bill to provide access to information and loan modifications for successors in interest, and for other purposes; to the Committee on Financial Services.

By Mr. BISHOP of New York (for himself and Mr. RANGEL):

H.R. 5554. A bill to amend the Internal Revenue Code of 1986 to permit distributions

from 529 accounts for medical expenses of account owners who are veterans with disability ratings of greater than 50 percent; to the Committee on Ways and Means.

By Mrs. BLACK (for herself and Mr. POE of Texas):

H.R. 5555. A bill to prohibit the Federal Government from requiring race or ethnicity to be disclosed in connection with the transfer of a firearm; to the Committee on the Judiciary.

By Mrs. BLACK (for herself, Mr. DAVID SCOTT of Georgia, Mrs. BLACKBURN, and Mr. GRIFFIN of Arkansas):

H.R. 5556. A bill to amend title XVIII of the Social Security Act with respect to the treatment of patient encounters in ambulatory surgical centers in determining meaningful EHR use, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK:

H.R. 5557. A bill to reform the verification and reporting processes for the health care premium and cost-sharing subsidies; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK (for herself and Mr. WELCH):

H.R. 5558. A bill to amend title XVIII of the Social Security Act to improve the Medicare accountable care organization (ACO) program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself, Mr. LEVIN, Mr. RANGEL, Mr. MCDERMOTT, Mr. LEWIS, Mr. NEAL, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. KIND, Mr. PASCRELL, Ms. SCHWARTZ, Mr. DANNY K. DAVIS of Illinois, Ms. LINDA T. SÁNCHEZ of California, Mr. MORAN, Ms. LEE of California, Mr. RYAN of Ohio, Mr. LANGEVIN, and Mr. LOEBSACK):

H.R. 5559. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions relating to energy, and for other purposes; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa:

H.R. 5560. A bill to amend the Higher Education Act of 1965 to establish a grant program for undergraduate students with financial need to assist such students in completing degrees at institutions of higher education; to the Committee on Education and the Workforce.

By Mr. BUTTERFIELD (for himself and Mr. JONES):

H.R. 5561. A bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate high priority corridors on the National Highway System in the State of North Carolina, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. CAPPS (for herself, Mr. LAMALFA, Mr. HUFFMAN, Mr. GARAMENDI, Mr. MCCLINTOCK, Mr. THOMPSON of California, Ms. MATSUI, Mr. BERA of California, Mr. COOK, Mr. MCNERNEY, Mr. DENHAM, Mr. GEORGE MILLER of California, Ms. PELOSI, Ms. LEE of California, Ms. SPEIER, Mr. SWALWELL of California, Mr. COSTA, Mr. HONDA, Ms. ESHOO, Ms. LOFGREN, Mr. FARR, Mr. VALADAO, Mr. NUNES, Mr. MCKEON, Ms. BROWNLEY of California, Ms. CHU, Mr. SCHIFF, Mr. CÁRDENAS, Mr. SHERMAN, Mr. GARY G. MILLER of California, Mrs. NAPOLITANO, Mr. WAXMAN, Mr. BECERRA, Mr. RUIZ, Ms. BASS, Ms. LINDA T. SÁNCHEZ of California, Mr. ROYCE, Ms. ROYBAL-ALLARD, Mr. TAKANO, Mr. CALVERT, Ms. WATERS, Ms. HAHN, Mr. CAMPBELL, Ms. LORETTA SANCHEZ of California, Mr. LOWENTHAL, Mr. ROHRABACHER, Mr. ISSA, Mr. HUNTER, Mr. VARGAS, Mr. PETERS of California, Mrs. DAVIS of California, and Mrs. NEGRETE MCLEOD):

H.R. 5562. A bill to designate the facility of the United States Postal Service located at 801 West Ocean Avenue in Lompoc, California, as the ''Federal Correctional Officer Scott J. Williams Memorial Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. CÁRDENAS (for himself, Mr. JOLLY, Ms. BROWNLEY of California, Mr. MCGOVERN, Mr. CARSON of Indiana, Mr. VEASEY, Mr. CICILLINE, Mr. JONES, and Mr. BUTTERFIELD):

H.R. 5563. A bill to authorize the Secretary of Labor to award special recognition to employers for veteran-friendly employment practices; to the Committee on Education and the Workforce, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CÁRDENAS (for himself, Ms. NORTON, Mr. LOWENTHAL, Mr. CARTWRIGHT, and Ms. ROYBAL-ALLARD):

H.R. 5564. A bill to establish a program that promotes reforms in workforce education and skill training for manufacturing in States and metropolitan areas, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Science, Space, and Technology, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNEY:

H.R. 5565. A bill to provide for institutional risk-sharing in the Federal student loan programs; to the Committee on Education and the Workforce.

By Mr. CARNEY:

H.R. 5566. A bill to amend the Higher Education Act of 1965 to restore National SMART Grants for a certain number of award years; to the Committee on Education and the Workforce.

By Mr. CARNEY:

H.R. 5567. A bill to carry out pilot programs to improve skills and job training, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CASTRO of Texas:

H.R. 5568. A bill to amend the Higher Education Act of 1965 to direct the Secretary of Education to award interest-free student loans to certain students, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CICILLINE:

H.R. 5569. A bill to include community partners and intermediaries in the planning and delivery of education and related programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CLYBURN (for himself, Ms. FUDGE, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CLAY, Mr. CONYERS, Mr. ELLISON, Mr. FATTAH, Mr. HASTINGS of Florida, Mr. HORSFORD, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE of California, Mr. RANGEL, Mr. RICHMOND, Mr. RUSH, Mr. SCOTT of Virginia, and Ms. WILSON of Florida):

H.R. 5570. A bill to reauthorize the Historically Black Colleges and Universities Historic Preservation program; to the Committee on Natural Resources.

By Mr. CLYBURN (for himself, Ms. BASS, Mrs. BEATTY, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mrs. CHRISTENSEN, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. EDWARDS, Mr. ELLISON, Mr. FATTAH, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Mr. HORSFORD, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. LEWIS, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mr. PAYNE, Mr. RANGEL, Mr. RICHMOND, Mr. RUSH, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Mr. THOMPSON of Mississippi, Mr. VEASEY, Ms. WATERS, and Ms. WILSON of Florida):

H.R. 5571. A bill to provide an increased allocation of funding for assistance in persistent poverty counties, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Agriculture, Transportation and Infrastructure, Financial Services, Science, Space, and Technology, Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Mr. COHEN, Mr. GRIJALVA, and Mr. ELLISON):

H.R. 5572. A bill to provide consumer protections for students; to the Committee on Education and the Workforce, and in addition to the Committees on Armed Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOK:

H.R. 5573. A bill to establish the Alabama Hills National Scenic Area in the State of California, and for other purposes; to the Committee on Natural Resources.

By Mr. CRAWFORD:

H.R. 5574. A bill to abolish the Chemical Corps of the Army and to transfer to the Ordnance Corps of the Army the functions of and members previously assigned to the Chemical Corps; to the Committee on Armed Services.

By Mr. CROWLEY (for himself, Mr. RANGEL, Mr. MEEKS, and Mr. NADLER):

H.R. 5575. A bill to direct the Secretary of Transportation to establish a program to provide grants to carry out projects to reduce railway noise levels that adversely impact schools located in urbanized areas, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CROWLEY (for himself and Mr. ELLISON):

H.R. 5576. A bill to establish USAccounts, and for other purposes; to the Committee on Ways and Means.

By Mrs. DAVIS of California:

H.R. 5577. A bill to amend the Higher Education Act of 1965 to eliminate origination fees for Federal Direct Loans; to the Committee on Education and the Workforce.

By Mr. RODNEY DAVIS of Illinois:

H.R. 5578. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided educational assistance to employer payment of interest on certain refinanced student loans; to the Committee on Ways and Means.

By Mr. RODNEY DAVIS of Illinois (for himself and Mr. LIPINSKI):

H.R. 5579. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself and Mr. HIGGINS):

H.R. 5580. A bill to prioritize funding for the National Institutes of Health to discover treatments and cures, to maintain global leadership in medical innovation, and to restore the purchasing power the NIH had after the historic doubling campaign that ended in fiscal year 2003; to the Committee on the Budget.

By Ms. DELAURO:

H.R. 5581. A bill to amend the Defense Production Act of 1950 to provide for a net benefit review of certain covered transactions, and for other purposes; to the Committee on Financial Services.

By Ms. DELAURO (for herself, Mr. COURTNEY, Ms. ESTY, Mr. HIMES, and Mr. LARSON of Connecticut):

H.R. 5582. A bill to direct the Secretary of the Interior to carry out a study regarding the suitability and feasibility of establishing the Naugatuck River Valley National Heritage Area in Connecticut, and for other purposes; to the Committee on Natural Resources.

By Ms. DELAURO (for herself and Mr. CONYERS):

H.R. 5583. A bill to provide for the treatment and extension of temporary financing of short-time compensation programs; to the Committee on Ways and Means.

By Ms. DELBENE (for herself, Ms. CHU, Mr. SEAN PATRICK MALONEY of New York, Mrs. NEGRETE MCLEOD, Mr. RUSH, Ms. SEWELL of Alabama, Ms. NORTON, Mr. MAFFEI, Mr. SERRANO, Mr. PETERS of California, and Ms. BROWNLEY of California):

H.R. 5584. A bill to reauthorize the women's business center program of the Small Business Administration, and for other purposes; to the Committee on Small Business.

By Mr. DUFFY:

H.R. 5585. A bill to amend the Communications Act of 1934 and title 17, United States Code, to provide greater access to in-State television broadcast programming for cable and satellite subscribers in certain counties; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FARENTHOLD:

H.R. 5586. A bill to amend title 17, United States Code, to provide that the first sale doctrine applies to any computer program that enables a machine or other product to operate; to the Committee on the Judiciary.

By Mr. FOSTER (for himself, Mr. SEAN PATRICK MALONEY of New York, Mr. RYAN of Ohio, Ms. EDWARDS, Ms. ESTY, and Ms. SHEA-PORTER):

H.R. 5587. A bill to reduce opioid misuse and abuse; to the Committee on Energy and Commerce.

By Mr. FOSTER:

H.R. 5588. A bill to assess the State by State impact of Federal taxation and spending; to the Committee on Oversight and Government Reform.

By Ms. FRANKEL of Florida (for herself, Mr. BILIRAKIS, and Mr. TAKANO):

H.R. 5589. A bill to direct the Secretary of Education to establish a grant program to assist institutions of higher education in establishing, maintaining, and improving veteran student centers; to the Committee on Education and the Workforce.

By Ms. FUDGE (for herself and Mr. GIBSON):

H.R. 5590. A bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award Early College Federal Pell Grants; to the Committee on Education and the Workforce.

By Ms. FUDGE:

H.R. 5591. A bill to enhance transportation programs in order to connect people to jobs, schools, and other essential services through a multimodal transportation network, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. GABBARD (for herself and Mr. YOUNG of Alaska):

H.R. 5592. A bill to require the Secretary of Health and Human Services to include certain areas within the frontier and remote area levels designations; to the Committee on Energy and Commerce.

By Ms. GABBARD:

H.R. 5593. A bill to amend the Intelligence Reform and Terrorism Prevention Act of 2004 to enhance security clearance investigation procedures, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. GABBARD (for herself and Mr. PERRY):

H.R. 5594. A bill to suspend from the visa waiver program any country that has identified passport holders fighting with an Islamist extremist organization, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GABBARD (for herself and Mr. GOWDY):

H.R. 5595. A bill to reform the Privacy and Civil Liberties Oversight Board, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Judiciary, Intelligence (Permanent Select), and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARCIA (for himself, Mr. HASTINGS of Florida, Mr. MURPHY of Florida, and Mr. PAYNE):

H.R. 5596. A bill to provide borrowers of Federal Family Education Loans with the repayment terms available to borrowers of Federal Direct Loans, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GOHMERT (for himself, Mr. HARRIS, Mrs. BACHMANN, Mr. WESTMORELAND, Mr. MARCHANT, Mr. STOCKMAN, Mr. ROGERS of Alabama, Mr. ROE of Tennessee, Mrs. BLACKBURN, Mr. BRIDENSTINE, Mr. YOHO, Mr. LANKFORD, Mr. BROOKS of Alabama, Mr. DUNCAN of South Carolina, and Mr. MCHENRY):

H.R. 5597. A bill to prohibit the Federal Government from issuing or enforcing certain requirements for schools relating to food; to the Committee on Education and the Workforce.

By Mr. GOSAR (for himself, Mr. FRANKS of Arizona, Mr. RIBBLE, Mr. JONES, and Mr. SALMON):

H.R. 5598. A bill to require the Bureau of Land Management to incorporate the needs, uses, and input of affected communities, and to obtain the concurrence of affected communities, before taking any travel management action affecting access to public lands, including access to mining claims or access using motorized vehicles or nonmotorized means, and for other purposes; to the Committee on Natural Resources.

By Mr. GRAVES of Missouri (for himself, Mr. CHABOT, Mr. SCHWEIKERT, Mr. HANNA, Mr. HUELSKAMP, Mr. COLLINS of New York, Mr. LUETKEMEYER, Mr. TIPTON, Mr. KING of Iowa, and Mr. RICE of South Carolina):

H.R. 5599. A bill to clarify that the use of electronic signatures and records in SBA loan and related financing programs is permitted; to the Committee on Small Business.

By Mr. GRAVES of Missouri:

H.R. 5600. A bill to amend the Small Business Act to establish rules for franchisee eligibility for financial assistance under certain small business programs; to the Committee on Small Business.

By Mr. GRAYSON:

H.R. 5601. A bill to provide amounts from the recent settlement between the Department of Justice and Bank of America for assistance under the Neighborhood Stabilization Program; to the Committee on Financial Services.

By Ms. HAHN:

H.R. 5602. A bill to designate the facility of the United States Postal Service located at 21350 Avalon Boulevard in Carson, California, as the ''Juanita Millender-McDonald Post Office''; to the Committee on Oversight and Government Reform.

By Mr. HALL:

H.R. 5603. A bill to provide for the conveyance of the Lake Fannin Tract of the Caddo National Grasslands in Fannin County, Texas, to the County, and for other purposes; to the Committee on Agriculture.

By Mr. HALL:

H.R. 5604. A bill to direct the Secretary of the Army to revise the management plan for the conservation pool in Lake Texoma, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HOLDING:

H.R. 5605. A bill to disapprove an amendment to the Sentencing Guidelines relating to sentences for drug offenses which was transmitted to Congress by the United States Sentencing Commission on April 30, 2014, including any retroactive effect for that amendment; to the Committee on the Judiciary.

By Mr. HONDA (for himself, Ms. BASS, Mr. WAXMAN, Mr. CONYERS, Ms. LEE of California, Mr. SWALWELL of California, Ms. SCHAKOWSKY, Mr. GRIJALVA, Mr. LOWENTHAL, and Mr. CICILLINE):

H.R. 5606. A bill to amend chapter 44 of title 18, United States Code, to require homemade firearms to have serial numbers, and for other purposes; to the Committee on the Judiciary.

By Mr. HONDA (for himself, Mr. POE of Texas, Mr. RODNEY DAVIS of Illinois, Ms. BASS, Mr. GRIJALVA, and Ms. MCCOLLUM):

H.R. 5607. A bill to establish the United States Advisory Council on Human Trafficking to review Federal Government policy

on human trafficking; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HORSFORD:

H.R. 5608. A bill to take certain land in the State of Nevada into trust for the Duckwater Shoshone Tribe, and for other purposes; to the Committee on Natural Resources.

By Mr. HUNTER (for himself, Mr. CUMMINGS, Mr. LOBIONDO, Mr. RICHMOND, Mr. JONES, Mr. LUETKEMEYER, Mr. COOPER, Mr. JOLLY, Ms. HERRERA BEUTLER, Mr. YOUNG of Alaska, and Mr. ENYART):

H.R. 5609. A bill to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel; to the Committee on Transportation and Infrastructure.

By Mr. HURT (for himself and Mr. BARROW of Georgia):

H.R. 5610. A bill to amend the Patient Protection and Affordable Care Act to provide privacy protections that enable certain individuals to remove their profiles from the healthcare.gov website, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ISRAEL (for himself and Mr. KING of New York):

H.R. 5611. A bill to provide for temporary emergency impact aid for local educational agencies; to the Committee on Education and the Workforce.

By Mr. ISRAEL:

H.R. 5612. A bill to amend the Elementary and Secondary Education Act of 1965 to reduce the testing requirements for part A of title I of such Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ISRAEL:

H.R. 5613. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that liquid over-the-counter medications are packaged with appropriate dosage delivery devices and, in the case of such medications labeled for pediatric use, appropriate flow restrictors, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JOHNSON of Ohio (for himself and Mr. TONKO):

H.R. 5614. A bill to reauthorize the United States Anti-Doping Agency, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SAM JOHNSON of Texas:

H.R. 5615. A bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector; to the Committee on Ways and Means.

By Ms. KAPTUR (for herself, Ms. FUDGE, Ms. MOORE, Ms. NORTON, Ms. MATSUI, Ms. PINGREE of Maine, Mr. RYAN of Ohio, Mr. MCGOVERN, Mr. CONYERS, and Mr. YOUNG of Alaska):

H.R. 5616. A bill to promote and enhance urban agricultural production and agricultural research in urban areas, and for other purposes; to the Committee on Agriculture.

By Mr. KILMER (for himself, Mr. CAPUANO, Mr. CICILLINE, Mr. CONNOLLY, Ms. DELBENE, Mr. DEUTCH, Ms. ESTY, Ms. HAHN, Mr. HANNA, Ms. LEE of California, Ms. LOFGREN, Mr. LOWENTHAL, Mr. MCDERMOTT, Mr. MORAN, Mr. MURPHY of Florida, Mr. NADLER, Mr. POLIS, Mr. RANGEL, Ms. ROS-LEHTINEN, Mr. SCHIFF, Mr. TAKANO, Ms. VELÁZQUEZ, Mr. BLUMENAUER, Ms. SCHWARTZ, Mr. SWALWELL of California, Mr. GRIJALVA, Mr. SMITH of Washington, Mr. HIMES, Ms. KUSTER, Mr. PETERS of California, Ms. MENG, and Ms. BROWNLEY of California):

H.R. 5617. A bill to amend title 17, United States Code, with respect to the definition of ''widow'' and ''widower'', and for other purposes; to the Committee on the Judiciary.

By Mr. KILMER (for himself, Mr. CUELLAR, Mr. CARNEY, Mr. BARBER, and Mr. GALLEGO):

H.R. 5618. A bill to establish a pilot program to improve the management and accountability within the Veterans Health Administration of the Department of Veterans Affairs, to provide oversight of the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself, Mr. FITZPATRICK, Mr. LOBIONDO, Mr. PIERLUISI, Mr. PASCRELL, and Mr. SCHNEIDER):

H.R. 5619. A bill to amend title 5, United States Code, to provide that for purposes of computing the annuity of certain law enforcement officers, any hours worked in excess of the limitation applicable to law enforcement availability pay shall be included in such computation, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. KING of New York (for himself and Mr. PASCRELL):

H.R. 5620. A bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANGEVIN (for himself, Mr. PRICE of North Carolina, Ms. DUCKWORTH, Mr. COHEN, Mr. QUIGLEY, Mr. RYAN of Ohio, and Mr. HOLT):

H.R. 5621. A bill to amend title 49, United States Code, to direct the Secretary of Transportation to carry out a transit accessibility innovation program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LANGEVIN (for himself, Mr. PASCRELL, Mr. KING of New York, Ms. KUSTER, Mr. FITZPATRICK, Mr. COOPER, Ms. NORTON, Mr. LARSON of Connecticut, Mr. VAN HOLLEN, Mr. HOLT, Mr. GRIJALVA, Mr. JOHNSON of Ohio, and Mr. ISRAEL):

H.R. 5622. A bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation; to the Committee on Ways and Means.

By Mr. LEWIS:

H.R. 5623. A bill to establish a National Parents Corps Program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LOWENTHAL:

H.R. 5624. A bill to amend title 49, United States Code, to establish a Multimodal Freight Funding Formula Program and a National Freight Infrastructure Competitive Grant Program to improve the efficiency and reliability of freight movement in the United States, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico (for herself and Mr. BEN RAY LUJÁN of New Mexico):

H.R. 5625. A bill to require the Secretary of the Interior to take into trust 4 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico; to the Committee on Natural Resources.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 5626. A bill to provide uniform authority for executive departments to use funds from the disposal of Federal real property and to establish a pilot program in certain agencies for the use of public-private agreements to enhance the efficiency of Federal real property; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MAFFEI (for himself, Mr. SEAN PATRICK MALONEY of New York, Mr. RUIZ, Mr. QUIGLEY, and Ms. KAPTUR):

H.R. 5627. A bill to amend title 44, United States Code, to require the Public Printer to adjust the fonts used in documents printed by the Government Printing Office if adjusting the fonts will reduce printing costs, and for other purposes; to the Committee on House Administration.

By Mr. MEADOWS:

H.R. 5628. A bill to prohibit accessing pornographic web sites from Federal computers, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MEEHAN (for himself and Mr. MCCAUL):

H.R. 5629. A bill to amend the Homeland Security Act of 2002 to strengthen the Domestic Nuclear Detection Office, and for other purposes; to the Committee on Homeland Security.

By Mr. MURPHY of Florida (for himself, Mr. RICE of South Carolina, Ms. KUSTER, Mr. SWALWELL of California, Mr. JOLLY, Mr. MULVANEY, Ms. SINEMA, and Mr. PETERS of California):

H.R. 5630. A bill to amend the Inspector General Act of 1976 to fill Inspector General vacancies, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MURPHY of Florida (for himself, Mr. JOLLY, Mr. HASTINGS of Florida, Ms. WASSERMAN SCHULTZ, Ms. BROWN of Florida, Ms. FRANKEL of Florida, Mr. GARCIA, Mr. DEUTCH, and Mr. POSEY):

H.R. 5631. A bill to authorize the Central Everglades Planning Project, Florida, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. NEUGEBAUER:

H.R. 5632. A bill to reform and update the flat rent structure for public housing; to the Committee on Financial Services.

By Mr. PASCRELL:

H.R. 5633. A bill to authorize grants for the support of caregivers; to the Committee on Energy and Commerce.

By Mr. PETERS of California:

H.R. 5634. A bill to amend the Federal Crop Insurance Act to require the public disclosure of crop insurance premium subsidies made on behalf of Members of Congress and

their immediate families, Cabinet Secretaries and their immediate families, and entities of which any such individual or combination of such individuals is a majority shareholder, and to require the public disclosure of the underwriting gains earned by private insurance provider and the business expenses covered by the Federal Government; to the Committee on Agriculture.

By Mr. PETERS of California (for himself, Mr. CONNOLLY, Mr. TONKO, and Mr. ISRAEL):

H.R. 5635. A bill to amend chapter 11 of title 31, United States Code, to require the Director of the Office of Management and Budget to annually submit to Congress a report on all disaster-related assistance provided by the Federal Government; to the Committee on Transportation and Infrastructure.

By Mr. PETERS of California (for himself, Mrs. NAPOLITANO, Mr. VARGAS, Mr. MURPHY of Florida, and Mr. DELANEY):

H.R. 5636. A bill to amend the Internal Revenue Code of 1986 to cut and reduce excess and duplicative tax assessments and paperwork for entrepreneurs; to the Committee on Ways and Means.

By Mr. PETERS of California (for himself and Mr. VARGAS):

H.R. 5637. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for discharge of consumer indebtedness; to the Committee on Ways and Means.

By Mr. PETRI (for himself, Mr. SENSENBRENNER, and Mr. DUFFY):

H.R. 5638. A bill to allow railroad employees to remain on duty as necessary to clear a blockage of vehicular traffic at grade crossings; to the Committee on Transportation and Infrastructure.

By Mr. PRICE of North Carolina:

H.R. 5639. A bill to strengthen the disclosure requirements for creditors under the Truth in Lending Act; to the Committee on Financial Services.

By Mr. PRICE of North Carolina (for himself, Mr. ADERHOLT, Mr. QUIGLEY, Mr. BACHUS, and Mr. MCDERMOTT):

H.R. 5640. A bill to amend the AIDS Housing Opportunity Act to modernize the formula and terms for allocations to prevent homelessness for individuals living with HIV or AIDS; to the Committee on Financial Services.

By Mr. PRICE of North Carolina (for himself and Mr. VAN HOLLEN):

H.R. 5641. A bill to amend the Federal Election Campaign Act of 1971 to clarify the treatment of coordinated expenditures as contributions to candidates, and for other purposes; to the Committee on House Administration.

By Mr. REED:

H.R. 5642. A bill to amend the Food and Nutrition Act of 2008 to modify the eligibility disqualification for certain convicted felons; to the Committee on Agriculture.

By Mr. REED (for himself and Mr. MCINTYRE):

H.R. 5643. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the public safety and community policing grant program, and for other purposes; to the Committee on the Judiciary.

By Mr. REED (for himself, Ms. DEGETTE, and Mr. WHITFIELD):

H.R. 5644. A bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REICHERT (for himself, Mr. LARSON of Connecticut, Mr. NEAL, Mr. PAULSEN, Mr. TIBERI, and Mr. SCHOCK):

H.R. 5645. A bill to amend the Internal Revenue Code of 1986 to exempt private foundations from the tax on excess business holdings in the case of certain philanthropic enterprises which are independently supervised, and for other purposes; to the Committee on Ways and Means.

By Mr. REICHERT (for himself, Mr. BLUMENAUER, Mr. THOMPSON of California, Mr. PAULSEN, Mr. POLIS, and Mr. WALDEN):

H.R. 5646. A bill to provide for duty-free treatment of certain recreational performance outerwear, and for other purposes; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN (for herself, Mr. PERRY, Mr. YOHO, and Mr. DESANTIS):

H.R. 5647. A bill to promote transparency, accountability, and reform within the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and for other purposes; to the Committee on Foreign Affairs.

By Ms. ROS-LEHTINEN:

H.R. 5648. A bill to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan; to the Committee on Foreign Affairs.

By Ms. ROS-LEHTINEN (for herself, Mr. PERRY, Mr. YOHO, and Mr. DESANTIS):

H.R. 5649. A bill to promote transparency, accountability, and reform within the United Nations Human Rights Council, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ROSS:

H.R. 5650. A bill to grant a Federal charter to the National Academy of Inventors; to the Committee on the Judiciary.

By Mr. RUIZ:

H.R. 5651. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the employer health insurance mandate for small businesses which are experiencing hardship; to the Committee on Ways and Means.

By Mr. RUIZ (for himself, Ms. KUSTER, Mr. MURPHY of Florida, Mr. SWALWELL of California, Ms. SINEMA, and Mr. GALLEGO):

H.R. 5652. A bill to provide for fiscal responsibility by the Federal Government through the use of accountability laws; to the Committee on Ways and Means, and in addition to the Committees on Oversight and Government Reform, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SALMON:

H.R. 5653. A bill to provide for recipients of community development block grant funds to return such funds to the Treasury of the United States without prejudice, and for other purposes; to the Committee on Financial Services.

By Ms. SCHAKOWSKY (for herself, Mr. WAXMAN, Mr. BUTTERFIELD, Ms. DEGETTE, Mr. PALLONE, Mr. RUSH, and Mr. TONKO):

H.R. 5654. A bill to amend title 49, United States Code, to provide for increased and improved public access to motor vehicle safety information, enhanced tools and accountability for the National Highway Traffic Safety Administration, and protection of motor vehicle consumers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SCHOCK (for himself, Mr. BLUMENAUER, Mr. KELLY of Pennsylvania, and Mr. KIND):

H.R. 5655. A bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself and Ms. MCCOLLUM):

H.R. 5656. A bill to authorize the Feed the Future Initiative to reduce global poverty and hunger in developing countries on a sustainable basis, and for other purposes; to the Committee on Foreign Affairs.

By Mr. STIVERS (for himself and Mr. WELCH):

H.R. 5657. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that eligible product developers have competitive access to approved drugs and licensed biological products, so as to enable eligible product developers to develop and test new products, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STUTZMAN (for himself, Mrs. WALORSKI, and Mr. DUFFY):

H.R. 5658. A bill to revise the definition of ''manufactured home'' under the Manufactured Housing Construction and Safety Standards Act of 1974 to clarify the exclusion of certain recreational vehicles, and for other purposes; to the Committee on Financial Services.

By Mr. STUTZMAN:

H.R. 5659. A bill to reduce Federal, State, and local costs of providing high-quality drinking water to millions of Americans residing in rural communities by facilitating greater use of cost-effective well water systems, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAKANO:

H.R. 5660. A bill to amend the Federal Election Campaign Act of 1971 to provide for a limitation on the time for the use of contributions or donations, and for other purposes; to the Committee on House Administration.

By Mr. VAN HOLLEN (for himself, Mr. LOWENTHAL, Mr. RUPPERSBERGER, Ms. SLAUGHTER, Mr. SABLAN, Mr. PASCRELL, Mr. TAKANO, Ms. MCCOLLUM, Mr. HONDA, and Ms. PINGREE of Maine):

H.R. 5661. A bill to require full funding of part A of title I of the Elementary and Secondary Education Act of 1965 and the Individuals with Disabilities Education Act; to the Committee on Education and the Workforce.

By Mr. VAN HOLLEN (for himself and Mr. CLYBURN):

H.R. 5662. A bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration; to the Committee on Ways and Means.

By Mr. VEASEY:

H.R. 5663. A bill to provide for a competitive grant program for apprenticeship and internship programs through the Manufacturing Extension Partnership Program; to the Committee on Science, Space, and Technology.

By Ms. WATERS:

H.R. 5664. A bill to amend the Transportation Equity Act for the 21st Century to modify a high priority project in the State of California, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WEBER of Texas (for himself, Mr. SMITH of Texas, Mr. SESSIONS, Mr. FARENTHOLD, Mr. BRADY of Texas, Mr. CARTER, and Mr. SAM JOHNSON of Texas):

H.R. 5665. A bill to promote transparent, collaborative, and cost-effective national ambient air quality standards for ozone under the Clean Air Act and for other purposes; to the Committee on Energy and Commerce.

By Mr. WEBER of Texas (for himself and Mr. SMITH of Texas):

H.R. 5666. A bill to strengthen United States-Israel science and technology cooperation; to the Committee on Science, Space, and Technology.

By Mr. WILLIAMS:

H.R. 5667. A bill to exempt small mortgage originators from certain licensing requirements and debt-to-income requirements for qualified mortgages; to the Committee on Financial Services.

By Mr. YOHO (for himself, Mr. POE of Texas, Mr. COLLINS of Georgia, Mr. WEBER of Texas, Mr. BROUN of Georgia, Mr. FRANKS of Arizona, Mr. PERRY, Mr. COFFMAN, Mr. FLEMING, Mr. POSEY, and Mr. HARRIS):

H.R. 5668. A bill to suspend the provision of United States foreign assistance to the Palestinian Authority, and for other purposes; to the Committee on Foreign Affairs.

By Mr. YOHO:

H.R. 5669. A bill to amend the Immigration and Nationality Act to provide for the loss of nationality by native-born or naturalized citizens due to affiliation with designated foreign terrorist organizations; to the Committee on the Judiciary.

By Mr. YOHO (for himself, Mr. MURPHY of Florida, Ms. ROS-LEHTINEN, Mr. GRAYSON, Mr. COLLINS of New York, Mr. RICE of South Carolina, Mr. JOLLY, Mr. RODNEY DAVIS of Illinois, Ms. BROWN of Florida, Ms. WASSERMAN SCHULTZ, Ms. WILSON of Florida, Mr. HASTINGS of Florida, Mr. STOCKMAN, Mr. WEBER of Texas, Mr. DIAZ-BALART, Mr. SOUTHERLAND, and Mr. BILIRAKIS):

H.R. 5670. A bill to require the Secretary of the Treasury to implement security measures in the electronic tax return filing process to prevent tax refund fraud from being perpetrated with electronic identity theft; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 5671. A bill to amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal sources, and for other purposes; to the Committee on Natural Resources.

By Mr. CRAWFORD (for himself, Mr. GRIFFIN of Arkansas, Mr. MEADOWS, Mr. COTTON, Mr. SCALISE, Mrs. NOEM, Mr. GRAVES of Georgia, Mr. RODNEY DAVIS of Illinois, Mr. HARRIS, Mr. COLLINS of New York, Mr. MULVANEY, Mr. ROSS, Mr. SCHOCK, Mrs. WAGNER, Mr. MCHENRY, Mr. CALVERT, Mr. CRAMER, Mr. CULBERSON, Mr. ADERHOLT, and Mr. YODER):

H.J. Res. 126. A joint resolution proposing an amendment to the Constitution of the United States to control entitlement spending; to the Committee on the Judiciary.

By Mr. GOHMERT (for himself, Mrs. BACHMANN, Mr. SALMON, Mr. GOSAR, Mr. BARTON, Mr. HARRIS, and Mr. WEBER of Texas):

H.J. Res. 127. A joint resolution declaring that a state of war exists between the self-described ''Islamic State'' and its direct affiliates and subsidiaries, and the Government and the people of the United States and making provisions to prosecute the same; to the Committee on Foreign Affairs.

By Mr. KILMER (for himself, Mr. COURTNEY, Mr. LANGEVIN, Mr. FORBES, and Mr. GALLEGO):

H. Con. Res. 116. Concurrent resolution congratulating the Sailors of the United States Submarine Force upon the completion of 4,000 ballistic missile submarine (SSBN) deterrent patrols; to the Committee on Armed Services.

By Mr. LANCE:

H. Con. Res. 117. Concurrent resolution expressing the sense of Congress that the United States Postal Service should issue a commemorative postage stamp honoring Admiral Ben Moreell and that the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued; to the Committee on Oversight and Government Reform.

By Ms. SHEA-PORTER (for herself, Ms. ROS-LEHTINEN, Ms. WASSERMAN SCHULTZ, Mr. DEUTCH, Ms. WILSON of Florida, Mr. HASTINGS of Florida, Ms. KUSTER, and Mr. BILIRAKIS):

H. Res. 734. A resolution expressing the condolences of the House of Representatives to the families of James Foley and Steven Sotloff, and condemning the terrorist acts of the Islamic State of Iraq and the Levant; to the Committee on Foreign Affairs. considered and agreed to. considered and agreed to.

By Mr. HUIZENGA of Michigan (for himself and Mr. MEEKS):

H. Res. 735. A resolution expressing the sense of the House of Representatives that recently proposed measures that will reduce transparency and public participation at the International Association of Insurance Supervisors (IAIS) should be disapproved by United States representatives to the IAIS; to the Committee on Foreign Affairs.

By Mr. BARBER (for himself, Mrs. KIRKPATRICK, Mr. GRIJALVA, Mr. GOSAR, Mr. SALMON, Mr. SCHWEIKERT, Mr. PASTOR of Arizona, Mr. FRANKS of Arizona, and Ms. SINEMA):

H. Res. 736. A resolution affirming the importance of the Electronic Proving Ground at Fort Huachuca, Arizona, to the United States Armed Forces and national security on its 60th anniversary; to the Committee on Armed Services.

By Mr. GARDNER (for himself, Mr. WELCH, Mr. FRANKS of Arizona, Mr. GRIJALVA, Mr. MORAN, Mr. MCKINLEY, Mr. SCHRADER, Mrs. BLACKBURN, Mr. PETERS of California, Ms. TSONGAS, Mr. WILSON of South Carolina, Ms. CLARK of Massachusetts, Mr. KINZINGER of Illinois, Mr. GRIFFIN of Arkansas, Ms. SHEA-PORTER, Mr. HUDSON, Mr. YARMUTH, Mr. CÁRDENAS, Mr. TERRY, Mr. WEBSTER of Florida, Mr. PALLONE, Mr. HUFFMAN, Mr. SHIMKUS, Mr. COFFMAN, Mr. SARBANES, Ms. KUSTER, Mr. STUTZMAN, Mrs. MCMORRIS RODGERS, and Ms. LOFGREN):

H. Res. 737. A resolution expressing the sense of the House of Representatives that performance-based contracts for energy savings are a budget-neutral means to support the Federal Government in reducing its energy consumption without increasing spending while simultaneously supporting United States based jobs and economic development; to the Committee on the Budget.

By Mr. HOLDING (for himself, Mr. KING of New York, Mr. PETRI, Mr. MCINTYRE, Mr. MURPHY of Florida, Mr. HIGGINS, Mr. GRAYSON, and Ms. WILSON of Florida):

H. Res. 738. A resolution recognizing the self determination of Gibraltar to determine its status as a British Overseas Territory; to the Committee on Foreign Affairs.

By Ms. MENG:

H. Res. 739. A resolution supporting the goals and ideals of the International Day of Non-Violence; to the Committee on Oversight and Government Reform.

By Mr. NEUGEBAUER:

H. Res. 740. A resolution expressing support for designation of September 2014 as ''National Prostate Cancer Awareness Month''; to the Committee on Energy and Commerce.

By Mr. OLSON:

H. Res. 741. A resolution disapproving of the President's expression of intent to expand amnesty to undocumented immigrants through Executive order after the 2014 congressional midterm elections; to the Committee on the Judiciary.

By Mr. OLSON:

H. Res. 742. A resolution expressing the sense of the House of Representatives that it is unconstitutional for the President of the United States to continue to provide deferred action for childhood arrivals in enforcement of the immigration laws; to the Committee on the Judiciary.

By Mr. POLIS (for himself, Mr. GRIJALVA, Mr. MCINTYRE, Mr. HINOJOSA, Mr. CICILLINE, Mr. VAN HOLLEN, Mr. YARMUTH, Ms. NORTON, Mr. ROE of Tennessee, and Mr. HOLT):

H. Res. 743. A resolution expressing support for designation of the week of September 22, 2014, as National Adult Education and Family Literacy Week; to the Committee on Education and the Workforce.

By Mr. POSEY:

H. Res. 744. A resolution expressing the sense of the House of Representatives that the Republic of Argentina's continued participation in the Group of Twenty Finance Ministers and Central Bank Governors (G-20) nations should be conditioned on its adherence to international norms of economic cooperation and the rule of law; to the Committee on Foreign Affairs.

By Mr. RICE of South Carolina:

H. Res. 745. A resolution expressing the sense of the House that a Contract with America should restore American competitiveness; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, Natural Resources, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself and Mr. KEATING):

H. Res. 746. A resolution expressing support for the people of Bosnia and Herzegovina as they seek to hold government officials accountable, prepare for elections at the state, entity, and cantonal level, and consider constitutional or other reforms to enhance the country's prospects for European and Euro-Atlantic integration; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII,

318. The SPEAKER presented a memorial of the Legislature of the State of Michigan, relative to Joint Resolution V petitioning the Congress of the United States to call a convention to propose amendments to the Constitution of the United States to require a balanced federal budget; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. SLAUGHTER:
H.R. 5525.
Congress has the power to enact this legislation pursuant to the following:
Sections 5 and 8 of Article I of the Constitution of the United States
By Ms. ESTY:
H.R. 5526.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8.
By Ms. ESTY: H.R. 5527.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8.
By Mr. CAMP
H.R. 5528.
Congress has the power to enact this legislation pursuant to the following:
Clauses 1 and 18 of Section 8 of Article I of the United States Constitution, and Amendment XVI to the United States Constitution.
By Mr. MCKINLEY:
H.R. 5529.
Congress has the power to enact this legislation pursuant to the following:
According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.
By Mr. BROUN of Georgia:
H.R. 5530.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Sec. 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.
By Mr. CARTWRIGHT:
H.R. 5531.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)
By Mr. BARLETTA:
H.R. 5532.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, of the United States Constitution.
By Mr. POCAN:
H.R. 5533.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 1,
All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.
By Mr. TONKO:
H.R. 5534.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
By Ms. JACKSON LEE:
H.R. 5535.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.
By Ms. JACKSON LEE:
H.R. 5536.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3, and 18 of the United States Constitution.
By Mr. MCKINLEY:
H.R. 5537.
Congress has the power to enact this legislation pursuant to the following:
According to Article I, Section 8 of the Constitution of the United States.
By Ms. JACKSON LEE:
H.R. 5538.
Congress has the power to enact this legislation pursuant to the following:
The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3, and 18 of the United States Constitution.
By Mr. BURGESS:
H.R. 5539.
Congress has the power to enact this legislation pursuant to the following:
Per Section 8, Clause 1 of the Constitution, Congress shall have the power to lay and collect taxes. Per the Section 8, Clause 3 of the Constitution, Congress shall have the power regulate Commerce with foreign Nations and among the several States.
By Ms. JACKSON LEE:
H.R. 5540.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.
By Mr. FARR:
H.R. 5541.
Congress has the power to enact this legislation pursuant to the following:
Article I, Sec. 8,''. . . Congress shall have power to . . . provide for the . . . general welfare of the United States . . .''
and specifically, Article I, Sec. 8, Cl. 2, ''. . . to regulate commerce . . .''
By Mr. CRAWFORD:
H.R. 5542.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the enumerated powers listed in Article I, Section 8, Clause 3, of the U.S. Constitution.
By Mr. DAINES:
H.R. 5543
Congress has the power to enact this legislation pursuant to the following:
Article 4, Section 3, Clause 2 of the Constitution of the United States.
By Mr. BROUN of Georgia:
H.R. 5544.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the Constitution—''Congress shall have Power to regulate Commerce with Foreign nations and among the several States, and with the Indian Tribes;'' and
Article I, Section 8, Clause 18 of the Constitution—''Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, of in any Department or Officer thereof.''
By Mr. FARR:
H.R. 5545.
Congress has the power to enact this legislation pursuant to the following:
Article I, Sec. 8. ''. . . Congress shall have power to . . . provide for the . . . general welfare of the United States.''
By Mr. HECK of Washington: H.R. 5546.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.
By Mr. CARTWRIGHT:
H.R. 5547.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)
By Mr. CARTWRIGHT:
H.R. 5548.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 (relating to the power of Congress to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.)
Article I; Section 8; (relating to the power of Congress to regulate commerce with foreign nations, and among the several states, and with the Indian tribes;)
By Mr. DOGGETT:
H.R. 5549.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article I of the United States Constitution.
By Ms. JACKSON LEE:
H.R. 5550.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3, and 18 of the United States Constitution.
By Mrs. BACHMANN:
H.R. 5551.
Congress has the power to enact this legislation pursuant to the following:
The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. BARBER:
H.R. 5552.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8. The Congress shall have power to lay and collect taxes, duties, imports and excises, to pay the debts and provide for the commond defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.
By Mrs. BEATTY:
H.R. 5553.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution which grants Congress the power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Mr. BISHOP of New York:
H.R. 5554.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution.
By Mrs. BLACK:
H.R. 5555.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 6
The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.
By Mrs. BLACK:
H.R. 5556.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3, to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Mrs. BLACK:
H.R. 5557.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3, to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Mrs. BLACK:
H.R. 5558.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. BLUMENAUER:

H.R. 5559.

Congress has the power to enact this legislation pursuant to the following:

The Constitution of the United States provides clear authority for Congress to pass legislation regarding income taxes. Article I of the Constitution provides that ''Congress shall have Power to lay and collect Taxes . . . '' (Section 8, Clause 1). Further clarifying Congressional power to enact an income tax, voters amended the Constitution by popular vote to provide that ''Congress shall have power to lay and collect taxes on incomes, from whatever source derived. . . .'' (Sixteenth Amendment).

By Mr. BRALEY of Iowa:

H.R. 5560.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. BUTTERFIELD:

H.R. 5561.

Congress has the power to enact this legislation pursuant to the following:

Under Article I Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mrs. CAPPS:

H.R. 5562.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7 of the United States Constitution, which reads: ''The Congress shall have Power ... To establish Post Offices and post Roads''

Article 1, Section 8, Clause 18 of the United States Constitution, which reads: ''The Congress shall have Power. . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States or in any Department or Officer thereof.''

By Mr. CÁRDENAS:

H.R. 5563.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1.

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. CÁRDENAS:

H.R. 5564.

Congress has the power to enact this legislation pursuant to the following:

Article I. Section 1. All legislative Powers herin granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. CARNEY:

H.R. 5565.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the United States Constitution, the Taxing and Spending Clause: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . . ''

By Mr. CARNEY:

H.R. 5566.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . . ''

By Mr. CARNEY:

H.R. 5567.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the United States Constitution, the Taxing and Spending Clause: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . . ''

By Mr. CASTRO of Texas:

H.R. 5568.

Congress has the power to enact this legislation pursuant to the following:

Constitutional Authority—Necessary and Proper Clause (Art. I, Sec. 8, Clause 18)

THE U.S. CONSTITUTION ARTICLE I, SECTION 8: POWERS OF CONGRESS CLAUSE 18

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. CICILLINE:

H.R. 5569.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. CLYBURN:

H.R. 5570.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. CLYBURN:

H.R. 5571.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. CONYERS:

H.R. 5572.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. COOK:

H.R. 5573.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CRAWFORD:

H.R. 5574.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the enumerated powers listed in Article 1, Section 8 Clause 15 which grants Congress the power to make rules for the Government and Regulation of the land and naval Forces.

By Mr. CROWLEY:

H.R. 5575.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: ''The Congress shall have Power [. . .] To regulate Commerce with foreign Nations, and among the several States. . .''

By Mr. CROWLEY:

H.R. 5576.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 Section 8 of Article 1:

The Congress shall have the power to Pay a collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense a General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.

By Mrs. DAVIS of California:

H.R. 5577.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. RODNEY DAVIS of Illinois:

H.R. 5578.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of, and the Sixteenth Amendment to, the United States Constitution.

By Mr. RODNEY DAVIS of Illinois:

H.R. 5579.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of, and the Sixteenth Amendment to, the United States Constitution.

By Ms. DeLAURO:

H.R. 5580.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution

By Ms. DeLAURO:

H.R. 5581.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution—The Commerce Clause

By Ms. DeLAURO:

H.R. 5582.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. DeLAURO:

H.R. 5583.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution, the Commerce Clause

By Ms. DelBENE:

H.R. 5584.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States;. . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. DUFFY:

H.R. 5585.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. FARENTHOLD:

H.R. 5586.

Congress has the power to enact this legislation pursuant to the following:

Clause 8 of Section 8 of Article I of the United States Constitution

By Mr. FOSTER:

H.R. 5587.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Mr. FOSTER:

H.R. 5588.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, To make all Laws which shall be necessary and—proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. FRANKEL of Florida:

H.R. 5589.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 (Clauses 1, 12, 13, and 14) of the United States Constitution, which grants Congress the power to lay and collect taxes for the purpose of spending; to raise and support armies; to provide and maintain a navy; and to make rules for the government and regulation of the land and naval forces.

By Ms. FUDGE:

H.R. 5590.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3, the Commerce Clause.

By Ms. FUDGE:

H.R. 5591.

Congress has the power to enact this legislation pursuant to the following:

Article 1 & 8 Clause 1

Artcle 1 & 8 Clause 3

Article 1 & 8 Clause 18

By Ms. GABBARD:

H.R. 5592.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article I, Section 8.

By Ms. GABBARD:

H.R. 5593.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Ms. GABBARD:

H.R. 5594.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Ms. GABBARD:

H.R. 5595.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. GARCIA:

H.R. 5596.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 3 of the U.S. Constitution and Article 1, section 8, clause 18 of the U.S. Constitution

By Mr. GOHMERT:

H.R. 5597.

Congress has the power to enact this legislation pursuant to the following:

Under the 10th Amendment to the U.S. Constitution, ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively.'' The power to completely control what school children eat for breakfast or lunch is not an enumerated power of Congress and therefore a decision best left to the States.

By Mr. GOSAR:

H.R. 5598.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2.

''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.''

Currently, the federal government owns approximately 29 percent of all land in the United States. The U.S. Constitution specifically addresses the relationship of the federal government to these lands. Article IV, Section 3, Clause 2—the Property Clause—gives Congress full authority over federal property including the National Park System. The U.S. Supreme Court has described Congress's power to legislate under this Clause as ''without limitation.'' This bill falls squarely within the express Constitutional power set forth in the Property Clause.

By Mr. GRAVES of Missouri:

H.R. 5599.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and

Article I, section 8, clause 3 (relating to the power to regulate interstate commerce); and

Article I, section 8, clause 18 (relating to all Laws which shall be necessary and proper for carrying into Execution the foregoing powers).

By Mr. GRAVES of Missouri:

H.R. 5600.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 1 (relating to the general welfare of the United States); and

Article 1, section 8, clause 3 (relating to the power to regulate interstate commerce); and

Article 1, section 8, clause 18 (relating to all Laws which shall be necessary and proper for carrying into Execution the foregoing powers).

By Mr. GRAYSON:

H.R. 5601.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. HAHN:

H.R. 5602.

Congress has the power to enact this legislation pursuant to the following:

According to Article 1: Section 8: Clause 18: of the United States Constitution, seen below, this bill falls within the Constitutional Authority of the United States Congress.

Article 1: Section 8: Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HALL:

H.R. 5603.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2, relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By Mr. HALL:

H.R. 5604.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2 of the United States Constitution.

By Mr. HOLDING:

H.R. 5605.

Congress has the power to enact this legislation pursuant to the following:

Per Article I, Section 8, Clause 18 of the Constitution

By Mr. HONDA:

H.R. 5606.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution

By Mr. HONDA:

H.R. 5607.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution

By Mr. HORSFORD:

H.R. 5608.

Congress has the power to enact this legislation pursuant to the following:

Article. I. Section. 8. Clause, 18. and

Article. IV. Section. 3. Clause. 2.

By Mr. HUNTER:

H.R. 5609.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 and Clause 18

By Mr. HURT:

H.R. 5610.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. ISRAEL:

H.R. 5611.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. ISRAEL:

H.R. 5612.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. ISRAEL:

H.R. 5613.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. JOHNSON of Ohio:

H.R. 5614.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution.

By Mr. SAM JOHNSON of Texas:

H.R. 5615.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. KAPTUR:

H.R. 5616.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I Section 8 of the United States Constitution.

By Mr. KILMER:

H.R. 5617.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 8 and

Amendment XIV Sections 1 and 5

By Mr. KILMER:

H.R. 5618.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. KING of New York:

H.R. 5619.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power ... To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. KING of New York:

H.R. 5620.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States, which grants

Congress the power to provide for the common Defence of the United States.

By Mr. LANGEVIN:

H.R. 5621.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States grant Congress the authority to enact this bill.

By Mr. LANGEVIN:

H.R. 5622.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7, and Article I, Section 8 of the United States Constitution.

By Mr. LEWIS:

H.R. 5623.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LOWENTHAL:

H.R. 5624.

Congress has the power to enact this legislation pursuant to the following:

Spending Authorization

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Necessary and Proper Regulations to Effectuate Powers

Article I, Section 8, Clause 18

The Congress shall have Power *** To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 5625.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 5626.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. MAFFEI:

H.R. 5627.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution.

By Mr. MEADOWS:

H.R. 5628.

Congress has the power to enact this legislation pursuant to the following:

''The Congress shall have the Poert To ...make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.'' – Article 1, Section 8, Clause 18

By Mr. MEEHAN:

H.R. 5629.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1; and Article I, section 8, clause 18 of the Constitution of the United States

By Mr. MURPHY of Florida:

H.R. 5630.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article 1 Section 8 of the United States Constitution.

By Mr. MURPHY of Florida:

H.R. 5631.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8 Constitution of the United States, which states the Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

By Mr. NEUGEBAUER:

H.R. 5632.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. PASCRELL:

H.R. 5633.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. PETERS of California:

H.R. 5634.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of US Constitution.

By Mr. PETERS of California:

H.R. 5635.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of US Constitution.

By Mr. PETERS of California:

H.R. 5636.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of US Constitution

By Mr. PETERS of California:

H.R. 5637.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of US Constitution

By Mr. PETRI:

H.R. 5638.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1, Clause 3, and Clause 18.

By Mr. PRICE of North Carolina:

H.R. 5639.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8; Clause 1 of the Constitution states The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. PRICE of North Carolina:

H.R. 5640.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. PRICE of North Carolina:

H.R. 5641.

Congress has the power to enact this legislation pursuant to the following:

Congressional power to provide for public financing of campaigns arises under the General Welfare Clause, Art. I, Sec. 8, of the Constitution.

In Buckley v. Valeo, 424 U.S. 1, 91 (1976), the Supreme Court upheld the congressional power to enact public financing of presidential elections under this Clause. The Supreme Court stated with regard to the provisions in the Federal Election Campaign Act Amendments of 1974 establishing a presidential public financing system, ''In this case, Congress was legislating for the 'general welfare'—to reduce the deleterious influence of large contributions on our political process, to facilitate communication by candidates with the electorate, and to free candidates from the rigors of fundraising.''

By Mr. REED:

H.R. 5642.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. REED:

H.R. 5643.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1—promoting the general welfare.

By Mr. REED:

H.R. 5644.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. REICHERT:

H.R. 5645.

Congress has the power to enact this legislation pursuant to the following:

''Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. REICHERT:

H.R. 5646.

Congress has the power to enact this legislation pursuant to the following:

''Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).''

By Ms. ROS-LEHTINEN:

H.R. 5647.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Ms. ROS-LEHTINEN:

H.R. 5648.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Ms. ROS-LEHTINEN:

H.R. 5649.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. ROSS:

H.R. 5650.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. RUIZ:

H.R. 5651.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution provides Congress ''power to lay and collect taxes.''

By Mr. RUIZ:

H.R. 5652.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 18 of the United States Constitution, to make all laws necessary and proper to carry out the powers of Congress.

By Mr. SALMON:

H.R. 5653.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States of America.

By Ms. SCHAKOWSKY:
H.R. 5654.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution
By Mr. SCHOCK:
H.R. 5655.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8 of the United States Constitution.
By Mr. SMITH of New Jersey:
H.R. 5656.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the Constitution.
By Mr. STIVERS:
H.R. 5657.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, section 8, Clause 3 of the United States Constitution. The Constitution's Commerce Clause allows Congress to enact laws when reasonably related to the regulation of interstate commerce.
By Mr. STUTZMAN:
H.R. 5658.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution which states, ''Congress shall have the power ... to regulate commerce with foreign nations, and among the several states and among the Indian Tribes.''
By Mr. STUTZMAN:
H.R. 5659.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution which states, ''Congress shall have the power...to regulate commerce with foreign nations, and among the several states and among the Indian Tribes.''
By Mr. TAKANO:
H.R. 5660.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the Constitution of the United States.
By Mr. VAN HOLLEN:
H.R. 5661.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. VAN HOLLEN:
H.R. 5662.
Congress has the power to enact this legislation pursuant to the following:
Sections 7 & 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.
By Mr. VEASEY:
H.R. 5663.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8: The Congress shall have a Power to lay and collect taxies, duties, imposts and excises, to pay the debts and provide for the Congress shall have the power for the common defense and general welfare of the United States.
By Ms. WATERS:
H.R. 5664.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, clause 1 of the U.S. Constitution and
Article 1, Section 9, clause 7 of the U.S. Constitution.
By Mr. WEBER of Texas:
H.R. 5665.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
The Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
Article I, Section 8, Clause 18
The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. WEBER of Texas:
H.R. 5666.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3: The Congress shall have power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes; and
Article I, Section 8, Clause 18: The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. WILLIAMS:
H.R. 5667.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3: To regulate Commerce with foreign nations, and among the several states, and with the Indian tribes.
By Mr. YOHO:
H.R. 5668.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
By Mr. YOHO:
H.R. 5669.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 4 of the Constitution of the United States, which grants Congress the Power ''To establish an uniform Rule of Naturalization...''
By Mr. YOHO:
H.R. 5670.
Congress has the power to enact this legislation pursuant to the following:
Clause 1, Section 8 of Article 1 of the United States Constitution which reads: ''The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.''
By Mr. YOUNG of Alaska:
H.R. 5671.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
By Mr. CRAWFORD:
H.J. Res. 126.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Article V of the United States Constitution
By Mr. GOHMERT:
H.J. Res. 127.
Congress has the power to enact this legislation pursuant to the following:
Under Article I, Section 8 of the U.S. Constitution, ''Congress shall have Power. . . To declare War.''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 15: Mr. JEFFRIES.
H.R. 139: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 274: Mr. GALLEGO.
H.R. 366: Mr. GARCIA and Mr. REED.
H.R. 385: Mr. LUCAS.
H.R. 386: Mr. BUTTERFIELD.
H.R. 401: Mr. GINGREY of Georgia.
H.R. 445: Ms. LEE of California.
H.R. 460: Ms. SINEMA and Mr. NOLAN.
H.R. 485: Mr. KEATING.
H.R. 494: Mr. JOYCE.
H.R. 499: Mr. LOWENTHAL.
H.R. 525: Mr. PERRY.
H.R. 578: Mr. MCCLINTOCK.
H.R. 596: Ms. CHU.
H.R. 609: Ms. BONAMICI.
H.R. 640: Mr. HENSARLING.
H.R. 645: Mr. JEFFRIES.
H.R. 690: Mr. COHEN.
H.R. 713: Mr. SEAN PATRICK MALONEY of New York.
H.R. 719: Mr. TAKANO and Mr. CHABOT.
H.R. 725: Ms. KAPTUR and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 790: Ms. EDWARDS.
H.R. 792: Mr. POE of Texas and Mr. SCHOCK.
H.R. 855: Ms. TSONGAS.
H.R. 942: Mr. BISHOP of New York, Mr. PAULSEN, and Mr. ISRAEL.
H.R. 958: Mr. SEAN PATRICK MALONEY of New York.
H.R. 962: Ms. DUCKWORTH and Mr. NOLAN.
H.R. 1009: Mr. NOLAN.
H.R. 1015: Mr. KEATING.
H.R. 1070: Mr. DOGGETT, Ms. BROWNLEY of California, Mr. PALAZZO, Mr. SOUTHERLAND, Mr. CICILLINE, Mr. MCNERNEY, Mr. CULBERSON, Mr. BISHOP of New York, Mr. BRALEY of Iowa, Mr. SEAN PATRICK MALONEY of New York, Mr. PETERS of Michigan, Mr. NADLER, Mr. NUGENT, Ms. TSONGAS, Mr. LAMBORN, Mr. SERRANO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JEFFRIES, and Mr. MURPHY of Pennsylvania.
H.R. 1074: Mr. LANGEVIN, Mr. BARR, Mr. BOUSTANY, and Mr. NADLER.
H.R. 1125: Mr. BERA of California.
H.R. 1250: Mr. MILLER of Florida and Mr. LAMBORN.
H.R. 1252: Mr. SEAN PATRICK MALONEY of New York and Mr. DANNY K. DAVIS of Illinois.
H.R. 1271: Mr. CARTWRIGHT.
H.R. 1284: Mr. AMODEI.
H.R. 1318: Mr. PRICE of North Carolina.
H.R. 1339: Mrs. MCCARTHY of New York, Mr. MCINTYRE, Mr. CLEAVER, Mr. NADLER, and Mr. PETERS of Michigan.
H.R. 1380: Mr. MORAN.
H.R. 1386: Mr. DENT.
H.R. 1428: Mr. DANNY K. DAVIS of Illinois.
H.R. 1440: Mr. GUTHRIE and Ms. DUCKWORTH.
H.R. 1507: Mr. COOPER.
H.R. 1538: Mr. CARTWRIGHT.
H.R. 1553: Mr. PETERS of California and Ms. WASSERMAN SCHULTZ.
H.R. 1556: Mr. GEORGE MILLER of California.
H.R. 1563: Mr. PALAZZO, Ms. ESTY, and Ms. CLARK OF MASSACHUSETTS.
H.R. 1601: Ms. SCHWARTZ and Ms. SLAUGHTER.
H.R. 1620: Mr. JOHNSON of Georgia.
H.R. 1630: Ms. DUCKWORTH and Mr. CLEAVER.
H.R. 1666: Mr. VAN HOLLEN, Mr. BISHOP of New York, Mr. SEAN PATRICK MALONEY of New York, Mr. PETERS of Michigan, Mr. NADLER, and Mr. MCINTYRE.
H.R. 1714: Mr. BUTTERFIELD.
H.R. 1731: Mr. RUIZ and Mr. DELANEY.
H.R. 1738: Mr. TIERNEY.
H.R. 1783: Ms. PINGREE of Maine, Mr. GARCIA, Mr. COHEN, Ms. LEE of California, Mr. HUFFMAN, Mr. NADLER, Mr. HONDA, Mr. DEFAZIO, Mr. SCHIFF, Mr. CARSON of Indiana, Mr. CICILLINE, and Ms. KUSTER.

H.R. 1795: Mr. WALZ.
H.R. 1821: Mr. CICILLINE.
H.R. 1827: Mr. COHEN and Mr. NADLER.
H.R. 1830: Mr. MURPHY of Pennsylvania.
H.R. 1852: Mr. PETRI and Ms. DUCKWORTH.
H.R. 1998: Mrs. BEATTY, Mr. CARTWRIGHT, and Mr. SIRES.
H.R. 2144: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2147: Mr. CARTWRIGHT.
H.R. 2241: Ms. ESTY.
H.R. 2315: Mr. BISHOP of New York.
H.R. 2329: Mr. MILLER of Florida.
H.R. 2330: Mr. MURPHY of Pennsylvania.
H.R. 2342: Mr. CARTWRIGHT.
H.R. 2350: Ms. LEE of California.
H.R. 2362: Mr. VEASEY.
H.R. 2453: Mr. MILLER of Florida.
H.R. 2457: Mr. JEFFRIES.
H.R. 2468: Mr. SMITH of Washington.
H.R. 2500: Mr. GERLACH, Mr. MURPHY of Florida, Mr. PETERS of California, and Mr. DENT.
H.R. 2510: Ms. SHEA-PORTER.
H.R. 2523: Ms. BORDALLO.
H.R. 2529: Mr. CONNOLLY.
H.R. 2536: Mr. MCDERMOTT.
H.R. 2543: Mr. LARSON of Connecticut, Mr. RODNEY DAVIS of Illinois, Mr. ISSA, and Mr. FARR.
H.R. 2591: Ms. BROWNLEY of California.
H.R. 2638: Ms. DUCKWORTH.
H.R. 2651: Mr. STIVERS.
H.R. 2662: Ms. DUCKWORTH.
H.R. 2676: Mr. DAVID SCOTT of Georgia.
H.R. 2738: Mr. JEFFRIES.
H.R. 2745: Mr. ROSS.
H.R. 2780: Mr. POLIS.
H.R. 2821: Ms. KAPTUR.
H.R. 2831: Ms. PINGREE of Maine, Mr. NADLER, Mr. COHEN, Ms. KUSTER, Mr. CARSON of Indiana, and Ms. SHEA-PORTER.
H.R. 2835: Mr. MURPHY of Pennsylvania.
H. R. 2847: Mr. CUMMINGS
H.R. 2851: Ms. DELBENE and Ms. SLAUGHTER.
H.R. 2856: Ms. ESHOO, Ms. MCCOLLUM, Mr. CARTWRIGHT, Mr. CLEAVER, Mr. CARSON of Indiana, Ms. BONAMICI, Mr. BERA of California, Mr. GRIMM, Mr. SARBANES, Mr. SMITH of Washington, Mr. COFFMAN, Ms. SINEMA, Mr. PAYNE, Mrs. MCCARTHY of New York, Mr. MICHAUD, and Mr. HORSFORD.
H.R. 2901: Ms. SCHAKOWSKY, Mr. LANCE, Ms. MATSUI, Mr. TONKO, Mr. JEFFRIES, Mr. KING of Iowa, and Mr. COOK.
H.R. 2907: Ms. DUCKWORTH.
H.R. 2918: Mr. BENISHEK, Mr. THOMPSON of Mississippi, and Ms. SINEMA.
H.R. 2921: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2959: Mr. CHAFFETZ.
H.R. 2994: Ms. MCCOLLUM, Mr. RICE of South Carolina, Ms. SINEMA, Mr. RODNEY DAVIS of Illinois, and Mr. BUCSHON.
H.R. 3040: Mr. SMITH of Washington.
H.R. 3063: Mr. GARCIA.
H.R. 3116: Mr. MESSER.
H.R. 3135: Mr. ISRAEL.
H.R. 3240: Mr. LATTA, Mr. TAKANO, Mr. LOEBSACK, and Mr. JOYCE.
H.R. 3367: Mr. GUTHRIE, Mr. MESSER, and Mr. DENHAM.
H.R. 3369: Ms. MATSUI.
H.R. 3382: Mr. SIMPSON.
H.R. 3398: Ms. DELAURO, Ms. SLAUGHTER, and Mr. HANNA.
H.R. 3401: Mr. CARTWRIGHT.
H.R. 3408: Ms. DUCKWORTH.
H.R. 3461: Ms. DUCKWORTH and Mr. FOSTER.
H.R. 3486: Mr. SESSIONS and Mr. DIAZ-BALART.
H.R. 3508: Mr. BRADY of Pennsylvania.
H.R. 3532: Ms. SHEA-PORTER.
H.R. 3643: Mr. HONDA.
H.R. 3650: Ms. DUCKWORTH.
H.R. 3662: Ms. BROWNLEY of California.
H.R. 3708: Mr. RICE of South Carolina, Mr. COTTON, Mr. LUETKEMEYER, Mr. CÁRDENAS, Mr. BISHOP of New York, and Mr. COOK.
H.R. 3710: Mr. BISHOP of New York.
H.R. 3717: Mr. GINGREY of Georgia, Mr. SIMPSON, Mr. MARINO, Mr. GUTHRIE, Mr. MICA, Mr. DEUTCH, and Ms. ROS-LEHTINEN.
H.R. 3723: Mr. TAKANO, Mr. LANCE, Mr. BISHOP of New York, Mr. POCAN, Mr. HORSFORD, Mr. DAVID SCOTT of Georgia, Ms. CLARK of Massachusetts, Mr. SERRANO, and Mr. VEASEY.
H.R. 3740: Ms. BONAMICI.
H.R. 3782: Mr. MURPHY of Florida.
H.R. 3833: Mr. CICILLINE.
H.R. 3850: Mr. GARCIA, Ms. LEE of California, Mr. COHEN, and Ms. KUSTER.
H.R. 3877: Mr. MORAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DESANTIS, and Mr. RODNEY DAVIS of Illinois.
H.R. 3938: Mr. GARCIA.
H.R. 3970: Mr. RANGEL.
H.R. 3991: Mr. CRAWFORD.
H.R. 4060: Mr. COSTA.
H.R. 4110: Mr. CARTWRIGHT.
H.R. 4128: Ms. LEE of California and Mr. SEAN PATRICK MALONEY of New York.
H.R. 4136: Mr. PETERS of California.
H.R. 4158: Mr. GINGREY of Georgia.
H.R. 4172: Mr. DEFAZIO, Mr. SEAN PATRICK MALONEY of New York, Mrs. NAPOLITANO, Mr. HORSFORD, and Mr. SCHOCK.
H.R. 4178: Mr. MURPHY of Florida.
H.R. 4187: Mr. BOUSTANY and Mr. KELLY of Pennsylvania.
H.R. 4190: Ms. PINGREE of Maine, Mr. GRIJALVA, and Mr. PETERS of Michigan.
H.R. 4212: Ms. SINEMA.
H.R. 4223: Mr. CONAWAY, Mr. ADERHOLT, and Ms. SINEMA.
H.R. 4234: Ms. TSONGAS.
H.R. 4237: Mr. JOLLY.
H.R. 4249: Mr. SEAN PATRICK MALONEY of New York, Ms. LEE of California, Ms. PINGREE of Maine, Mr. TAKANO, Mr. CARSON of Indiana, Ms. KUSTER, Ms. SHEA-PORTER, and Ms. ROYBAL-ALLARD.
H.R. 4300: Mr. NUNES and Mr. THOMPSON of California.
H.R. 4344: Mr. WELCH.
H.R. 4351: Mr. JEFFRIES.
H.R. 4365: Mr. SEAN PATRICK MALONEY of New York.
H.R. 4377: Mr. MCDERMOTT, Mr. KEATING, Ms. JACKSON LEE, Mr. CONNOLLY, Mr. CICILLINE, Mr. KING of New York, and Ms. MENG.
H.R. 4383: Mr. NOLAN.
H.R. 4407: Mr. GUTHRIE.
H.R. 4432: Mr. PERRY .
H.R. 4440: Ms. CLARK of Massachusetts, Mr. LOWENTHAL, Ms. MCCOLLUM, and Mr. CUMMINGS.
H.R. 4446: Mr. MCKEON, Mr. KING of New York, Mr. JONES, and Mr. COBLE.
H.R. 4447: Mr. SALMON.
H.R. 4510: Ms. WATERS, Mr. RICHMOND, Mr. DOYLE, and Ms. CLARKE of New York.
H.R. 4511: Ms. SHEA-PORTER.
H.R. 4515: Ms. NORTON.
H.R. 4521: Mr. CASSIDY.
H.R. 4525: Mr. O'ROURKE.
H.R. 4526: Mrs. NAPOLITANO and Mr. POLIS.
H.R. 4538: Mr. CONNOLLY.
H.R. 4567: Mr. HECK of Washington, Ms. MCCOLLUM, and Mr. NOLAN.
H.R. 4574: Mr. ELLISON.
H.R. 4577: Ms. HERRERA BEUTLER.
H.R. 4582: Mrs. NAPOLITANO.
H.R. 4595: Mr. LOEBSACK.
H.R. 4607: Mr. DOGGETT.
H.R. 4611: Mr. LANGEVIN.
H.R. 4612: Mr. WENSTRUP.
H.R. 4625: Mr. CUELLAR.
H.R. 4637: Mrs. MILLER of Michigan, Mr. JONES, and Mr. PERLMUTTER.
H.R. 4647: Mr. KLINE.
H.R. 4679: Ms. ROYBAL-ALLARD and Mrs. LOWEY.
H.R. 4682: Mr. COHEN.
H.R. 4714: Mr. POLIS.
H.R. 4717: Mrs. WAGNER and Mr. NOLAN.
H.R. 4726: Mr. HARPER and Mr. BLUMENAUER.
H.R. 4740: Mr. CAPUANO.
H.R. 4741: Ms. TITUS.
H.R. 4772: Mr. FINCHER.
H.R. 4793: Mr. LOWENTHAL, Mr. JOHNSON of Georgia, and Ms. SINEMA.
H.R. 4807: Mr. JOLLY.
H.R. 4813: Mrs. HARTZLER.
H.R. 4814: Mr. SHERMAN, Mr. CARTWRIGHT, Mr. NOLAN, and Mr. POCAN.
H.R. 4824: Ms. LEE of California and Mr. FOSTER.
H.R. 4837: Mr. LOEBSACK and Mr. CLEAVER.
H.R. 4843: Ms. PINGREE of Maine and Mr. FALEOMAVAEGA.
H.R. 4857: Mr. NEAL.
H.R. 4878: Mr. SMITH of Missouri.
H.R. 4880: Ms. SHEA-PORTER and Mr. MCGOVERN.
H.R. 4886: Mr. KINGSTON and Mr. CARTWRIGHT.
H.R. 4920: Mr. REED, Ms. DUCKWORTH, Mr. TIPTON, Ms. SLAUGHTER, Mr. JOHNSON of Georgia, Mr. RUSH, Mr. MILLER of Florida, Mr. PETERSON, and Mr. KING of New York.
H.R. 4929: Mr. CARTWRIGHT.
H.R. 4930: Ms. FRANKEL of Florida and Mr. JOYCE.
H.R. 4960: Mr. VEASEY, Mr. HARPER, Mr. BARLETTA, Mr. RODNEY DAVIS of Illinois, Mr. GUTHRIE, Mr. FINCHER, Mr. CARTER, and Mr. WENSTRUP.
H.R. 4964: Mrs. BEATTY and Mr. JEFFRIES.
H.R. 4966: Ms. SHEA-PORTER.
H.R. 4969: Mr. BARLETTA, Mr. MICHAUD, Mr. FORTENBERRY, Mr. HECK of Nevada, and Mr. CALVERT.
H.R. 4977: Ms. FRANKEL of Florida.
H.R. 4981: Mr. JEFFRIES.
H.R. 4998: Mr. NADLER.
H.R. 5012: Mr. SEAN PATRICK MALONEY of New York, Mr. SCHIFF, Mr. HONDA, Mr. SARBANES, Mr. HIGGINS, Mrs. NEGRETE MCLEOD, Mr. HUFFMAN, Mr. NADLER, Mr. GARCIA, Mr. ENYART, Ms. LEE of California, Ms. PINGREE of Maine, Mrs. DAVIS of California, Mr. COHEN, Mr. CARSON of Indiana, Mr. CICILLINE, Ms. KUSTER, Ms. MENG. and Ms. BONAMICI.
H.R. 5024: Mrs. CAPPS and Mr. RYAN of Ohio.
H.R. 5025: Ms. BROWNLEY of California.
H.R. 5051: Mr. LARSON of Connecticut.
H.R. 5055: Mr. GALLEGO.
H.R. 5059: Mr. HINOJOSA, Mr. VEASEY, Mr. SOUTHERLAND, Mr. GUTIÉRREZ, Mr. RUPPERSBERGER, Mr. NEAL, Mr. BILIRAKIS, Ms. TSONGAS, Mr. HECK of Washington, Mr. YOUNG of Indiana, and Mr. SCHOCK.
H.R. 5069: Mr. JOHNSON of Ohio, Mr. GIBSON, and Mr. AUSTIN SCOTT of Georgia.
H.R. 5071: Mr. MICHAUD and Mr. DAINES.
H.R. 5083: Mr. RUSH, Mr. PETERSON, Mr. MILLER of Florida, Mr. KING of Iowa, Mr. DAVID SCOTT of Georgia, and Mr. ROTHFUS.
H.R. 5087: Mr. NADLER.
H.R. 5088: Mr. JOHNSON of Georgia.
H.R. 5098: Mr. PERRY.
H.R. 5110: Mr. BILIRAKIS.
H.R. 5113: Mr. CALVERT.
H.R. 5119: Mr. JONES.
H.R. 5126: Mr. WELCH and Mr. HONDA.
H.R. 5128: Mr. PETERS of California.
H.R. 5130: Ms. LOFGREN, Mr. GUTIÉRREZ, Mr. LYNCH, Mr. WELCH, Mr. KIND, and Mr. PRICE of North Carolina.
H.R. 5159: Ms. MCCOLLUM.
H.R. 5160: Mr. ROSS.
H.R. 5168: Mr. DELANEY and Ms. ROYBAL-ALLARD.
H.R. 5182: Mr. LEWIS, Ms. MOORE, Mr. VARGAS, Ms. ROYBAL-ALLARD, Mr. CAPUANO, Mr. HASTINGS, of Florida, and Mr. FARR.
H.R. 5190: Mr. JEFFRIES and Mr. QUIGLEY.
H.R. 5194: Mr. MULVANEY.
H.R. 5207: Mr. CLEAVER, Mr. AL GREEN of Texas, Ms. KELLY of Illinois, Mr. RUSH, Mr. CLAY, and Mr. JOHNSON of Ohio.

H.R. 5211: Ms. DUCKWORTH, Mr. COLE, and Ms. GABBARD.
H.R. 5212: Mr. ELLISON and Mr. TIPTON.
H.R. 5213: Mrs. HARTZLER, Mr. TIBERI, Mr. BRADY of Texas, Mr. STIVERS, Mr. AUSTIN SCOTT of Georgia, and Mr. GALLEGO.
H.R. 5217: Mr. CAPUANO.
H.R. 5226: Mr. CALVERT.
H.R. 5227: Mr. PAYNE, Ms. MATSUI, Mr. GRIFFIN of Arkansas, and Ms. Jenkins.
H.R. 5231: Mr. COBLE.
H.R. 5232: Mr. RANGEL.
H.R. 5240: Mr. RICHMOND, Mr. HORSFORD, Ms. JACKSON LEE, Mr. HIGGINS and Mr. PAYNE.
H.R. 5242: Ms. LEE of California, Ms. PINGREE of Maine, Mr. TAKANO, Mr. COHEN, Mr. CARSON of Indiana, Mr. CICILLINE, Ms. TITUS, Ms. KUSTER, Ms. MENG and Ms. ROYBAL-ALLARD.
H.R. 5252: Mr. FRANKS of Arizona and Mr. FORTENBERRY.
H.R. 5262: Mr. ROSKAM, Mr. JONES, Mr. SCHOCK, Mr. RIBBLE, Mr. Rodney Davis of Illinois, and Mr. RICE of South Carolina.
H.R. 5263: Mr. DANNY K. DAVIS of Illinois.
H.R. 5264: Mr. KIND and Mr. REED.
H.R. 5267: Mr. FARR, Ms. LOFGREN, Mr. MCDERMOTT, Mr. GERLACH, Ms. SINEMA, Mr. MCNERNEY, Mr. KEATING, Ms. PINGREE of Maine, Mr. GRIJALVA, Mr. BARLETTA, Mr. BISHOP of New York, Mr. O'ROURKE, Mr. POLIS, Mr. WHITFIELD, Mr. NEAL, Mr. CAPUANO, Mr. KENNEDY, Ms. TSONGAS, and Mr. TIERNEY.
H.R. 5269: Mr. DELANEY.
H.R. 5270: Mrs. NAPOLITANO, Mrs. KIRKPATRICK, Mr. DEFAZIO, and Mr. PETERS of California.
H.R. 5271: Mr. RANGEL and Ms. LOFGREN.
H.R. 5277: Ms. ROYBAL-ALLARD and Ms. CHU.
H.R. 5283: Ms. CHU and Ms. LEE of California.
H.R. 5285: Mr. SESSIONS, Mr. POSEY, and Mr. ROONEY.
H.R. 52.94: Mr. COHEN.
H.R. 5306: Mr. CAPUANO.
H.R. 5313: Mr. BISHOP of New York and Mr. MAFFEI.
H.R. 5323: Mr. COHEN.
H.R. 5334: Mr. KILMER.
H.R. 5336: Ms. CLARK of Massachusetts and Ms. SINEMA.
H.R. 5340: Ms. BROWN of Florida and Mr. RUIZ.
H.R. 5343: Ms. ROYBAL-ALLARD.
H.R. 5352: Mr. COHEN.
H.R. 5362: Mrs. NAPOLITANO, Ms. NORTON, Mr. NADLER, Ms. LEE of California, and Mr. SWALWELL of California.
H.R. 5363: Mr. RUIZ.
H.R. 5364: Mr. RUIZ, Mr. MCDERMOTT, Mr. MCNERNEY, Mr. SABLAN, Ms. CHU, Mr. PAYNE, Mrs. KIRKPATRICK, and Ms. SHEA-PORTER.
H.R. 5369: Mr. MCKEON, Mr. PETERS of California, Mr. YOHO, and Mr. RANGEL.
H.R. 5379: Mr. JOHNSON of Ohio, Mr. MCGOVERN, and Mr. ROHRABACHER.
H.R. 5382: Mrs. BEATTY.
H.R. 5392: Mrs. HARTZLER.
H.R. 5403: Mrs. CAPITO, Ms. JENKINS, Mr. MEADOWS, Mr. KING of New York, Mr. ROKITA, Mrs. ROBY, Mr. HUDSON, Mr. HARPER, Mr. SESSIONS, Mr. TERRY, Mr. HOLDING, Mr. MURPHY of Pennsylvania, Mr. TIPTON, Mr. PALAZZO, Mr. HUIZENGA of Michigan, Mr. GUTHRIE, Mr. PETRI, Mr. HURT, Mr. SOUTHERLAND, Mr. SWALWELL of California, Mr. BARROW of Georgia, Mr. DENT, Mr. FOSTER, Ms. SINEMA, Mr. FLEISCHMANN, Mr. GALLEGO, Mr. CARTER, Mr. CALVERT, and Ms. SHEA-PORTER.
H.R. 5408: Mr. MULVANEY, Mr. WALBERG, and Mr. BROUN of Georgia.
H.R. 5409: Mr. BROOKS of Alabama.
H.R. 5413: Mr. MURPHY of Florida and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 5439: Mr. DINGELL, Mrs. BEATTY, Mr. MAFFEI, and Ms. MOORE.
H.R. 5441: Mr. BLUMENAUER, Mrs. BLACK, Mr. RANGEL, Mr. CRAMER, Mr. FRELINGHUYSEN, Ms. SEWELL of Alabama, Mr. RICE of South Carolina, Mr. GRIFFITH of Virginia, Mr. NUNNELEE, Mrs. NEGRETE MCLEOD, Ms. KUSTER, Mr. HECK of Nevada, Mr. KING of New York, and Mr. MURPHY of Pennsylvania.
H.R. 5445: Mr. POCAN and Ms. MCCOLLUM.
H.R. 5451: Mr. HONDA and Mr. GRIJALVA.
H.R. 5456: Mrs. MILLER of Michigan.
H.R. 5459: Mr. SEAN PATRICK MALONEY of New York.
H.R. 5460: Ms. BONAMICI.
H.R. 5463: Mr. RIBBLE.
H.R. 5470: Mr. CULBERSON.
H.R. 5474: Mrs. NEGRETE MCLEOD.
H.R. 5477: Mr. ROKITA.
H.R. 5478: Mr. SCOTT of Virginia, Ms. KAPTUR, Mr. MCGOVERN, Mr. BLUMENAUER and Mr. JONES.
H.R. 5480: Mr. FARENTHOLD, Mr. GOHMERT, Mr. SESSIONS, Mr. BROUN of Georgia, Mr. PEARCE, Ms. GRANGER, Mr. MARCHANT, Mr. THORNBERRY, Mr. NEUGEBAUER, Mr. CARTER, Mr. HENSARLING, and Mr. BRADY of Texas.
H.R. 5481: Mr. STEWART and Mr. CHAFFETZ.
H.R. 5483: Mr. KING of New York, Mr. MEADOWS, Mr. RAHALL, Mr. BENTIVOLIO, Mr. SMITH of Nebraska, Mr. HUELSKAMP, Mr. BARR, and Mr. BARLETTA.
H.R. 5484: Ms. BROWNLEY of California.
H.R. 5485: Mr. VAN HOLLEN and Mr. SCOTT of Virginia.
H.R. 5486: Mr. JOHNSON of Georgia.
H.R. 5503: Ms. ESTY.
H.R. 5508: Mr. NOLAN, Mr. LOEBSACK, Mr. PETERS of California, and Ms. CLARKE of New York.
H.R. 5516: Ms. KAPTUR.
H.R. 5520: Mr. FRANKS of Arizona, Mr. KING of Iowa, Mr. BARLETTA, and Mr. SMITH of Texas.
H.R. 5524: Mr. MCNERNEY, Mr. RUSH, Ms. SINEMA, Mr. RYAN of Ohio and Mr. SWALWELL of California.
H.J. Res. 56: Mr. BERA of California.
H.J. Res. 125: Mr. MORAN, Ms. SCHAKOWSKY, and Mr. CONNOLLY.
H. Con. Res. 97: Mr. NUGENT.
H. Con. Res. 114: Mr. CONYERS, Ms. CLARK OF MASSACHUSETTS, Mr. O'ROURKE, Ms. HAHN, Mr. NOLAN, Mr. HONDA, Ms. PINGREE of Maine, and Ms. TSONGAS.
H. Res. 208: Ms. CLARK OF MASSACHUSETTS.
H. Res. 231: Mr. GARCIA, Mr. HONDA, and Mr. MEEKS.
H. Res. 239: Mr. GRIJALVA.
H. Res. 276: Mr. GARCIA.
H. Res. 281: Ms. ROYBAL-ALLARD, Mr. SCOTT of Virginia, Mr. BRADY of Pennsylvania, and Mr. GUTHRIE.
H. Res. 412: Mr. MEEKS.
H. Res. 428: Mr. MCALLISTER and Mr. PETERSON.
H. Res. 456: Ms. EDWARDS, Ms. KUSTER, Mr. GARCIA, and Mr. PRICE of Georgia.
H. Res. 536: Mr. PETERSON, Mr. POCAN, and Mr. RODNEY DAVIS of Illinois.
H. Res. 571: Mr. GARCIA.
H. Res. 614: Mr. HURT.
H. Res. 619: Ms. SHEA-PORTER.
H. Res. 620: Mr. STOCKMAN, Mr. THOMPSON of Pennsylvania, Mr. PERRY, Mr. MESSER, and Mr. WEBSTER of Florida.
H. Res. 658: Ms. SHEA-PORTER.
H. Res. 668: Mr. RUSH, Ms. BORDELLO, Ms. PINGREE of Maine, Mr. POCAN, Mr. COHEN, Ms. CHU, Ms. ROYBAL-ALLARD, and Mr. POLIS.
H. Res. 688: Mr. VEASEY, Mr. MARCHANT, Mr. KILMER, Mr. VELA, Mr. HECK of Washington, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PETERS of California, and Mrs. DAVIS of California.
H. Res. 707: Mr. YODER, Mr. PASCRELL, Mr. BISHOP of Georgia, Mr. TERRY, Mr. LEWIS, Ms. FUDGE, Mr. CLAY, Mrs. BACHMANN, Mr. LARSON of Connecticut, Mr. NUNNELEE, Ms. JENKINS, Mr. MESSER, Ms. NORTON, Mr. BRIDENSTINE, Mr. LYNCH, Mr. WALBERG, Mr. FRELINGHUYSEN, Mr. BYRNE, Mr. HENSARLING, Mrs. MCMORRIS RODGERS, Mr. POMPEO, Mr. BACHUS, Ms. ROYBAL-ALLARD, Mr. DUNCAN of South Carolina, Mr. SCOTT of Virginia, Mr. AUSTIN SCOTT of Georgia, Ms. CLARK OF MASSACHUSETTS, Mr. ROE of Tennessee, Mr. SESSIONS, Mr. MURPHY of Pennsylvania, Mr. BARBER, Mr. UPTON, Mr. SMITH of New Jersey, Mr. JEFFRIES, and Mr. FORBES.
H. Res. 711: Mr. TONKO, Mr. BERA of California, Ms. ROYBAL-ALLARD, Mrs. MCCARTHY of New York, Mr. GIBSON, Mr. PAYNE, and Mr. MURPHY of Pennsylvania.
H. Res. 716: Mr. PETERS of Michigan.
H. Res. 723: Ms. VELÁZQUEZ, Mr. CAPUANO, Mr. VEASEY, Mr. SABLAN, Mr. SWALWELL of California, and Ms. MENG.
H. Res. 724: Mrs. MILLER of Michigan.
H. Res. 730: Mr. FARR, Mr. SARBANES, Mr. MCNERNEY, Mr. PAULSEN, Mr. CARTWRIGHT, and Mr. ELLISON.
H. Res. 731: Mr. GRIJALVA and Ms. JACKSON LEE.
H. Res. 733: Ms. SPEIER.

PETITIONS, ETC.

Under clause 3 of rule XII

100. The SPEAKER presented a petition of The National Society Sons of the American Revolution, Louisville, Kentucky, relative to a resolution endorsing the passage of the Joint Resolutions pending in both houses of Congress to confer Honorary Citizenship to General Bernardo de Galvez y Madrid, Viscount of Galveston and Count of Galvez; to the Committee on the Judiciary.

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of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, SECOND SESSION

Vol. 160 WASHINGTON, THURSDAY, SEPTEMBER 18, 2014 *No. 134*

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who restores peace in human hearts, thank You for Your many blessings. Guide our lawmakers so that they will discern Your purposes and become instruments of Your providence. Today, help them to speak words that will leave them without regret. May they play their part in these momentous times so that their labors will withstand the scrutiny of history and the judgment of posterity. May Your Spirit rule in our lives, teaching us to sacrifice our comforts for the good of others. Use us today as ambassadors of Your will.

We pray in Your majestic Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

BANK ON STUDENTS EMERGENCY LOAN REFINANCING ACT—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 409, S. 2432.

The PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 409, S. 2432, a bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks, the Senate will be in recess subject to the call of the Chair for the joint meeting with the President of Ukraine.

When the Senate reconvenes, it will be in a period of morning business until 1 p.m., with the time equally divided and controlled between the two leaders or their designees. The Republicans will control the first half and the majority will control the final half.

At 1 p.m. the Senate will proceed to the consideration of H.J. Res. 124, the continuing resolution. There will be up to 4½ hours of debate prior to a series of rollcall votes followed by several voice votes on executive nominations. Senators should expect the votes to begin around 5 p.m.

TRIBUTE TO JERRY LINNELL

Mr. President, in ancient Greece the keeping of history was considered so important that Clio, daughter of Zeus, was believed responsible for recording all that occurred on Earth—everything.

In the Senate we don't have Greek gods in charge of keeping our records, but we do rely on the superhuman efforts of a group of official reporters who transcribe every word we say. It is a hard, hard job. Official reporters have to accustom their ears to all sorts of accents from across our country, find ways to spell newly invented words, try to listen to what I don't say very loudly, and all the other issues they have to deal with, and they have to suffer through talking filibusters. In fact, they may be the only people who dislike filibusters more than I do.

Today I recognize just one of those hard-working official reporters—the chief reporter of debates of the Senate Jerry Linnell, who is retiring at the end of this month. For 32 years Jerry has been a staple here in the Senate, ensuring that the words of Senators past and present are correctly recorded for the American people. While he has been here, he has witnessed many events. He has seen five different Presidents occupy the White House, worked with eight different majority leaders, transcribed speeches on everything from the Berlin Wall to Senator Byrd's legendary lectures on the history of the Senate.

I wish Jerry all the best in his well-deserved retirement. I have no doubt that he and his wife Jane will keep busy spending time with their 7 children and 11 grandchildren. And, of course, Jerry will have his Washington Nationals to follow.

It has been a pleasant respite for me to spend time with Jerry talking about baseball. He takes trips around the country that make me so envious—watching different teams in different stadiums. I think he has watched a baseball game in almost every Major League Baseball stadium in America, and I am very envious of that.

The Senate is a better place because of Jerry's 32 years here. I, along with every other Member of this body, thank Jerry for his many years of service.

CONTINUING RESOLUTION

Mr. President, yesterday the House of Representatives passed a continuing resolution to keep our government from shutting down for the next 3 months. In addition to keeping the government operating, this measure includes provisions important to our national security, such as funding to combat ISIS—an evil organization—by training and equipping vetted Syrian opposition forces and aid to fight the spread of Ebola.

It is not perfect; that is for sure. But no legislation is. In this era of radical ideologies and endless obstruction, the funding resolution before us is infinitely better than the alternatives—another shutdown of our government.

I think it speaks volumes that Speaker BOEHNER, Leader PELOSI, the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Republican leader, and I are supporting this legislation. That should say a lot to the American people. As every Senator knows, the funding bill we approve must first have passed the House of Representatives, and it did that. Breaking up the legislation the House sent us is not a viable option at this juncture. We need to complete our work on the House-passed resolution as soon as possible. We have an agreement in place to vote on this measure no later than 5:30 p.m. this evening. With the cooperation of Senators, we could vote even earlier today.

There is one final unanimous consent request.

AUTHORIZATION TO APPOINT ESCORT COMMITTEE

Mr. President, I ask unanimous consent that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Excellency Petro Poroshenko into the House Chamber for the joint meeting today.

The PRESIDING OFFICER (Mr. WALSH). Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

TRIBUTE TO JERRY LINNELL

Mr. MCCONNELL. Mr. President, it frequently happens when we head into a recess that we have to say a reluctant farewell to some member of the Senate family. So before I yield the floor, I wish to say a word of thanks to Jerry Linnell, who has been a fixture here for more than 3 decades as an official reporter of debates and for the past 15 years as a somewhat hidden fixture up on the fourth floor as the chief reporter.

It is a tough job having to listen to the rest of us drone on every day, and as chief reporter Jerry has had the unenviable task of reviewing every single word we have said.

In his trademark suspenders, Jerry is a friendly and unmistakable presence up on the fourth floor, guiding his team through their daily rounds and maintaining a level of professionalism and integrity that has always been a key characteristic of the office.

It is a proud group. Back in the 1930s Senator Huey Long is said to have donated his own personal Bible to the office so they would have a handy reference when he quoted from it. It quickly became a tradition for new reporters to sign it when they were hired and then once they left.

In a sign of how dedicated these reporters are, only 35 names have been entered in the Bible over the past 80 years. So it is a very venerable fraternity, one that has its roots in article I of the Constitution. We thank Jerry for his many, many years of dedicated, honorable service.

I know Jerry and his wife Jane look forward to spending more time with their many children and grandchildren. After listening to us for all those years, I think he deserves it.

You have done your time. You have done it well. The entire Senate family thanks you. Jerry, all the best.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

JOINT MEETING OF THE TWO HOUSES—ADDRESS BY THE PRESIDENT OF UKRAINE

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess subject to the call of the Chair in order to attend a joint meeting of Congress.

Thereupon, the Senate, at 9:39 a.m. recessed subject to the call of the Chair, and the Senate, preceded by the Deputy Sergeant at Arms, Mike Stenger, the Secretary of the Senate, Nancy Erickson, and the Vice President of the United States, JOSEPH R. BIDEN, Jr., proceeded to the Hall of the House of Representatives to hear an address delivered by His Excellency Petro Poroshenko, President of Ukraine.

(The address delivered by the President of Ukraine to the joint meeting of the two Houses of Congress is printed in the proceedings of the House of Representatives in today's RECORD.)

Whereupon, at 11:11 a.m., the Senate, having returned to its Chamber, reassembled and was called to order by the Presiding Officer (Mr. BOOKER).

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 1 p.m., with Senators permitted to speak therein for up to 10 minutes each, and with the time equally divided between the two leaders or their designees, with the Republicans controlling the first half.

The Senator from Texas.

UNANIMOUS CONSENT REQUEST—S. 2779

Mr. CRUZ. Mr. President, I rise today to ask that Republicans and Democrats in the Senate to come together and unanimously pass legislation to address the threat of American citizens fighting for ISIS and bringing our statutory system into the 21st century to protect the national security interests of our Nation.

As the American people are now painfully aware, the so-called Islamic State in Iraq and Syria, or ISIS, has emerged as the new face of the radical terrorist threat that has bedeviled the West in recent decades. This virulent jihadist group—so extreme they got kicked out of Al Qaeda, which I will note is not easy to do—is rampaging across Syria and Iraq in a campaign of oppression and genocide, including the relentless targeting and murder of Christians, of Jews, of Muslim minority sects, Yazidis—indeed, any who do not share their radical Sunni theology.

While other terrorist organizations have been content with a parasitic relationship with state sponsors of terrorism—notably Syria and Iran—ISIS has a new agenda, which is to establish its own state or caliphate. They now control a territory about the size of Indiana with oilfields they can exploit on the black market to the tune of some $1.5 million a day. Their ranks have grown in the last 3 months alone from roughly 10,000 to now more than 30,000.

Unlike some regional jihadists, ISIS also represents a direct and growing threat to our citizens here at home, and increasingly to our homeland itself. Just this week there were news reports of an online posting urging individual jihadists in the United States to attack targets such as Times Square, the Las Vegas strip, and even locations in my home State of Texas, with homemade pipe bombs. This is not the first time we have heard such threats, but we have to take them seriously. ISIS has made no secret that its goal is not simply to establish a caliphate in the Middle East; its desire is to impose Sharia law on the Muslim population and to exterminate any religious minorities, and that desire is not confined by geography. When the leader of ISIS, Abu al-Baghdadi, was released from a detention camp in Iraq in 2009, he reportedly remarked to Army COL Kenneth King, ''See you in New York.'' This danger, this evil intends to come home to America.

ISIS has in recent weeks graphically demonstrated their eagerness to murder American civilians by beheading two journalists, gruesomely demonstrating on the world stage their hatred for America. This is not a situation where if we simply leave ISIS alone, they will leave us alone. This is a case where America's national security interests demand a serious response, which should be both to attack ISIS directly and take them out in its claimed caliphate, as well as to defend against the attacks ISIS is planning to execute here at home.

The Obama administration's approach to this crisis has unfortunately lacked a clear focus on that issue. It doesn't help that ISIS is surrounded by regional chaos borne out of a Syrian civil war, and ISIS has exploited the inherent political weakness in Iraq. However, while both the crisis in Syria and the upheaval in Baghdad are unfortunate, concerning situations, we cannot allow resolving them to become preconditions to any military action we might need to take against ISIS.

All too often, the Obama administration proposals threaten to become embroiled in the midst of these political crises. For example, they have made training and equipping the Free Syrian Army a cornerstone of their plan to fight ISIS. But just this week, the leader of the Free Syrian Army reportedly announced he would not participate in the fight against ISIS unless we pledged to join in his fight against Syrian dictator Bashir al-Assad.

While this is certainly understandable from his perspective, resolving the Syrian civil war is not our mission nor the job of the military and we should not be making the Free Syrian Army, whose focus is Assad, central to the American plan of defending our Nation against the jihadist threat of ISIS.

The administration's ISIS policy is also marked by internal confusion that further demonstrates a lack of focus on what should be our clear mission. The President has repeatedly insisted that there will be no American boots on the ground in Iraq and Syria, as he wants any action to be led by others, even while he increases U.S. personnel in the country by a few hundred here and a few hundred there. Earlier this week, his top general, the Chairman of the Joint Chiefs of Staff, admitted there were circumstances under which he would change his advice to the President to recommending ground troops—a suggestion that was subsequently echoed by the Chief of Staff of the Army and even Vice President BIDEN. The American people need and deserve greater clarity on what exactly our military mission is, and how what the President envisions relates to the advice his Department of Defense is giving him.

The disconnect between what we know or do not know about the Americans fighting for ISIS in Iraq and Syria is equally concerning. Estimates range from about one dozen, according to one Pentagon spokesman, to Secretary of Defense Chuck Hagel's reassertion of about 100 Americans fighting with ISIS in this week's Senate Armed Services Committee hearing.

Either way, Secretary Hagel agreed with my characterization of the risks posed that Americans will take U.S. passports after fighting with ISIS, after training with ISIS, to come back and commit unspeakable acts of terror here at home. Secretary Hagel agreed that risk was significant. It seems only prudent to address that threat.

I am, therefore, going to be asking for unanimous consent for the Senate to pass the Expatriate Terrorist Act of 2014, which will make fighting for ISIS, taking up arms against the United States, an affirmative renunciation of American citizenship.

I should note the Expatriate Terrorist Act is very similar to the bipartisan legislation proposed by Senators Joe Lieberman and Scott Brown in 2010 to address Americans who were joining Al Qaeda overseas, notably the radical cleric Anwar al-Awlaki, or here at home Faisal Shahzad, who attempted to blow up a car bomb in Times Square.

The Expatriate Terrorist Act thus has applicability beyond the immediate threat of ISIS. It is an important adjustment of our existing laws governing the renunciation of citizenship. To reflect the threat posed by nonnation terrorist groups, as then-Secretary of State Hillary Clinton said concerning the Brown-Lieberman legislation:

United States citizenship is a privilege. It is not a right. People who are serving foreign powers—

Or in this case, foreign terrorists—

are clearly in violation of that oath which they swore when they became citizens.

The Expatriate Terrorist Act of 2014 is only a very modest change to current law. It is one small step in a larger and necessary effort to refocus our ISIS strategy that I urge President Obama to consider immediately.

We also urgently need to address the question of border security on our southern border so our failure to defend ourselves does not become a weakness that ISIS and other terrorists exploit to carry out unspeakable acts of terror here at home.

The American people expect Republicans and Democrats to join together to speak in one uniform voice when it comes to protecting the national security and when it comes to protecting the lives of Americans here at home.

If we do not pass this legislation, the consequence will be that Americans fighting alongside ISIS today may come home tomorrow with a U.S. passport, may come home to New York or Los Angeles or Houston or Chicago. Innocent Americans may be murdered if the Senate does not act today.

Therefore, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 554, S. 2779. I further ask consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Hawaii.

Ms. HIRONO. Mr. President, reserving the right to object. This bill has not been brought before the Judiciary Committee, which has jurisdiction over these issues. This bill affects fundamental constitutional rights and should be given the full deliberation of the Senate.

Legislation that grants the government the ability to strip citizenship from Americans is a serious matter raising significant constitutional issues. Again, we have not had the opportunity to fully consider and register a significant bill.

In addition, objections to this bill are detailed in two letters, both dated September 2014. The letters are from the bipartisan Constitution Project and the American Civil Liberties Union.

I ask unanimous consent that these letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE CONSTITUTION PROJECT,
Washington, DC, September 17, 2014.

DEAR SENATOR: On September 5, 2014, Senator Ted Cruz (R–TX) introduced the Expatriate Terrorist Act (ETA). According to Senator Cruz, the bill is a common sense counterterrorism tool that would strip U.S. citizenship from Americans who fight with or support foreign terrorist organizations working to attack the United States. In fact, the ETA serves virtually no practical purpose, raises serious constitutional concerns, and would do nothing to keep America safe. I urge you to oppose it.

Like previous iterations of the same idea, the ETA would amend 8 U.S.C. §1481(a), which sets out limited circumstances under which U.S. citizens can be denaturalized or expatriated. The bill would add the following to the short list of predicate acts that can result in loss of citizenship: 1) taking an oath of allegiance to a foreign terrorist organization; 2) joining a foreign terrorist organization's armed forces while they are fighting the United States; and 3) ''becoming a member of, or providing training or material assistance to,'' a foreign terrorist organization that the person knows or has reason to know will engage in hostilities or terrorism against the U.S.

Senator Cruz has said repeatedly that his bill works an ''affirmative renunciation'' of U.S. citizenship. To the extent he means to suggest that, under the ETA, a person would automatically lose citizenship simply by engaging in the above conduct, he is wrong. The ETA does not and could not achieve that result.

Citizenship is a constitutional right, and the Constitution prohibits the government from revoking a person's citizenship against his will under any circumstances. As the Supreme Court has explained, ''the intent of the Fourteenth Amendment, among other things, was to define citizenship . . . [and] that definition cannot coexist with a congressional power to specify acts that work a renunciation of citizenship even absent an intent to renounce. In the last analysis, expatriation depends on the will of the citizen rather than on the will of Congress and its assessment of his conduct.'' As a constitutional right, citizenship can be knowingly and voluntarily waived, but it cannot be taken away from an individual absent such a waiver. Thus, to revoke a person's citizenship the government must prove not only that he committed an expatriating act prescribed in section 1481(a), but also that he did so voluntarily and with the specific intent to relinquish his citizenship.

Given these requirements, the ETA will almost certainly result in no additional expatriations. Unless Senator Cruz expects citizens subject to expatriation proceedings freely to admit that they joined or supported a foreign terrorist group specifically intending to renounce their U.S. citizenship, no one will in fact be expatriated. I doubt that government officials would believe it an efficient use of resources to try, especially given the broad reach of existing laws that already provide harsh penalties for U.S. citizens who engage in acts of terrorism.

The ETA also raises serious constitutional concerns. The ETA makes membership in or ''providing training or material assistance to'' certain foreign terrorist organizations a predicate act to expatriation. There are two constitutional problems with this provision. First, neither ''training'' nor ''material assistance'' is defined. Similar language in 18 U.S.C. §2339B was ruled unconstitutionally vague until Congress added specific definitions. Because Congress has not done so here, this provision of the ETA suffers from the same constitutional flaw.

Second, unlike other crimes currently listed in section 1481(a) that can result in loss of citizenship (see section 1481(a)(7)), Senator Cruz's addition does not require proof of a conviction as a prerequisite. As the Constitution Project's Liberty and Security Committee explained in opposing similar past attempts to amend section 1481(a):

''[T]he language of 1481(a)(7) expressly requires a conviction as a necessary prerequisite to denaturalization or expatriation proceedings. This requirement protects the

constitutional right of due process, since one cannot actually be said to have committed the acts specified in §1481(a)(7)—each of which are crimes against the United States—until and unless those acts have been proven to a jury beyond a reasonable doubt. As the Supreme Court expressly held in Kennedy v. Mendoza-Martinez, Congress cannot deprive an individual of his or her citizenship as a ''punishment'' absent the procedural safeguards of a criminal trial.''

Congress has precious little time left before adjourning until November to decide how and under what authority to address the situation in Iraq and Syria. Members should spend this time debating these grave questions, not preoccupied with needless and likely unconstitutional legislation. In the event that Senator Cruz moves forward with the Expatriate Terrorist Act, I urge you to oppose it.

Sincerely,

DAVID COLE,
Hon. George J. Mitchell Professor in Law and Public Policy at Georgetown University Law Center; co-chair of the Constitution Project's Liberty and Security Committee.

AMERICAN CIVIL LIBERTIES UNION,
Washington, DC, September 17, 2014.

Re Oppose Cruz Bill S. 2779, Expatriate Terrorists Act; S. 2779 Is Unnecessary and Dangerous.

DEAR SENATOR: The American Civil Liberties Union urges you to refrain from cosponsoring—and oppose if offered—S. 2779, the Expatriate Terrorists Act, which is sponsored by Senator Ted Cruz. The bill would strip U.S. citizenship from Americans who have not been convicted of any crimes, but who are suspected of being involved with designated foreign terrorist organizations. S. 2779 is dangerous because it would attempt to dilute the rights and privileges of citizenship, one of the core principles of the Constitution. As the Supreme Court explained in 1967 in Afroyim v. Rusk, ''the Fourteenth Amendment was designed to, and does, protect every citizen of this Nation against a congressional forcible destruction of his citizenship, whatever his creed, color, or race. . . . [It creates] a constitutional right to remain a citizen in a free country unless he voluntarily relinquishes that citizenship.'' The bill is also unnecessary because existing laws already provide significant penalties for U.S. citizens who engage in acts of terrorism.

The Supreme Court has consistently found that citizenship is a fundamental constitutional right that cannot be taken away from U.S.-born citizens unless voluntarily renounced. An already overbroad federal statute, 8 U.S.C. §1481, provides that an American can lose his or her nationality by performing either of the following broad categories of acts with the intention of relinquishing his or her nationality:

acts that affirmatively renounce one's American citizenship, such as taking an oath of allegiance to a foreign government or serving as an officer in the armed forces of a foreign nation; or

committing crimes such as treason or conspiracy to overthrow the U.S. government, or bearing arms against the United States, ''if and when [the citizen] is convicted thereof by a court martial or by a court of competent jurisdiction.''

The Expatriate Terrorists Act would add a new category of expatriating acts—''becoming a member of, or providing training or material assistance to, any designated foreign terrorist organization.'' This implicates several constitutional concerns.

First, the material assistance provision added by the bill would treat suspected provision of material assistance as an act that affirmatively renounces one's American citizenship. Thus, unlike treason or conspiracy to overthrow the U.S. government, this provision would not require a prior conviction. It would only require an administrative finding by an unspecified government official that an American is suspected of providing material assistance to a designated foreign terrorist organization with the intention of relinquishing his or her citizenship. This provision would violate Americans' constitutional right to due process, including by depriving them of citizenship based on secret evidence, and without the right to a jury trial and accompanying protections enshrined in the Fifth and Sixth Amendments. In sum, the bill turns the whole notion of due process on its head. Government officials do not have the power to strip citizenship from American citizens who never renounced their citizenship and were never convicted of a crime.

Second, the material assistance provision suffers from the same constitutional flaws that plague other material support laws, and goes far beyond what the Supreme Court has held is constitutionally permissible when First and Fourth Amendments rights are at stake. In 2010, the U.S. Supreme Court disappointingly ruled in Holder v. Humanitarian Law Project that teaching terrorist groups how to negotiate peacefully could be enough to be found guilty of material support. That logic might apply to criminal conduct; it should not cause an American to lose his or her citizenship.

For these reasons, the ACLU urges you to refrain from cosponsoring S. 2779, and oppose it if it is offered for a vote. Please contact Arjun Sethi if you have any questions regarding this letter.

Sincerely,

LAURA MURPHY,
Director, Washington Legislative Office.
ARJUN SETHI,
Legislative Counsel, Washington Legislative Office.

Ms. HIRONO. Mr. President, I object to the unanimous consent request.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CRUZ. Mr. President, I would note that the objection from my friend from Hawaii observed that this legislation has not gone through the Judiciary Committee, and that is true. It is true, of course, because the Senate is expected to adjourn this week as Senators return to their home States to campaign for elections.

If it were to go through the Judiciary Committee, it would mean it would not pass in time to prevent Americans fighting right now with ISIS from coming back and murdering other Americans. There is an urgency and exigency to this situation.

This is also legislation the Senate considered before. As I noted, it was bipartisan legislation. Joe Lieberman, Scott Brown, Hillary Clinton are all in one accord.

It is unfortunate the Democratic Senators chose to object to this, to prevent this commonsense change in law. I would note when it comes to constitutional concerns, I don't know if anyone in this Senate has been more vigorous or more consistent in terms of defending the constitutional rights of Americans than I have endeavored to be during my short tenure.

I will yield to no one in passion for defending constitutional liberties, but I note there is an existing law that has been on the books for many decades covering the renunciation of U.S. citizenship.

It is current law right now that if someone goes and joins a foreign nation and takes up arms against America, that act has long been recognized as constituting a constructive renunciation of U.S. citizenship. As for the question of due process, existing law provides due process that an individual who goes and takes up arms with ISIS—and all this does is treat ISIS, a nonstate terrorist group, on the same footing as taking up arms with a foreign nation against America. It is a recognition of the changed circumstances of this world that many of the gravest threats facing this country are not coming from nation states but are coming from terrorist groups that sadly some Americans are choosing to join forces. The existing law has considerable due process protection such that anyone who is determined to have affirmatively renounced his or her citizenship has a right to challenge that in Federal district court and a full proceeding under existing due process standards to have that matter resolved.

The question is very simple: Would any reasonable person want an American who is right now in Iraq, who is right now training with ISIS, who is right now taking up arms, who is right now participating in crucifying Christians, who is right now beheading children, who is right now participating in beheading two American journalists, who is right now standing arm in arm with virulent terrorists who have pledged to take jihad to America—would anyone in good conscience of either party want that person to be able to come back and land at La Guardia Airport with a U.S. passport and walk unmolested onto our streets? The obvious answer is no.

It saddens me we could not see Republicans and Democrats come together, and it saddens me that in an election year the Democratic Senator, who is up for reelection, chose to block this commonsense legislation rather than to work together to protect the American citizens.

I hope in time we see less election-year politics and more service to the men and women whom all of us are obliged to protect.

I yield the floor

The PRESIDING OFFICER. The Republican leader.

UKRAINE

Mr. MCCONNELL. Earlier we had an opportunity to hear from Ukraine's

President Petro Poroshenko. Ukraine is a friend of the United States and it has looked to the West to meet naked Russian aggression.

As President Poroshenko's speech reminded us, there are objectives that bind our countries, such as the pursuit of freedom and representative government. Let's make it clear. We stand with Ukraine. We stand with the Ukrainian people in their struggle against external aggression and we stand with them in their struggle to secure the same kinds of rights and liberties each of us enjoy in America.

THE CONTINUING RESOLUTION

Mr. MCCONNELL. On a different matter, today the Senate will consider House legislation to fund the government and address the threats of Ebola and ISIL.

These are important issues. Many Members on both sides plan to support this legislation. I know others have some concerns too. I understand those concerns. I share some of them, but while no bill is perfect, I believe this legislation is worth supporting.

I would like to thank my fellow Kentuckian, Representative HAL ROGERS, for his leadership and work on this bill because it does a lot of important things and all without raising discretionary spending. It would reauthorize important counternarcotics operations that help keep our children and communities safe and it would extend the Internet Tax Freedom Act until December, giving us a chance to secure a permanent extension.

It would block some of the administration's discretionary policies against Kentucky coal and help address the administration's veterans crisis by providing more resources to address the backlog and investigations into potential wrongdoing that is a positive step toward the more comprehensive reforms Republicans would like to see.

Critically, the legislation would provide authorization to train and equip a moderate Syrian opposition ground force, a key component of the President's efforts to disrupt, dismantle, and defeat ISIL.

While I am concerned about the ability of the coalition to generate sufficient combat power to defeat ISIL within Syria, I do support the President's proposal to begin the program. The authorization is of limited duration and it now contains important reporting requirements that will allow Congress to assess and oversee this program to measure whether the mission is actually being accomplished.

The Ebola crisis is another area where the President deserves congressional support. As you know, he recently announced several messages to contain the spread of the disease in Africa and prevent it from reaching our shores.

Accordingly, the bill contains additional resources to support research and bolster our Nation's effort in assisting Africa to manage this growing crisis.

In summary, this isn't perfect legislation, but it begins to address many of our constituents' top concerns without raising discretionary spending. It positions us for better solutions in the months to come.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I ask unanimous consent to speak for 35 minutes for the purposes of engaging in a colloquy with my colleagues on the issue of the Keystone XL Pipeline.

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

KEYSTONE XL PIPELINE

Mr. HOEVEN. Mr. President, tomorrow is the sixth anniversary of the application for approval of the Keystone XL Pipeline. Six years. Six years ago, September 19, 2008, the TransCanada company applied for a permit for approval to cross the Canadian border to build the Keystone XL Pipeline from Hardisty, Canada, down to Cushing and ultimately the gulf coast, to provide not only oil from Canada but to move oil from States such as my State of North Dakota, of light, sweet Bakken crude, oil from Montana, to our refineries here in the United States. Six years ago, that application was filed, effective tomorrow. So we are here today to talk about the need not only for a decision on the Keystone XL Pipeline but for approval of this vitally important project.

The reality is we can make this country energy secure, energy independent, working with our closest friend and ally, Canada. But to do it we not only need to develop all of our resources, our energy resources in this country, and work with Canada as they develop their energy resources, but we need the infrastructure to safely, effectively, efficiently, dependably move that energy to where it is needed, to our consumers.

That is what the Keystone XL Pipeline project is all about. This is truly about building the roads, the rails, the pipelines, the transmission, the energy infrastructure we need as a vital part of our energy plan for this country. We have bipartisan support. We have 57 Senators who support this legislation—57. The reality is I think by next year we will have 60.

So while we sit here and wait—now for 6 years, effective tomorrow 6 years, waiting for a decision from the President on the Keystone XL Pipeline—ultimately I believe this decision will be made by the American people, as it always is and as it always should be. Because I believe that after these elections in November as we go into next year we will not only have 57 Senators who support this project, we will have over 60.

Then Congress will pass legislation, a bill that we have submitted, a bipartisan bill we have pending before this body right now. We will pass it. We will attach it to something the President will not veto. The House has already passed this legislation. Because over 70 percent, I think in the most recent poll, of the American people want this project. They want this project approved.

So here after 6 years—we are going to talk about some of the history of this and all of the work we have done. But before I do that, I want to turn to my colleague from Wyoming, somebody who is incredibly knowledgeable when it comes to energy, somebody who has worked on energy in all different aspects, somebody who truly understands that, look, for the benefit of the American people to build our energy future we not only need to produce that energy, we need the infrastructure to transport it safely, effectively, and well.

I wish to call on the Senator from Wyoming for his remarks on this sixth anniversary of the application, waiting for approval, waiting for a decision from the administration on the Keystone XL Pipeline, for his thoughts and for his comments. I turn to the good Senator from Wyoming.

Can the Senator give us his thoughts as to why this project is still awaiting a decision from the administration, after the President told us, told our caucus last year, at a caucus we had here in an adjacent room, that we would have a decision by the end of 2013, why we are here still awaiting a decision on behalf of the American people?

Mr. BARRASSO. Mr. President, I appreciate and want to salute the significant leadership we have seen on this issue from the Senator from North Dakota. He has been a stalwart fighter, very focused on this issue, and focused on putting together a bipartisan coalition of supporters. Americans want the jobs, they want the energy, they want action. We have an opportunity, but we have been waiting 6 long years.

The Senator from North Dakota is absolutely right. It was at a meeting in the Republican conference where the President of the United States came in. I asked the specific question: When will we expect an answer so we can get moving with the jobs and the energy that the American people are asking for?

President Obama said: Well, by the end of the year. He said that almost a year and a half ago. It was the end of the year 2013 that the promise was going to be fulfilled. Now here we are halfway—beyond halfway—through 2014. Nothing yet. Not a thing from the White House, a White House held hostage by environmental extremists who are trying to block important jobs and important energy and this important project.

We are here in the Senate today and the majority leader is ready to close this place down until after the elections. He closed it down—if you count the number of days from the beginning

of August, all through August, a few days in session in September, but most of September not in session, and then all of October up through the election, you are talking 3 months, with the Senate in session for just 2 weeks. It is embarrassing. Where is the accountability? We are sure not getting it from the majority leader. The majority leader ought to bring this for a vote today. But he is not going to. He is going to shut down the Senate today, making sure these jobs are not there, that the energy is not there for the American people. The Keystone XL Pipeline bipartisan support is an excellent example of a project that could help us from the standpoint of energy security, from the standpoint of economic growth, the standpoint of helping our economy getting people back to work.

But yet the majority leader is not going to allow a vote today, 6 years in the waiting on this specific important project. I would say to my friend and colleague from North Dakota, I know our friends and colleagues from Oklahoma and Georgia are here on the floor. I want to hear their comments as well. I salute the Senator from North Dakota for his continued leadership, for his focus, and for continuing to work to make America better, in terms of jobs, in terms of the economy, and in terms of energy. I know the Senator will not stop until we finally get this project approved, completed, and constructed.

Mr. HOEVEN. I wish to thank the Senator from Wyoming for his diligence and for his work. This is a bipartisan issue. We have legislation now with 57 supporters that is pending before this body. In fact, we have passed this legislation. We actually had passed very similar legislation, different only in the respect that it called on the President to make a decision—this was back in 2012. I think we had 73 votes on this issue. The difference is, the pending bill we have provides congressional approval because the President once again delayed the decision when we passed legislation calling on him to make the decision earlier. So now we have come back with binding legislation, after doing congressional research. This bill makes the decision congressionally under the commerce clause that gives Congress the ability to oversee commerce with foreign nations.

Simply what this does is we say to our closest friend and ally, Canada—TransCanada is a Canadian company—that: Yes, you can cross the border with this pipeline, which is the latest, greatest technology we have for pipeline transport.

Let me show one other chart here, so people understand. When we are talking about pipelines, oil and gas pipelines in this country, this gives you a little sense of the pipelines we have—thousands of pipelines, millions of miles of pipelines that move oil and gas around the country, from where it is produced to the consumers who very much need it. So that gives you a sense of all of the pipelines we have.

Now we are talking about one that has the latest and greatest technology that we are seeking to get approved. To put this into some context, the project we are seeking to have approved is the Keystone XL Pipeline. The reason XL is because the Keystone Pipeline is this pipeline here, which goes from Hardisty up in Alberta down to the Patoka, IL, area as well as Cushing. That is the Keystone Pipeline. So I want to make sure there is no confusion. That is the Keystone Pipeline. That was approved in 2 years and built in 2 years.

So in 2006 the TransCanada company—I was Governor of North Dakota at that time. You can see it runs right through North Dakota. Obviously these things are immensely important. We are now the second largest oil-producing State in the Nation. We produce over 1 million barrels of oil a day—light sweet crude, second only to Texas. We have to get that to our markets and to refineries.

I started working on these projects when I was Governor. In 2006, TransCanada applied for approval of the Keystone Pipeline. Originally that was supposed to carry 640,000 barrels a day. I think it now carries 750,000 barrels a day. That application was applied for in 2006. It was approved in 2008. The pipeline was built and came online 2 years later. So 2 years to permit, and 2 years to build—4 years total.

When TransCanada applied for a second permit in 2008 for a sister pipeline, Keystone XL, it seemed pretty logical that it was going to be approved, particularly when the initial project had been approved in 2 years, built in 2 years. This is the actual pipeline infrastructure we have. When they wanted to build the sister pipeline, 830,000 barrels a day, it seemed kind of pretty logical they would go through the process and get it approved.

On September 19, 2008, they applied for that approval to move oil from Hardisty, pick up additional oil in North Dakota, Montana, take it down to Cushing and down to the refineries in the gulf, and get oil over to the refineries in Louisiana. September, 19, 2008. Tomorrow is September 19, 2014. Six years later, no decision.

I wish to turn to my colleague, the senior Senator from the great State of Oklahoma. Cushing is a hub for oil from all over the country. It is vital that we are able to move oil in and out of there, because that is a huge transition point between where we produce oil, including our region, but from all over the country and Canada and move it to refineries where it is distributed throughout the country. So we need to be able to move product in and out of Cushing, which is truly a hub for the Nation. That is exactly what this pipeline does.

I would turn to the senior Senator from Oklahoma. I would ask him: Why in the world, given what I have described here—we have thousands of pipelines, millions of miles of these pipelines. We have to get product from where it is produced to refineries and to our consumers. We cannot put it all on rail or you create incredible congestion that leads to accidents and backlogs in shipping of other products. This is the latest, greatest technology for pipelines, for the transport of oil.

Why in the world—what rationale would there be not to approve this pipeline?

Mr. INHOFE. Mr. President, let me say first of all to leave that chart up, because it shows very clearly that I might have the biggest dog in this fight. I do not know. But I will say that Cushing, OK, has more pipelines coming through, throughout the United States, than any other city in America. That is where they all come through.

A few minutes ago the Senator from Wyoming was talking about what the President said less than a year ago, that he was going to be cooperating, we are going to do this thing, it will be the best thing for America. He has not done it. But I will tell you what is worse than that. This right here: because of this pipeline, the hub we have in Cushing, OK—the President went to Cushing, OK; this was about a year ago—over 2 years ago he did—he went there to affirm to the American people that he is going to do all he can to make sure this pipeline becomes a reality. Read this, I ask my friend from North Dakota. It says:

> I am directing my administration to make this project a priority, to go ahead and get it done.

He has made this—I am not going to use the L word because it sounds disrespectful, and I lose credibility when I do that. He is saying something that is not true. He moved from that, and he has done everything since that time to destroy the pipeline.

That was when they were talking about the southern leg. Well, obviously the southern leg is not a problem because the southern leg does not cross an international border, so the President couldn't stop that even if he wanted to. So he was taking credit for that, but he is certainly underestimating the people of Oklahoma. In fact, nobody showed up when he was there. So that portion between Canada and Cushing is where the problem began.

I am going to throw out something very briefly. I also did this yesterday on the floor, but I think it is important.

There is a new surge of opposition to this that wasn't there before this happened. Tom Steyer is a very fine person, I am sure—I don't know him—but Tom Steyer has put up $100 million—his words, not mine—$50 million of his own money, to do two things. One is to resurrect global warming, which is dead. If we read the polls today, people have caught on. It is now No. 14 out of 15 of the environmental concerns, according to all the polling data. So he is trying to bring that up again. The second thing he is trying to do is stop the Keystone Pipeline.

I say to my friend from North Dakota, and I don't want to sound disrespectful, but $50 million of that is his own money, and he has that out there right now. I am going to quote him:

It is true that we expect to be heavily involved in the midterm elections.

Fifty million of his own money.

We are looking at a bunch of . . . races. . . . My guess is that we'll end up being involved in 8 or even more races.

The Keystone Pipeline would create 42,000 jobs and tens of thousands more. If you look at my State of Oklahoma, about one-third of all those jobs are in the State of Oklahoma.

Keystone is just the tip of the iceberg. When we look at this chart, we can see all of the domestic energy resources that are being developed around the county right now. We are going through a shale revolution, and the only thing getting in its way is the Federal Government.

Look at this next chart. I can remember back when people considered the only oil States to be west of the Mississippi, the Western United States. But with the Marcellus coming through, you could argue—and I have seen the argument in the State of Pennsylvania, for example—it provides the second-most jobs in that State. Yet they need to be aware that this is what is happening in the United States.

If we look at this map, it shows what we could do if we also had the Federal lands included in that. In fact, one of the shocking things we hear when we talk about the Federal lands is that in the past 6 years—and that is since President Obama has been there, and he has done everything he could to retard the progress of oil and gas since he came to office. The production on State lands is up 61 percent—that is in 6 years, up 61 percent—and natural gas is up 33 percent. However, on Federal lands—land the President can affect—oil production is down 6 percent. How can production be up 61 percent on State lands and down 6 percent on Federal lands? I think that shows the commitment that is there.

ICF International is a well-respected consulting firm. It is not Republican or Democratic. They recently released a report that says U.S. companies will need to invest $641 billion over the next 20 years in infrastructure to keep up with growing oil and gas production. What does that mean for jobs? According to the analysis, spending on these new pipelines alone will create 432,000 new jobs. It goes on and on talking about this.

I asked the same question: How could it be—6 years ago I thought that this was a piece of cake, that this was going to be done. What is the argument against it? There are people who fight against fossil fuels. That is alive and well. But they know they are going to be producing it anyway, and if it goes to China—and there are already discussions; that is public record—if it gets to China, they are going to have to go through the refining process, and they don't have any restrictions on emissions in China. So the argument is that if they do it, there are going to be more emissions—if they find that to be so offensive—than if we do it here in the United States where we have the capability to produce and have the jobs here.

When I go back to Oklahoma, people say: What are the arguments against it? I try to explain the argument they are using, but they don't buy it. Of course, I am in Oklahoma talking to normal people.

Anyway, good luck. We are going to do all we can do to make this a reality. We are going to win this eventually, but I am afraid we have the opposition of this administration, and unless we get that turned around, we will have to wait for another President.

Mr. HOEVEN. I would like to thank the Senator from Oklahoma and pick up on a point he made very well. He made of number of points that are extremely compelling, but one of the points he made is that overall, since about 2008, 2009, that area, our oil production in America is up 40 percent. So people say: Well, we are producing 40 percent more oil than we did in 2008, the end of 2008, so that is good. That is reducing the amount of oil we have to import into this country. We were below 50 percent. Now we are closing in on 60 percent and more oil that we produce. Together with Canada and Mexico, we are up over 75 percent, in terms of the oil that we consume, we produce in this country or get, as I say, from our closest allies and working on getting to 80 percent.

Well, people would say that is very good, but the Senator from Oklahoma made a very important point. Understand that is because we are up 60 percent in oil production on private land—on private land. We are actually down in terms of our production on public land; we are down between 6 and 7 percent. So when you net the two, we are up about 40 percent, but that is because we are up about 60 percent on private land.

I will give an example of how that works on the ground. In North Dakota 90 percent of the land is privately owned, so our oil production is growing tremendously. As I said, we are at about 1.1 million barrels a day and on our way to 1.4 million barrels a day in a few more years.

In Alaska, on the other hand, production is going down because their land is 90 percent public land and a very small percentage is private land. They can't get the permits and they can't build the infrastructure, so the amount of oil they produce is declining. The Alaskan pipeline can carry 2 million barrels of oil a day. It is down to less than 600,000 and declining. This is at a time when we are still getting oil from the Middle East and we are dealing with entities like ISIL, with terrorism, and with instability. How can we continue to be dependent on getting oil from the Middle East when we can produce that oil right here in our country and in Canada? I would ask the good Senator from Oklahoma to comment for a moment on the technology that is enabling us to do so.

Hydraulic fracturing—I think the first well hydraulically fractured in this country was in about the 1950s in Oklahoma.

Mr. INHOFE. My friend is correct. It was 1948 in Duncan, OK.

Mr. HOEVEN. So I ask my friend from Oklahoma to talk for a minute about the technology and what that means for the future of this country and energy security.

Mr. INHOFE. Hydraulic fracturing and horizontal drilling are to be credited for this shale revolution we are going through now. We hear this administration—knowing the American people want to use this abundance of good, clean, natural gas and oil—sounding supportive of that, but he has done everything he can to retard our efforts to continue to use, as we have since 1948, hydraulic fracturing.

This is interesting because the first Director of the EPA who was chosen and confirmed during the Obama administration was Lisa Jackson. I asked her the question live on TV during one of our committee hearings—I said: Hydraulic fracturing—people are creating problems with this. Yet we have never had a problem, and it all started in my State of Oklahoma. Has there ever been a documented case of groundwater contamination with hydraulic fracturing?

Her answer, I say to my good friend from North Dakota, was no.

So we have the Obama administration saying there is no problem with it. Yet they are doing everything they can to federalize jurisdiction over hydraulic fracturing, with the idea that would make it much more difficult to take advantage of this revolution we are in the middle of.

Mr. HOEVEN. I again thank the Senator from Oklahoma.

Since 1948, with the first well hydraulically fractured—there have been no cases of contamination since 1948. We are now using this hydraulic fracturing with the latest new greatest technology where, on one pad, on one what we call eco-pad, we will now drill down as many as 18 wells. These wells will have—we go 2 miles underground, and then we drill laterals 3 miles long. Eighteen wells all on one site. Think of how much we have reduced the environmental footprint with that technology. Think of how much less ground disturbance there is. You are covering 1,280 acres. In the old days—and again maybe my friend from Oklahoma would like to think of how many wells they would have had to drill and how much infrastructure and well derricks and pumpers they would have to have all over the landscape, and now we do it on one pad covering 1,280 acres going out 3 miles in all directions from one eco-pad. So it is not just about energy,

I would say to my friend from Oklahoma, it is also better environmental stewardship.

Mr. INHOFE. It is also about technology. All of the environmentalists or extreme environmentalists who are trying to stop or fighting this war against fossil fuels, they ought to be rejoicing that we have this technology now.

When we talk about the number of wells, it it is now past 1 million wells that have been drilled using hydraulic fracturing. By their own admission, there has never been one documented case of groundwater contamination. So the answer is that there is no reason not to do it.

This is our opportunity to be independent. We could be independent in a matter of weeks if we had the opportunity to export.

It is not just private land, it is private and State land. All of the increase we have had, the 63 percent we talk about, is all private and State land. How is it possible that increase could take place on State land while on Federal land it goes down 6 percent? That tells the whole story.

Mr. HOEVEN. I have one more question for my friend from Oklahoma before I turn to my good friend from the State of Georgia.

Answer, please, if you would. As we produce this energy domestically—so we are producing energy here, we are creating jobs, we are creating economic activity, we are creating revenue without raising taxes from a growing economy. We are helping national security because we are not getting oil from the Middle East or Venezuela or places that are hostile to our interests. Now we are talking about environmental stewardship. We are talking about minimizing the footprint with these new technologies. Why would we not want to move that product as safely as possible, with the latest, greatest type of pipeline, with the best technology and the most safeguards? Why isn't that an environmentally sound decision as well?

Mr. INHOFE. I have often said and many of the people who are very conscious about the environment—as I am and others—have said this is the answer. I remember years ago when I was very young, I worked in the oilfields. I can remember there were small wells all over and, of course, at that time there wasn't an effort. Now they have cleaned things up, and nothing is greater in terms of the technology that has come along for the environment than what we have experienced.

When we think about what is happening all over the world—I am glad the Senator mentioned this—with ISIS and all of these problems we have right now, I believe we are facing a greater threat right now militarily than we have before. And that is where a lot of our energy is coming from, and it doesn't have to.

A good friend of the Senator and a good friend of mine named Harold Hamm—he is from Oklahoma, but he does a lot of work up there—I asked him a question in relation to the President repeatedly saying: Well, if we were to go ahead and develop this on Federal lands, it would take 10 years before that would reach the economy.

I was going to be on an unfriendly TV show, and I called up Harold Hamm and I said: Harold, I am going to ask you a question, and be careful in the way you answer it because I am going to use your name and your answer on nationwide TV. If you were set up someplace like New Mexico on Federal land that had not been touched before, how long would it take that first barrel of oil to reach the economy?

Without hesitating, he said: Seventy days.

I said: Seventy days? Well, that is 10 weeks, not 10 years.

Then he went on to say what would happen each week for those 10 weeks. I have never been refuted since we used that.

In addition to all the arguments we are using, just think about what our oil independence, our energy independence could be in this country. It is all there for the taking. This is the key element to make that a reality.

Mr. HOEVEN. I thank the Senator from Oklahoma, who has been a leader in energy for so many years.

This morning we were addressed by the President of Ukraine. Look at their situation. Because they haven't developed their own energy resources and because they don't have their own infrastructure, they are now dependent—Ukraine is dependent, along with most of the European Union, on Russia for their energy.

They get more than one-third of their energy from Russia. So at the same time that Russia is invading Ukraine, the European Union is reluctant to stand with the United States and our other allies on strong sanctions to prevent that type of aggression. Why? Because they get their energy from Russia.

So when we talk about building the infrastructure we need in this country to work with our closest friend and ally, Canada, to make sure we are energy secure and that we do not need to get energy from places such as the Middle East or Venezuela or other places that may have interests that are antithetical to ours, think about how important it is for the security of our country with what is going on in the Middle East with ISIL, and see what is going on in Ukraine and Eastern Europe, and Russian aggression.

So I turn to our colleague from Georgia, who has also been a staunch supporter of this project, and ask him what is going on in terms of national security, the situation we face today, and why in the world would we not be building—not only producing our energy resources in this country but deploying these new technologies we are talking about that produce energy with better environmental stewardship and building the infrastructure to move it to our refineries and move it to our consumers.

Why are we waiting 6 years for a decision that would enable us to do that very thing on behalf of the American people?

Mr. ISAKSON. I am pleased to join with the distinguished Senator from the State of North Dakota, and I am pleased to join with the Senator of Oklahoma.

I am pleased to speak as an American from a State that is a net consumer, not producer, of energy. The Senator's State is a great producer of energy. Senator INHOFE's State is a great producer of energy. Georgia is a great consumer. We don't have a lot of oil or natural gas or coal, but I am here because I have a lot of experience in my lifetime—a lot of it with national security issues and with economic issues. Our ability or our failure to approve the Keystone Pipeline and fracking is, very simply, professional malpractice.

I wish to refresh everybody's memory. This is the sixth anniversary of a letter to the President of the United States. Do we know what it is the 35th anniversary of? The Arab oil embargo.

I was a real estate salesman in 1970 when something called the misery index was developed. Does the Senator know what the misery index was? We had double-digit inflation, double-digit unemployment, and double-digit interest rates. Why? Because the Arab oil embargo in the middle 1970s brought America to its knees.

This real estate agent salesman used to have to wait for 2 hours in a line at an ExxonMobil station with a $10 bill to get my ration of gasoline in the 1970s. Why? Because we depended on the Middle East and OPEC to supply us with energy.

We sit here on the cusp of being a net producer of energy. We can use it in our national defense, we can use it in our national security, and we can use it in our economy. If we produced the energy that we know we have available to us, and if we bring in the energy safely and environmentally soundly, as we know we have available to us, we can rule our foreign policy and our economy based on our own strength and not as dependents on anybody else.

Thirty-five years ago is not just a time of the misery index, but it was a time of failed U.S. foreign policy. Remember, it was the late 1970s when the Iranians took the American Embassy hostage in Iran and for 445 days held the strongest military power in the world hostage. Why? In large measure because they controlled petroleum to our country. So it is a national security threat.

When the President of the Ukraine spoke today, he didn't say this, but I will say it: If America was producing the oil and energy it could with the Keystone Pipeline and with fracking, if we were exporting to foreign countries, we could replace Russia in a heartbeat and be the net supplier of energy to the Ukraine and to Germany.

So it is important to the national security of our country and the employment of our people and the soundness of our economy that we do hydraulic fracking for our natural gas in Haynesville and Marcellus, and that we bring the pipeline oil from Canada-Keystone XL Pipeline in to Houston and refine that petroleum with gasoline and energy for our people.

The pipeline, to the Senator from North Dakota, is very interesting. I ran the State Board of Education in Georgia for years. By law we couldn't build a public school in Georgia if it was within 2,000 feet of an underground pipeline. It is hard in Atlanta, GA, to find a piece of land that isn't within 2,000 feet of an underground pipeline. Today America's energy and petroleum flows rapidly and safely and environmentally soundly in pipelines.

If we weren't using pipelines and we were bringing it on railcars or trucks, we would be producing carbon out the kazoo because those engines would burn petroleum to get the petroleum to Houston. By using the pipeline, it is safe, it is sound, and it is secure.

I think it is basically professional malpractice for this country to fail to approve the Keystone Pipeline or fracking because it hurts our national defense, it makes us dependent on people we shouldn't be dependent on, it hurts our economy, and one day the misery index could come back. If it comes back, it will be because we are held hostage by our own failed policy, not because somebody held us hostage because they were strong.

I want a strong America. I want an America that has strong leadership. I don't want to be a part of any professional malpractice. I want to be a part of seeking the best for our American people—bringing energy to our American people, and being the most competitive economy in the world today.

I appreciate the distinguished Senator from North Dakota for yielding me the time.

Mr. HOEVEN. I thank the distinguished Senator from Georgia for his strong support and his clear understanding of why we need this project and for putting the focus on national security.

In poll after poll two-thirds of Americans support this project. I think in the final analysis the American people will make a decision here. If the President after 6 years refuses to make a decision, clearly his strategy is to defeat this project with endless delays, just defeat by delay. So here we are in year 6 of the application process.

I would turn to my colleague from Georgia and ask his thoughts on this body's ability to step up and make the decision and approve this project on behalf of the American people. What does the Senator foresee? We have 57 who have signed on now. I believe we will get to 60. What is the Senator's sense of our ability to get this done for the American people?

Mr. ISAKSON. If, before we left today and had a final vote on the CR, the majority leader would let a vote come to the floor to get 60 votes to go ahead and move forward on the Keystone Pipeline, in my belief it would happen. For all the reasons I stated and what the American people want and all the reasons the Senator stated, I quite frankly do not understand why one single person in this administration would hold back the Keystone Pipeline.

Correct me if I am wrong, but the State Department has five times approved it; is that not correct?

Mr. HOEVEN. That is absolutely correct. We have the dates of the approval of five different environmental impact statements right here, all finding no significant environmental impact.

Mr. ISAKSON. So that is No. 1.

No. 2, there is no question that being independent in energy makes us a stronger country in terms of our national defense and our foreign policy; is that not correct?

Mr. HOEVEN. That is correct.

Mr. ISAKSON. No. 3, we will have more jobs, more employment, less inflation, and a more vibrant economy if we were developing this petroleum; is that not correct?

Mr. HOEVEN. That is correct.

Mr. ISAKSON. Then I think, knowing the quality and the intellect of the 100 Members of the Senate, there is no doubt that if the leader would bring that vote to the floor today, we would get more than 60 votes to move America forward and say: This Congress is ready to act. We are not in professional malpractice; we in fact are doing good for the American people. We want energy and we want it now.

Mr. HOEVEN. I thank the good Senator from Georgia.

I understand that our time has expired. I ask unanimous consent for 1 minute to wrap up this colloquy.

The PRESIDING OFFICER (Ms. HEITKAMP). Is there objection?

Without objection, it is so ordered.

Mr. HOEVEN. On the facts and on the merits—which is how we have to make decisions for the American people—this is a project about energy, producing energy here at home so we don't have to get it from the Middle East. We know what is going on with the Middle East with ISIL and other organizations that are creating huge problems and that are a danger not only to this country but to the world.

It is about energy here at home and working with our closest friend and ally, Canada. It is about jobs. The State Department itself says more than 40,000 jobs are created with this project. It is about economic activity, a $5.3 billion project and not one penny of Federal spending, just private investment. It is about national security, as we have talked about.

But it is also about congestion on our rails. It is about making sure we don't try to move all this oil on rail so we have so much congestion, we have accidents, and we have seen that happen. It is about harvest and moving ag products from the heartland throughout the country. It is about using the latest, greatest technology to make sure we produce more energy more dependably and with better environmental stewardship than without the project.

Six years. It is time for this body to step forward on behalf of the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

MATTERS OF WAR AND PEACE

Mr. NELSON. Madam President, I don't think we should adjourn and go home with matters of war and peace in front of us.

This Senator certainly intends to support the appropriations bill, the continuing resolution necessary to keep the government functioning. But one of the issues in this continuing resolution is the authorization in order to start training the Free Syrian Army in Saudi Arabia, and this Senator certainly supports that.

But the issues beyond just that training are very much in front of us, which involves the United States protecting our national security by going after ISIS—or ISIL or whatever you want to call them. It is the group that has already declared war on us. Day by day we see their efforts, and then we hear their statements that they want to fly the black flag of ISIS over the White House. What more do we need to know about the national security being threatened?

Today in a joint session we heard a very inspiring and emotional speech by the President of Ukraine. He so poignantly pointed out how Russia has invaded eastern Ukraine, and it is the Russian Army against the Ukrainian Army. We certainly should be helping them as well, as we are, but it needs to be more.

So, too, the national security of the United States is definitely threatened by ISIS. As I have said over and over, I believe the President has the constitutional authority to strike ISIS in Syria, as he already has in northern Iraq, and that is under his constitutional duty as Commander in Chief. But this is not going to be a strike for a few days; this is going to be a long effort to degrade and defeat—to use the President's words—this threat to America.

So here the Congress of the United States is going to adjourn in the middle of September; and, as I calculate, starting tomorrow it is 55 days until we would return. We need to be talking about war and peace. We need to be talking about the Congress exercising its constitutional authority to give the authority to the President for this long-term effort. The Senate has heard our colleague Senator TIM KAINE of Virginia speak very passionately about this. He believes it very firmly. I only disagree with Senator KAINE to the point that I believe the President has

the authority to strike now to protect the interests of the United States—and I expect President Obama will do that. I am talking about in Syria.

It is clear the President has already appropriately started the attacks, and has done it very well and successfully in the Kurdish region and other regions of northern Iraq, and that will continue as the President feels he has the authority, and I happen to agree. But when it comes to Syria—and that is where the head of the ISIS snake is; and if you are going to kill the snake, you have to go to where the head is and chop it off—I think it is a mistake for us to go home. I think it sends a very bad message not only to our countrymen, but it sends a very bad message to our allies and to our enemies. The opposite message would be sent if we would discuss these matters and come together with a resolution of an authorization for the use of military force and to have that clearly stating that the United States is unified to go after this insidious, evil, brutal, uncivil kind of force. It would send a message of unity not only to our allies, to this country of ours, but to our enemies.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, what is the order?

The PRESIDING OFFICER. We are in a period of morning business with Senators allowed to speak for up to 10 minutes each.

Mrs. BOXER. Madam President, I ask unanimous consent that I be able to speak until I conclude. It may go over that time, but not by much.

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

CONTINUING RESOLUTION AND ISIL

Mrs. BOXER. Thank you so much, Madam President.

I am here because I want to respond to the colloquy that was held on the Keystone Pipeline, but before I go there, I do want to make remarks about the very important vote we are going to be taking today both to keep the government open and to give the President the ability to train and equip vetted Syrian moderates so they can help us take the fight to ISIL.

It is my privilege to serve on the Foreign Relations Committee. I have served on it for a very long time, and yesterday we had an important hearing where the Secretary of State laid out the President's plans for how we are going to meet this threat posed by ISIL.

I have to say, before I explain the three options you have as an American as far as which option you embrace, I think I need to lay out the view of this organization ISIL or ISIS. There are different ways to describe them. They are an outgrowth of Al Qaeda in Iraq, which came about because of the catastrophic Iraq war that was based on false premises, that put us in the middle of a civil war, and created the worst sectarian tensions. One of my proudest moments was voting no on that.

Then the Bush administration said Saddam Hussein was involved with 9/11, that he had nuclear weapons, and none of it was so. None of it was so. As a result we got in the middle of this war.

We were told it would last 6 months, and then a year went by, another year, years, years, years, and it became one of our longest wars, and 4,000-plus Americans dead, tens of thousands wounded, some with very serious wounds—they will never get over them—and I would say well over $1 trillion that drew us into a terrible recession when we had previously had surpluses. What a nightmare. So that is the beginning of ISIL, an outgrowth of Al Qaeda.

There were two authorizations for the use of military force that I got to vote on. One of them was right after 9/11 when I voted to go after bin Laden and Al Qaeda and any other affiliate organization that would come out of Al Qaeda. That is one I voted for. That is why I believe the President has the authority, based on that document, to move forward and take the fight to ISIL.

The other authorization for use of force was permission to go into Iraq and go after Saddam Hussein. I voted no on that.

I think it is important to the American people to remember why we are facing trouble, but it is what it is. There are some who say—because there are three approaches here—do nothing. There are some who say do nothing. My view is: How can we possibly do nothing in the face of a group that has beheaded two innocent freelance journalists? How can you do nothing in the face of a group that sells 14-year-old girls as slaves? How can you do nothing in the face of a brute, ISIL, who, if they don't sell a 14-year-old as a slave and they let her live, give her to a warrior as a reward? How do we sit back and do nothing?

We saw what they did to minorities, the Yazidis. They said: Either you convert, flee, or we will kill you.

We cannot sit back. They did it to Christians, Yazidis. They did it to Turkmen. They have taken hostages including more than 40 Turkish hostages. We don't even know the count or what are the nationalities, but we know their intent. This is a quote from them, that they are going to make sure their thirst for American blood is quenched. This is a sick situation, and to the people who say do nothing, I say to them: I understand your concern for unintended consequences, but don't count me in your camp, because I cannot do that.

I am so cautious when it comes to voting to go to war. I know it is not easy. We don't know every single thing that can happen, what can go wrong. Things do go wrong. But my view is in this case if I were to sit back and say I am too afraid, I am too nervous, that is exactly the wrong signal to send a group of terrorists such as this. I have never seen a group like this. So one path is to do nothing.

The other path is to start up the Iraq war all over again. Colleagues in this Chamber, pounding the table: Troops on the ground. Send our American troops back. No way, no way. I am not going to send our troops back to the middle of a civil war. What we are going to do is another way—President Obama's strategy, which is the moderate strategy here. It is to take our intelligence, our strategy, our Air Force assets, and make sure those in the region who have the most at stake—remember, ISIL has killed more Muslims than anybody else—that they will be the boots on the ground. We see that strategy is working in Iraq.

It is early. We don't know how it is all going to go. But we have started this strategy where they will take back key pieces of territory—a dam, very important—and we seem to be able to coordinate well with the Kurds and the Iraqi forces.

Clearly our President is right when he says this is about the whole world. The whole world has to care about this, because this is about, truly, civilization, and every civilized person has to stand up against this. What the President is doing with the Secretary of State and our Vice President is they are building coalitions. For the first time we see the Arab nations coming forward.

So when I vote today for the continuing resolution, I want it to be clear to my constituents—and they are not all going to agree with me, I know that—that I am in favor of this strategy. I am in favor of training the moderate Syrians to take the fight to ISIL on the ground. And I can tell you because I was in Turkey in August—I had the privilege of meeting with the head of one of the moderate Syrian organizations. His comments were very strong that ISIL is absolutely going against the moderate Syrians. So it is very important that the moderate Syrians are able to fight back against ISIL. That is what we are voting for today, to allow the President to vet, train, and arm the moderate Syrian opposition to the Syrian President and also in that regard go after ISIL.

I know everything is complicated in life and nothing is the perfect solution, but if I could say rhetorically, what is wrong is to do nothing. What is wrong is to go back into the Iraq war. What is right is to organize the world through a coalition, use the American assets—because no one can do what we can do—but on the ground in the combat mission, utilize the regional forces.

I wanted to be clear today where I stand. There are three choices, and I choose the path President Obama has put together. I think the vote in the House was a very important vote yesterday because it showed there is a majority of Democrats and Republicans who can come together.

Following that, we were in the House this morning to hear the President of Ukraine. It was very touching and very moving. President Poroshenko laid out in the most beautiful language, I thought, because of its simplicity, the beauty of freedom and what they are fighting for. What I loved so much about it was the fact that his speech united everybody in the room. There wasn't one group that sat down or didn't stand up to express their appreciation for what his countrymen are going through.

I hope we can get behind this President in this fight against the terror group that is probably the best-funded terror group ever in existence, the most barbaric I have ever seen. I hope there will be a good vote today. I think that would send a very important message that we are sincere and will bring more people to our coalition.

KEYSTONE PIPELINE

Mrs. BOXER. Madam President, I said I was going to talk about an issue I know the Presiding Officer and I don't agree on. I have total respect for her view. The people of her State are so lucky to have her fighting their fight on energy. The people of my State have a disagreement. We are very fearful about climate change. So we are also worried about the health impact of the tar sands.

I am going to make a few comments about why I think we should disrupt the process that is happening now with Keystone. It is a well-established process for considering projects such as this. The purpose of the review process isn't just to waste time. It is to determine whether the construction of the Keystone tar sands pipeline is in fact in the national interest. This is important. It is a major project.

In the past, Republicans have attempted to circumvent the review process for Keystone by creating shortcuts that in my opinion put our families' health at risk.

I want to show you a chart. It shows you that tar sands oil is one of the filthiest kinds of oil on the planet.

Let's look at a place in Texas where we see the tar sands oil being refined. This is Port Arthur. We have had visits from the Port Arthur community, and they said, please, we want to bear witness to the fact that this is what it looks like when these tar sands are burned. It hurts the health of our people. Residents along the gulf coast are suffering from asthma, respiratory illness, skin irritation, and cancer, and to get to the gulf coast the tar sands will be transported by pipeline through communities in environmentally sensitive areas in six States. It will pass through key sources of drinking water.

Look what happened in West Virginia when they couldn't drink the water there. It was a nightmare.

We have had experience with tar sands. People talk about how the pipeline is one thing, but it is what goes through it that is critical, and what is going to go through it if it gets built is the dirtiest, filthiest kind of water we know.

What happens in places such as Detroit and Chicago, where they store the byproduct known as petcoke—take a look at this. This is what it looks like. It looks like filthy, dirty pollution, and unfortunately for the people, that is what it is.

When the wind is blowing, we see black clouds containing concentrated heavy metals. Children playing baseball have been forced off the field to seek cover to avoid the black dust that pelts their homes and cars. Petcoke dust is a particulate matter, which is the most harmful of all air pollutants. Why? Its particles are so small, they lodge in your lungs and cause terribly severe asthma attacks, aggravate bronchitis and other lung diseases, and reduce the body's ability to fight infections. Asthma affects 12 out of every 26 people—and 7 million of those are children.

If I could, I would ask the people in the gallery how many of them have asthma or know someone who has asthma. I know a lot of them would raise their hands. It is ubiquitous. We don't need more asthma.

There are other ways to go, and my State and other countries are proving it. We can move to clean energy. We need to have a comprehensive human health impact on the tar sands that would go through that pipeline because human health is important. If you can't breathe, you can't work. It is as simple as that. If you can't breathe, you can't go to school and get an education. If you can't drink the water, it is a serious problem.

While my Republican friends come down and say: Let's bypass all of this evidence and move forward, that is a dangerous idea. It is a dangerous idea.

I went to China about a year ago. You cannot see one foot in front of the other in China. That is how bad the air is because they don't care about the environment. They say: Oh, we don't need rules; we don't need regulations. Build, build, build. Do it, do it, do it, do it. Go and get it out of the ground.

There are moments we need to look at what we are doing. We are doing great right now on energy. Under this President we have become more energy efficient. Yes, there are places to drill, there are places to get energy, but it has to be clean and it has to be good.

We have just come out of the hottest August ever known to humankind since we began keeping the records in the 1800s. Climate change is so real, the only place they don't know it is here is the United States Senate. They don't know. Hear no evil, see no evil, speak no evil. Everything is great. Everything is good.

My colleague from Vermont is brilliant on this point, and we know the Keystone tar sands pipeline will create 17 percent more carbon than domestic oil. This is a dirty, filthy oil that is the equivalent of adding 5.8 million new cars to the road, or eight new coal powerplants.

The State Department has concluded that the annual carbon pollution from just the daily operation of the pipeline will be the equivalent to adding 300,000 new cars on the road. If we do this, we will go backward on climate change. We cannot afford to do it.

I know people get impatient with decisionmaking—whether it is deciding how to take the fight to ISIL—and I am glad I have a deliberative President who didn't just say: Do this and this. He thought about it and came up with an idea for a coalition to do it right. When you are looking at something such as the Keystone XL Pipeline, which is going to vastly increase the importation of this filthy, dirty oil, we ought to take our time.

My very last point. I am so proud to chair the Environment and Public Works Committee. Four former Republican EPA Administrators who served under Presidents Nixon, Reagan, George H.W. Bush, and George W. Bush spoke out on the need to address the danger of climate change.

Really, this is not about bipartisanship. Ninety-seven percent of scientists tell us climate change is real and caused by human activity. Please, let's take our time. When we are faced with a project that will set us back—the dirtiest, dirtiest oil—a picture is worth a thousand words, and this is not what I want to leave to our children.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. I thank Senator BOXER not only for her remarks today but for her years and years of commitment to the environmental committee and pointing out the danger of climate change and the toxicity in our air.

ISIS

Mr. SANDERS. Madam President, I rise today to discuss the dangerous and brutal extremist organization called ISIS, the terrorist army, which in recent months has overrun vast swaths of Iraq and Syria and is a serious threat to the stability of the region, and, in fact, to the international community.

But before I do that, I also want to say that ISIS is not the only major problem facing our country. It would be a real tragedy if, in our legitimate concerns about the dangers of ISIS, we continue to ignore the very serious problems that are taking place right here in the United States of America and impacting tens of millions of working families.

There are crises here at home we have ignored for too long. Real unemployment today is 12 percent, youth unemployment is 20 percent. We can't ignore it. The minimum wage nationally is at a starvation wage of $7.25 an hour. We cannot ignore that reality. We have to raise the minimum wage.

Women earn 77 cents to the dollar that men earn. That is unfair. We cannot ignore the issue of pay equity. We have to address that issue.

Senator BOXER was just on the floor talking about the planetary crisis of global warming and the fact that virtually the entire scientific community is united in telling us that global warming is real. It is significantly caused by human activity. It is also causing devastating problems in our country and around the world. We cannot continue to ignore the crisis of global warming.

Last week many of us voted to overturn the disastrous Citizens United Supreme Court decision that allows billionaires the ability to spend unlimited sums of money to buy elections which will benefit candidates who support the rich and the powerful. My point is that while we address the very serious problems in the Middle East—and these are very serious problems—we cannot take our eye off the very serious problems facing tens of millions of Americans.

The issue involving ISIS, in my view, is enormously complex. Just one example is Syria. The Assad government is a dictatorship which has killed many thousands of its own people and has even used, we believe, chemical weapons against its own citizens—and these are the good guys. The decisions we make now in Syria, in Iraq, and in the Middle East must be made with great thoughtfulness.

As you know, President Obama has been attacked time and time again because he publicly stated a while ago that ''we don't have a strategy yet'' for dealing with ISIS. Frankly, I applaud the President for trying to think through this incredibly complicated issue and not making rash decisions which would make a very bad and dangerous situation even worse and more dangerous.

I remember back in 2002—I was in the House of Representatives then—when George W. Bush and Dick Cheney said they did have a strategy. They were tough, they were forceful, they acted boldly, they acted swiftly, but, unfortunately, what they did was dead wrong. In fact, it was the worst foreign policy blunder in the recent history of America and opened up a can of worms we are trying to deal with today.

Frankly, I must say I am not impressed with all of the tough talk. I want smart policy that will work and that will, in fact, lead to the destruction of ISIS, not sound bites that may be effective in a political campaign.

I will take a few moments to lay out some of my concerns. First, President Obama is absolutely right when he said this struggle will not be successful unless there is a strong international coalition. Let's be clear: ISIS is a terrorist threat not only to the United States but to Britain, France, Germany, countries throughout Europe, and, in fact, to nations throughout the world.

More importantly, ISIS, which wants to establish a new caliphate, which includes many countries across a large geographical area, is a major threat in the region to countries such as Saudi Arabia, Kuwait, Turkey, Qatar, Iran, Jordan, and other countries.

I very much appreciate the hard work that President Obama and Secretary of State Kerry have undertaken in trying to put together an international coalition that will effectively fight ISIS. We all know how difficult that effort is, but at this point it appears to me the kind of coalition we need has yet to come together.

In my view, ISIS will never be defeated unless the countries in the region—the people in the region, the Muslim world, including Sunni and Shiite nations—stand up to this threat.

I know how hard President Obama and Secretary of State Kerry are trying, but we are nowhere near where we need to be in terms of building this coalition at this moment.

It may surprise many people to know that Saudi Arabia—a country run by an autocratic royal family worth hundreds of billions of dollars and one of the wealthiest families in the world—is a country which was the world's fourth largest defense spender in 2014. Most people don't know that. According to a Reuters article from earlier this year—and I quote—''Saudi Arabia beat Britain to become the world's fourth largest defense spender in 2013.'' In other words, Saudi Arabia is now spending more money on arms and the military than is the United Kingdom.

The article goes on to cite a report by London's International Institute for Strategic Studies which estimated Saudi Arabia was spending over $59 billion, a figure researchers said was extremely conservative, pushing it above Britain at $57 billion or France at $52 billion. Once again, Saudi Arabia is spending more on their military than is Britain or France.

Another article from Bloomberg provides additional details on Saudi Arabia's military strength. It cites that ''in 2011, the U.S. Government signed an agreement with Saudi Arabia valued at $29 billion.'' That is the end of the quote from Bloomberg. But according to Military Balance, ''The Royal Saudi Air Force has more than 300 combat capable aircraft, including 81 F–15 C and D fighter aircraft, 172 advanced F–15 S Typhoon and Tornado fighters capable of ground attack, dozens of C–130 transport aircrafts.'' This is what the Saudi Arabian Air Force has.

Let me also quote from an article in Forbes which details the strength and numbers of many of the militaries in the Mideast. The article notes:

> Countries in the region have more than enough power to destroy the Islamic State. Turkey has an army of 400,000. Iran has nearly as many in the army and paramilitaries. Iraq has a nominal army of nearly 200,000 and some 300,000 police. Saudi Arabia has nearly 200,000 army, national guard, and paramilitary personnel. Syria's military, though degraded by war, numbers some 110,000, plus paramilitaries. Jordan has 74,000 in the army. The Kurdish Peshmerga numbers in the tens of thousands. All of these but Iraq and Kurdistan have some air force ground attack capabilities.

Furthermore, not only are countries in the region not stepping up in the fight against ISIS but, believe it or not, several of these gulf states are empowering ISIS and Al Qaeda-related groups through their financial contributions. A recent article in the Washington Post noted:

> Kuwait, a U.S. ally whose aid to besieged Syrian civilians has been surpassed only by the United States this year, is also the leading source of funding for al-Qaeda-linked terrorists fighting in Syria's civil war.

Now, think back not so long ago when the United States of America went to war to push Saddam Hussein's troops out of Kuwait and restore the royal ruling family. Today we find that ''Kuwait is the leading source of funding for al Qaeda-linked terrorists fighting in Syria's civil war.''

The article goes on to state:

> . . . the amount of money that has flowed from Kuwaiti individuals and through organized charities to Syrian rebel groups such as Jabhat al-Nusra totals in the hundreds of millions of dollars.

Kuwait is hardly alone in this effort. As Treasury Department Under Secretary Cohen stated:

> A number of fundraisers operating in more permissive jurisdictions—particularly in Kuwait and Qatar—are soliciting donations to fund extremist insurgents, not to meet legitimate humanitarian needs.

On and on it goes.

Why is all of this of enormous consequence? The answer is pretty obvious. The worst action we can take now is to allow ISIS to portray this struggle as East versus West and Muslim versus Christians, as the Middle East versus America. That is exactly what they want and that is exactly what we should not be giving them. In other words, this is not just a question of whether young men and women in Vermont or in North Dakota or in any other State of this country should be putting their lives on the line to defend the billionaire families of Saudi Arabia when Saudi Arabian troops are not in the struggle. This is not just whether the taxpayers of our country and not the billionaire ruling families of Saudi Arabia, Kuwait, Qatar, and other countries should be paying for this war; more importantly, it is an understanding that at the end of the day, this war will never be won by the United States alone but it must be won by the people in the region.

Should we, as the most powerful military in the world, be of help to those people struggling against ISIS? The answer is obviously yes. Along with the international community, we should be strongly supportive of those countries in the region that are standing up to ISIS. And I personally believe President Obama is absolutely right in his efforts to judiciously use airstrikes which, at this point, have shown some success. But at the end of the day, in my view, the United States of America

cannot and should not lead this effort. We must be supportive of other countries in the region who are standing and fighting against the ISIS terrorist organization, but this fight will have to be fought by countries in the region that are, in fact, most threatened by ISIS. They cannot stand aside. They cannot say: Hey, go for it, United States. Thank you, American taxpayers. But we in Saudi Arabia—no, we don't want our young people involved in this war. We don't want our airplanes involved in the attacks. We don't want our billions to go into this war. Thank you, America. It is really nice of you to do that. By the way, while you do that, we may play both sides of the issue and some families may actually fund terrorist organizations. But we really do appreciate your stepping to the plate because we are not doing that.

So that is where we are today. It is a very complicated, difficult situation. Again, I applaud President Obama and Secretary Kerry for trying to work through this. But this is what I worry about: I worry very much that supporting questionable groups in Syria—so-called moderates who are outnumbered and outgunned by both ISIS and the Assad government—I worry very much that getting involved in that area could open the door to the United States, once again, being involved in a quagmire, being involved in perpetual warfare. And what happens when the first American plane gets shot down or the first American soldier is captured? What happens then? I am hearing from some of our Republican colleagues who are already talking about the need for U.S. military boots on the ground. That is what they are talking about today, and that concerns me very, very much.

So I am going to vote against this continuing resolution because I have very real concerns about the United States getting deeply involved in a war we should not be deeply involved in. At the end of the day, if this war against this horrendous organization called ISIS is going to be won, it will have to be Saudi Arabia, it will have to be Iraq, it will have to be the people of Syria, it will have to be the people of that region saying: No, we are not going to accept an organization of terrorists such as ISIS. And we should be there to help, as should the United Kingdom, as should Britain, as should France, as should Germany. This has to be an international coalition. But the last thing we need is the United States being the only major military power involved in this war.

So I thank the Chair, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Madam President, what is the order before the Senate?

CONTINUING APPROPRIATIONS RESOLUTION, 2015

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.J. Res. 124, which the clerk will report by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 124) making continuing appropriations for fiscal year 2015, and for other purposes.

AMENDMENT NO. 3851

Mr. REID. Madam President, I have an amendment to the joint resolution that has already been filed at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3851.

The amendment is as follows:

On page 19, line 15, strike ''30 days'' and insert ''29 days''.

Mr. REID. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3852 TO AMENDMENT NO. 3851

Mr. REID. There is now a second degree amendment which has also been filed at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3852 to amendment No. 3851.

The amendment is as follows:

In the amendment, strike ''29'' and insert ''28''.

MOTION TO COMMIT WITH AMENDMENT NO. 3853

Mr. REID. I have a motion to commit H.J. Res. 124 with instructions which has been filed.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill to the Committee on Appropriations with instructions to report back forthwith with the following amendment numbered 3853.

The amendment is as follows:

On page 19, line 15, strike ''not later than 30 days after the enactment of this joint resolution'' and insert ''By October 31, 2014''.

Mr. REID. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3854

Mr. REID. I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3854 to the instructions of the motion to commit.

The amendment is as follows:

In the amendment, strike ''October 31'' and insert ''October 30''.

Mr. REID. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3855 TO AMENDMENT NO. 3854

Mr. REID. I have a second degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3855 to amendment No. 3854.

The amendment is as follows:

In the amendment, strike ''30'' and insert ''29''.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on H.J. Res. 124, a joint resolution making continuing appropriations for fiscal year 2015, and for other purposes.

Harry Reid, Barbara A. Mikulski, Dianne Feinstein, Richard Blumenthal, Robert P. Casey, Jr., John E. Walsh, Mazie K. Hirono, Cory A. Booker, Heidi Heitkamp, Barbara Boxer, Bill Nelson, Richard J. Durbin, Sheldon Whitehouse, Amy Klobuchar, Jack Reed, Benjamin L. Cardin, Carl Levin.

Mr. REID. I ask unanimous consent that the mandatory quorum under Rule XXII be waived.

Mr. REID. Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that the filing deadline under rule XXII for first-degree amendments to H.J. Res. 124 be at 2 p.m. this afternoon and that the filing deadline for second-degree amendments be at 3:30 p.m. today.

The PRESIDING OFFICER (Ms. HIRONO). Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that the motion to table an amendment to the joint resolution, as provided under the previous order, be in order during time for debate and, if made during the debate, the vote on the motion to table occur immediately after all debate time has been used and yielded back on H.J. Res. 124; further, that if a budget point of order is made, the motion to waive be considered made and the vote on the motion to waive occur following the vote on the motion to invoke cloture on H.J. Res. 124.

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

Mr. REID. There will be up to 4 hours 30 minutes equally divided between the two leaders or their designees.

I now suggest the absence of a quorum and ask unanimous consent that the time be charged equally on both sides.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. MIKULSKI. Madam President, I rise today to bring to the floor H.J. Res. 124. It is the continuing funding resolution for fiscal year 2015.

Let me explain where we are. We are in the closing hours before the Senate takes the recess before the fall elections. In the middle of all that, on October 1, our fiscal year begins. If we don't have a bridge between now and December 11 or around that, we could face a government shutdown. We do not want a government shutdown. We want to make sure we provide funding and make sure the government will not be shut down and that after the election we can return and do due diligence and pass this in a more comprehensive way.

Our job as the Appropriations Committee in Congress is to put money in the Federal checkbook each year to keep the Federal Government functioning. The American people want their government to work as hard as they do. They want us to combat the threats against the United States of America. They want us to honor our commitments to our veterans. They want us to meet the compelling human needs of the American people, and they want us to have an opportunity ladder so the American people can have a fair shot.

What we do is, we provide funding one year at a time. September 30 is our fiscal New Year's Eve. October 1 is the first day of the fiscal year. If Congress leaves before we pass the continuing resolution, the government could shut down. We don't want another government shutdown. I believe there is support on both sides of the aisle not to do that.

We know from last year that it was a terrible situation. Thousands of Federal workers were paid not to work. Other personnel, such as FBI agents, had to work for IOUs, even using their own money to put gas in their car as they pursued the people who wanted to undermine us. We know we don't want a government shutdown.

What is our goal for this continuing resolution? To avoid a government shutdown but to do more than that. To do no harm to existing programs so that we can meet our compelling human needs, the national security needs of the United States of America, and continue those public investments in innovation that make America the exceptional Nation and often the indispensable Nation.

It allows us also to lay the groundwork for an omnibus funding bill in December which will be a comprehensive funding bill including all 12 appropriations.

Also, it gives the President the fiscal resources to protect the Nation, to deal with ISIL, to make sure we support the needs of Ukraine and NATO, and also to work on a global basis to stamp out Ebola.

What I want to say to my colleagues, who will look at this bill and scrutinize it, is the continuing resolution is only from now until December 11.

Remember, it is a temporary stopgap bill. Also, it is at current levels of funding. So I want to say that there are no new programs and there is no new funding. As I said, it meets these needs.

I worked very closely with my House counterpart, the distinguished gentleman from Kentucky, Mr. HAL ROGERS, the chair of the Appropriations Committee in the House. We worked very hard to do bills where we thought we could bring individual ones to the Nation. Well, it did not work out that way because one party stopped me from bringing bills to the floor. I am sorry we do not have that omnibus, but poison-pill riders kept the Senate from considering appropriations bills on the floor and also the demand for 60-vote thresholds. That is a debate for another day.

So where are we in this continuing resolution? As I said, it keeps the government running through December 11, operating at the same amount of money as fiscal year 2014, with the same items and the same programs and the same restrictions. People might say: Have things not changed since last year? There are some technical adjustments that we do, but we just simply are extending what we have.

Again, what we do here is help the President, though, with what has changed—the three alarming threats that are facing us. No. 1, there is this growing threat of an organization called ISIL. People say: Are you talking about ISIS? No, I am talking about ISIL, because it goes beyond Syria—the Islamic State of Iraq and the Levant. What we have in here is the authority for the President to use title 10 of the United States Code.

What that does is allow the President to train and equip, with proper vetting, the moderates in the Syrian rebel forces. We also are supporting our President as he works with NATO and tries to deal with the Russian threat to Ukraine. Then there is another grim and ghoulish thing going around in Africa and spreading, which is Ebola. What we are doing here is providing the President with the resources to help Africa fight this problem. At the same time, while we are fighting in Africa, we make sure that NIH, FDA, and CDC have the resources to fight the issues here.

I could elaborate on this bill more. I want everyone to know that the CR is bicameral. It has already passed the House. It is bipartisan. I have worked with my counterpart in the other party, Senator SHELBY, who really has worked in a very rigorous way here, bringing the principles of fiscal conservatism and flexibility so we have this.

But I know there are other Senators who want to debate. I want them to have the opportunity to debate this bill. I will have more to say when there are not others waiting.

I want to yield the floor, but before I do, I am going to thank Senator SHELBY for the cooperation of his staff. We have not always agreed on the content or every line item. He is a very staunch fiscal conservative. But out of it all, working with civility, due diligence, and absolute candor, I think we have been able to bring a bill to the floor. I hope my colleagues in the Senate will pass this bill.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Madam President, this afternoon I rise in support of this continuing resolution which is now before the Senate. Overall, it is a relatively clean bill that carries forward current levels for discretionary spending and avoids another government shutdown. It contains a minimal amount of what we call anomalies or deviations from a straight continuation of previous-year funding.

The anomalies it does contain are limited in duration and subject to relitigation when we return after the break. The bill is also consistent with the total level of discretionary spending enacted in the Bipartisan Budget Act for the fiscal year 2014. But most significantly, this legislation will authorize assistance to elements of the Syrian opposition to help confront the threat presented by the so-called Islamic State of Iraq and the Levant, ISIL.

While I believe action against this menace is long overdue, it is unfortunate, I believe, that the action once again requires the involvement of our military and our resources. This authority for training and equipping appropriate moderate elements in Syria is no panacea. We should remember this. We should not expect quick and easy progress in turning the tide against this new terrorist threat that has developed in the region while this administration withdrew and hoped for the best.

History and our experience in the region tell us that this will not be the last time Congress will struggle with this issue. Even if we can identify, train, and equip a large number of fighters in a relatively short period of time, there will come a time when more will be required to defeat this enemy. It will not be of a short duration. It is unfortunate, I believe, that

the President has chosen to ignore the fact, thereby avoiding an honest discussion with the American people.

Nevertheless, I believe today it is important that we give the moderates in the region a fighting chance. If proper training and equipment can do that, we should support it until it becomes clear that we must pursue other means to achieve our goals. When that time comes, I expect Congress to have a full and open debate on that issue. But for now, Congress, I believe, has the responsibility to carefully track what the administration is doing with any funds that it reprograms for this assistance and how this fits into a broader regional strategy there.

The language in this bill will ensure that the administration provides the information to the Congress that we need to do our job. Once again, support for this continuing resolution will achieve two very important goals: one, avoiding a government shutdown, and maintaining spending levels currently in the law—very important. For these two reasons, I will be supporting the bill.

During the break that we are about to go on, and when we return in November, Senator MIKULSKI, the chair of the Appropriations Committee, and I will be working closely on an omnibus bill to put in place funding for the remainder of the fiscal year. It is my hope that we will be able to, once again, reach an agreement and complete the work of the committee before this Congress adjourns. I believe that this is an achievable goal as long as both sides come to the table with reasonable expectations. We have done it before. I expect that we can do it again.

The PRESIDING OFFICER. The Senator from Kentucky

UNANIMOUS CONSENT REQUEST

Mr. PAUL. Madam President, we have before us one of the most important duties of the Senate and the Congress; that is, to decide whether we will be involved in war. I think it is inexcusable that the debate over whether we involve the country in war—another country's civil war—that this would be debated as part of a spending bill and not as part of an independent free-standing bill.

It was debated as a free-standing bill yesterday in the House. There was a free-standing amendment.

It takes 15 extra minutes. One might wonder why the Senate—the most deliberative body of the world—does not have 15 minutes to debate separately a question of war. It will be thrown into an amendment or a bill over spending. Instead of having a debate over war, we will have a debate over spending. I think this is a sad day for the Senate. It goes against our history. It goes against the history of the country. Therefore, I have asked that the amendment that I will set before the Senate will separate the votes so we will have a debate over war and then we will have a debate over spending.

I have an amendment at the desk that would cue up the two separate votes on this legislation and allow the Senate to vote on the inclusion of the Syria language as a separate question.

I ask unanimous consent that it be in order for me to call up my amendment No. 3856.

The PRESIDING OFFICER. Is there objection?

Ms. MIKULSKI. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. MIKULSKI. Madam President, I want to acknowledge, first of all, the longstanding views on foreign policy of the Senator from Kentucky and also on this process. What I want to say is that, No. 1, the Senate bill and the authorization in title 10 we have here takes us only to December 11. So this is temporary. What we hope is that the appropriate committees have additional legislation they are working on so that we can really look at other matters, such as a greater authorization on the war and the greater refinement of title 10.

So I acknowledge that there is much to be debated. I say to my colleague from Kentucky, we have allowed 4½ hours to debate. Quite frankly, if the Senator has views on it, I look forward to hearing those views. So the objection is not meant to be pugnacious at all. But in the way that the leadership has agreed to move this bill, that is where we stand. I look forward to hearing the debate.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Madam President, if there is a theme that connects the dots in the Middle East, it is that chaos breeds terrorism. What much of the foreign policy elite fail to grasp, though, is that intervention to topple secular dictators has been the prime source of the chaos. From Hussein to Assad to Qadhafi, it is the same history—intervention to topple the secular dictator. Chaos ensues and radical jihads emerge. The pattern has been repeated time and time again.

Yet what we have here is a failure to understand, a failure to reflect on the outcome of our involvement in Arab civil wars. They say nature abhors a vacuum. Radical jihadists have again and again filled the chaotic vacuum of the Middle East. Secular dictators, despots who, frankly, do terrorize their own people, are replaced by radical jihadists, who seek terror not only at home but abroad.

Intervention, when both choices are bad, is a mistake. Intervention, when both sides are evil, is a mistake. Intervention that destabilizes the Middle East is a mistake. Yet here we are again, wading into a civil war. I warned a year ago that involving us in Syria's civil war was a mistake, that the inescapable irony is that some day the arms we supply would be used against us or Israel. That day is now.

ISIS has grabbed up from the United States, from the Saudis, and from the Qataris weapons by the truckload. We are now forced to fight against our own weapons, and this body wants to throw more weapons into the mix. Even those of us who have been reluctant to get involved in Middle Eastern wars feel, now that American interests are threatened, that our consulate and our embassy are threatened. We feel that if ISIS is left to its own devices maybe they will fulfill what they have boasted of and attack our homeland.

So, yes, we must now defend ourselves from these barbarous jihadists. But let's not compound the problem by arming feckless rebels in Syria who seem to be merely a pit stop for weapons that are really on their way to ISIS. Remember clearly that the President and his Republican allies have been clamoring for over a year for airstrikes against Assad. Assad was our enemy last year. This year he is our friend. Had all of those air strikes, though, occurred last year in Syria, today ISIS might be in Damascus. Realize that the unintended consequences of involving ourselves in these complicated, thousand-year-long civil wars lead to unintended consequences. Had we bombed Assad last year, ISIS would be more of a threat this year. ISIS may well be in Damascus had we bombed Assad last year.

Had the hawks been successful last year, we would be facing a stronger ISIS, likely in charge of all Syria and most of Iraq.

Intervention is not always the answer and often leads to unintended consequences.

But some will argue no, no, it is not intervention that led to this chaos, we didn't have enough intervention. They say if we had only given the rebels more arms, ISIS wouldn't be as strong now. The only problem is the facts argue otherwise.

We did give arms and assistance to the rebels through secret CIA operations, through our allies, through our erstwhile allies. We gave 600 tons—let me repeat that—we gave 600 tons of weapons to the Syrian rebels in 2013 alone. We gave 600 tons of weapons and they cry out and say we haven't done enough?

Perhaps they are giving them to people who don't want to fight. Perhaps the fighters from ISIS are taking the weapons we give to the so-called moderate rebels. It is a mistake to send more arms to the Syrians.

According to the U.N. records, Turkey alone, in the space of a 4-month period, sent 47 tons in addition to the 600 tons of weapons. They sent 29 tons in 1 month. But there are rumors that the Turks are not quite that discriminating, that many of these weapons either went directly or indirectly to the very radical jihadists who are now threatening us.

If you want to know are there any weapons over there, are there enough weapons, is it a lack of weapons that causes the moderate Syrian rebels to be not very good at fighting, well, there are videos online of the Free Syrian Army, the army our government

wants to give more arms to. We see them with Mi-8 helicopters, we see them with shoulder-launched missiles, and yet we see them lose battle after battle.

We see American-made TOW antitank weapons in the hands of Harakat al-Hazm, a so-called moderate group. The Wall Street Journal reported that Saudi Arabia has been providing weapons such as this to the rebels. It also detailed millions of dollars in direct U.S. aid to the rebels.

We have not been sitting around doing nothing. Six hundred tons of weapons have already been given to the Syrian rebels. What happened during the period of time we gave 600 tons of weapons to the moderate rebels in Syria? ISIS grew stronger.

They say the definition of insanity is doing the same thing over and over, expecting a different result. We gave 600 tons of weapons to the rebels and they got weaker and weaker and ISIS grew stronger.

Perhaps by throwing all of these weapons into the civil war, we actually degraded Assad's ability to counter them. So perhaps Assad might well have taken care of the radical jihadists and he can't because of the weapons. Perhaps we have created a safe haven.

The other night the President said in his speech that it will be a policy of his administration to leave no safe haven for anyone who threatens America. It sounds good, except for the past 3 years we have been creating a safe haven for ISIS. ISIS has grown stronger because we have been arming the resistance that ISIS is part of.

A New York Times article reports that Qatar has used a shadowy arms network to move shoulder-fired missiles to the rebels. According to Gulf News, Saudi Arabia has also partnered with Pakistan to provide a Pakistan version of a Chinese shoulder-launched missile. It doesn't sound like a dearth of weapons, it sounds like an abundance of weapons.

Iraqi officials have accused Saudi Arabia and Qatar of also funding and arming ISIS at the same time.

Kuwaitis—a Sunni majority country bordering Iraq—have funneled hundreds of millions of dollars to a wide range of opposition forces throughout Iraq and Syria, according to the Brookings Institute.

According to the New York Times, over 1 year ago the CIA began training Syrian rebels in nearby Jordan, thousands of them, delivering arms and ammunition. Over this period of time, what has happened? ISIS has grown stronger. Perhaps sending more weapons into the Syrian civil war is not working.

The New York Times also reports huge arms and financial transfers from Qatar to the Syrian rebels beginning as early as 3 years ago. No one really knows where this is all going to end, where are these arms going to wind up.

Jane's Terrorism and Insurgency Center noted that the transfer of Qatari weapons to targeted troops has the same practical effect of transferring the weapons to al-Nusra, a violent jihadist group.

Let me repeat. Jane's defense analysts say that if you give the weapons to moderate—the so-called moderate rebels—it is the same as giving it to al-Nusra.

The New York Times further detailed that even Sudan has been sending antitank missiles and other arms to Syria. It is hard to argue there are not enough weapons floating around over there.

So the idea that these rebels haven't been armed is ludicrous. It is also ludicrous to believe that we know where all the money and all the arms and all the ammunition will wind up or who will benefit from these arms.

Why? Because we don't even know who these groups are, even if we think we do. The loyalty shifts on a daily basis. The groups have become amorphous with alleged moderates lining up side-by-side with jihadists, not to mention that, guess what, some of these people don't tell the truth.

Finally, moderates have been now found to sell their weapons. In fact, there are accusations by the family of Steve Sotloff—who was recently killed by the barbarians—that he was sold by the moderate rebels to the jihadists.

The Carnegie Endowment says there are no neat, clean, secular rebel groups. They don't exist. They reiterate that this is a very dirty war with no clear good guys on either side.

The German Ambassador to the United States has acknowledged this. The Germans are arming the Kurds. They are not sending anything into Syria. It is a mess, and they are concerned that the weapons they send into Syria will wind up in the wrong hands.

Many former officials are very forthright with their criticism. According to the former ambassador to Iraq and Syria, our ambassador says: We need to do everything we can to figure out who the non-ISIS opposition is because, frankly, we don't have a clue.

Think about this. We are voting or obscuring a vote in a spending bill to send $500 million worth of arms to Syria, to people who we say are the vetted moderate Syrian rebels. Guess what. One of the men with the most knowledge on the ground, who has been our ambassador to Syria, says we don't have a clue who the moderates are and who the jihadists are. And even if they tell you they are the moderates, they say: Oh, we love Thomas Jefferson. Give us a shoulder-fired missile. We love Thomas Jefferson.

Can you trust these people?

The rebels are all over the map. There are said to be 1,500 groups. It is chaos over there. We will be sending arms into chaos.

The largest coalition is the Free Syrian Army. I say largest coalition—really, all the Islamic fronts, al-Nusra, ISIS, Al Qaeda are all much bigger than the Free Syrian Army—but the biggest group that we give to is the Free Syrian Army, which currently has three different people who claim to lead the Free Syrian Army. We don't even know who is in charge of the Free Syrian Army. They voted out one guy, in another guy, and he didn't even know they were voting.

There are estimates that half of the Free Syrian Army has defected, many to al-Nusra, Al Qaeda, and to ISIS. These are the people your representatives are going to vote to send arms to. Half of them have defected. Half of them are now fighting with the jihadists. We have proven time and again that we don't know how to vet these leaders.

Two groups that were initially provided U.S. aid and help last year are good examples. A top official of Ahrar al-Sham, one of the largest rebel groups at the time, announced publicly that he now considers himself to be allied with Al Qaeda.

Just yesterday, our most recent ambassador to Syria, Robert Ford, said the moderate forces have and will tactically ally with Al Qaeda, with Al Qaeda-linked al-Nusra.

Listen carefully. Your representatives are sending $500 billion to people who will tactically ally with Al Qaeda.

I asked Secretary Kerry: Where do you get the authority to wage this war?

He says: From 2001.

Some of the people fighting weren't born in 2001. Many of the people who voted in 2001 are no longer living.

We voted to go to war in Afghanistan—and I supported going into that war because we were attacked and we had to do something about it. But the thing is, that vote had nothing to do with this—absolutely nothing to do with this.

You are a dishonest person if you say otherwise. That sounds pretty mean-spirited. Hear it again. You are intellectually dishonest if you argue that something passed in 2001, to deal with the people who attacked us in 9/11, has anything to do with sending arms into Syria. It is intellectually dishonest—and to say otherwise, you are an intellectually dishonest person.

I said it yesterday: Mr. President, what you are doing is illegal and unconstitutional.

The response from Secretary Kerry was: We have article II authority to do whatever we want.

It is absolutely incorrect. We give power to the Commander in Chief to execute the war, but we were explicit that the wars were to be initiated by Congress.

There was debate over this. There were reports of Thomas Jefferson's opinion about how this was the legislative function. There were letters in the Federalist Papers from Madison talking how they precisely took this power from the Executive and gave it to the legislative body.

We hear: Oh, we will do something in December.

What happens between now and December? An election.

The people of this body are petrified, not of ISIS, but of the American voter. They are afraid to come forward and vote on war now. We should have a full-throated discussion of going to war, but we shouldn't put it off until December.

Secretary Kerry was asked: Will there be Sunni allies in this war on the ground, fighting to overturn ISIS? The ones, precisely—maybe who may have been funding it, which is Saudi Arabia—who should be the first troops in line, receiving the first volley, should not be U.S. GIs, they should be Saudi Arabians, Qataris, Kuwaitis, and Iraqis—but they should not be Americans.

According to the Washington Free Beacon, some of the people we have been supplying and some of the people we continue to supply arms to aren't so excited about Israel.

Surprise.

One of them remarked: Their goal is to topple Assad, but when they are done with Assad, their goal is to return all Syrian land occupied by Israel.

Mark my words. I said the great irony here would be that someday our dollars and our weapons would be used against us and Israel. They will.

We will be fighting—if we get over there with troops on the ground—against arms that we supplied to feckless rebels, that were immediately snatched and taken by ISIS. We will be fighting our own weapons.

Mark my own words, if these people get a chance, they will attack Israel next.

These are among the many problems I have in arming the Syrian opposition. Who are we really arming? What would be the result? Where will the arms end?

There are too many here who believe the answers to these questions when all indicators are otherwise—or maybe even when it is unknowable—they continue to believe something that frankly is not provable and not true.

I am a skeptic of this administration's policies, but this is a bipartisan problem. This is not a Republican or a Democratic problem, this is a bipartisan problem.

I do share the administration's belief that the radical jihadists in this region are a threat to America, but they need to think through how we got here. Radical jihad has run amok in the Middle East because intervention has toppled secular dictators. There weren't radical jihadists doing much of anything in Libya until Gadhafi was gone. He kept them in check.

Was Gadhafi a great humanitarian? No. He was an awful despot. But his terror was on his own people, not the United States.

The people in charge—if we can say anybody is in charge in Libya—their terror is to be exported. Some of them are fighting in Syria.

Where I differ with this administration is whether to arm the same side as the jihadists. We will be in a war on the same side as the jihadists. They said: Oh, no. We can make it a three-way war.

War is very confusing, but imagine: We will be in the middle of a three-way war where many analysts say when you are in the trenches with the so-called moderates that our money is going to buy arms for—when they are in the trenches, they are side by side with al-Nusra; they are side by side with Al Qaeda. Do we want our money and arms being sent to support troops that are fighting alongside Al Qaeda?

Here is the great irony. The use of force resolution they predicate this whole thing upon from 2001 says that we can fight terrorism. They have interpreted that to be Al Qaeda and associated forces. Guess what. The moderate rebels are fighting with Al Qaeda. We could use the 2001 use of force authorization, as Secretary Kerry understands it, to attack the same people we are giving the weapons to.

Think about the insanity of it. We are giving weapons to people fighting in trenches with Al Qaeda. If we interpret the use of force resolution as Secretary Kerry does, under that formulation we could attack the very people we are giving the weapons to. It is absurd. We shouldn't be fighting alongside jihadists.

This administration and its allies have really been on both sides of this civil war. It is messy; it is unclear. There are bad people on both sides. We need to stay the heck out of their civil war. I have opposed them for reasons that I think are becoming clear and I think the American people will understand. It is not that I am against all intervention. I do see ISIS as a problem. ISIS is now a threat to us. But I see our previous policy as having made it worse.

I supported the decision to go into Afghanistan after 9/11. There are valid reasons for war, but they should be few and far between. They should be very importantly debated and not shuffled into a 2,000-page bill and shoved under the rug.

When we go to war, it is the most important vote any Senator will ever take. Many on the other side have been better on this issue. When there was a Republican in office, there were loud voices on the other side. I see an empty Chamber.

There will be no voices against war because this is a Democratic President's war. The hypocrisy of that should resound in this nearly empty Chamber. Where are the voices on the other side who were so hard on George Bush who, by the way, actually did come to Congress? And we voted on an authorization of force. Agree or disagree, but we did the right thing. But now we are going to fight the war for 3 or 4 months, see how it is going, see how the election goes, and then we are going to come back and maybe we will talk about the use of authorization of force, maybe we will have amendments.

Colin Powell wrote in his autobiography:

> War should be the politics of last resort. And when we go to war, we should have a purpose that our people understand and support.

I think that is well thought out. I think he had it right. America should only go to war to win. We shouldn't go to war sort of meandering our way through a spending bill. War should only occur when America is attacked, when it is threatened or when our American interests are threatened or attacked.

I spent about a year—and I will probably spend a couple more years—trying to explain to the American people why Secretary Clinton made terrible decisions in Benghazi not defending the consulate—not the night of, not the day after, not the talking points—the 6 months in advance when security was requested. This is one of the reasons it persuades me that, as reluctant as I am to be involved in Middle Eastern wars, we have to do something about it. We either have to leave Iraq or we have to protect our embassy and protect our consulate. I think there are valid reasons for being involved, and I think we are doing the right thing but just in the wrong way.

If we want to have less partisan sniping about war, if we want to unify the country, think back to December 8, 1941. FDR came before a joint session of Congress and he said, this day ''which will live in infamy,'' and he united the country. People who had previously been opposed to war came forward and said: We can't stand this attack. We will respond. We will be at war with Japan.

He didn't wait around for months. He didn't wait and say: Let's wait until the midterm elections, and then we will come back maybe in a lame-duck—if there is a lame-duck—and maybe we will discuss whether the Japanese should be responded to.

War is a serious business, but we make it less serious by making it political, hiding and tucking war around. By tucking war away into a spending bill we make it less serious. We don't unify the public. Then, as ISIS grows stronger or they are not quelled by sending arms to feckless allies in Syria, what happens? Then they come back again and again. There is already the drumbeat. There are already those in both parties who insist that we must have American GIs on the ground. I am not sending American soldiers—I am not sending your son, your daughter or mine—over to the middle of that chaos.

The people who live there need to stand up and fight. The Kurds are fighting. They seem to be the only people who are really capable of or willing to fight for their homeland. The Iraqis need to step up and fight. It is their country. If they are not going to fight for it, I don't think we need to be in the middle of their fight.

Am I willing to provide air support? Am I willing to provide intelligence and drones and everything we can to help them? Yes. We have been helping

them for 10 years. We have a lot invested. So I am not for giving up, but it is their war and they need to fight. And I expect the Saudis to fight, and the Qataris and the Kuwaitis.

Even our own State Department says there is no military solution here that is good for the Syrian people and that the best path forward is a political solution. Is someone going to ultimately surrender? Is one side going to wipe out the other?

Part of the solution here is that civilized Islam needs to crush radical Islam. Civilized Islam needs to say to radical Islam: This does not represent our religion. The beheading of civilians, the rape and killing of women does not represent Islam.

The voices aren't loud enough.

I want to see civilized Islam on the front page of the newspaper and international TV saying what they will do to wipe out radical Islam. I want to see them on the frontlines fighting. I don't want to see them sipping tea or in the discotheque in Cairo. I want to see them on the frontlines fighting a war to show the Americans and to show the world that there is a form of civilized Islam that doesn't believe in this barbarity.

The United States should not fight a war to save face. I won't vote to send our young men and women to sacrifice life and limb for a stalemate. I won't vote to send our Nation's best and brightest to fight for anything less than victory.

When American interests are at stake, it is incumbent upon those advocating for military action to convince Congress and the American people of that threat.

Too often the debate begins and ends with a conclusion. They say: Well, our national interest is at stake. That is the conclusion. The debate is: Is the national interest at stake? Is what we are going to do going to work? I would think we would debate for days and this Chamber would be full.

Before I came here, I imagined that when war was discussed, everybody would be at their desk and there would be a discussion for hours on end on whether we would go to war. Now it seems to be some sort of geopolitical chess game or checkers: Let's throw some money. What is $500 million? Which is yet another problem around here.

But when we go to war, the burden of proof lies with those who wish to engage in war. They must convince the American people and convince Congress. Instead of being on television, the President should have been before a joint session of Congress—and I would have voted to authorize force. But it needs to be done according to the Constitution.

Not only is it constitutional, but there is a pragmatic or a practical reason why the President should have come to us. It galvanizes people, it brings people together. Both sides vote for the war, and it is a war of the American people—not a war of one man. Until there is a vote—if there ever is one—this is one man's war.

Our Founding Fathers would be offended, would be appalled to know that one man can create a war. We were very fearful of that. We came from Europe with constant war, where brothers fought cousins and fathers fought sons, where everybody was related and they fought continuously. We didn't want a king. We wanted the people, through the Congress, to determine when we went to war.

This President was largely elected on that concept. I didn't vote for the President, but I did admire, when he ran first for office that he said no President should unilaterally take a country to war without the authority of Congress. That is what President Obama said. He was running against the wars of the previous administration. People voted for him for that very reason, but he became part of the problem. He now does everything that he criticized. It is what the American people despise about politics.

When they say we have a 10-percent approval rating—Republicans or Democrats—it is because of this hypocrisy, because we don't obey the law, because we don't engage in important debate, and because we stuff war and shuffle war into a spending bill.

Bashar al-Assad is clearly not an American ally. He is an evil dictator. But the question is: Will his ouster encourage stability or will it make the Middle East less stable? With his ouster, will that mean ISIS replaces him? What are the odds that the moderate rebels, who have lost every battle they have ever engaged in, will be the rulers in Damascus? If we succeed in degrading Assad where someone can get to him, we will have ISIS. We will have ISIS in charge of Syria. It will be worse. We have to ask: Are these Islamic rebels our allies?

I am reminded of the story of Sarkis Al-Zajim. He lived in a city called Maaloula, Syria. They speak Aramaic there. It is one of the few remaining villages in the Middle East where they speak the language that Jesus spoke.

As the marauding Islamic rebels came into town on the same side of the war—who knows who funded them or where they got the arms—but when the Islamic rebels came and marauded into town, Sarkis Al-Zajim stood up. He is a Christian. He lives and sides with Assad. Most of the Christians side with Assad. So Sarkis Al-Zajim lives in Maaloula, speaks Aramaic, stands up, and says: ''I am a Christian, and if you must kill me for this, I do not object to it!'' And these were his last words.

I don't know who these rebels were, but they are fighting on the same side that we are arming and we don't know who they are.

Our former Ambassador to Iraq and Syria says we have no clue who the non-ISIS rebels are. So for all we know, the rebels that killed Sarkis Al-Zajim could well be part of the so-called vetted opposition.

When they win, will they defend American interests? Will they recognize Israel? If we want to have a good question, why don't we ask the vetted moderate Syrians how many will recognize Israel. I am guessing it is going to be a big goose egg. There is not one of those jihadists—there is not one of those so-called moderate rebels that will recognize Israel. And if they win, they will attack Israel next. Several of the leaders have already said they would. Will they acknowledge Israel's right to exist? Will they impose Sharia law?

Sharia law has the death penalty for interfaith marriage, death penalty for conversion—apostasy—and death penalty for blasphemy.

In Pakistan right now—a country that billions of our dollars flow to, that the vast majority of the Senate loves and will send billions more of our dollars to if they can get it from us—in Pakistan, Asia Bibi sits on death row. She is a Christian. Do you know what her crime was? They say blasphemy. She went to drink from a well and the well was owned by Muslims. As she was drawing water from the well they began hurling insults. Then they began hurling stones. They were stoning her and beating her to death with sticks. The police came, and she said, thank God. They arrested her and put her in jail because the Muslims said that she was saying something about their religion. Heresy is life in prison, death. These are the countries we are sending money to.

The other side up here will argue: Well, we are only sending it to the moderates in Pakistan; otherwise, the radicals will take over. Well, the moderates are the ones with Asia Bibi on death row. I wouldn't send a penny to these people. Why would we send money to people who hate us? Maybe we should just have a rule: No money to countries that hate us.

Will these rebels, whom we are going to vote to give money to, tolerate Christians or will they pillage and destroy ancient villages such as Sarkis Al-Zajim's church and village?

The President and his administration haven't provided good answers because they don't exist. As the former Ambassador said: They don't have a clue.

Shooting first and aiming later has not worked for us in the past. The recent history of the Middle East has not been a good one. Our previous decisions have given results that should cause us to be quite wary of trying to do the same again.

I would like President Obama to reread the speeches of Candidate Obama. There is a great disagreement between the two, and Candidate Obama really seemed to be someone who was going to protect the right of Congress to declare war, but it hasn't been so.

Our Founding Fathers understood that the executive branch was the branch most prone to war, and so with due deliberation our Founding Fathers took the power to declare war and they gave it to Congress exclusively.

President Obama's new position as President, which differs from his position as candidate, is that he is fine to get some input when it is convenient for us—maybe after the election—but he is not really interested enough to say that it would bind him or that he would say we need attacks now and come to us tomorrow and ask for permission. He thinks ''maybe whenever it is convenient and you guys get around to it.''

Secretary Kerry stated explicitly that his understanding of the Constitution is that no congressional authorization is necessary. I say, why even bother coming back in December? They kind of like it. They like the show of it. They understand it might have some practical benefit. But it is theater and show. If you are going to commit war without permission, it is theater and show to ask for permission. The President said basically article II grants him the power to do whatever he wants. If so, why have a Congress? Why don't we just recess the whole thing? Oh, that is right, that is what we are getting ready to do. It is election season.

The President and his administration view this vote just as a courtesy but not as a requirement. Even if Congress votes against it, he said he would do it anyway. He already has authority; why would it stop him?

Article I, section 8, clause 11 gives Congress and Congress alone the power to declare war. If Congress does not approve this military action, the President must abide by the decision.

But it worries me. This President worries me, and it is not because of ObamaCare or Dodd-Frank or these horrific pieces of legislation. As I travel around the country, when people ask me ''What has the President done? What is the worst thing he has done?'' it is the usurpation of power, the idea that there is no separation of powers or that he is above that separation. If you want to tremble and worry about the future of our Republic, listen to the President when he says: Well, Congress won't act; therefore, I must. Think about the implications of that.

Democracy is messy. It is hard to get everybody to agree to something. But the interesting thing is that had he asked, had he come forward and done the honorable thing, we would have approved—I would have approved an authorization of force. It would have been overwhelming had he done the right thing, but he didn't come forward and ask. He didn't come forward and ask when he amended the Affordable Care Act. He didn't come forward and ask when he amended immigration law. And he is not coming forward to ask on the most important decision we face in our country; that is, a decision to go to war.

Our Founders understood this and debated this. This is not a new debate. Thomas Jefferson said the Constitution gave ''one effectual check to the dog of war by transferring the power to declare war from the Executive to the Legislative body.''

Madison wrote even more clearly:

> The power to declare war, including the power of judging the causes of war, is fully and exclusively vested in the legislature.

There was no debate. Our Founding Fathers were unanimous. This was our power. To do it when it is convenient after the election is to abdicate our responsibility and is to make a serious discussion a travesty.

There is no debate more significant than this, and we are going to stuff it in a bill. We are going to stuff it in a 2,000-page bill and not talk about it, not vote on it individually. Our leaders must be held accountable. If we don't, there will be no end to the war. The ridiculous and the absurd must be laid to rest. We have all heard it before.

Toppling Qadhafi led to a jihadist wonderland in Libya. Toppling Hussein led to chaos in Iraq with which we are still involved. Toppling Assad will lead to more chaos and greater danger to America from the jihadists.

The moss-covered, too-long-in-Washington crowd cannot help themselves: War, war, what we need is more war. But they never pay attention to the results of the last war. Their policies and the combination of feckless disinterest, fraudulent redlines, and selective combativeness have led us to this point.

Yes, we must confront ISIS, in part for penance for the President's role in their rise. But while we do so to protect our interests here and abroad, what we need is someone to shout: War, war, what are we fighting for?

Amidst the interventionists' disjointed and frankly incoherent rhetoric, amidst the gathering gloom that sees enemies behind every friend and friends behind every enemy, the only consistent theme is war. These barnacled enablers have never met a war they didn't like. They beat their chests in rhythmic ode to failed policies. Their drums beat to policies that display their outrage but fail to find a cure. Unintended consequences drown and smother the possibility of good intentions.

Must we act to check and destroy ISIS? Yes—and again yes—because of the foolishness of the interventionists. But let's not mistake what we must do. We shouldn't give a free pass to forever intervene in the civil wars of the Middle East. Intervention created this chaos. Intervention aided and abetted the rise of radical Islam. Intervention has made us less safe in Libya and in Syria and in Iraq.

To those who wish unlimited intervention and boots on the ground everywhere, remember the smiling poses of politicians pontificating about so-called freedom fighters and heroes in Libya, in Syria, and in Iraq, unaware that the so-called freedom fighters may well have been allied with kidnapers and killers and jihadists. Are these so-called moderate Islamic rebels in Syria friends or foes? Do we know who they really are?

As the interventionists clamor for boots on the ground, we should remember that they were wrong about Iraq, they were wrong about Libya, and they were wrong about Syria. When will we quit listening to the advocates who have been wrong about every foreign policy position of the last two decades? When does a track record of being consistently wrong stop you from being a so-called expert when the next crisis comes up? We should remember that they were wrong, that there were no WMDs, that Hussein, Qadhafi, and Assad were not a threat to us. It doesn't make them good, but they were not a threat to us. We should remember that radical Islam now roams the countryside in Libya and in Syria and in Iraq. We should remember that those who believe war is the answer for every problem are wrong. We should remember that the war against Hussein, the war against Qadhafi, and the war against Assad have all led to chaos. That intervention enhanced the rise of radical Islam and ultimately led to more danger for Americans.

Before we arm the so-called moderate Muslims in Syria, remember what I said a year ago: The ultimate irony you will not be able to overcome is that someday these weapons will be used to fight against Americans. If we are forced onto the ground, we will be fighting against those same weapons that I voted not to send a year ago.

We will fight ISIS, a war that I accept as necessary largely because our own arms and the arms of our allies—Saudi Arabia, Kuwait, Qatar—have enabled our new enemy ISIS. Will we ever learn?

President Obama now wishes to bomb ISIS and arm the Islamic rebels' allies at the same time. We are on both sides of a civil war. The emperor has no clothes. Let's just admit it. The truth is sometimes painful.

We must protect ourselves from radical Islam, but we should never ever have armed radical Islam, and we should not continue to arm radical Islam. To those who will say, ''Oh, we are just giving to the moderates, not to the radicals,'' it is going and stopping temporarily with the moderates and then on to ISIS. That is what has been going on for a year. Somehow they predict that something different will occur. We have enabled the enemy we must now confront.

Sending arms to so-called moderate Islamic rebels in Syria is a fool's errand and will only make ISIS stronger. ISIS grew as the United States and her allies were arming the opposition. So, as we have sent 600 tons of weapons, ISIS has grown stronger. You are going to tell me that 600 tons of more weapons will defeat ISIS?

The barnacled purveyors of war should admit their mistakes and not compound them. ISIS is now a threat. Let's get on with destroying them. But make no mistake—arming Islamic rebels in Syria will only make it harder to destroy ISIS.

Thank you. I yield back my time.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, the provision in the continuing resolution before us authorizes the President to train and equip friendly forces whose interests and objectives are aligned with ours so that they can fight on their own behalf, much as we have done elsewhere in the world—for example, a number of African countries which we have helped support their own freedom and independence, their own efforts to go after the terrorists who terrorized them. We have done that pursuant to provisions we have included in previous Defense authorization bills.

This year, as our Presiding Officer knows as a very important member of our committee, when the Armed Services Committee marked up the National Defense Authorization Act for Fiscal Year 2015, we approved a similar Syria train-and-equip provision by a bipartisan vote of 23 to 3.

While ISIS is currently focused on building an Islamic caliphate in the Middle East, its poisonous ideology is hostile not only to the region but to the world, and there is a real risk that the area it controls could become a launching pad for future terrorist attacks against the United States and its friends and allies. ISIS is terrorizing the Iraqi and the Syrian people, engaging in kidnappings, killings, persecutions of religious minorities, and attacking schools, hospitals, and cultural sites.

The threat to Americans and American interests was dramatically and tragically brought home recently by the brutal beheading of American journalists James Foley and Steven Sotloff and British aid worker David Haines.

The President has announced a four-pronged strategy to degrade and ultimately defeat ISIS. Those four prongs are as follows: first, increased support to Iraqi, Kurdish, and Syrian opposition forces on the ground; second, a systemic campaign of airstrikes against ISIS; third, improved intelligence and efforts to cut off ISIS's funding and recruiting; and fourth, continued humanitarian assistance to ISIS's victims.

Our senior military leaders support the President's strategy. When General Dempsey testified before the Armed Services Committee, I asked whether he personally supports the President's strategy, and of course I asked the question exactly that way—''Do you personally support the President's strategy?''—so that we would get his own answer and not simply the answer he might feel he has to give because of his Commander in Chief's position.

When we ask military officers for their own personal position, that is what they must give us. When we have confirmation hearings, we ask them that question: Will you give us your own personal opinion when you come before us even though it might differ from the administration in power? That is one of the questions we ask on every confirmation, and, of course, if we don't get the answer that they will, there will not be a confirmation.

So we asked and I asked as my first question a few days ago whether General Dempsey as Chairman of our Joint Chiefs of Staff personally supports the President's strategy, and his response was, ''I do.'' He explained that the best way forward runs ''through a coalition of Arab and Muslim partners and not through ownership of this fight by the United States.'' Training and equipping the moderate Syrian opposition is a critical step. As General Dempsey explained, we need to build ''a force of vetted, trained moderate Syrians to take on ISIL in Syria'' because ''as long as ISIL enjoys the safe haven in Syria, it will remain a formidable force and a threat.''

Some colleagues have expressed the concern that this new military effort could lead us back into a quagmire that we entered with the Iraq invasion in 2003, but what we are voting on here is virtually the opposite of what was voted on in the 2002 Authorization for the Use of Military Force in Iraq.

I voted against the Iraq authorization in 2002. I am voting for this train-and-equip authority today. The differences are huge between what was voted on in 2002 and what we are voting on today.

First, in 2003, we invaded Iraq and threw out Saddam Hussein's government. This year, by contrast, the Iraqi Government has requested our assistance against ISIS. This request has been joined by leaders of Iraq's Shiites, Sunnis, Kurds, and other religious minorities. The global community will provide support in response to this request, but ISIS remains a problem that only Iraqis and Syrians can solve. They can solve it with our help, but only they can solve it.

I am continuing on the differences. Indeed, the contrast between what we are voting on today and what was voted on in 2002 is relative to the same country, but what a difference.

In 2003, the United States and Britain invaded Iraq with token support from a handful of Western partners. It was a unilateral approach without visible participation or support from Arab or Muslim nations. It helped spawn Iraqi resistance, including Al Qaeda in Iraq, the predecessor to ISIS. Al Qaeda in Iraq and ISIS didn't exist before our invasion of Iraq in 2003. They are a direct response to our unilateral action in Iraq. This year, by contrast—and what a contrast—we are seeing the participation of key Arab and Muslim States in the region and their active, visible role will be critical to the effectiveness of any international coalition.

Our senior military and civilian leaders recognize, as General Dempsey testified before our committee, that ISIS ''will only be defeated when moderate Arab and Muslim populations in the region reject it.''

The recent international conferences in Jeddah and Paris were a good start, with a number of Arab States declaring their shared commitment—and this was a public statement—to develop a strategy ''to destroy ISIL wherever it is, including in both Iraq and Syria,'' and joining in an international pledge to use ''whatever means necessary'' to achieve this goal.

The contrast to the Iraq invasion of 2003 is particularly sharp with regard to ground combat troops. In 2003, almost 200,000 American and British combat troops invaded Iraq. Only after years of relentless ground combat operations were we able to get our troops out. This year, by contrast, the President's policy is that ground combat operations in Iraq and Syria will not be carried out by us, but by Iraqis, Kurds, and Syrians. While the United States and a broad coalition of nations, including Arab and Muslim countries, will support this effort, there is no plan to have American combat forces on the ground.

As General Dempsey explained to the Armed Services Committee, U.S. forces ''are not participating in direct combat. There is no intention for them to do so.'' You wouldn't know that if you read the press coverage of his testimony, so I will repeat it in the wan hope that maybe this time his statement will be covered. General Dempsey said we ''are not participating in direct combat. There is no intention for them to do so.'' General Dempsey was talking about the U.S. Armed Forces.

General Dempsey added a caveat that if circumstances change, he might, for instance, recommend to the President that U.S. advisers be authorized to accompany Iraqi security forces into combat. He was clear that these comments were focused on how our forces could best and most appropriately advise the Iraqis on their combat operations.

Senator GRAHAM asked General Dempsey whether he thought they could defeat ISIL without us being on the ground. The question he asked was: ''If you think they can [defeat ISIL] without us being on the ground, just say yes,'' and General Dempsey responded, ''Yes.''

I saw that in all of one newspaper article across the country.

Our senior military leaders, of course, reserve the right to reconsider their recommendations based on conditions on the ground. I would expect that General Dempsey would say, just as any general would say, we must be free to change a recommendation to the President if circumstances on the ground change. That is a very different statement from what the press put into General Dempsey's mouth when they said General Dempsey suggested we may need U.S. combat forces. The direct answer of General Dempsey was: We have no plan to do it. We believe they can do it without us, and, of course, if conditions change, I must make a different recommendation, or at least might make a different recommendation to the Commander in Chief.

At the end of the day, of course, the President, who is the Commander in Chief, and not the military, will establish policy. Even if conditions change and even if General Dempsey decided to recommend a different role for U.S. ground combat troops, it would just be that, a recommendation.

The struggle against ISIS in Iraq and in Syria will be a long and hard one and we should give it our support. We cannot take the place of Iraqis and Syrians. They must purge the poison they have in their country. These extremist groups, such as ISIS and Al Qaeda, must be purged by the people they plague, but we can help these people get rid of this poison.

We are already working with Muslim and Arab countries that are openly uniting against a poisonous strain of Islam. It threatens them even more than it threatens us. This has to be an Iraqi and Syrian fight—an Arab and a Muslim fight—and not a Western fight if it is going to be successful. It will be highly destructive to our efforts to bring about a broad coalition if Congress and the President appear disunited.

We are asking Arab and Muslim countries to openly take on a plague, a cancer, a poison in their midst. That is what we are asking of them. There has been too much behind-the-scenes support, too much quiet support or opposition, too much inconsistency from a number of Arab and Muslim countries. So what the President and Secretary Kerry are doing is not just helping to organize a broad coalition of Western and Muslim countries to go after this stain, this threat that is in their midst, what we are asking them to do is to do it openly so their people see that their governments, and indeed their people, are threatened by this terror poison in their midst. What is critical, and what is so hugely different is this time it will be an international coalition going after terrorists and not just a Western invasion of a Muslim country.

It would be, again, destructive of our efforts to get open support in the Muslim and Arab world for going after these terrorists—this stain called ISIS—if Congress and the President are disunited. So we should give our support to the provision authorizing the training and equipping of vetted, moderate Syrian opposition forces. I hope we do it on a bipartisan basis here, making it then not only bipartisan but also bicameral. What an important statement that will be to the very countries that are seeking to help rid themselves of this cancer.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Madam President, when we head to the Senate floor, we make choices. We first choose how to get here—whether to take the subway or walk. We choose whether to stop and talk to a colleague or two along the way. We also choose whether to speak to the press, and normally there are plenty of reporters available to speak to. I and many of my colleagues are often picky about who we talk to. I like talking to reporters just fine, but my staff gets a little nervous.

Last week, after coming out of the secure briefing on the situation in the Middle East, I went up to the first reporter I saw, because in that briefing no one asked how much this war with ISIL would cost or how we were going to pay for it. At the end of the briefing I asked those questions myself. But it is telling that no one up to that point and time had voiced their concerns about costs, which leads me to ask: Are we putting another war in the Middle East on a credit card? Will it be added to our debt? Will our grandchildren once again have to pay for our choices today?

I also asked what domestic programs will be cut if this war is an unpaid war. Will they cut improvements to our highways, Head Start, Violence Against Women Act funding?

We are not having a real debate. We will be voting on whether to authorize the training of moderate Syrian rebels to fight the Islamic State.

Earlier this year the President told us this would cost about $500 million. We can say this bill contains no specific dollar amount, but that is what this administration is going to spend, and that is just a start. This discussion will take less than half a day. We need more information. We have had some briefings and some of the committees up here have had some hearings, but the Senate needs a real debate on the extent of our involvement in Iraq and Syria and with ISIL. We need more information, and that is why I am speaking today and why I spoke to the press last week. After all, $500 million is a lot of money. That would go a long way in a State such as Montana where we need to upgrade our roads, bridges, fund pre-kindergarten education, and take care of our public lands.

This week the President said he will spend up to $1 billion to combat the threat of Ebola in West Africa. I am not going to argue that there is a strong case for these requests. ISIL and Ebola are terrible in their own rights, and no one would think twice if we wiped them from the face of the Earth. But I do have questions about how we pay for these kinds of actions and what our long-term strategy is.

The President requested $58 billion for additional defense spending for the 2015 fiscal year. That is spending on top of the $490 billion that is just a part of the normal Defense Department's budget.

But the bill we are voting on today puts the defense budget on auto pilot. There is no chance to find other places to cut spending. There are no chances to raise revenue so we don't just put this new spending on the credit card and on the backs of our grandchildren.

Folks will say this bill is only for 2 months. They will say that on December 11, when this bill expires, we can pursue the defense budget to cut programs that aren't working to pay for this new military action. But we all know that is a heavy lift in a city where it is easier to spend than it is to save, especially when we are already dipping our hands into the pot to fight ISIL and Ebola.

Over a decade ago we sent American servicemembers to Iraq to overthrow Saddam Hussein. Americans lost sons and daughters, husbands and wives. Families made great personal sacrifices, but our government never asked us to sacrifice as a whole. We didn't raise taxes. We didn't cut spending. We didn't set aside money to take care of our veterans who returned from the battlefield with wounds both seen and unseen. As a result, combined with massive tax cuts, our deficit and our debt exploded.

Now $500 million is a far cry from the hundreds of billions of dollars we spent in Iraq over the last decade, but this is just a start. We must stop putting wars on credit cards. I wonder if once we start an overseas conflict, do we know when and where it will stop? Do we know what our spending will achieve?

Over the last 5 years, we have actually had some progress on deficit reduction. We reduced the deficit by two-thirds. But all that is at risk with the beginning of a new conflict.

We simply have too many unanswered questions.

The President says we are backed by a coalition of nations ready to join our fight against ISIS, but will it be a real coalition? Violent extremists are threats to peace-loving societies no matter where they are, and I agree with the President that we need to contain and destroy ISIL before it gets stronger. But only a real coalition, one that includes strong commitments of money, equipment, and manpower from Middle Eastern, Asian, South American, and European nations will lead to a long-term stability in that region.

These allies should be footing their share of the bill. As I mentioned, Americans—whether today's taxpayers or tomorrow's—should not shoulder a disproportionate burden of the cost. After all, if countries such as Saudi Arabia or Turkey feel the growth of ISIL, they should make real commitments to this war-fighting effort. That is what happened during the first gulf war. In that war, members of the coalition contributed more than 80 percent of that war's costs. Because if ISIL is truly a worldwide problem, then there should be a worldwide response and commitment to addressing that problem. If ISIL is threatening to upset the balance of power in the Middle East, then Middle Eastern nations must step up. If terrorists and ISIL are a worldwide threat, then the world must step up. Anything else is unacceptable.

Some say that in order to ensure world peace, America must be a world leader. They say no other country is prepared to be the world's policeman. World peace is important, but true peace stems from our ability to rally

other nations to our cause. When we convince someone of the merit of our argument, when we form strong alliances that stand the test of time, when we act in concert with other nations, our word and our acts become stronger, and the world's respect grows.

We are told today that other countries will respond, that other folks are joining the fight. But actions speak louder than words. I, for one, would like to see more of it before I vote to commit America's taxpayers' money to this fight.

Eleven years ago, we invaded Iraq without a real coalition, and we built our argument on false pretenses. Moving forward, we must have a real debate, a sound strategy, and an end game.

This body is historically the world's greatest deliberative body. It was here that men such as Daniel Webster and Henry Clay deliberated. We are not having that kind of debate today. We are not gathering more information. There were committee hearings this week, but the die is cast, the wheels are in motion. As we say in Montana, the horse is out of the barn, the cows are out to pasture.

There are 1,600 American troops in Iraq right now who deserve a real debate. Many of them have husbands, wives, children, families. I do not know that I can say with certainty to them: Don't worry, we are training the right people to fight on the ground in Syria. If America is wrong about who we train and who we arm in Syria, my fear is that these 1,600 servicemembers will be joined again by tens of thousands more. For their sake and the sake of the American taxpayer, we need a fuller debate that will have a real impact on the decisionmaking process here in this Senate, and more of that debate should have happened before now.

I serve on the Senate Appropriations Committee. I know we must fund the government and prevent a shutdown. That is the responsible thing to do. The cost of last year's shutdown on Montana business was extraordinary and unnecessary, and I do not want to repeat that fiasco. That is why I will be voting for that continuing resolution later today.

I know some folks are opposed to this continuing resolution because they think we should pass appropriations bills individually. I appreciate that and I agree. But the fact is, the Appropriations Committee—under the chairmanship of Chairwoman MIKULSKI, who is on the floor right now, and Senator SHELBY—has worked hard and worked in a bipartisan way to try to make that happen. They have tried to reinvigorate this committee and make sure the Senate fulfills our constitutional responsibility to make the hard choices about how we spend taxpayers' money.

Ironically, some of the folks who have said they don't like passing the CR are the very same folks who have made it harder to pass the bipartisan bills that come out of that Appropriations Committee. Talk about playing down to the American people's already low expectations for Congress.

So we have no choice other than to pass the CR today. But I am tired of spending without a plan. I am tired of getting caught up in fighting wars in the Middle East, performing the same actions and expecting a different result. I am tired of repeating history without learning its lessons.

We can do better. And for the sake of our troops, for the sake of our taxpayers, for the sake of our kids, for the fate of our Nation and the world, we must.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

BALTIMORE ORIOLES

Ms. MIKULSKI. Madam President, we have had some excellent debate here today on a very consequential matter of arming these so-called Syrian moderates. I know the Senator from Maine, Mr. KING, will be coming here shortly to participate in that debate, and I think this is a very good activity.

While we wait for Senators to come to the floor, I wish to take a few minutes to speak about the Baltimore Orioles. This in no way minimizes the debate going on now, but while we have the time for some of the Senators coming who want to emphasize this topic, I want to take a little bit of a breather here.

As my colleagues can see, I am wearing the Orioles' colors on the Senate floor today, and while we must address issues, we have to remember the kinds of things that make America great. In this continuing resolution, in addition to dealing with intense foreign policy needs and intense foreign policy crises, we have to remember that we are actually funding both our national security and the Department of Defense and very important domestic programs, including preschool, NIH to find cures for autism and Alzheimer's, and so on. We also want to not only keep the government going but remember what is so great about our country.

Of course, baseball is one of the things that makes our country great. That is why I rise today to congratulate the Baltimore Orioles who won the American East title. As I said, I wear their colors today on the floor and I hope to wear them at Camden Yards.

My home team not only represents the tough, enduring spirit of Baltimore, but the entire State. This team never quits, and it always plays hard. Sure, we tip our hats to the rest of the American East, including the Yankees, the Red Sox, the Rays, the Blue Jays, but this is our year.

The Orioles are celebrating their 60th anniversary in Baltimore. The O's, as we affectionately call them, arrived in 1954. I was a high school girl. I remember the excitement of the team coming, our first major league team. We played AAA up until then. There was a big parade up and down Charles Street. Charm City was charmed by this new baseball team.

There have been many amazing events that have occurred since then, and, of course, fantastic and legendary players, including Brooks Robinson, Frank Robinson, Jim Palmer, Eddy Murray, ''Iron Man'' Cal Ripken, Jr. We remember our coaches such as Earl Weaver, who got the fans excited, and, of course, we remember Cal Ripken, Sr., who taught us the Orioles way.

So this year we have a team that, once again, is energized and on its way to the playoffs.

Anyone who has watched the Orioles this season at Camden Yards knows this was a true team effort. The American East title was made possible by clutch hits and home runs, spectacular catches and gutsy pitching. When the All-Star players weren't on the field, workhorse veterans and promising young rookies stepped up night after night.

Yes, there is Oriole magic. We have our manager, Buck Showalter, who, as my colleagues know, is a laugh a minute. I am joking. If my colleagues have looked at Mr. Showalter, they know he doesn't crack a smile, but he sure teaches his players how to crack the bat. His attention to the big picture and to the smallest detail is the way he has taught his team to function.

We think we are on our way to what is called the battle of the beltways. It is conceivable that we will be playing the Washington Nationals who have just won the National League East title, and a tip of the hat to our friends in the District of Columbia. We are as excited for them as we are about ourselves, and we can't wait to meet. I am hoping for this.

Three cheers for the Baltimore Orioles who have earned this fantastic title. We won't stop until we have a pennant flying high over our stadium.

I want to congratulate the entire Orioles organization, from the managers to the front office, and the owner of the team, Peter Angelos, who rescued our team many years ago from being sold out of town. Peter Angelos stepped up to the plate and saved it and kept the team in Baltimore, and he has kept the team on the go. Now that fantastic team, under great leadership, wonderful players, and the best fans in both leagues, is looking forward to the playoffs.

We are also looking forward to not only the game, but it is the spirit of community that is in Baltimore. Our city hall in the evening is lit up in orange. When we travel the city, we see people wearing the colors and laughing and giving each other shoulder to

shoulder and high fives. When people come to Baltimore now to go visit a great institution such as Johns Hopkins, whether a person is an orderly or a facilities manager, or whether a person is a Nobel Prize winner, everybody is wearing the orange. Whether people are Black, White, Hispanic, Latino, men, women, we are all there. That is because it is about baseball. It is about a team. It is about America. It is about the land of the free and the home of the brave.

So let's keep our government open. Let's be on the playing field and in the competition for jobs and opportunity. And I will be back for the lameduck, gloating.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Madam President, I rise today to speak about ISIS—the threat, what we can do about it, and what we must do about it.

Why are we having this debate? Why are we conducting airstrikes? This is a clear and present danger to the United States of America. This group has done everything but send us an email saying we are coming for you. They have made comments: We will see you in New York. They brutally murdered two of our citizens.

If they have free rein in the area that is as big as the State of Indiana, I suppose, between eastern Syria and western and northern Iraq, there, undoubtedly, will come a time when they will strike here and in Europe and in other parts of the world.

I am here today to support the provision of the continuing resolution that will allow us to begin the arming, equipping, and training of the Syrian moderate opposition.

Why do we even have this discussion? Because the most fundamental responsibility of any government anywhere, any time is to protect our citizens. The preamble of the U.S. Constitution says that one of the fundamental purposes listed in the preamble is to ''provide for the common defense'' and ''insure domestic tranquility''—a basic function of any government. This is why we are having this debate today.

This arming and equipping provision is not a panacea. It is not going to end the war. It is not going to be easy. It is no sure thing.

A friend said to me this morning: It is the least worst option. It is one that we must undertake. It has to be part of the solution because to root out ISIS, whose headquarters are in Syria—not Iraq—there are going to have to be troops. There are going to have be combat troops. There is no such thing as a surgical war.

Where are those troops going to come from? Not from the United States—they have to come from within the Syrian opposition itself.

This is also important as a gesture to the coalition we are building to confront this threat. Having a credible coalition—which I will expand upon in a moment—is an incredibly important part of this entire strategy. Without a functioning real coalition, it is impossible, it is an impossible task. This cannot be a U.S. war. This cannot be a war of the West against this so-called Islamic State. It has to involve particularly the neighbors in the region.

I am also supportive of the general strategy the President outlined, but I think there are several points that need to be absolutely emphasized. One is the importance of the coalition. We cannot have a coalition that just holds our coat while we do the fighting. They have to be engaged in an active way—not just writing checks.

If we try to do this ourselves, not even if we were inclined to do this with our own troops, it wouldn't work. These have to be local faces on the ground. There are going to be boots on the ground, but they are not and should not and cannot be ours.

The second thing that is so important in this strategy the President outlined the other night is a trustworthy, inclusive government in Baghdad. The reason ISIS was so successful in this sweep through northern Iraq and into Mosul was that they were swimming in friendly waters. They were swimming in the Sunni regions of Iraq where the local tribes and Sunni leaders have been alienated and systematically excluded from the government in Baghdad.

If the government in Baghdad cannot build credibility with that group, this is a hopeless enterprise. Prime Minister al-Abadi needs to channel his inner Mandela. He has to be inclusive of even the people who were his enemies and the enemies of his sect at a prior time.

This has to be a government that can be trusted. Really what is going on is a battle for the loyalty of the Sunni population of Iraq to see whether they are going to be loyal to this brutal so-called Islamic State or to the government of the country in Baghdad. That is the challenge that is before that government today.

So far the signs are positive, but we are still in the very first weeks of this regime. But that has to be a crucial element of our strategy. So these are two pieces that are largely out of our control.

We can try to build a coalition. We can put pressure on the government in Baghdad, but these folks have to do it themselves. We cannot be the policemen of the Middle East.

The third piece is building the Syrian opposition. The same goes for Al-Raqqa, the headquarters of ISIS in Syria. There are going to have to be people on the ground, and they are not going to be Americans. They have to come from the Syrian opposition, and that is why that is an important element of the strategy.

I think there is another discussion we have to have. Unfortunately, the calendar doesn't allow us to have it today. I believe there must be a new authorization for the use of military force. The authorization that was passed right after September 11, 2001, has been stretched and strained to the point where if it is allowed to become the justification for anything, there is nothing left of the clause of the Constitution that says Congress shall be the one to declare war.

I have gone back and looked at the history of that clause. Very interestingly, the original draft of the Constitution said Congress shall make war. At the time, the Framers realized that Congress would not be the right entity to execute the war itself, to make the battlefield decisions. The Framers were adamant that the momentous decision of entering this country into war had to be in the branch of the government most representative of the people.

They went through history—in the 49th Federalist they talk about how throughout history unfettered executives, princes, kings mischievously and often on weak grounds got their countries engaged in war. They made a conscious decision that this responsibility was left with the Congress. Unfortunately, over the years, going back to the late 1940s, we allowed that clause to atrophy. We allowed the Executive to take more and more responsibility and power and unilateral authority. People are saying: Well, this President is acting unilaterally. This is nothing new. This goes back to Harry Truman and the Korean war. This isn't something that Barack Obama invented.

Presidents naturally want more authority. They do have the power to defend our country when the threat is imminent and real, but they don't have the power to commit American armed forces in any place, at any time, under any circumstances.

I believe we have a constitutional responsibility to consider this matter, to debate it, to argue about the terms of what the authorization should be—how it should be limited in duration, geography, target, in means of confrontation with the enemy. That is what we must do.

Finally, beyond this AUMF, beyond ISIS, assume for a moment we are tremendously and utterly successful over the next 6 months, a year, 2 years, and ISIS is gone, the problem is history has taught us someone will take their place.

The real issue is radical jihadism. We have to have a strategy to deal with that in the long term that doesn't involve trying to just kill them as they come forward. It was characterized recently as geopolitical Whac-A-Mole. We stop them in one place, and it comes up somewhere else, and we all know about al-Shabaab, al-Nusra, Al Qaeda, Al Qaeda in the Arabian Peninsula, and Boko Horam.

We have to be talking about and developing a strategy to deal with this threat to our country and to the rest of the world on a more long-term basis than simply having continuous—what amounts to—battles against elements of these people.

Why are they doing this? What is attracting young people to this destructive philosophy, and how can we best counteract that? I believe we have to make a decision today.

As I said, I also think we have to make a decision before the end of the year as to what the scope, limits, and authority of the President are in this matter. We can try to avoid it, but I don't believe we can.

On December 1, 1862, Abraham Lincoln sent a message to this body, and the conclusion of that message was that we cannot escape history. It will light us down from one generation to the next. I believe that we need to stand and debate, argue, refine, and finally reach a conclusion so that the American people can understand what we are doing and why.

The Executive will have clear authority. The rest of the world will know that this is the United States of America taking this position—not a President and not a few Members of Congress. That is a responsibility I believe we are ready to assume. This is a threat. It must be met, and we must participate in the decision to meet it.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

UKRAINE

Ms. AYOTTE. Madam President, I come to the floor to, first of all, thank President Poroshenko for the speech he gave to a joint session of the Congress today. It was a very moving speech. I think it was a very direct speech, and it really showed how important it is that we stand with the people of Ukraine during this trying time with the aggression they are facing from Russia.

I come to the floor to say a couple of things. At the end of his speech, he used the motto of my home State—the State of New Hampshire: Live Free or Die. In New Hampshire we are very proud of that motto. It came from a statement during the American Revolution from General John Stark, and it really does not only have meaning to my home State of New Hampshire but also to the people of Ukraine with what they have been facing—those who stood in the Maidan and gave their lives for freedom and democracy in Ukraine.

I have had the privilege of going to Ukraine twice, both in March and also to oversee their presidential elections. In both instances, I was very struck by the patriotism, by their love for America, and their gratefulness for our support.

As we heard President Poroshenko say to all of us today, now more than ever they need American support. There is something I have been calling for—for a while, in fact. When I went there in March—and also I had the privilege of traveling with Senator DONNELLY—it was a bipartisan codel—and also in May, in both of those instances we had the request for lethal assistance so that the Ukrainian military would have the arms they need to defend themselves against this Russian aggression.

So today we also heard President Poroshenko call upon us again to provide the support for the Ukrainian military. They have fought and continue to fight and die for their own independence, freedom, and territorial integrity. The least we can do is provide them lethal assistance.

As President Poroshenko rightly said today: Blankets and night vision goggles are important, but one cannot win a war with a blanket.

I would hope all of us stood together today, both Democrats and Republicans, to say we stand with the people of Ukraine.

I know this afternoon the Senate Foreign Relations Committee has come together and marked up a very important aid package to Ukraine which contains lethal assistance for their military.

I would hope our President would see that on a bipartisan basis we stand with the people of Ukraine and we must provide them with this assistance they need.

Finally, I would say that the Budapest Memorandum that President Poroshenko mentioned today is very important.

We were a signatory to that memorandum, as was Russia. In that memorandum, the signing of it, Ukraine gave up their nuclear weapons in exchange for our assurances that we would respect their sovereignty, security assurances, and their territorial integrity. Obviously, Russia has trampled all over this. But I would say the least we can do is provide this lethal assistance they have asked for given that they gave up their nuclear weapons.

We signed on to that agreement. We should support them in their time of need so that they can defend their sovereignty. What country ever again is going to give up their nuclear weapons if we will not even give them basic military assistance when their country is invaded the way Ukraine has been invaded by Russia?

Now is our time and our moment. We all stood together in the House Chamber today for the people of Ukraine. What matters is our actions, not just our words and our standing ovations.

I hope we will stand with the people of Ukraine. I call upon our President to provide lethal assistance to the people of Ukraine and to provide the support and tougher sanctions on Russia—economic sanctions—for their invasion and their total disrespect for the sovereignty of the country of Ukraine.

I would defer to my colleague, Senator MCCAIN from Arizona.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Arizona.

Mr. MCCAIN. I always appreciate it when the Senator from New Hampshire defers to me—a rare occasion, I might add.

I rise today to speak in support of the continuing resolution on which we will vote. I do not do so because I approve of the bulk of the CR. I certainly do not approve of the process that got us here. It is a broken, dysfunctional process that deserves and has received the scorn and disdain of the American people. Long ago we should have been taking up these bills one by one. But that is not why I come to the floor today

I am voting for this CR for one particular reason: It would help the Department of Defense train and equip moderate, vetted Syrian opposition forces to fight the barbaric terrorist army that calls itself the Islamic State, commonly known as ISIS. I will support it. It is long overdue support for the brave Syrians who are fighting on the frontlines against a common terrorist enemy.

The current plan could have been decisive 2 years ago. Two years ago it could have been decisive. It is not now. We are talking about 5,000 whom we are going to train over a period of a year or more. They are going to be fighting against an estimated 31,500 fighters.

There are many seminal events that have taken place in this conflict. One of the main ones was when 2 years ago the President overruled the major players in his national security team when he overruled their unanimous and passionate argument to arm and train the Free Syrian Army.

The administration says that U.S. forces will not have a combat role. Why does the President insist on continuing to tell the enemy what he will not do? Why is it that the President of the United States keeps telling the people who are slaughtering thousands: Don't worry, we won't commit ground troops. Why does he have to keep saying that? Obviously—at least one would draw the conclusion—because of political reasons.

Secretary of Defense Robert Gates had this to say. I do not know of a man who is more respected than former Secretary of Defense Gates under both Republican and Democratic Presidents. He said:

> The reality is, they're not going to be able to be successful against ISIS strictly from the air or strictly depending on the Iraqi forces or the Peshmerga or the Sunni tribes acting on their own.

Gates continued:

> So there will be boots on the ground if there is going to be any hope of success in the strategy. I think that by continuing to repeat that—

That the United States will not put boots on the ground—

the President, in effect, traps himself.

That is the opinion not of JOHN MCCAIN and LINDSEY GRAHAM, it is the opinion of Robert Gates and every military expert I have talked to, ranging from the architects of the surge, to former Chairmen of the Joint Chiefs of Staff and, confidentially, leaders in uniform today.

The President said he will expand airstrikes in Syria, but they have testified that the President will not have

forward air controllers on the ground to direct airstrikes, which makes them obviously effective.

As we read today in the Wall Street Journal—this is remarkable, my friends—President Obama will be personally signing off on every airstrike in Syria. I say to my colleagues: I saw that movie before—it was called Vietnam—many years ago when President Lyndon Johnson used to select the targets in the Oval Office or the Situation Room. Now we have a President of the United States who is selecting targets of which he has no fundamental knowledge whatsoever. It is really remarkable.

We are going to train and equip these people to fight. Yet we are not going to take out the assets Bashar Assad uses to kill them—the air attacks, the barrel bombs; the indiscriminate killing of innocent women, men, and children; 192,000 dead in Syria; 150,000 languishing in his prisons. We are not going to take out or even give these people, the Free Syrian Army, the weapons with which to counter these air attacks which are so brutal and outrageous.

I would like to yield for my friend from South Carolina to make a couple of comments. One, the argument I have heard made here is that there are no moderates in Syria. Well, I think arguably one of the most important and impressive individuals I have run into is Ambassador Ford, who has really been a hero in this whole exercise. He says there are moderates in Syria. They can fight. They have been fighting. They have been doing incredible work with incredible sacrifice. I am trying to find his quote from when he testified before the Foreign Relations Committee yesterday. He did a magnificent job in doing so, as usual, in my view.

I cannot seem to find it, but I would point out that he says not only can they fight, but they have been fighting, and they have been doing a heroic job in doing so. That is also the opinion of people who know. So there are moderates. If we train and equip them, they can be effective. The problem is that we have not done too little, it is we have done too much. We have weakened Assad and hurt his ability to fight ISIS. ISIS is a problem for the Middle East.

If ISIS is a problem for the Middle East, I wonder what the Australians think today? Australian police detained 15 people Thursday in a major counterterrorism operation, saying the intelligence indicated that a random violent attack was being planned in Australia. We know what their object is. It is to strike the United States of America.

I say in response to these uninformed colleagues of mine who say the Free Syrian Army cannot fight: Syrian forces are seen stepping up attacks on rebels as U.S. sets site on ISIS.

Time after time there have been places ISIS has controlled and the Free Syrian Army has come in and then Bashar Assad attacks because they want to defeat them.

The fact is I see the critics come here on the floor of the Senate and talk about why everything is wrong, why nobody will fight, why we cannot arm the right people. Well, what is their solution? Do they reject the premise articulated by ISIS that they want to attack the United States? Do they contradict Mr. Baghdadi, who, when he left our prison camp, Bucca, said: I will see you in New York. Is that what this is all about? Of course it is a threat to the United States of America. For us to do nothing obviously will be a serious mistake.

I yield 5 minutes for my colleague from South Carolina.

Mr. GRAHAM. Do we have time remaining?

Mr. MCCAIN. How much time remains?

The PRESIDING OFFICER. The Republicans currently have 67 minutes remaining.

Mr. GRAHAM. I will be very quick.

I will vote for the continuing resolution because I do not want to shut the government down. I agree with Senator MCCAIN that this is not the right process, but we are where we are. I think the issue people are focusing on about the continuing resolution is the changing of the training of the Free Syrian Army from title 50, a covert program, to title 10, the Department of Defense, where it will be out in the open.

The reason I support the appropriation and the change in title 10—I think this is a long-overdue effort on our part to build up Syrian forces that can confront both Assad and ISIL, enemies of the United States.

To my colleagues who worry about the people we train and the arms we give falling into the wrong hands, I would say that there is nothing we can do in this area without some risk. But when you tell me there are no Syrians that you believe exist who would fight against Assad and ISIL, I do not believe you quite understand what is going on in Syria. I would say that the vast majority of Syrians have two things in common: They want to overthrow Assad and they want to get ISIL out of their country.

ISIL is mostly non-Syrians. They came from the vacuum created by a lack of security. When Hezbollah and Russia doubled down to protect Assad, who was just about knocked out several years ago, the Free Syrian Army was abandoned by us and the rest of the world and ISIL was able to fill in that vacuum. These are foreign fighters.

So to my colleagues who talk about how they worry, I worry too. I worry about doing nothing. I worry about finding an excuse not to do anything. It bothered me when Republicans embraced the position of President Obama just a few weeks ago that it was a fantasy to train the Syrians to fight for Syria. I do not think it is a fantasy to train Syrians to fight for Syria because they want to. This whole revolution against Assad was not to overthrow him and replace Assad with ISIL.

The people who think the average Syrian wants to be dominated by ISIL instead of Assad, really, I do not think they appreciate what is going on in Syria. That is selling the Syrian people short.

Having said that, the limitations of what the Free Syrian Army can do at this point are real, but training as many as possible makes sense to me. My goal is to keep the war over there so it does not come here. From an American point of view, I think it would be a huge mistake not to provide training and resources to those people in the region—in Syria—to do the fighting because we have common enemies.

Those who say this is too risky, what is your alternative? If we do nothing, ISIL will continue to grow and the threat to our homeland will continue to increase.

It is long past time to blunt the momentum of this vicious terrorist organization. A Free Syrian Army component makes perfect sense to me. Whatever risk is associated with that concept is well worth it at this point.

When we talk about Iraq, I hope the Iraqi Government can reconstitute itself. Their military is in shambles. The Kurds are hanging on in the north with our help. But to dislodge ISIL from Iraq and take back Fallujah and Mosul and other cities, as General Dempsey indicated, would be a very difficult military endeavor. From my point of view, the last thing America wants to do is take ISIL on in Iraq and Syria and fail.

If you do believe that it is about our homeland and that it is not just about the Mideast, allowing ISIL to defeat any force we throw at it makes them larger and more lethal over time. So the worst possible outcome is to form a coalition in Syria of Arab countries and they are defeated by ISIL because we do not provide them the capabilities they lack.

President Obama's insistence of no boots on the ground is the Achilles' heel to his strategy. This is a military strategy, I believe, designed around political promises. This is not the military strategy you would create to destroy or devastate ISIL. President Bush made many mistakes in Iraq, but to his credit he changed the strategy in a fashion that allowed us to succeed.

One thing I have learned over the past 13 years, you can have a lot of troops doing the wrong thing and it will not matter. When you leave no troops behind, that is a mistake. And if you have too few troops doing the right thing, it will not matter.

The President is right about this. We don't need to reinvade Iraq or Syria. We don't need the 82nd Airborne to go in with 100,000 troops behind it, but we do need to provide capacity to the Iraqis and any future coalition to deal with Syria that is lacking in that part of the world.

Like it or not the American military is second to none. The special forces capability we have can really be decisive in this fight. To every American, this is not only about them over there, this is about us here.

The better and the sooner that ISIL is defeated, the more decisive ISIL is defeated, and the sooner that day comes about, the safer we are at home.

I urge the President to not take options off the table.

I am voting for this change in strategy regarding the Free Syrian Army because I think it is long overdue. When the President does the right thing, I want to be his partner. Mr. President, if you will come up with a strategy to destroy and defeat ISIL that makes sense, I will be your best ally and try to help you on this side of the aisle. This is a first step in the right direction, but when you play out this strategy, which you are trying to do, I think it will not work unless you embrace American assistance in a greater level to the Iraqi military and to any coalition you could create in Syria.

The last thing I want this body to understand, this is the last best chance we will have to put ISIL back in a box so they can't wreak havoc in the Mideast and grow in strength. The stronger they are over there, the more endangered we are over here.

It is in our interests to help our Arab allies and our Iraqi allies destroy ISIL. It is not just about those people over there. Lines of defenses in the war on terror make perfect sense to me.

The best way to keep this fight off our shores is to engage the people who will help us carry the fight to the common enemy. ISIL is not only an enemy of Islam, it is an enemy of mankind, and failing to defeat these people will resonate here very quickly.

We have a chance. Let's take advantage of it. There is nothing we can do in a war on terror without risk, but now we are fighting an Army, not an organization. If we defeat ISIS, the war is not over. This is a generational struggle. But if you do defeat ISIL, as a turning point in our favor—if they survive our best attempt to defeat them—God help us all.

I yield back.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I wish to add, again I found a quote from the testimony of Robert Ford, an unusual man, our Ambassador to Syria and a man who literally risked his own life. In his report he said: Many Americans questioned whether there are any moderates left in the Syrian armed opposition. There are. They are fighting the Islamic State and the Assad regime both. They are, not surprisingly, hard pressed, and they could very much use our help.

I assure my colleagues, from my many visits there and knowing these people, there are moderates in Syria today who will fight and are fighting. Unfortunately, they are being attacked both from ISIS and from Bashar Assad. This brings me to we need to negate Bashar Assad's air attacks and capabilities. Otherwise, we are going to train and equip these young people and send them into death, which would be needless.

There are several articles, one in the New Republic entitled ''We Can't Destroy ISIS Without Destroying Bashar al Assad First;'' another one, ''Assad Policies Aided Rise of Islamic State Militant Group;'' another one, ''Blame Assad First for ISIS' Rise.''

What was most disturbing yesterday about the Secretary of State's statements was when he said: Well, ISIL first. You cannot sequence them. They are too closely tied, and we cannot defeat ISIL in Syria if we leave Bashar Assad with his air capabilities.

There are no good options. A series of decisions have been made which led us to the point we are today, all based on the fundamental belief that the United States could leave the area and everything would take care of itself. What happened was that we left a vacuum that was filled by bad people. Now there is a threat to the United States of America.

I urge my colleagues to support this resolution, but I also believe it is an act of cowardice that we didn't take up the bill separately, debate, amend, and vote on an issue of this utmost seriousness where, in one way or another—whether the President wants to admit it—we are again sending Americans into harm's way.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. I wasn't planning to speak on the floor. I will speak for a couple of minutes, but I appreciate my colleagues who have just spoken and their conversation, as well as many others who have spoken on the floor.

Let me make it very clear. This conversation I am having right now is not about the CR. It is going to pass. It is going to move forward. We have to keep operating. The artificial threat that it might be shut down if we don't vote in a certain way with regard to the government is not factual.

The CR is going to pass. The House passed it. People don't want to see a problem as they had a year and a half ago, so I feel very confident with where we are going with the CR. But I agree with the comment that this issue, regarding what is going on with Syria, should be a separate issue, should be debated separately. It shouldn't just be shoved into a continuing resolution for the purpose of getting all of this done because we all think we have to leave by Thursday night or Friday morning. It is a very significant issue, one I have already made my statement very clear after the President spoke that despite my colleagues on the other side—two of them who were just on the floor—I want to make sure I correct what they said—we just have differences of opinion and views.

We hear statements that people aren't informed or they don't want to do anything, that is not the factual basis here. We have different views when it comes to the issues of conflict in this world, where America should sit, what we should be doing, how we should be acting, who our partners should be and what they should be doing. It has nothing to do with the government being shut down, the CR or being uninformed. I think this body is well informed. We have had many briefings, many discussions.

The question is just our view of where we stand on the issue of do we arm the rebels in Syria to do something we hope they will do. That is the question, and that is the debate we are in right now. I appreciate at least the limited time we have on it.

Let me make my position very clear. I have made it clear before, but I want to say it again. I do not support the arming of rebels in Syria.

In the Appropriations Committee we had an amendment on this, which I voted for—not to make sure the funding didn't pass, but I think it was a statement that was important. This is not a newfound belief. I support the airstrikes. This is an institutional effort, strategy, and things are moving in the right direction.

As a matter of fact, yesterday or the day before Baghdad was being moved on by ISIL. Let me make it clear, ISIL, ISIS, whatever you want to call them, they are a terrorist group.

To say they are called the Islamic State, they are not a state. They are a bunch of terrorist thugs. Let's be honest about it. When they made a move on Baghdad, we came in at the request of the Government of Iraq to give air support. We did and then we pushed them back and continued to follow up. That seemed to work in that situation.

Here we are in a situation of do we arm the rebels, do we believe in combat troops, humanitarian aid? What is our role in this endeavor?

Again, I disagree with my President, and when I say that, the President of the Democratic Party. It doesn't mean I agree with him that often. There are times when we disagree quite a bit on many issues, but on this one I disagree. Arming the rebels and who they are today and who they might be 12 months from now—I don't know.

The bigger issue to me is also the Arab countries. I understand we have seen in the past few days they are starting to have conversations and wanting to participate, but this is their country, their region. What do they do? Where are they stepping up to the plate more?

Here we are, once again, going to have to solve some civil war issues in the Middle East. Instead, the countries in the region are saying, well, maybe we will help a little here, help a little there. They need to put troops on the ground. They need to step up to the plate, as well as the faith and religious leaders in that region because these

terrorists are a threat to the region and to our country.

The photos we have seen of the beheadings are horrific, outlandish, and outrageous. Don't get me wrong. This is a bad organization and should be dealt with in such a way, but we need the countries there to assist us in a much more aggressive way.

Today we heard from the President of Ukraine. He came to a joint session of Congress. Why did he come? Because he believes in his country. He is fighting for his country. He needs our help and he is asking for our help. He is not hiding behind closed-door meetings and trying to negotiate ways that they can't be seen asking us for help. He is asking because he wants to believe in democracy, what is right for his country. He is fighting for his homeland. His line—and I remember in his speech that he gave today, this morning—was you don't have to create the democracy, you just have to defend it.

But here we are in the Middle East with unusual allies because it is a convoluted situation. In some ways, we participated, but we also have to have the Iraqi Government be more sustainable. That means inclusion, which they haven't done. They are trying, but we have had to put pressure on them because now ISIL has moved into their country. As we know, some of those Arab countries, through some of those well-funded people, funded ISIL. But now the beast has grown so big it is out of control, and now they say: Whoops. We might have made a mistake. Now we need the United States to come in again.

What is the long-term plan for sustainability in the Middle East, to get rid of these terrorist organizations that every single one of those countries knows is bad for them? They know it.

But they don't step up to the plate enough. Every time we have to step up, and America—my wife and I have been to I don't know how many funerals, how many hospitals.

Are we asking—I heard some of my colleagues here now talking about combat troops. Absolutely not—absolutely not.

It is time for the Arab countries to step up, get over their regional differences, and know this is one organization, this terrorist organization, ISIS, ISIL—whatever you want to call them today—it is bad for them, bad for this world, and they need to stand and be more aggressive. That means combat troops on the ground for them, for them to do it, for them to step up to the plate.

ISIS is this terrorist organization, and they are making money off of oil, oil wells they have captured, shipping it out through one of our ''allies.'' Why don't we just dismantle these oil wells through airstrikes—stop their cash flow like that.

Probably we are not going to do it because I am sure we are hearing from people: Well, that is not really their oil. We will take them out, and then we will get our oil back. They own the oil right now because they are using it to fund their $3 million-a-day operation. Take out their oil wells, take out their cash flow. Then get the Arab countries to step up and do not arm with U.S. dollars and weapons the rebels of today who may not be the rebels of tomorrow.

Thank you for the opportunity to let me come to the floor and say my piece. It is going to be an interesting vote. I know the CR will pass. I will be in the minority, but I think it is important we put on the record where we stand on this issue.

Don't get me wrong. I believe they are a threat to the United States, and when they threaten our assets, our people, we will be on it and we will deal with them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. I know the distinguished Senator from Illinois is scheduled to speak.

I just want to make clear that the threat of a shutdown is not an idle threat. I respect the views of the Senator from Alaska, a member of my own committee, who now says he is going to vote against the CR because he is saying: Oh, it will pass. It is an artificial threat.

The Senator is entitled to his views and certainly his vote on what he thinks is in the best interests of the Nation, but we have to pass the CR, and I would note it is not an artificial threat.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. There are moments when Members of the Senate have to reflect on the responsibility we are given—extraordinary moments, unlike other votes that we cast—because at least part of this important spending bill relates to U.S. military involvement in the Middle East. Reality tells us people will die if there is conflict. Of course we hope it will be the enemy, but we know better. Even some of our people are at risk to die in any military undertaking. So every Member of the Senate should take this vote seriously, and I am sure they do.

I remember October 11, 2002, as if it were yesterday. I was here in the Senate, weeks away from an election, and we were asked to vote on the invasion of Iraq. The buildup to this vote was overwhelming. The President and others—the Secretary of State, the Secretary of Defense, the head of the CIA, and a long list—had made the case to the American people that there were weapons of mass destruction in the hands of Saddam Hussein; and that if we didn't move in, strike, and stop him, they could threaten our allies, friends, and even the United States. We debated that and voted on it. It was late at night on October 11, 2002.

I remember that vote as if it were yesterday. At the end of that vote, 23 of us had voted no against the invasion of Iraq—one Republican, Senator Chafee of Rhode Island, and 22 Democrats.

I went down to the well of this Chamber and there were two of my colleagues there, Paul Wellstone of Minnesota and Kent Conrad of North Dakota. I said to Paul Wellstone, who was up for reelection: I hope this doesn't cost you your seat—because he had voted no as well.

He said: It is all right if it does. This is what I believe, and this is how I am going to vote. I thought to myself: He may not return to the Senate. Tragically, he did not. He was involved in a plane crash just days later that took his life and the life of his wife and a staffer. But it is an indication of the gravity and the importance of this job, of this Chamber, and of this vote.

What we are being asked to do by the President is much different than what we were asked to do in 2002, when it came to the invasion of Iraq. The President has identified a threat to the United States. It is called the Islamic State, ISIL. It is an emerging group that has broken out of extremist groups in the Middle East, and it is on a rampage. It is marching through Syria and Iraq in a way we have not seen extremist groups act. It is capturing territory which extremist groups seldom do, and in capturing territory it is doing several other things. It is taking all of the tangible assets of cities such as Mosul, raiding their banks, breaking into the vaults, taking their money, taking over oil fields and gas fields—producing a small economy and budget which is growing by the day. This is not the typical terrorist group which we have seen in the late 20th and early 21st centuries, and, in the process, in their wake, they are killing people right and left.

The butchery, the savagery of this group is really unheard of in modern times. It hearkens back to the barbarism of centuries ago. To behead two innocent Americans—can we imagine to do it with a camera running? It is just unthinkable what those poor families are going through even today as they think about this. That is part of their tactics, to intimidate the United States. Now they have done it to a British captive, and they promise to do even more. They are serious. They want to take over Syria and Iraq. Should we care? Of course we should.

But what did we learn from the invasion of Iraq? What did we learn after spending 8 years there that would bring us back in any way? Well, here is what we learned.

We learned that putting American military on the ground—the best military in the world—is no guarantee of victory. We lost 4,476 American lives in Iraq; over 30,000 came home with serious injuries that still need to be cared for to this day. We added $1 trillion to our national debt because under the previous administration wars weren't paid for, they were just added to the debt. And we have chaos in Iraq today.

Here is what the President is suggesting, and I think he is on the right

track. We are not going to put in ground forces and combat troops. Instead, we will rely on the Iraqi Army to fight for the future of Iraq. We will help them, we will support them with logistics, equipment, direction, air support, but they have to be on the frontline risking their lives.

Secondly, he said we are going to put together a coalition.

The United States ought to think twice in this century about how many more Muslim countries we want to be involved in invading, and what the President has said that is my starting point; we will be part of a coalition that includes Arab and Muslim countries that believe, as we do, that ISIL is reprehensible and needs to be fought back.

I think the President's premise is sound. Not putting in combat troops is essential. Putting the burden on the Iraqis is absolutely critical, and I support him in those three efforts.

Then comes our vote today. It is not about Iraq; it is about Syria. What are we going to do in Syria? Syria has just been a free-for-all of violence, terrorism, deceit, and carnage for 3 years. Three million people have been displaced, 300,000 have been killed, and the fighting is so intense it is hard to tell who is on what side. Oh, we know Assad the leader has his army, and he is fighting off all the resistance to his government. We have no use for him, but he has some military power, obviously. He is still there. We also know that, in addition to ISIL, this terrorist group, there are up to 1,500 other militia groups. They have neighborhood militias protecting families and neighborhoods.

What the President has called for is a challenge: Find moderate opposition forces who do not align with Assad that are willing to fight ISIL and stop them in Syria. That is our vote. That is what the title 10 authorization does. It allows the United States to train and equip moderate opposition in Syria to fight these forces. We have some pretty strict language in here—I just took a look at it again and I have read through it a couple of times now—about reporting back to committees: Let us know your progress.

So this is where we are. This continuing resolution will be the law of the land, if it passes, until December 11, if I am not mistaken—the Appropriations Committee chair, Senator MIKULSKI, nods in the affirmative—until December 11.

So what we are doing now is setting up a course of action in Syria to work with the moderate opposition to train and equip them to fight off this ISIL group. We will be back. After the elections we will back. We will be able to measure the progress that has been made.

Then, come December 11, we have a much larger question to ask: What do we do from that point forward? Will we continue the strategy? Assuming we do, I believe—and many of my colleagues share the belief—we have a special responsibility given to us by the Constitution that says the American people declare war—not the President—and the American people do it through Members of Congress.

So we will come back and start the debate on what is known as an authorization for the use of military force—a modern version, a new version applying to this situation—and it will be through the Senate Foreign Relations Committee and the Armed Services Committee.

It is a debate that is long overdue. The President has invited us to do this. He believes he has the authority to go forward, but he said to Congress: If you want to be part of this, I welcome your participation.

Well, let's accept that challenge. So I will be supporting this continuing resolution. I will be supporting the title 10 authorization until December 11 to start seeing if we can form a force of moderate opposition groups in Syria to fight back on ISIL while we are working in Iraq to do the same. I think we have no choice but to do this—but to do it thoughtfully, without combat troops, with clear accountability and reports, and behind a coalition that has many Arab and Muslim nations that agree with us that ISIL is reprehensible.

Secretary of State John Kerry told us yesterday they have had meetings with the Russians, with the Chinese, and with the Iranians who have spoken up and said: We have to stop this group. They are going to destroy the Middle East. I think we have to take that seriously, and that is why I will be supporting this effort.

I know some of my colleagues disagree. I remember my thinking on that October night in 2002, that we should hold back and not get involved in Iraq, and I think I was right. I think history proved me right. That is why I have looked at this with a critical eye and with the understanding that this is not the end of the debate, this is not the end of the conversation. This is our step forward in ridding the world of this savage group that is killing so many innocent people, and we are going to do it as part of a coalition and alliance. That to me is the thoughtful and sensible way to address this.

We will have time to review our decision on a regular basis, as we should, to hold this President and any President accountable as we move forward. But this is something we absolutely must do as a Nation at this moment in time.

So I will be supporting this resolution, H.J. Res. 124, and I urge my colleagues to do the same.

How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 4 minutes.

Mr. DURBIN. I also wish to say a word about Secretary Kerry, who has been working night and day since he left the Senate, as Secretary of State, and he testified yesterday. I know what he is trying to achieve. I salute him for that and of course the President as well.

Let me hope that one thing emerges from this. I remember serving in the House of Representatives, and we voted on the invasion of Kuwait under President George H.W. Bush. I had my questions about that. I voted no. The House voted yes to go forward with that foreign policy. The Speaker of the House, Tom Foley, if I am not mistaken, followed that vote, where we decided to go forward with the invasion of Kuwait, with a resolution saying that now the foreign policy had been decided by this country, we should stand together in a bipartisan fashion to support our men and women in uniform who were engaged in this conflict. That happened, and we all voted for it—even those of us who disagreed with the policy.

Even after this vote on Iraq where 23 of us had voted no, virtually all of us voted for the resources that our military needed. My thinking was: DURBIN, even if you disagree with the Iraqi invasion, what if that were your son over there? Wouldn't you want him to have everything he needs to come home safe? You bet.

What I hope will emerge, even after the heat of debate over this whole question of ISIL and how we deal with them, is this coming together—a bipartisan coming together behind our troops, behind our pilots, behind those advisers on the ground. Let us show them solidarity behind their effort if we decide to vote to go forward. There is too much partisan division, and it certainly ought to stop at the water's edge when it involves support for our men and women in uniform.

So at the end of this vote today, I hope we will see emerging a bipartisan consensus that we are going to work as a Nation to accomplish our goal to end this terrorism as best we can or slow it down in this part of the world and stand behind the men and women of our Nation who are willing to risk their lives in service to that cause.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

EXECUTIVE AMNESTY

Mr. SESSIONS. Madam President, in a few moments Senators in this Chamber will cast one of the most important votes they will ever cast in the Senate.

With this vote, Senators will make a simple but vital decision. It is a decision that will steer the future course of our country and our Congress—and particularly the Senate.

With this vote, Senators will decide whether their allegiance is to President Obama and his agenda, Majority Leader REID and the open borders lobby, or whether their allegiance is to the American worker, the constitutional order, the American people, and this Nation's sovereign laws.

The choice could not be more clear. Do we as a Nation have the right to control our borders? Do we? That is the question every Senator will be answering today.

President Obama has announced to the entire world that he will implement a sweeping unilateral Executive amnesty—only after the midterm elections, not before, as he promised, because there is concern among his Members that it wouldn't be politically popular. This amnesty by Executive order will give work permits—contrary to law—and Social Security numbers—contrary to law—to as many as 5 to 6 million people, the White House tells us, to people who are here illegally, illegally entered the United States, illegally overstayed their visas or defrauded U.S. immigration authorities.

With a casual stroke of a pen, the President is preparing to nullify the immigration laws of the United States. He is preparing to wipe away the lawful protections which every American worker in this country is entitled to. He is preparing to assume for himself—himself alone—the absolute power to decide who can enter our country, who can work in our country, who can live in our country by the millions, regardless of what the law says, what the citizenry says, and what the Constitution says. These immigration rules—who can come, work, and live in the country—are the bedrock of any Nation's immigration laws and sovereignty. The President has already erased much of these rules—erased them. And his planned Executive action would remove much of what remains of them. It would establish for people all over the world the principle that if you can get into America, you can stay in America, and work in America.

Let's consider the current state of immigration enforcement. Immigration officers already tell us—people who do this every day—that they have been barred from fulfilling their oaths to follow the law. They filed a lawsuit claiming they were required to violate their oath. The president of the ICE officers' council warned: ''ICE agents''—Immigration and Customs Enforcement officers—''are now prohibited from arresting illegal aliens solely on the charges of illegal entry or visa overstay—the two most frequently violated sections of immigration law.''

The policies of this administration represent an open invitation to millions who enter the United States on visas each year. People come lawfully on visas for certain periods of time. It encourages them to unlawfully overstay. And why not? If no one is going to deport you, why would you return if you choose not to return to your home country?

And what about the border? We know from the substantial influx of illegal immigrants from Central America that all you have to do is show up at the border, demand entry, and you will likely be released into the United States. You may be asked to return for some sort of hearing in the future. But people are not tracked as to where they will go and not one of those people will be looked for if they fail to show up. That is not happening anywhere in the system.

Consider this recent report from the Associated Press: ''As of early September, only 319 of the more than 59,000 immigrants who were caught traveling with their families have been returned to Central America.'' That means that more than 99 percent of those apprehended with their families have so far been allowed to stay. That is in addition to the tens of thousands who have entered without their families and who have been promptly released also into the United States on some sort of bond or promise to show up for court, and many adults from Central America who have been released as well.

As President Obama's former ICE Director, John Sandweg, explained: ''If you are a run-of-the-mill immigrant here illegally, your odds of getting deported are near zero.''

And who picks up the tab? Local school districts, local police departments, local taxpayers.

No nation can have a policy where people can simply show up at the border and demand to be released into the country, especially since the policy is never to seek to apprehend persons who don't show up so they can be deported. But that is what is happening right now under the policies of this administration. It simply is. The American people need to understand that. They need to know more fully how serious this situation is.

The American people are beginning to understand that these policies represent in truth a collapse of immigration enforcement.

What about our asylum system? Here is what the House Judiciary Committee reports on asylum, which is when we accept people from around the globe who are subjected to serious oppression.

> Asylum approval rates overall have increased dramatically in recent years. The vast majority of aliens who affirmatively seek asylum are now successful in their claims. At the same time, an internal Department of Homeland Security report shows that at least 70 percent of asylum cases contain proven or possible fraud.

Seventy percent contain proven or possible fraud. Still they are being approved overwhelmingly for entry, and once approved for asylum, they are entitled to all social welfare benefits.

What about our visa screening process, the people who come on visas? Here is what Kenneth Palinkas had to say on that. Mr. Palinkas is the president of the National Citizenship and Immigration Services Council, representing 12,000 immigration caseworkers and adjudications officers at the USCIS. Here is just a fraction of his dramatic report delineating and detailing the problems they are facing today.

> USCIS adjudications officers are pressured to rubber stamp applications instead of conducting diligent case reviews and investigations. The culture at USCIS encourages all applications to be approved, discouraging proper investigation into red flags and discouraging the denial of any application. USCIS has been turned into an ''approval machine.''

This is the man who represents the officers doing this everyday, and what he says is true.

He goes on to say in this letter: ''The attitude of USCIS management is not that the Agency serves the American public or the laws of the United States, or public safety and national security, but instead that the Agency serves the illegal aliens and the attorneys which represent them.''

Surely this cannot be what is happening in our legal system.

He goes on to say this:

> Large swaths of the Immigration and Nationality Act are not effectively enforced for illegal immigrants and visa holders, including laws regarding public charges as well as many other provisions, as USCIS lacks the resources to adequately screen and scrutinize legal immigrants and non-immigrants seeking status adjustment. There is also insufficient screening and monitoring of student visas.

So the contention that this administration is deporting record numbers of illegal aliens is plainly false. Removals have dropped dramatically.

Now consider what will happen to our system if the President goes through with his plan that he has announced after the election to provide unilateral Executive amnesty by Executive order to illegal workers and visa violators here today. What immigration law will be left after that?

The government is not enforcing the law with respect to visa overstays, illegal entry, illegal work, asylum fraud, document fraud, workplace fraud, and on and on and on. We ignore immigration law for young people, for older people who came with younger people, for the parents of older people who came as younger people, for people with relatives, for people traveling alone, for people traveling with families, for people who entered before a certain date, for people who entered after a certain date, people who entered through an airport or seaport, for people who do show up in court, for people who don't show up in court. We have made a million excuses for not enforcing the law.

And when millions more enter illegally asking for their amnesty in the future, asking for their amnesty now that others got before them, will the President print work permits for them, too? What moral basis will remain to deny future unlawful immigrants work authorizations, jobs, and amnesty in the future?

I am sure this will make the activists, the politicians and certain billionaire executives who enjoy dinner parties at the White House, very happy that the President is doing these things. But what about what is good for America? What about what is in the interest of the American people? America is not an oligarchy. The masters of the universe don't get to meet at the White House and decide how to run this country.

When the American people learned what was in the Senate amnesty and guest worker bill that doubled the number of guest workers for which every single Senate Democrat voted, the people said no, no, no, and the House stopped the plan. But now the same groups that wrote this bill are working with the White House to extract the same benefits by Executive fiat, by Executive order. They had at least 20 secret meetings in July and August alone with the White House to plan this strategy. These measures, we are informed, would include a massive expansion in the admission of new foreign workers, including more workers for information technology giants who are laying off Americans, in fact, more than they are hiring. We learned from Rutgers Professor Hal Salzman that two-thirds of all new IT jobs are now already being filled by foreign guest workers. Can you imagine that? We are turning out thousands of IT graduates, but two-thirds of the jobs are being filled by foreign workers, and wages are falling.

Americans wish to see record immigration levels—these high lawful levels of immigration that we have—reduced, not increased, by actually a 3-to-1 margin. But the proposal they are pushing and advocating would double the number of lawful workers while not dealing effectively with the unlawful flow.

Yet Senate Democrats are colluding with the White House to support the surge of these numbers. Studies show wage declines among all wage earners since 2009. There is a wage decline among all American workers. Wages have fallen since 2009, but the declines on a percentage basis are the greatest for our lower income workers. The people having the hardest time getting by have received the biggest percentage drop. Does this not concern our leaders? Has no one paid any attention to this fact?

So far our Senate Democratic Caucus has enabled the administration's lawless scheme every step of the way. Not one Senate Democrat has supported the House plan that would stop this Executive amnesty.

The House-passed legislation would stop it. It is waiting on the floor of the Senate to be called up for a vote. Not one Member of the Democratic leadership has even demanded that Mr. REID bring it up for a vote. Not one has pledged to stay here in Washington every day until this Executive amnesty is stopped.

But it is not too late. We are going to have a vote soon.

Where is the courage? Where is the independence that Senators should show? Where is the willingness to stand up to the political class, the lobbyists, the party bosses, the elite set in the Nation's Capital, and to stand by the side of the American people—indeed, to defend the institutional powers of Congress which alone has the power to make law, not the President. He cannot make law. He cannot give someone the right to work in America when the law says they are not able to work if they entered the country unlawfully. Until that happens, I have to say that every Senate Democrat is the President's partner in this scheme as surely as if they wrote the Executive orders themselves and as surely as if they were sitting right next to the interest groups huddling with White House aides to craft these orders.

So I have a message today for all the special interests, the globalist elites, the activists, and the cynical, vote-counting political plotters who are meeting in secret at the White House, and the message is this: You don't get to sit in a room and rewrite the laws of the United States of America. No, sir. Congress writes the laws. You may not be used to people telling you no, but I am telling you no today.

It is critical that our Senate Democrats be willing to say no today when we vote.

I also have a message for the American people: You have been right from the beginning. You have justly demanded that our borders be controlled, our laws enforced, and that at long last immigration policy serve the needs of our own people first. For this virtuous and legitimate demand, you have been demeaned, even scorned by the governing class, the cosmopolitan elites. They know so much. They want you to believe that your concerns are somehow illegitimate, that you are wrong for being worried about your jobs or your schools or your hospitals or your communities or your national security.

These elite citizens of the world speak often of their concern about people living in poverty overseas. Yet they turn a blind eye to the poverty and suffering in their own country. They don't want you to speak up either. They don't want you to be heard. They don't want you to feel you have a voice. But you do have a voice, American people, and your message is being heard. I am delivering that message to the Senate today.

This is a moment of choosing for every Senator. Where will history record that you stood in the face of the President's promise to unlawfully nullify immigration law in America?

There will be a motion made soon that will allow the Senate to block the President's planned Executive amnesty. This is simply to pass the legislation the House has already passed. This is a commonsense Senate action.

If you believe we are a sovereign nation with a right to control our borders—and don't we have that right?—then you must vote yes. Let's bring it up before this unlawful Executive order for amnesty occurs.

If you go along with the idea that America is an oligarchy run by a group of special interests meeting at the White House to rewrite the immigration laws of America, then vote no.

The Nation is watching today. This is an issue of extreme importance for the American people and for the rule of law. Will you at long last break from your majority leader, Democratic colleagues, or will you once again surrender your vote to Mr. REID and the groups meeting in secret at the White House to thereby enable their lawless actions?

In its almost 2 years of existence—this Congress that has been in existence here going on 2 years now has failed to pass a single appropriations bill on time, and now we are facing another CR. Pass everything—one vote to fund the entire government and not a single amendment is being allowed.

This Senate has violated the laws that limited spending that we voted for and spent more than allowed. It has blocked amendments to such a degree that the entire heritage of free debate and free rights to amend laws has been violated and damaged substantially in this Senate.

If we leave town without having passed a bill to block this Executive amnesty, then it will be a permanent stain on the Senate, the constitutional order, and this entire Democratic caucus.

I know the pressure is to stay hitched and stay in line, but Senate Democrats do have the power to vote differently. Senator MANCHIN voted differently last time, and others can also. It is time to stand up and be counted for the working people in this country and enact legislation in their interest.

I thank the Presiding Officer and yield the floor.

Ms. MIKULSKI. Does the Senator from Texas wish to speak?

Mr. CRUZ. I intend to, yes.

Ms. MIKULSKI. The Senator from Alabama finished his speech and didn't suggest the absence of a quorum, so I was going to speak. But since the Senator from Texas has been waiting, please go ahead and proceed.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Texas.

Mr. CRUZ. Mr. President, we have a crisis in this country. We have a crisis at our southern border that is producing some 90,000 unaccompanied children coming into this country. These kids are being victimized. These kids are being physically and sexually abused by violent coyotes and drug cartels.

The American people understand we have a crisis, and the American people want action. The House of Representatives understands we have a crisis. The House of Representatives has acted. Yet I am sorry to say the majority leader and the Democrats in this body refuse to allow any action to address this crisis.

The crisis at the border is the direct consequence of President Obama's lawlessness. Just 3 years ago, in 2011, there were roughly 6,000 unaccompanied kids coming into this country, and then in 2012, a few months before the election, President Obama unilaterally granted amnesty to some 800,000 people who entered the country illegally as children. The predicted consequence is that if

you grant amnesty to those who enter illegally as children, it creates an enormous incentive for more and more children to enter illegally. As a result, we have seen the numbers go from 6,000 unaccompanied kids 3 years ago to approximately 90,000 this year, and next year, the Department of Homeland Security predicts, there will be 145,000 little boys and little girls illegally smuggled, victimized, and brutalized.

This needs to stop. We need leadership in Washington. We need leadership in both Houses of Congress. We need leadership from both Republicans and Democrats. Yet not only do President Obama and the Senate Democrats refuse to do anything to solve this problem, but, I am sorry to say, it is even worse.

In recent weeks President Obama told the American people he intends to grant even more amnesty. The first illegal amnesty of some 800,000 people was not enough, so in his view we need more. He intends to illegally grant amnesty to 5 or 6 million more people. Mark my words: The President of the United States intends to illegally grant amnesty. Amnesty is coming. Yet we heard in recent days that the President has decided to delay that action until just after the election.

There are a lot of cynical policies in Washington, DC. Yet this has to rank very near the top. For the President of the United States to say he understands the American people don't want amnesty, but since there is an election coming up, he intends to pass the policy which they don't want, don't believe in, and which subverts the rule of law just after the election so that the Senate Democrats can campaign and say they had nothing to do with it—what does that say about what the President thinks about the American people? That he thinks they are not paying close enough attention to understand that this election is a referendum on amnesty? That he thinks they won't remember by the time the next election happens?

Well, here is the bottom line: Amnesty is the wrong approach that created the crisis. The only way to solve this crisis and protect and prevent those little boys and little girls from being physically and sexually abused is to end President Obama's amnesty and prospectively stop the promise of amnesty that is causing these kids to come here illegally.

I introduced legislation in the Senate to do exactly that, and the House of Representatives, to their credit, stood up and led. They stayed in session an extra day before the August recess to come together and pass the legislation I had introduced in the Senate. They passed it by a vote of 216 to 192, with 4 Democrats joining the Republicans to stop President Obama's amnesty in order to actually solve the crisis at the border. Yet what happened in the Senate? In the Senate the majority leader refused to allow a vote on the provision and sent the Senators home for August while doing nothing to address the problem.

The reason is simple: Although President Obama and Senate Democrats are afraid of the voters holding them accountable for amnesty, it should be lost on nobody watching that what is happening in the Senate is that the 55 Senate Democrats serving in this body affirmatively want amnesty.

If only this body would just do its job. If we would simply pass the legislation the House has already passed, prospectively taking amnesty off the table—and by the way, this bill does nothing, zero, to the so-called DREAMers who are already here. It doesn't address that issue. This issue addresses the promise of amnesty in the future. As long as these children believe they will get amnesty, they will keep coming here illegally. They will keep being victimized and abused.

Unfortunately, the majority leader has employed a procedural trick called filling the tree. It is a trick this body is now quite familiar with because it is what the majority leader has done over and over to shut down every single amendment from every Member of this body.

To be fair, majority leaders in both parties have used this trick in the past. The previous six majority leaders used the procedural trick of filling the tree a total of 40 times. The current Democratic majority leader has used it almost 90 times since 2006. The current majority leader has used it more than double what his six previous predecessors did. Roughly two-thirds of the time this procedural trick has been employed, it has been by the majority leader of this body.

What does that do? What that does is it says legislation in this body will shut down the right of amendments for every Senator. What it says to the 26 million Texans is that their views don't matter because neither Senator CORNYN nor I will be allowed to offer any amendments. It says to the citizens of the Commonwealth of Massachusetts, the State of Maryland, the States of New York and California: Your views don't matter. Why? Because the majority leader has stripped your Senators of the right to offer any amendment on any topic whatsoever.

The majority leader has done that nearly 90 times—including on this continuing resolution, including on the basic bill that funds the government because the Senate has failed to appropriate the funds that we should be doing otherwise.

This is wrong. It is fundamentally wrong. The American people deserve a vote. If Senate Democrats want to embrace amnesty, let them do so openly and in daylight. Stop hiding. People are frustrated with Washington because they recognize politicians say one thing here and one thing at home. How many Senate Democrats, particularly in red States, go home to their States and say amnesty is a terrible thing and then come back here and facilitate the President illegally granting amnesty. How about we have some honesty. How about we have elected Members of this body say and do the same in Washington that they say and do back home. Don't hide. How about we all tell the truth. And the truth is the 55 Senate Democrats want amnesty, but they don't want the voters to know. They are celebrating that President Obama has said: Fear not, the amnesty is coming, but we will wait until after the election. That cynicism is fundamentally inconsistent with the obligation every Member of this body owes to our constituents.

So I am pleased we will get a vote—despite the majority leader's best efforts—on amnesty, because momentarily this body is going to have the opportunity to vote, and I predict most, if not all, Senate Democrats will vote in favor of President Obama's amnesty.

I have a lot higher opinion of the American people, of the voters, than it seems the President does. I think the American people understand what is going on and I don't think they are going to be fooled by the President delaying his illegal amnesty until after the election. So we are going to get a vote on this matter.

AMENDMENT NO. 3852

For that reason, I move to table Reid amendment No. 3852 for the purposes of offering the Cruz-Sessions amendment No. 3859, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. CRUZ. Thank you, Mr. President.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE AMNESTY

Mr. LEE. Mr. President, the solution to this immediate crisis along our Nation's border and our longer term immigration needs necessarily need to begin with the President finally enforcing the law—that set of laws already on the books. There is no amount of money Congress can spend, there is no new law that could solve this crisis, if the President and the leadership of his party continue down their lawless path.

There are several steps the President can take—and he can take those steps immediately—that do not require any action by Congress or another dime from the American people. The most important action he could take would be to stop abusing his ''prosecutorial discretion'' and end the DACA Program which provides administrative amnesty and work permits to those who have

entered the United States illegally as minors. He also needs to resist the temptation to further expand DACA to millions of additional adults and send a strong message to respond quickly by returning those who enter the United States illegally back to their home countries.

By announcing to the world that he will not enforce our Nation's laws by requiring the Department of Homeland Security to process and return those who have already come here unlawfully, the President of the United States is encouraging hundreds of thousands of children and adults to make a very dangerous journey to the United States illegally. He is encouraging families to pay coyotes controlled by drug cartels thousands of dollars to smuggle their children into this country. That is truly the humanitarian crisis we now face.

This continuing resolution—the continuing resolution now before the Senate—provides funds for the DACA Program and any other Executive amnesty the President may choose to implement illegally.

I, along with my friends and colleagues from Alabama and from Texas, wish to offer an amendment prohibiting funding to process prospective applications, but the majority has objected, so we will attempt to table the Reid amendment in order to allow that vote.

The President's threat to widen the scope of DACA is only going to make matters worse—matters in this pronounced humanitarian crisis we are facing along our border—which is why I agree with my friends, Senators SESSIONS and CRUZ, that, at the very least, we must take steps to prevent the President from providing any more executive amnesty.

ISIS

Now I wish to speak about some other issues related to the continuing resolution and, in so doing, I wish to point out that one of the most important and solemn duties we have as Members of the Senate is to authorize the use of military force and ask the brave men and women in our armed services to put their lives in harm's way. It is, I believe, a gross dereliction of that duty, and an insult to those same men and women, to tack on a military authorization to this must-pass spending bill just so Members of Congress can hurry back to their home States. If the United States is going to escalate our involvement in a brutal conflict overseas, if we are going to send American troops to harm and train Syrian rebels for their fight against ISIS, we need to debate that decision on its own merits and not take this up simply as a condition of providing ongoing funding for the Federal Government as a whole. That is the only way for this issue to receive the kind of careful attention and robust debate it truly deserves. We owe it to our men and women in uniform to separate any military authorization from this must-pass spending bill to keep the government funded. If that means we do not get home early, so be it. The lives of our troops, the lives of our soldiers, sailors, airmen, and marines, and those who support them, and the security of the United States are simply far too important.

I believe, as does the President of the United States, that ISIS is a threat to the Middle East and will take any opportunity it gets to kill Americans. Many of its fighters carry European and even American passports which will offer them easier access to the United States. Tracking and stopping these foreign fighters must be a high priority for the President and for the Congress, and our allies must work to stop the flow of these fighters into and out of the conflict zone half a world away. We must attack their finances, their abilities to communicate and coordinate and access weapons and supplies. The United States can and should act to protect ourselves from this threat.

There is a clearly defined constitutional process for doing that—a process which involves the participation of the President as the Commander in Chief and Members of Congress as representatives of the American people invested with the power to declare war. But are we following that clearly defined process? Are we adhering to this prudent set of procedures we are supposed to follow under our now 227-year-old governing document? No. Instead, we are openly flouting it. Instead, we are considering an authorization of military force almost as an afterthought. We are doing so by attaching it to a continuing resolution which itself reduces, in a very shameless and disgraceful way, Congress's spending authority to another afterthought. Why? Well, because, as far as I can tell, some in Congress want to go home early. They are so anxious to get to their next recess, to get back to their home State, that they are willing to give inadequate attention to this very serious problem that affects every American, that has implications not only for national security but for the security of 300 million Americans. It has especially grave implications for the brave men and women who wear our uniforms, whose lives would be on the line as a result of decisions made in connection with this effort.

This is shameful and it is unconscionable. It is an insult to the men and women we serve, and it is an insult to the men and women who wear uniforms and serve us well.

We should strike this section to arm and train Syrian rebels from the continuing resolution and instead have full debate and a separate vote on authorizing the President's strategy to address the ISIS threat. Forcing an authorization for our military to act in any manner through a continuing resolution up against a government shutdown does not meet the standards for this process and it does not afford the American people, many of whom are servicemembers, a voice regarding our Nation's most important affairs. We have ample reason to take the needed time to consider this decision on its own merits and not on the merits of a continuing resolution to keep the government funded.

The idea of arming Syrian rebels has drawn serious concern from Members of the Senate on both sides of the aisle but, so far, only Members from certain key committees have been able to debate and discuss openly and in an official Senate forum the specifics of the President's plan. And even those of us who sit on those committees are still in need of much more information. I have had concerns for the past year as a member of the Senate Armed Services Committee with the proposed tactic of arming the Syrian rebels after hearing testimony from our own intelligence and defense leaders that what we refer to as the ''moderate rebels'' are, in fact, fragmented and decentralized. Their memberships are fluid and often lacking in common goals, leadership, and levels of moderation.

This is borne out in press reports from the region almost weekly. In fact, a few months ago I asked General Austin, the commander of CENTCOM, if the United States would guarantee that the assistance we are supplying to moderates in Syria—the then-nonlethal aid—is not being used by or to the benefit of extremist groups that want to attack the United States.

His answer was:

> No, we cannot guarantee the assistance we provide doesn't fall into the wrong hands. Undoubtedly, some weapons and funds flowing into Syria wind up in the hands of extremists . . . . The extremists work closely with all factions of the opposition and is often aware of the logistics and humanitarian shipments into Syria. At times, they even acquire and disseminate these shipments to the local populace. This, in turn, benefits in the propaganda war.

That is probably why hardly a month ago—just a little over a month ago—President Obama called the idea of arming Syrian rebels a ''fantasy''—a fantasy that was, as he put it, ''never in the cards.'' Now he is seeking authorization for it. In less than a month, what was once a fantasy is now apparently the strategy. What was never in the cards is now not only in the cards but is a card that he is actually playing—and doing so as an afterthought, thrown on to a must-pass bill with an entirely different purpose and function.

On Tuesday in the Armed Services Committee hearing, when I asked Secretary Hagel why the President changed his mind on arming and training Syrian rebels, Defense Secretary Chuck Hagel could not provide an explanation. This is troubling, to say the least. If there has been some change over the last month in national security threats or the capabilities and composition of a Syrian opposition group, why has the President not shared this with our Secretary of Defense? Or if there hasn't been a change,

then is there some reason other than American national security that may have caused the President to reverse course. The American people deserve answers to these and other related questions.

Another important issue that deserves full and open debate is that this is about more than just arming rebels to fight terrorists. It became clear through answers from administration officials in our Senate Armed Services hearing Tuesday that the Administration believes that a new government and political structure in Syria is needed for these rebel groups to be successful.

No one doubts that President Assad is a tyrant, one who has exacted terrible measures on his very own citizens, but our constituents need to understand—I want to be very clear here—that the idea of arming Syrian rebels to fight ISIS and Assad, while also standing up and supporting a new government in Syria, is more like a long-term nation-building mission than a counterterrorism mission.

The administration has not been clear on this point. If we are indeed taking steps towards a nation-building exercise in Syria, we must also debate both the financial and the tremendous human costs of such an endeavor.

The ISIS threat to the United States is serious. Our response should be given equally serious consideration here in the Senate. When my colleague on the Armed Services Committee, Senator FISCHER from Nebraska, mentioned how important she thought it was that this authorization be separate from the CR, Secretary Hagel stated that he agreed that it should have a ''more thorough airing with the American people,'' but that it couldn't receive such an airing because Congress was rushing home for a recess. This is not good enough for the Senate.

This is not good enough for the United States or for the American people. It is shameful. Our constituents expect us to do our jobs. If that means staying here a few more weeks, so be it. If that means staying here for a month or two months—however long it takes—then so be it.

If this plan is the right one, fine; if we need to adjust it or reject it, fine; but there is no such thing as a must-pass vote of conscience—not here, not on this topic. The American people deserve to have a debate about how and why we are sending their sons and daughters into danger. We should not set this precedent of sending Americans into harm's way as an afterthought, on our way out of town, like some kind of political out-of-office reply email. Congress used to be better than this, and I submit the American people still are.

I respectfully and strongly urge my colleagues to pull this section from the CR and have a full debate to give authorization for the President's actions in the Middle East. To this end, I am proposing we remove this language from the continuing resolution so that it may be considered separately and adequately.

UNANIMOUS CONSENT REQUEST

Accordingly, Mr. President, I ask unanimous consent that it be in order for me to offer my amendment No. 3845.

The PRESIDING OFFICER. Is there objection?

Ms. MIKULSKI: I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Maryland.

Ms. MIKULSKI. I have heard a good part of the afternoon: Why can't we stay and debate this, and so on? I don't minimize the seriousness of the issues, whether they are about arming Syrian rebels, the potential for new kinds of military action, certainly the ongoing saga in Ukraine or also what is going on in our own country. Students are not being able to afford college, families are not being able to afford to buy a home, and work is not worth it because wages are frozen. We are pushing people to a standard of living less than what they had.

The people of the middle class are fighting hand-to-hand to stay middle class. Those who might want to get there are seeing the opportunity ladder sawed down. When we wanted to bring bills to the floor in a regular order and bring up regular appropriations that had both money and policy where people could have debated them in an orderly way, we had cluster bombs of parliamentary procedure thrown on where people hid behind votes on motions to proceed.

Some of the biggest critics today saying, why don't we stay here and debate, have been some of the biggest obstacles in insisting on bringing bills up in regular order. So here we are today in the closing hours of the CR. We have had much enlightened conversation that was actually to hear leaders talk about this and differences of opinions in the most civil way, with intellectual rigor and firmness of conviction.

That is what we should be doing. I would like to do more of it. This is why we need to reform ourselves. We like to talk a lot about reforming the country, changing Barack Obama, but we need to reform ourselves. We need to stop hiding behind cloture votes and motions to proceed, where you need 60 votes to just barely come up and salute the flag. So I am not going to go into this today, but I think we need to go into this. We need to take a look at ourselves and examine ourselves—how we can keep the traditions the same, protect the rights of the minority. But when all is said and done, the American people are fed up that more gets said than done and more gets said about saying things, and so on.

I am telling you, as I travel in Maryland, my constituents feel Washington means less and less relevance to them. They are also wondering: What is it that you do to get things done? They are asking these questions. You know what, they ought to ask these questions.

I am not going to take up the time. I know that other colleagues are coming to speak on the floor.

This whole thing about we have to stay and we have to do it—we have to do our business during the whole year. We can't do it in the last 3 hours, coming up on the crunch of the end of the fiscal year. All year long we have an opportunity to debate. All year long we have the opportunity to debate issues in our committee process and on the floor. I feel pretty strongly about this.

I hope that others who feel strongly, too, join a reform effort so we can honor the traditions of the Senate and protect the rights of the minority. But, hey, let's get back to the majority rules, regular order, and a debate that occurs all year long on issues and not just in a crisis environment.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. President, I ask unanimous consent that the Executive Calendar consent agreed to Wednesday, September 17, 2014, be modified to include Executive Calendar No. 925 following 1031, with all other provisions of the previous order remaining in effect.

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

Ms. MIKULSKI: Mr. President, what that means is that we have now confirmed Alfonso E. Lenhardt to be the Deputy Administrator of USAID.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I come first to support the distinguished chair of the Appropriations Committee in her endeavor to pass a continuing resolution. I, specifically, want to speak to support the President's request for authorization to stand up a title 10 overt, train and equip mission for vetted moderate Syrian opposition. The hearing I held yesterday in the Senate Foreign Relations Committee laid out specifics of how the President is moving forward in building the anti-ISIL coalition.

We will undertake targeted airstrikes against ISIL in Iraq and Syria. We will train and equip a Syrian opposition force committed to a pluralistic, free Syria.

This is a multifaceted plan, and we heard both from Secretary Kerry and a second panel of regional experts that coalition partners are ready to contribute in real terms and not just empty words.

The ISIL threat is grave and it is urgent. We must stand with our partners in the region to confront this barbarism in the interests of all of the individuals being brutalized by ISIL but also because regional stability and U.S. Security demand it.

Training and equipping a fighting Syrian force is one urgent element in the broader plan.

We in the Senate must provide this authority, as our colleagues in the House did yesterday. In Iraq we have the Iraqi security forces and Kurdish Peshmerga forces committed to combating ISIL and partnering with us to do so. At this point in time we do not have such a force to partner with inside of Syria.

Let's be clear-eyed about what this challenge is. It is messy and complicated and not at all easy. There is no silver bullet. But without a trained, equipped, and capable moderate opposition force to fill the void, as we conduct airstrikes against ISIL, we would essentially be opening the door to Assad and his Russian- and Iranian-backed regime forces to regain lost territory.

Imagine how our adversaries will celebrate if we fail to build a force that is equipped, trained, and committed to defeating the barbarism of ISIL and Assad.

The administration was posed with the question yesterday: Why now? Why train these forces now, 4 years into this civil war?

There are several answers:

First, we have been working with these moderate armed groups for over 2 years now. We know them.

Second, there is no real alternative to building a local opposition force to take the fight on in Syria unless you are talking about American boots on the ground. That is not in play here.

Third, the region is standing with us in training and creating the ability to assist these Syrian rebels. It is truly a remarkable development that Saudi Arabia, for example, is willing to publicly discuss its support and publicly disclose that it will host and contribute to our train-and-equip mission. Other gulf countries are willing to fund this mission and help with recruiting efforts. No longer are our partners willing to quietly support from the shadows. They view the threat coming from Iraq and Syria with ISIL with such urgency that they are going public loudly and assertively.

I am clear-eyed about the enormity of the challenge. There is risk. But at this point, given the rapidity of ISIL's advance and the savagery of its actions, we must be willing to take some risk to degrade this brutal, barbaric organization. The fact is that Sunni neighbors across the region are lining up to join this mission.

The moderate Syrian forces we will train can pressure ISIL in Syria, the Iraqis from Iraq, and we pressure ISIL from the air. The question is, Why now? The response to the question is this: Yesterday I held—as the Presiding Officer knows, the Senate Foreign Relations Committee passed legislation last year to increase lethal assistance to the moderate rebels battling Assad in a bipartisan way. We do not get do-overs, so we cannot change what was not done. We cannot change what has already happened. But we can change what exists on the ground in Syria today. We can influence what happens going forward and work together to set conditions for how it ends.

Yesterday Robert Ford—our exceptional former U.S. Ambassador to Syria, probably our greatest expert on Syria and the rebels particularly, and until recently our senior State Department official working with the moderate opposition—could not have had more compelling testimony. In response to questions I posed to him about whether a moderate armed opposition still exists for us to train and arm, he said: Yes, they exist. Yes, they are already fighting ISIL. Yes, they share our view that a radical, extremist Islamic State should not be imposed on Syria. That conflict will only end with a political deal or negotiated settlement.

In response to questions about whether there is recruitment potential, whether we can find enough fighters who are moderate who will pass our vetting standards to receive our training, he said: Yes. We know them. We have provided them with nonlethal assistance, which they have used responsibly.

By the way, he described them as being pretty resilient in the face of being outgunned, that they are still engaged and fighting for their own future.

He also said: We have talked politics with them, meaning understanding where their mindset is as it relates to the future.

In fact, Mr. Ford said that the problem has always been that there were more willing fighters than there were guns and ammunition.

In response to whether the moderate armed Syrian opposition shares our goal of degrading ISIL, the answer was also affirmatively yes.

The force we train and arm will fight ISIL because ISIL is threatening their supply lines and has butchered hundreds of members of the moderate Syrian opposition. In Syria, the moderate opposition has been mired in a two-front war—one against ISIL and the other against Assad and his regime backers—for years. The language in the amendment to the CR reflects this reality. We are training and arming a force that will defend the Syrian people from ISIL attacks and also promote conditions for a negotiated settlement to end the conflict in Syria—in other words, going after Assad's security forces.

Finally, Ambassador Ford lamented that if we do not go forward with this proposal to train and equip the moderate armed opposition, Assad will likely become even more convinced that his strategy all along has worked. His strategy is to convince the world that he is the only viable alternative to ISIL and radical extremists and that we will eventually resolve ourselves to working with him.

Let me conclude by saying that the only course of action at this point in time is for us to commit to the grinding work of building a viable alternative, which is the moderate armed Syrian opposition.

Again, this is not going to happen overnight, but it certainly will not happen if there is not a moderate, capable alternative to Assad, a group that is neither radical nor has the barbarism of ISIL, nor the nihilistic, barrel bomb-dropping of Assad.

We must be realistic if we are going to degrade and destroy ISIL. Frankly, I still have many questions about the way forward beyond this issue. I intend to work with the administration to ensure that the plan is sound and the strategy is effective. We will continue to vet that through a series of both hearings and intelligence briefings. But I have no question that this particular action is needed now.

I fully intend for the Senate Foreign Relations Committee to explore, vet, and ultimately craft what a possible authorization for use of military force should look like. In that regard, we need to get it right, not just do it fast. I do not want an AUMF that ultimately—as of September 2001—finds us 13 years later in a host of different countries that were never envisioned as being the authorization for it, to send the sons and daughters of America without the authorization of the Congress.

We will work on all of that in a determined, studious, and detailed way to make sure that we understand the strategy and all of its dimensions, that we can provide for that, and at the end of the day that we can defeat ISIL, but without an open-ended check.

With that, I urge support for the CR.

I yield the floor.

Mr. ENZI. Mr. President, I wish to express my disappointment about a matter of great importance to Wyoming and many other Western States. The continuing resolution before us does not include critical funding that nearly 1,900 counties in 49 States rely on.

Local governments are responsible for providing fire protection, law enforcement, sanitation, public health, and education, to our constituents. They provide these services largely by raising local revenue, including property taxes. In States where there is little federally owned land, local communities have a large number of private homeowners to help provide these services. But in States such as my home State of Wyoming, the Federal Government owns much of the land. The problem is that these Federal lands cannot be taxed. The Payment in Lieu of Taxes program, or PILT, has been in place for decades and is, essentially, the Federal Government's property taxes.

Last year's omnibus appropriations package did not fund PILT. Instead, the Farm bill provided 1 year of PILT funding. And since Congress has not

passed appropriations bills through regular order this year but is leaving fiscal year 2014 funding on autopilot, PILT isn't addressed in the legislation we are considering today. Yet local governments must still provide critical fire, law enforcement, and health services in these areas and for the people who work on them. What are we supposed to tell our communities that rely on this money for 40 to 80 percent of their budgets?

This body cannot fail to address this issue this year. To do so would break a promise we have made and would force communities to reduce or even eliminate the vital resources upon which their citizens rely. But we should not just address the issue for this year. We need to stop playing games with PILT and find a way to ensure it is adequately and fairly funded for years to come in a way that does not rob Peter to pay Paul.

Yes, the Federal Government is out of money. We are going to have to prioritize. But I would submit that PILT needs to be one of those priorities. PILT represents a promise the Federal Government made to counties and local governments all across the Nation, and they are looking to us to see how we will keep that promise. If we fail to do so, it will have an impact on almost every one of our States.

Mrs. FEINSTEIN. Mr. President, I come to the floor today to express support for the continuing resolution which funds the government through December 11.

One provision in the bill I would like to focus on relates to our fight against the Islamic State of Iraq and the Levant, or ISIL.

I believe there is an urgent need to confront this terrorist group, and Congress can help this effort by supporting President Obama's plan and voting for the continuing resolution.

The CR includes a provision to provide the Defense Department with the authority for the U.S. Armed Forces to train and equip an opposition force capable of confronting ISIL.

I believe we must come together in large numbers—Democrats and Republicans—to pass this provision as quickly as possible. A strong bipartisan majority would give the Obama administration and the American people a strong sense of unity and purpose as we all grapple with the threat of ISIL. We must give the President the tools he needs to succeed. Providing the Defense Department with this authority is just one part of the comprehensive strategy, but it is an important one.

The President has said he has the legal authority to conduct airstrikes in Iraq and Syria and has laid out his strategy. After the election there will be ample time to debate the strategy further and potentially vote on a new authorization of military force, but in the short-term we must pass this authorization—at this time the only authority the administration has asked Congress to approve. If ever there were a time to unite behind President Obama, that time is now.

ISIL is like no other terrorist organization we have seen. It has become a ruthless terrorist army that occupies territory and controls civilian populations through fear, intimidation, and brutality.

It controls large swaths of land in two nations. In Syria it controls nearly one-third of the country, and in Iraq it effectively controls as many as 14 cities.

According to a recent CIA estimate, ISIL may have as many as 30,000 fighters—and separately there may be up to 25,000 Sunni tribesmen who have associated themselves with ISIL forces.

ISIL has looted heavy weaponry—including artillery, tanks and armored vehicles—from the battlefield. Much of that equipment is now being used against innocent civilians and our partners on the ground. ISIL has killed tens of thousands of people. They kill with abandon, including the brutal massacre of hundreds of Iraqi and Syrian soldiers, stripped, bound and buried in shallow graves. ISIL is also well-funded through criminality, ransom payments, extortion and the sale of oil. Its control of territory and resources is topped only by its level of brutality.

Over the past few weeks, I have personally reviewed photos, videos and personal stories of ISIL's countless victims. I have seen the beheading of American and British hostages and pictures of the crucifixion of many innocent civilians, including a girl as young as 6 years of age. I have seen photos of heads staked on fence posts and films of the mass-execution of Iraqi and Syrian army units. In one gory report, after ISIL took control of two oilfields in eastern Syria from the al-Sheitaat tribe, they summarily executed 700 tribesmen. I have read stories of women bound to trees and forced to be sexual prizes for ISIL fighters who performed well in battle. There are reports that thousands of Yazidi women have been taken as slaves and I have read the testimonials of the few who were lucky enough to escape. They describe being confined, eating only once a day, being given away as wives, raped and abused at the hands of ISIL fighters. I have seen devastating footage of Yazidis and Christians literally running for their lives from approaching ISIL forces, faced with the choice of converting to Islam or death. When one Yazidi girl was surrounded by ISIL fighters, she said, ''I've never felt so helpless in my 14 years. They had blocked our path to safety, and there was nothing we could do.''

The lack of humanity is shocking and despicable. It is pure evil and it should haunt the world. And while ISIL is now limited to Syria and Iraq, it has made clear its intentions are to bring the fight to the United States and our allies.

In Iraq, a major concern of mine is that their next attack will be our Embassy in Baghdad. I have no doubt that ISIL leaders also intend to hit us here in our homeland.

In July 2012, ISIL leader Abu Bakr al-Baghdadi said: ''The mujahidin have also sworn they will make you suffer more pain than that caused by Usama [bin Laden]. You will see them in your own country, God willing.''

In January of this year, during his radio address, Baghdadi added: ''Our last message is to the Americans. Soon we'll be in direct confrontation, and the sons of Islam have prepared for such a day. So watch out for us, for we are with you, watching.''

Finally, in a video posted on August 19, 2014, the executioner of James Foley stated: ''So any attempt by you, Obama, to deny the Muslims their rights of living in safety under the Islamic Caliphate will result in the bloodshed of your people.''

We have no specific information that ISIL is planning an attack against the United States, but we also had no clear understanding of al-Qaeda's specific plotting in the days before 9/11 an attack that would claim nearly 3,000 American lives.

ISIL's territorial control, resources, brutality and intention to broaden their attacks make it clear that we must act. I support the President's actions to confront and ultimately destroy ISIL.

As he has said, we will expand airstrikes against ISIL targets, including in Syria; maintain a united international coalition—with Arab countries—that will contribute to the fight in meaningful ways; encourage continued political reconciliation in Baghdad to diminish ISIL's support from Sunni tribes; halt the flow of foreign fighters and resources to ISIL; and provide weapons to the Kurdish peshmerga, Iraqi security forces and moderate forces inside Syria.

Action is currently underway in many of those areas. Air strikes have helped defend key infrastructure such as the Mosul Dam and protected civilians in Amirli and Mt. Sinjar. More recently, the President has expanded the air campaign by going on the offensive and attacking ISIL on the outskirts of Baghdad.

Secretaries Kerry and Hagel have been building a coalition with international partners, including much of Europe and at least 10 Arab nations. New Iraqi Prime Minister Haider al-Abadi is in the process of finalizing the Cabinet and has made sincere efforts to bridge the sectarian divide. These are all steps in the right direction. Today, the necessary action before us is to pass this CR, which provides limited authority to train and equip a military force to fight ISIL on the ground. The President has ruled out putting U.S. ground forces in combat roles for now, so we must have partners that can take the fight to ISIL. Without such a force, ISIL will continue to enjoy a safe haven in eastern Syria and once ISIL is pushed out of territory, the Assad regime or other extremists could fill the vacuum.

Bolstering this fighting force is critical to our goal of degrading and destroying ISIL. While it is just one part of the President's plan, it will work in conjunction with our ongoing diplomatic, intelligence, military and economic efforts.

The continuing resolution includes the authority the Defense Department needs to begin training such a force. The provision also requires the administration to produce a plan to explain how arming the moderate opposition fits within the President's larger regional strategy to defeat ISIL. It also requires regular reports to Congress to keep us informed of the training activities.

We already know Saudi Arabia is prepared to host a training program, and I suspect other Arab states will help fund it. But without this authority in this CR, U.S. troops and trainers will not be able to participate in this essential program.

Regardless of whether we waited too long to confront ISIL, we now have a strategy that we need to support to turn the tide. U.S. airstrikes in Iraq have protected our people and prevented a humanitarian catastrophe. As we now take the fight directly to ISIL, Congress needs to give the President the tools he needs to ramp up the battle.

This is a matter of national security and I hope members of both parties will come together to support the President's request.

Mr. LEAHY. Mr. President, the Senate is about to vote on a continuing resolution to fund the Federal Government from October 1 to December 11. This vote should not be necessary. There is no good reason why we are not voting on fiscal year 2015 appropriations bills to fund the government the way we used to rather than a continuing resolution that keeps the government on autopilot despite many new and compelling needs.

Chairwoman MIKULSKI of the Appropriations Committee and her counterpart in the House, Chairman ROGERS, have made this argument as well as any two people could. It is unacceptable that the Congress, which has the power of the purse, fails to use that power in a responsible manner. Passing annual appropriations bills should be a priority for both parties, and I hope that between now and when this short-term CR expires, we can do our job and finish work on those bills which were reported by the Appropriations Committee months ago—and send them to the President.

Nine months ago, when the fiscal year 2014 omnibus was enacted, no one anticipated the Ebola epidemic which has infected thousands of people and today threatens all of Africa, thus, there is little funding available to combat it. The Defense Department, USAID, CDC, and others are scrambling to reprogram funds from other important programs.

Nine months ago, no one envisioned the surge in young migrants from Central America, and so the Departments of State, Homeland Security, Justice, Health and Human Services, and the U.S. Agency for International Development are reprogramming funds. But it is not nearly enough to address the horrific gang violence and endemic poverty in those countries that are contributing to the flood of refugees across our border.

Nine months ago, did anyone here predict that ISIS would be routing units of the Iraqi army, beheading Americans, and seizing control of territory? Did anyone foresee Russia's intervention in Ukraine? Did anyone foresee that we would be sending U.S. military advisors to Nigeria to help track down hundreds of school girls kidnapped by Boko Haram? There is no money in the budget for any of this, so we are robbing Peter to pay Paul.

Fiscal Year 2015 appropriations bills have been reported out of committee with strong bipartisan support. Let's debate them. Senators can offer amendments. We can vote. That is what we should be doing instead of kicking the ball down the road for another 2½ months.

Obviously, we all recognize the need to keep the Federal Government operating. As much as I disagree with this approach, I would vote for the continuing resolution to avoid a government shutdown. But this vote does far more than that. It authorizes the President under title 10 of the U.S. Code to provide training and weapons to Syrian rebel forces. In other words, we are authorizing U.S. military intervention in Syria's civil war which for the past 2 years the administration has strongly advised against and doing so by tacking that authority onto a short-term spending bill to keep the government operating.

As much as I believe the United States should support the fight against ISIS and as much as I commend the President and Secretary KERRY for their efforts to build a coalition to that end, I am not convinced that the President's plan to intervene in Syria can succeed. There are too many unanswered questions about the composition, intentions, allegiances, and capabilities of the so-called ''moderate'' Syrian rebels who, like the Iraqi militias that openly admit to atrocities, are accountable to no one.

There is too little clarity about the White House's intentions, particularly when there is talk of unilateral air attacks against ISIS by U.S. forces inside Syrian territory. There has been too little discussion of the potential consequences of this strategy for the brutal Assad regime which also opposes ISIS, for the anti-ISIS coalition, or for Iran's or Russia's ability to expand their influence in that region.

We have been assured that recipients of U.S. military equipment are vetted and that the use of the equipment is monitored. Yet we have seen U.S. military vehicles and weapons worth millions of dollars in the hands of ISIS and other anti-American groups in Iraq and Libya. Who can say who else has gotten their hands on them, or that the weapons we provide the Syrian rebels will not be used against innocent civilians or end up in the hands of our enemies?

The House resolution we are voting on addresses this issue narrowly, requiring vetting only as it relates to association with terrorists or Iran. It says nothing about vetting for gross violations of human rights, as would be required for assistance for foreign security forces under the Leahy Amendment.

The administration says we need to defeat ISIS. I don't disagree. ISIS is a barbaric enterprise that has no respect for human life and poses a grave threat to anyone it encounters, including Americans. Yet that is what the previous White House said about Al Qaeda. A dozen years and hundreds of billions of dollars and many American lives later, Al Qaeda is a shadow of what it once was but is far from defeated.

Since 9/11, numerous offshoots of Al Qaeda and other terrorist groups have proliferated not only in South Asia but throughout the Middle East and into east and north Africa. And one of those groups, formerly affiliated with Al Qaeda, is ISIS. Some say ISIS is worse than Al Qaeda. If ISIS is defeated, who comes next?

Not long ago the President said the sweeping 2001 authorization for the use of military force against those responsible for the 9/11 attacks should be repealed. Yet the White House recently cited it as a basis for attacking ISIS. Alternatively, the White House says the President has the authority he needs under the 2002 authorization for the use of military force to defeat Saddam Hussein. No objective reading of those resolutions supports that conclusion. Yet here we are about to embark on another open ended war against terrorism, albeit, thankfully, without U.S. ground troops.

We can help combat ISIS, and we must, but the Governments of Iraq, Saudi Arabia, and others in that region—some of which have vast wealth—need to show they share that goal at least as much as we do, not just by their statements but by their actions.

They should take the lead. We can support them, although Saudi Arabia, besides being a major oil supplier, has one of the world's most repressive governments and Saudi charities have been a steady source of revenue for extremist groups. One has to wonder whether such alliances help or hurt us in the long run.

I have thought hard about this. It is far from black and white. I deeply respect the President. In the end, he may be right. But I worry about the slippery slope we may be starting down in the thick of a sectarian civil war. I am not prepared—on a stop-gap, short-term spending bill containing authority drafted by the House of Representatives, in the waning hours of the day of

adjournment, and with no opportunity for amendments—to endorse a policy that will involve spending hundreds of millions and almost certainly billions of dollars over multiple years to train and arm Syrian fighters who may or may not share our goals or values, not in a part of the world where past U.S. military interventions with similarly vague goals involving similarly questionable allies have consistently turned out very differently from the Pollyannaish predictions of former Pentagon and White House officials. Time and again we have been assured of relatively quick and easy success, only to pay dearly over the course of protracted, costly wars that fell far short of their lofty goals and unleashed forces of hatred that no one predicted.

Year after year, the administration asked Congress for billions of dollars to support former Iraqi President Malaki's government. Yet the White House now concedes that his sectarian policies and the widely reported abuses of the Iraqi army that the U.S. trained and equipped were a cause of the resentment and divisions that contributed to the rise of ISIS and threaten to break Iraq apart.

The Iraq war was a disaster for this country. The families of Americans who gave their lives or were grievously injured will suffer the consequences for many years to come. It caused lasting damage to our national reputation and to the image and readiness of our armed forces. Yet I worry that other than trying to avoid another costly deployment of U.S. ground troops, we have learned little from that fiasco. The Middle East is no place to intervene militarily without a thorough understanding of the history and the centuries-old tribal, religious, and ethnic rivalries that have far more relevance than anything we might think we can achieve.

Does that mean there is no role for the United States in that part of the world? Of course not. But rather than set goals that may or may not be realistic but will almost certainly have profound and potentially dangerous unintended and unanticipated consequences, let's have a real debate that thoroughly considers all the options, all the costs, all the pros and cons. This is far too important a decision to be dealt with in such a cursory manner.

So I will vote no, with the hope that in November or December we will revisit this issue and have the real debate we are avoiding today.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, I know that the hour is late and that my colleague from Oklahoma wishes to speak as well. I know Senators are eager to vote. I will not be long, but I will try to be concise in what I am about to say.

I came to the Senate primarily motivated by many different things, but one of the things that truly motivated me was the fiscal state of our country, the fear that our current spending patterns are not just unsustainable but threaten our future and impede our ability to achieve what I believe is our destiny—another American century.

That is why each time I have been here and I have had an opportunity placed before me to vote on a short-term spending matter, I have voted against it—because I felt they ignored our long-term problems of spending in this country and did not deal with them in a responsible way.

Once again, today we are confronted with a short-term spending bill that we are asked to approve; otherwise, the government will shut down and the world will stop spinning. But today's question is a little different from the ones that have been posed to us in the past. The one before us today has deeply imbedded in it an issue of national security.

For the better part of 3 years, I have argued that what is happening in Syria is in our national interest. Many, quite frankly, in my own party but also in the White House disagreed with my view. They felt that it was a regional conflict or one that could be handled by leading from behind. So from that time until today we have largely watched as events have unfolded in Syria without carefully explaining to the American people why we should care.

But I believed then—and I think I have been proven right by recent events—that what happened in Syria and what was happening in Syria was in our national interests because if we failed to influence the direction of that situation, it would leave open a space for radical jihadists from all over the world to establish an operation space from which they could carry out their plots not just against us but all free and freedom-loving people and peace-loving people in the world.

Sadly, that is what has happened in Syria. A protracted conflict has left open spaces, and foreign radical jihadists from everywhere on this planet have flowed to the deserts of Syria, where they set up organizations not just designed to topple Assad but to establish an Islamic caliphate that oversees multiple countries in the Middle East and ultimately will target us. I say ''target us'' because that caliphate cannot exist unless they drive America from the region. The way they intend to drive us from that region is by terrorizing us. Those efforts began recently when we saw the brutal murder of two brave young Americans—including one from my home State—for doing nothing other than being present and being from America.

Now we find ourselves in this situation. I feel the President and, as I said, people in both parties have taken too long to realize what a threat this is. I recognize that the options before us now are not as good as they would have been had we dealt with this 2 years ago, 3 years ago, or even 6 or 9 months ago. We have plenty of time in the weeks and months and years to come to debate what should have been done. I anticipate I will be involved in that debate because there are lessons to be learned from that. But today, as leaders of this country, we are called on to decide what we do now. What do we do now when confronted with a very real threat that, left unconfronted, will become a very real danger for the people we represent here in this country?

The President has come forward with a plan—a plan that I wish he had come forward with 6 months ago, that I called for 3 months ago. But I suppose, as in most things, better late than never. Even if late means our chances of success have been minimized, even if it will cost more money, and even if it will now take longer, better late than never.

That is the question before us now. I wish we had a separate debate on this issue. I wish we had a separate debate on this issue with regard to arming moderate rebel elements in Syria because there are real reasons to be concerned not just about whom we are arming but whether it will work.

I wish we had more time to debate the broader plan and come before this body and ask for an authorization for the use of force, although I think there is a compelling argument to be made that for immediate action, the President, as the Commander in Chief, does not need that authorization. We were not given that opportunity. What they are cheating is not just the political process, for in that debate we would have been able to inform the American people so they too would have learned more about this, but as a nation we could have come to a consensus about what the right thing to do is. But in the end, that is not the opportunity before us now. We are asked to decide things in this Chamber that are in the best interests of our country even if they did not work out the way we wanted them to or did not develop the way we wanted them to. That is what is before us here today.

I say this to you without a shadow of a doubt, as I said weeks ago: If we do not confront and defeat ISIL now, we will have to do so later. It will take a lot longer. It will be much costlier and even more painful. We will confront ISIL one way or the other—I believe the sooner, the better.

What we are asked to do now is approve funding to arm moderate rebel elements in Syria. There is no guarantee of success. There is none. But there is a guarantee of failure if we do not even try. Try we must for one fundamental reason: If we fail to approve this, the nations of that region will say that America is not truly engaged, that Americans are willing to talk about this but are not willing to do anything about it.

So despite my concerns about the underlying bill and the budgeting it entails, I will support this resolution because I think it is in the best interests of our national security.

I yield the floor.

The PRESIDING OFFICER. All time for the minority has expired.

Mr. COBURN. I have an inquiry of the Chair. It was my understanding that I had 4 minutes remaining on our side and that Senator RUBIO had time granted to him by the chairman of the Appropriations Committee. Is that not correct?

The PRESIDING OFFICER. The Chair is unaware of that arrangement.

Mr. COBURN. What I would simply do is ask unanimous consent that I have 7 minutes to make a statement.

The PRESIDING OFFICER. Is there objection?

Ms. MIKULSKI. If the Senator can stick to 7 minutes, we have no objection.

Mr. COBURN. I can stick to 7 minutes. I will hear the gavel come down and I will quit.

The PRESIDING OFFICER. Without objection, the motion of the Senator from Oklahoma is accepted and the Senator is recognized.

Mr. COBURN. First, I give praise to the chair and the ranking member of the Appropriations Committee for the cooperative nature of the committee this year in terms of inserting good government amendments into appropriations bills. It was a real pleasure to be able to work with them and to put some of the oversight results that we have done over the past few years into appropriations bills.

The bill we have on the floor, even though the chair is supporting the bill, is not her bill. It is a bill that came to her from House Republicans. So any criticism I might have of the bill is certainly not directed toward the chair of the Appropriations Committee. But it is important to be reminded of what the Congress told the American people less than 2 years ago, that we were going to go on a diet, and then 1 year ago when we had the Ryan-Murray agreement.

I will outline where we are with what we are getting ready to vote on, because we are about $47 billion above what we agreed to in the Ryan-Murray budget, and that doesn't include emergency funding.

Appropriators didn't write this bill. This bill came out of the House. We understand the timing of it, we understand the process. But this bill doesn't keep our word to the American public that we said we were going to keep. That is No. 1.

No. 2 is the chair of the Appropriations Committee attempted to put bills on the floor, and she was open to an amendment process. One bill was pulled because there was no agreement to allow any amendments to $3.6 trillion worth of spending—none, zero. That wasn't her desire. She is a fair broker in this body for what needs to be done when it comes to spending.

So I would make the point on the fiscal aspect of this bill.

When criminals in this country hurt other people, judges throughout the country—and Federal judges—impose a penalty, and criminals who are convicted end up paying into a Crime Victims Fund. The Crime Victims Fund isn't Federal tax dollars, it is individual payments by felons to make amens for damage and injury to people upon whom their crime was cast.

In this bill is $20 billion worth of false savings, but the way we calculate it is since we are not going to spend the money that is due to the crime victims, we are going to say that is going to save us money and, so, therefore, we can spend that money somewhere else.

If you did that on your income taxes or if you were a corporation and filed that with the SEC, it wouldn't take long for you to be in jail. But that is what the appropriators in the House did and we just got through doing this last December, the same amount of money on the same fund.

What I want the American people to see is regardless of whether you think we ought to pass this bill, shouldn't there be some clarity about the integrity of our numbers? Shouldn't we, if we can't meet the guidelines, just admit it and say we can't meet it rather than saying we are meeting it and create a false set of numbers? Shouldn't we at least do that? Aren't the American people worth that?

But instead, we have $11.8 billion from the Crime Victims Fund and $6.3 billion from the Children's Health Fund, which are false savings. They are not real savings.

So we are not going to be honest.

Well, I am going to be honest. The American public, the Senate, and the authors of this bill in the House will be lying to you if you believe the numbers in this bill. They are not true.

That is not the chair of the Appropriations Committee who made that decision, it was the House appropriators who made that decision to use false numbers to create a false set of achievements.

Finally, and I think I am about out of time, I would say there is one other aspect that disturbs me about this bill.

We have a mess in the Middle East today. Sitting on the Intelligence Committee and sitting on Homeland Security, I don't disagree we ought to be involved in terms of going after ISIS, but I think we ought to recognize that we created the problem in the first place. We created the vacuum that allowed that to flourish.

I will state my assessment of where we are. We now have recognized this threat and we have a political plan but no real policy plan to confront ISIS.

Having just heard from both the head of the CIA and also the Defense Department in response to the President's plan, what I can tell you is we know that something needs to be done, but your government doesn't yet know what to do.

I know there is authorization for monies in here. We need it. We are going to have to fight it. But let's be very clear, as Members of this body, to ask the important questions so that we don't go down a road that is made even worse. We have the brain power in the Senate, the experience, and the gray hair to do that.

I ask my colleagues to be very careful—not with this; this is going to happen. This CR is going to happen. It is a terrible way to run the government. The appropriations chair doesn't want to run it this way, but let's be very careful on the questions we ask in the future.

I thank the chair of the Appropriations Committee for her kindness in yielding me the time.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Maryland.

Ms. MIKULSKI. I hope to say a few words to the Senator from Oklahoma before he leaves the floor. We are in the closing hours of not only this debate but of this session of Congress. I say to the Senator from Oklahoma on the brink of his retirement from the Senate how much I have enjoyed serving with him. Although we have different views from time to time, he has played a very important role in this institution relating in terms of focusing on so many aspects of folly, fraud, stupidity, and duplication. I could go on.

I thank you. I know how we joined shoulder to shoulder on no more lavish spending at some of those conferences where it was $4 for a Swedish meatball. But seriously, as we worked on this year's appropriations, he and I actually met on how we could improve government and keep a careful eye, with some of us saying just get rid of some of the things that cost money and add no value to the government or its compelling needs.

I thank the Senator for his service in the Senate.

Also, hopefully, when we return, we can work on an omnibus to incorporate the very reforms around waste, duplication, and folly that we worked together on on a bipartisan basis.

Mr. COBURN. I thank my colleague.

Ms. MIKULSKI. Madam President, we are in the closing hours of debate. There are two other Senators who will be coming to speak. I hope they will be here sooner. There is a lot going on, and I want to encourage colleagues, as we get ready, to urge a vote on passage of the continuing resolution.

This measure will keep government going through December 11. But make no mistake, this is government on auto pilot.

I hope to be back in December, shoulder to shoulder with Senator SHELBY, where we will work on a comprehensive funding legislation—in other words, an omnibus.

This is Washington speak. I mean, really, we use words nobody understands: continuing resolutions, omnibus, motions to proceed. But in plain English, it would mean taking all 12 subcommittees that are in charge of funding the government through due

diligence and putting together a comprehensive funding bill that can be debated, scrutinized, debated, and voted on.

We have done our work over the year. I am very proud of my subcommittee chairmen, the ranking members who have worked on a bipartisan basis, and their staffs. We can do an omnibus when we come back that will enable us to make the choices we need to do, meet our national security needs, the compelling human needs of the country, and make sure we have an opportunity ladder for our people who are middle class to stay there or those who want to work hard to do better to be able to get there, and to also make those investments in innovation, research, and development that create the new ideas for the new jobs that keep us as an exceptional Nation.

I do hope we get final passage. I do hope also when we return after the election, we can do this comprehensive funding bill.

Again, I thank Senator SHELBY of Alabama and all of the other members of the Appropriations Committee who worked so hard with the ranking members. We had a series of debates and votes. We worked very hard. Yet I wish people would come to our committees, as they were categorized by civility, intellectual rigor, and scrutiny of IG and GAO reports. We worked very hard to accomplish the mission of these agencies to keep our government strong and to get value for the taxpayer.

Again, thanks to my colleagues on the other side of the aisle, led by Senator SHELBY of Alabama.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

DEBBIE SMITH REAUTHORIZATION ACT OF 2014

Mr. LEAHY. I see my good friend, the senior Senator from Texas, on the floor, and I am about to ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4323.

Before I do, Senator CORNYN has been very interested in this. This is the Debbie Smith Reauthorization Act. I have been working with Debbie Smith since her bill was first introduced in 2001. He is probably one of the few Senators who was here with me at that time when I first supported it. It is to improve access to rape kits, testing, and services for survivors of sexual assault.

Senator CORNYN has been a strong supporter. I know he also supports the Justice for All Act as well, something he cosponsored, and the distinguished Republican leader has.

I would like to get them all passed. I realize one Republican—not the Senator from Texas—is objecting to passing the Justice for All Act, and I don't want to pit one against the other.

Because at least this one expires this month, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4323, which was received from the House.

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

The assistant legislative clerk read as follows:

A bill (H.R. 4323) to reauthorize programs authorized under the Debbie Smith Reauthorization Act of 2004, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Madam President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Simply reserving the right to object, and obviously I am not going to object, I am very happy we could reauthorize this important piece of legislation. I have had an opportunity to get to know Debbie Smith pretty well, as Senator CORNYN and Senator LEAHY have. We have met on several occasions.

The bill passed the House of Representatives a few months ago on a voice vote. We tried to clear it when it came over here. Unfortunately, there was an objection on the other side of the aisle. But I am glad we are where we are and that the bill will be reauthorized.

It is certainly fitting for Congress to pass this bill that is named for such a tireless advocate for those who suffered this terrible abuse.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, reserving the right to object, and I won't object, let me use this occasion to say to the chairman of the Judiciary Committee how much I appreciate his leadership and cooperation.

Obviously, Senator MCCONNELL, Senator LEAHY, and I are all cosponsors of the bigger piece of legislation, the Justice for All Act. I share Senator LEAHY's desire—I am sure shared by the Republican leader—that we pass that today. But since we can't do that, and since we are engaged in the art of the possible, this is a good outcome—not just for Debbie Smith, who, as we have all heard, has been a tireless advocate for testing this backlog of rape kits, which holds extraordinary power to both identify the perpetrators in sexual assaults and exonerate people who are not implicated by a DNA test, but as we know, we have had a huge backlog, and the Debbie Smith Reauthorization Act renewal is bipartisan legislation that will provide funds for law enforcement officials to deal with the national scandal, which the rape kit backlog is.

Amidst the frustration we all experience in the Senate from time to time, this is good news and this represents progress.

So I will agree with the unanimous consent request.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Reserving the right to object—and obviously I too won't—on behalf of all the women of the Senate, I thank Senator LEAHY for his consistent, persistent leadership on this issue, and Senator CORNYN.

This is how the Senate ought to work—on a bipartisanship basis, meeting a compelling need, and then being able to move it in an expeditious way.

But for rape victims everywhere to know that we can deal with this backlog and because good men stood up for women who have been wronged really is one of the edifying moments of today.

I thank the Senators for it and withdraw my objection.

The PRESIDING OFFICER. Hearing no objection, the request is agreed to.

The bill (H.R. 4323) was ordered to a third reading, was read the third time, and passed.

Mr. LEAHY. Madam President, I will continue to work with the distinguished senior Senator from Texas on the Justice for All Act. Ninety-nine Senators agree to pass it and only 1 is objecting. It requires a rollcall vote when we come back in November. I hope we can have that rollcall vote perhaps in a timely rotation. And with 99 Senators who say they support it, the 1 Senator who has been blocking it can vote against it. But those of us who have been in law enforcement know how important it is.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONTINUING APPROPRIATIONS RESOLUTION, 2015—Continued

Ms. MIKULSKI. Madam President, how much time do we have remaining?

The PRESIDING OFFICER. There is 3½ minutes.

Ms. MIKULSKI. In the spirit of moving the bill forward, I yield back all remaining time.

AMENDMENT NO. 3852

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion to table amendment No. 3852.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 50, nays 50, as follows:

[Rollcall Vote No. 268 Leg.]

YEAS—50

Alexander	Flake	Moran
Ayotte	Graham	Murkowski
Barrasso	Grassley	Paul
Blunt	Hagan	Portman
Boozman	Hatch	Pryor
Burr	Heller	Risch
Chambliss	Hoeven	Roberts
Coats	Inhofe	Rubio
Coburn	Isakson	Scott
Cochran	Johanns	Sessions
Collins	Johnson (WI)	Shaheen
Corker	Kirk	Shelby
Cornyn	Landrieu	Thune
Crapo	Lee	Toomey
Cruz	Manchin	Vitter
Enzi	McCain	Wicker
Fischer	McConnell	

NAYS—50

Baldwin	Harkin	Nelson
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Booker	Johnson (SD)	Sanders
Boxer	Kaine	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Markey	Udall (NM)
Coons	McCaskill	Walsh
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

The motion was rejected.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, on the remaining three votes, I ask unanimous consent that they be 10 minutes in duration.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on H.J. Res. 124, a joint resolution making continuing appropriations for fiscal year 2015, and for other purposes.

Harry Reid, Barbara A. Mikulski, Dianne Feinstein, Richard Blumenthal, Robert P. Casey, Jr., John E. Walsh, Mazie K. Hirono, Cory A. Booker, Heidi Heitkamp, Barbara Boxer, Bill Nelson, Richard J. Durbin, Sheldon Whitehouse, Amy Klobuchar, Jack Reed, Benjamin L. Cardin, Carl Levin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on H.J. Res. 124, a joint resolution making continuing appropriations for fiscal year 2015, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 73, nays 27, as follows:

[Rollcall Vote No. 269 Leg.]

YEAS—73

Ayotte	Hatch	Nelson
Bennet	Heinrich	Portman
Blumenthal	Heitkamp	Pryor
Blunt	Hirono	Reed
Booker	Hoeven	Reid
Boozman	Isakson	Rockefeller
Boxer	Johanns	Rubio
Cantwell	Johnson (SD)	Sanders
Cardin	Johnson (WI)	Schatz
Carper	Kaine	Schumer
Casey	King	Shaheen
Chambliss	Kirk	Shelby
Coats	Klobuchar	Stabenow
Cochran	Landrieu	Tester
Coons	Leahy	Thune
Cornyn	Levin	Udall (CO)
Donnelly	Markey	Udall (NM)
Durbin	McCain	Vitter
Feinstein	McCaskill	Walsh
Flake	McConnell	Warner
Franken	Menendez	Whitehouse
Gillibrand	Merkley	Wicker
Graham	Mikulski	Wyden
Hagan	Murkowski	
Harkin	Murray	

NAYS—27

Alexander	Crapo	Moran
Baldwin	Cruz	Murphy
Barrasso	Enzi	Paul
Begich	Fischer	Risch
Brown	Grassley	Roberts
Burr	Heller	Scott
Coburn	Inhofe	Sessions
Collins	Lee	Toomey
Corker	Manchin	Warren

The PRESIDING OFFICER (Mr. BEGICH). On this vote, the yeas are 73, the nays are 27. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked, the motion to commit falls.

Under the previous order, all postcloture time is yielded back and the pending amendments are withdrawn.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall it pass?

Mr. ENZI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 78, nays 22, as follows:

[Rollcall Vote No. 270 Leg.]

YEAS—78

Alexander	Donnelly	Kaine
Ayotte	Durbin	King
Bennet	Feinstein	Kirk
Blumenthal	Fischer	Klobuchar
Blunt	Flake	Landrieu
Booker	Franken	Levin
Boozman	Graham	McCain
Boxer	Grassley	McCaskill
Burr	Hagan	McConnell
Cantwell	Harkin	Menendez
Cardin	Hatch	Merkley
Carper	Heinrich	Mikulski
Casey	Heitkamp	Murkowski
Chambliss	Hirono	Murray
Coats	Hoeven	Nelson
Cochran	Inhofe	Portman
Collins	Isakson	Pryor
Coons	Johanns	Reed
Corker	Johnson (SD)	Reid
Cornyn	Johnson (WI)	Rockefeller
Rubio	Stabenow	Vitter
Schatz	Tester	Walsh
Schumer	Thune	Warner
Scott	Toomey	Whitehouse
Shaheen	Udall (CO)	Wicker
Shelby	Udall (NM)	Wyden

NAYS—22

Baldwin	Gillibrand	Paul
Barrasso	Heller	Risch
Begich	Leahy	Roberts
Brown	Lee	Sanders
Coburn	Manchin	Sessions
Crapo	Markey	Warren
Cruz	Moran	
Enzi	Murphy	

The joint resolution (H.J. Res. 124) was passed.

EXECUTIVE SESSION

NOMINATION OF MARK WILLIAM LIPPERT, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KOREA

NOMINATION OF ADAM M. SCHEINMAN, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE SPECIAL REPRESENTATIVE OF THE PRESIDENT FOR NUCLEAR NONPROLIFERATION, WITH THE RANK OF AMBASSADOR

NOMINATION OF KEVIN F. O'MALLEY TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO IRELAND

NOMINATION OF BATHSHEBA NELL CROCKER TO BE AN ASSISTANT SECRETARY OF STATE (INTERNATIONAL ORGANIZATION AFFAIRS)

NOMINATION OF ELIZABETH SHERWOOD-RANDALL TO BE DEPUTY SECRETARY OF ENERGY

NOMINATION OF ROBERT W. HOLLEYMAN II TO BE A DEPUTY UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR

NOMINATION OF ERIC ROSENBACH TO BE AN ASSISTANT SECRETARY OF DEFENSE

NOMINATION OF D. NATHAN SHEETS TO BE AN UNDER SECRETARY OF THE TREASURY

NOMINATION OF CHARLES H. FULGHUM TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF HOMELAND SECURITY

NOMINATION OF ALFONSO E. LENHARDT TO BE DEPUTY ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider

the following nominations, which the clerk will report.

The bill clerk read the nominations of Mark William Lippert, of Ohio, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Korea; Adam M. Scheinman, of Virginia, a Career Member of the Senior Executive Service, to be Special Representative of the President for Nuclear Nonproliferation, with the rank of Ambassador; Kevin F. O'Malley, of Missouri, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ireland; Bathsheba Nell Crocker, of the District of Columbia, to be an Assistant Secretary of State (International Organization Affairs); Elizabeth Sherwood-Randall, of California, to be Deputy Secretary of Energy; Robert W. Holleyman II, of Louisiana, to be a Deputy United States Trade Representative, with the rank of Ambassador; Eric Rosenbach, of Pennsylvania, to be an Assistant Secretary of Defense; D. Nathan Sheets, of Maryland, to be an Under Secretary of the Treasury; Charles H. Fulghum, of North Carolina, to be Chief Financial Officer, Department of Homeland Security; and Alfonso E. Lenhardt, of New York, to be Deputy Administrator of the United States Agency for International Development.

Mr. REID. On these nominations, I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that the Executive Calendar consent agreed to Wednesday, September 17, 2014, be modified to include Executive Calendar No. 1053 following Executive Calendar No. 925, with all other provisions of the previous order remaining in effect, including yielding back time for debate.

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

NOMINATION OF THOMAS FRIEDEN TO BE REPRESENTATIVE OF THE UNITED STATES ON THE EXECUTIVE BOARD OF THE WORLD HEALTH ORGANIZATION

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Thomas Frieden, of New York, to be Representative of the United States on the Executive Board of the World Health Organization.

VOTE ON LIPPERT NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Mark William Lippert, of Ohio, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Korea?

The nomination was confirmed.

VOTE ON SCHEINMAN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Adam M. Scheinman, of Virginia, a Career Member of the Senior Executive Service, to be Special Representative of the President for Nuclear Nonproliferation, with the rank of Ambassador?

The nomination was confirmed.

VOTE ON O'MALLEY NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Kevin F. O'Malley, of Missouri, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ireland?

The nomination was confirmed.

VOTE ON CROCKER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Bathsheba Nell Crocker, of the District of Columbia, to be an Assistant Secretary of State (International Organization Affairs)?

The nomination was confirmed.

VOTE ON SHERWOOD-RANDALL NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Elizabeth Sherwood-Randall, of California, to be Deputy Secretary of Energy?

The nomination was confirmed.

VOTE ON HOLLEYMAN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Robert W. Holleyman II, of Louisiana, to be a Deputy United States Trade Representative, with the rank of Ambassador?

The nomination was confirmed.

VOTE ON ROSENBACH NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Eric Rosenbach, of Pennsylvania, to be an Assistant Secretary of Defense?

The nomination was confirmed.

VOTE ON SHEETS NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of D. Nathan Sheets, of Maryland, to be an Under Secretary of the Treasury?

The nomination was confirmed.

VOTE ON FULGHUM NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Charles H. Fulghum, of North Carolina, to be Chief Financial Officer, Department of Homeland Security?

The nomination was confirmed.

VOTE ON LENHARDT NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Alfonso E. Lenhardt, of New York, to be Deputy Administrator of the United States Agency for International Development?

The nomination was confirmed.

VOTE ON FRIEDEN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Thomas Frieden, of New York, to be Representative of the United States on the Executive Board of the World Health Organization?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will be notified of the action of the Senate.

NOMINATION OF LIZ SHERWOOD-RANDALL

Mrs. FEINSTEIN. Mr. President, I wish to recognize Dr. Elizabeth Sherwood-Randall, whose nomination to be Deputy Secretary at the Department of Energy was confirmed today.

Throughout her career, Dr. Sherwood-Randall has been an exemplary public servant and academic. She has mastered the domain of nuclear issues, arms control, European affairs and has served her country at the highest of levels. I am confident she will continue her impressive record of service and will be an excellent Deputy Secretary of Energy.

At the outset of her career she was a foreign policy advisor to then-Senator JOE BIDEN.

In the Clinton administration she served as Deputy Assistant Secretary of Defense for Russia, Ukraine and Eurasia.

In the Obama administration she was Special Assistant to the President and Senior Director for European Affairs at the National Security Council and later White House Coordinator for Defense Policy, Countering Weapons of Mass Destruction and Arms Control.

When not serving in government, she held a variety of academic roles affiliated with Harvard and Stanford Universities and the Council on Foreign Relations.

The mission of the Energy Department is ''to ensure America's security and prosperity by addressing its energy, environmental and nuclear challenges through transformative science and technology solutions.''

As the chair of the Appropriations Subcommittee for Energy and Water Development, I know the complexities of the issues facing the new Deputy Secretary. I also know that it will be invaluable to the Energy Department to have a well-rounded leadership team.

The current Secretary of Energy is well-steeped in energy issues. Dr. Sherwood-Randall brings expertise in the national security realm, which is becoming more and more important and related to energy issues. This leadership model has been proven to work and I trust this combination of skills will result in smart energy policy and strong management.

For example, a key part of the Department's mission—and one which is a high priority for me—is the responsibility to secure and dispose of nuclear and radiological material. For this, I am encouraged by Dr. Sherwood-Randall's long history of experience working on non-proliferation issues.

It remains a priority of mine to enact a national policy to store our nuclear waste. Nuclear waste is piling up all around the country and we are losing millions of dollars every year in the absence of a coherent policy. This is why I have introduced, and will continue to push, legislation which establishes an interim national policy to safely store our nuclear waste.

It should be obvious that this is precisely the type of issue that Dr. Sherwood-Randall will be adept at navigating, and I look forward to working with her on this and many other issues.

In sum, the nominee before us today is a skilled policy advisor, an accomplished academic and a dedicated American public servant.

It is with great pleasure that I support her nomination today and I thank my colleagues for their vote to confirm her.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

BANK ON STUDENTS EMERGENCY LOAN REFINANCING ACT—MOTION TO PROCEED—Continued

Mr. CHAMBLISS. I ask unanimous consent to speak as in morning business.

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

TRIBUTE TO MARTHA SCOTT POINDEXTER

Mr. CHAMBLISS. It is with great pride and a touch of sadness that I stand here today to pay a special tribute to Martha Scott Poindexter, my dear friend and trusted confidant. Martha Scott is leaving the staff of the Senate after a long and distinguished career in public service.

Martha Scott has dedicated most of her professional life to the Congress, serving over 20 years in both the House of Representatives as well as the Senate. She was with me in my first agricultural hearing in the House, and as I prepare to retire from the Senate this year, she was with me today in one of my last hearings as the vice chairman of the Senate Select Committee on Intelligence.

I owe much of my success as a legislator to Martha Scott. She has served as my legislative assistant in the House, legislative director when I first entered the Senate, and later as my staff director for both the agriculture and intelligence committees.

It is no exaggeration to say that Martha Scott is one of the brightest, most talented, and well-connected individuals on Capitol Hill. She is a natural leader and manager who exemplifies a tremendous character and dedication that traditionally defines the term a public servant.

Martha Scott is an enthusiastic team player with a special talent for finding solutions to complex problems and rallying support behind her. Those are enormously helpful traits on the Hill, especially in recent years when it seems as though finding solutions has taken a back seat to partisanship.

But those are not the characteristics that define Martha Scott. Rather, those who work with her and who have known her professionally and personally are most often struck by her tremendous heart and kindness. Her infectious laugh always brings a smile to the faces of friends nearby. This place just won't be the same without it.

Above all, she is a good person, loyal to the core, and committed to always doing what is right. All she asks in return is that people say her first name correctly, Martha Scott. It is not Martha. We Southerners can be very particular that way, and we like double names.

What began in the junior position in the office of Senator COCHRAN nearly 24 years ago blossomed into a distinguished public service career that is nearly unmatched by our peers. Martha Scott has seen and been involved in so many historic events and helped author legislation that has touched and impacted the lives of all our citizens, but don't expect Martha Scott to tell anybody that. That is just not her style.

Whether it is her work on the Committee on Appropriations, the Committee on Agriculture, the Select Committee on Intelligence, or as a member of my personal legislative staff, Martha Scott has selflessly committed herself to the people we represent, whether it is the cotton farmer from the Mississippi Delta, the soldier in Afghanistan, or the thousands of intelligence professionals who serve our country every day.

Martha Scott has always kept our Nation's best interests at heart.

Finding a natural love of politics and policy drove Martha Scott to be a key player in the legislative process that touched every farm bill for the last 25 years, as well as the recent controversial debates on cyber security and intelligence collection.

My colleagues and I trust Martha Scott's judgment impeccably. Her exceptional performance has earned our respect and admiration, and it has inspired a generation of staff members who have had the privilege to work with her and learn from her. Her legacy will remain a part of the Senate for many years to come.

Martha Scott has a profound commitment to family and her roots in the delta define her. Growing up on the family farm provided a strong foundation and work ethic that one only gets in rural Mississippi.

Guided by her loving parents and the constant support of her sisters, Martha Scott has not only won the admiration of those for whom she has worked, but for those who have worked for her.

To her husband, Robert, we thank you for allowing us to take up so much of her time, especially in this very special year. My colleagues and I owe a deep debt of gratitude to each and every member of Martha Scott's family.

Martha Scott has been a part of my staff for 20 years, which means she has been a part of my family for 20 years. She has watched my children mature and my grandchildren grow up, and they have all come to know and love her. She has been an inspiration to so many people, but most importantly she has been an inspiration to me. While everybody is going to miss her, I am the one who is going to miss her the most.

So Martha Scott, to you we say: Congratulations on a life after the Senate. Just know how much, No. 1, we are going to miss you, but secondly and most importantly, your country is going to miss you. We appreciate your tremendous commitment and service to our country.

God bless you and God bless your family.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

THE UNITED STATES POSTAL SERVICE

Mr. CARPER. Mr. President, as we finished the last series of votes we were talking about the range of difficult issues we face in this Congress and also in our country—a series of issues including what to do about ISIS and how to confront this latest threat, whether or not to provide aid to the moderate rebels in Syria and what form should that aid take, continued concerns that flow from Ukraine, and the areas there along the border with Russia, cyber attacks, data breaches, Ebola outbreaks, folks trying to get into our country from all different directions, especially from Central America. These are hard issues to deal with. Try though we may, it is hard to fix them.

As my colleague who serves with us on homeland security knows, it is a busy neighborhood where we have jurisdiction. It is not that the problems are intractable. They are just hard issues, and some of them may take years to fully resolve.

But I might say as well, the economic recovery has continued now for 5 years and it has been stop and go. Every now and then we have some great encouraging news, and sometimes it is less so. But today we have encouraging news.

I wish to talk a little bit about this as we talk about the economy and lead into a discussion of where the postal system of our country actually has played a role in strengthening our economic recovery.

Every Thursday, as my colleague knows, the Department of Labor puts out information. Among the things they promulgate on Thursdays is how many people filed for unemployment insurance in the last week. They do this every Thursday, except maybe on Thanksgiving or maybe on a Christmas.

On the Thursday of the week that Barack Obama and JOE BIDEN were sworn in as President and Vice President, they put out a number that said 628,000 people filed for unemployment insurance. Any time that number is above 400,000 people, we are losing jobs in this country, and any time it is under 400,000 people, we are adding jobs in this country. It was 628,000 that week 5½ years ago.

Slowly but surely, that number has dropped and has continued to drop. It bounces up and down a little bit. Since it may go up and down from week to week, we do a 4-week running average and that kind of balances out the blips.

Well, the number has dropped from 628,000 people 5½ ago to 400,000 people and to 300,000 people. We got the new report today from the Department of

Labor, and 280,000 people filed last week for unemployment insurance.

Why should we feel so good about that? Because that number is the lowest we have been below 400,000 since the year the recession actually began—certainly in the last 5½ years. That would suggest as kind of a forerunner what will come in for the job numbers for the month of September, which we will get at the beginning of October. I am encouraged by that.

There are a number of things we can do and ought to do to continue to strengthen the economic recovery. I won't go into all those, but one I want to mention deals with the U.S. Postal Service. Not everybody says the Postal Service has much to do with the economy, but it does. There are about 7 million or 8 million jobs in the United States that depend to one extent or the other on having an efficient, vibrant Postal Service.

For a number of years, the Postal Service has been struggling in some cases to survive. The Postal Service has cut, cut, cut in order to try to right-size their enterprise. In the last 10 or so years they have reduced their headcount from almost 900,000 to about 500,000—so almost in half. They have reduced the number of processing centers across the country from about 600 or 700 mail processing centers to actually less than half that, a little over 300. We have close to 35,000 to 40,000 post offices across the country, and over 10,000 of those today—they haven't really closed post offices, but what they did is a bunch of offices that didn't do much business, those post offices are still open in many cases, but they are open 2 hours, 4 hours, 6 hours a day rather than 8 hours a day with a fully paid postmaster. So they have found a way to not close a lot of post offices but to reduce their costs there, and they are still struggling. Every 3 months they put out their financial reports, and the financial reports indicate they are either losing money or may be close to breaking even.

As the Presiding Officer knows, this is an issue I think about a whole lot. He does, too. The Senator from Alaska cares a lot about the needs of the Postal Service. The need for a strong and vibrant Postal Service in Alaska is probably greater than in any State in the country. He has done a great job, along with his colleague from Alaska, to try to make sure that we are mindful in the Senate of the importance of the Postal Service to Alaska.

I have a glass of water here which one of our pages was good enough to bring to me. Look at this glass of water. It is not really clear. Is this glass half full or half empty? Most people thinking about the Postal Service in the last several years would say this glass of water is half empty. As time goes by, I am starting to think maybe that is the wrong approach, that is the wrong opinion. I think this glass of water might actually be half full. The more I learn about the Postal Service's operations and the opportunities they face, I am even more convinced the opportunity here is a glass-half-full situation.

We have had over the years probably a dozen or more hearings in the Senate on the Postal Service. The real challenge is: How do we take a 200-plus-year-old legacy organization, legacy distribution network that takes the Postal Service to every mailbox in the country 5 or 6 days a week? How do we take that legacy distribution network and enable the Postal Service, empower the Postal Service to make money and be profitable in the 21st century?

As we know, we don't communicate like we used to in this country. We have the Internet, we have Skype, we have Twitter, we have cell phones. There are a lot of different ways to communicate that we didn't have even 12 or 15 years ago. Folks used to send birthday cards, Christmas cards, that sort of thing. Now they send email cards, if they send anything at all. People used to write letters and notes. My parents during World War II wrote to each other almost every day. Folks in Afghanistan have email, they have Skype, and they have cell phones. They still send some mail, but it is not like it used to be. A lot of businesses that used the mail to do billings for people to send in remittances don't do that anymore.

First-class mail in this country is where the Postal Service has made their money for many years. That is where the most profitable source of income is—first-class mail. Since the great recession started in 2007, we have seen first-class mail drop by almost half, and that has caused huge problems for the Postal Service going forward.

While the Internet and the digital age has taken away a lot of the Postal Service's business, as it has turned out, it has also given them some pretty good opportunities. As we know, not everybody goes to a department store these days to buy things, to a hardware store or to a bookstore. Not every day, but a lot of times we will buy things over the Internet. Those items, whether gifts or things we might want for ourselves, they have somehow to get from the manufacturer's or retailer's distribution center to the customer. Somebody has to deliver it. As it turns out, that somebody could be FedEx, it could be UPS or in many cases it could be the Postal Service.

So I wish to take a few minutes and speak this evening about how I really do think the Postal Service could be a glass-half-full situation. Part of our responsibility here in the Senate is to make sure they are able to seize this opportunity and not let it pass by.

The Postal Service has been calling for us to do a number of things to help them—not to give them money but to do a number of things to help them. I will mention a few of them.

The Postal Service has overpaid by $2.5 billion what they owe into the Federal Employee Retirement System. Given the formula used, which is not taking into account that postal employees are older and die sooner than other Federal employees, the Postal Service is going to continue to overpay monies. So they are owed a $2.5 billion refund, and if we don't do something, they are going to continue to overpay. We should first get them the $2.5 billion refund. The second thing we should do is change the formula so it reflects the demographics of the Postal Service versus the rest of the Federal workforce.

Among the other things we ought to do is to integrate, if you will, Medicare—better integrate Medicare with the cost of health care for postal employees.

My wife turned 65 early this summer. When she did, the company where she worked for 27 years, DuPont, mailed her something and said: We still love you. You are retired, you are 65, and we want you to sign up for Medicare Part A, Medicare Part B, and Medicare Part D. We will in turn provide wrap-around or fill-the-gap health care coverage for you. They do that for all the retirees when they reach 65. And it is not just DuPont. It is thousands of companies all over the country. When their retirees reach the age of 65, for the most part they say to the retirees: You are eligible for Medicare Part A, Part B, Part D. We want you to sign up, and we will provide wrap-around coverage for you.

FedEx, I believe, does that. UPS, I believe, does that. The Postal Service—which competes in the same business as both FedEx, UPS, and some of these other companies—doesn't do that. As it turns out, the Postal Service pays more money into Medicare than any employer in the country. They do not get the full value for the dollars they have invested.

One of the things the Postal Service has asked us to do as simply a matter of equity is to allow them to do what so many other companies do, including some of the companies they compete directly with—FedEx and UPS. We ought to do that. That is one of the things they are asking us to do.

Another thing, under the current law, from time to time, if there is something that happens in the economy or there is a disaster and the Postal Service needs to raise rates on kind of an emergency basis, called an exigent basis, they can apply to the Postal Regulatory Commission and ask to do that. The Postal Regulatory Commission can say yes or they can say no.

Last year, the Postal Service went to the Postal Regulatory Commission and said: We suffered terribly because of the loss of first-class mail that flowed from the worst recession since the Great Depression. We would like to have something above and beyond a CPI increase, a cost of living increase, for our rates. What did the Postal Regulatory Commission do? They agreed to raise the rates and let the post office raise the rates.

So what did the Postal Regulatory Commission do? They agreed to let the Postal Service raise the rates, which works out to a 4.3-percent increase. It is not permanent, but it is for a period of maybe a year. The Postal Service is asking us to make that 4.3-percent increase their new permanent revenue baseline.

What does that mean for mailers if we make it permanent? For folks who are nonprofit—we always get mail from nonprofit organizations. That is part of the way they provide services to all kinds of folks. But the cost of a nonprofit letter under this action—the 4.3-percent increase—has gone up from 10 cents a letter to 11 cents. It has gone up by one penny. I believe the cost of mailing a magazine has also gone up by one or two pennies, from approximately 25 to 27 cents. The cost of mailing a catalog has gone up by one or two cents, from approximately 45 cents to 47 cents, and that is with the 4.3-percent increase.

The Postal Service has said to the Congress: Allow that temporary 4.3-percent increase to remain and to become part of our revenue baseline.

I think we should do that. I know a number of my colleagues do as well.

That is one of the things they are asking us to do. Among the other things they are asking us to do is they want to actually deliver items they haven't been able to deliver before, including wine, beer, and spirits. FedEx and UPS can do that, and postal services in many other countries can do that. Our Postal Service cannot do that. It is not to balance their budget for them, but it would make a big difference. I believe it could be worth a couple million dollars a year in profitability. That is something they would like to be able to do.

FedEx is not interested in being Google or Apple or any company like that—part of the digital economy—but there are a couple things they can do and would like to do that would work into the digital economy. They are not big deals, but they make sense with respect to the Postal Service and their capabilities and would actually enable them over time to make some revenues as well.

The Postal Service delivers ballots, initially in Oregon, later in Washington State, and this year in Colorado. People can file their vote—get absentee ballots and vote by mail in Oregon. They do it in Washington State. This year they are starting to do it in Colorado.

What we have learned from experience is that folks who vote by mail vote more often, more frequently, and what we hear from States that do this is that it is actually a cost-effective way to run elections. The Postal Service would like to do more of that, and we should encourage that as well.

Another area where the Postal Service might have some opportunities is they would like to collocate more operations with State and local governments in small communities where they have space at the post office and get State and local folks to locate some activities there.

One great idea they had in some of the bigger, more densely populated places around the country is that the Postal Service has opened up large facilities—not like a regular post office—where people can go get passports. There is a facility on the outskirts of L.A. where over the course of the day hundreds—maybe even 1,000 people or more—can come and get their passports. It is a service that is provided. The Postal Service makes some revenue from doing that.

If we ever pass comprehensive immigration reform and we have 10 million or so people in this country who are here undocumented—and immigration reform doesn't give them the right to citizenship, it doesn't make them a citizen, but I think if the Senate passed an immigration reform bill, it would offer an opportunity for people to have some kind of legal status. How are they going to get that? Where are they going to get that?

If we passed immigration reform, there would be an opportunity for the Postal Service, which is in every community in our Nation and which already does a passport business for a lot of people, to help meet that need, and my hope is they will have that opportunity.

Those are some things they are asking us to do. In short, what they are asking us to do is to give them the ability to generate revenues and to be able to meet their capital needs.

The Postal Service needs to be capitalized. They need new vehicles. They have 190,000 vehicles.

We have this chart. This is 2014, and down here is about 10 years down the road. What we are looking for is to provide money over this 10-year period of time. The Postal Service is saying they need about $30 billion to recapitalize the Postal Service to make them competitive. One of the ways to make them competitive is with respect to vehicles. They have 190,000 vehicles. The average age is 22 years.

I have a 13-year-old Chrysler Town and Country minivan. Yesterday I drove it down here from Wilmington, DE. I usually take the train. The train was down 2 days ago. I drove home last night, and it just went over 377,000 miles. Most Postal Service vehicles are not 13 years old like my minivan; they are almost twice as old and easily have twice as much mileage as my minivan. My wife thinks I ought to trade in my minivan, and some day I will.

We should give the Postal Service the wherewithal to trade up—not just to get new, more energy-efficient vehicles that may have twice the fuel economy and reduce emissions but also vehicles that are sized for the products the Postal Service is delivering. In this digital economy, it is an opportunity for the Postal Service to deliver a lot more packages and parcels of all kinds. They are delivering groceries in a number of places around the country, and they need vehicles that are sized differently and that are more ergonomically appropriate for the folks who are driving the vehicles.

There is new technology. Anybody buying a new car lately knows the technologies that are in vehicles. It is amazing what we can do. I wouldn't know that, given the age of my vehicle, but my friends tell me about the amazing things they can do with theirs. When you have a vehicle that is 22 years old, there are not many gee-whiz technology items on those vehicles, but there could be. As an example, let's say my desk here defines a rural area for delivery for a letter carrier someplace around the country. It could be Alaska; it could be Delaware. As the rural letter carrier covers this area, the technology is available so that the residents somewhere along there could pick up a package here or leave a package at the general store. They could communicate with their customers in any number of ways and provide better customer service.

Additionally, when you walk into a post office these days, for the most part they look similar today to what they did 5, 10, 15, 20 years ago almost without exception. There are so many things we can do in terms of technology to provide better services at post offices that we are not doing.

We can provide better, more efficient services and friendlier services as well. We have 25 mail-processing centers in the country. I visited one of them with Senator HEIDI HEITKAMP in North Dakota about 3 or 4 months ago. We visited this small mail-processing center in her beautiful State. We went into the back operating area of the mail-processing center, and there was a fellow there who was about 50 years old. He was lugging around these big boxes that somebody was mailing. He was carrying them around and trying to get them over to a barcode reader, and he was putting them in a huge pouch so they could be mailed.

There is equipment that could readily process big boxes like that, smaller packages, and parcels. We don't have equipment like that in most of our mail-processing centers. If we did, we could offer better, faster, timelier, more cost-effective service.

So if we were to capitalize the Postal Service, among the things the Postal Service could do if they had $30 billion over the next 10 years is replace their fleet of 190,000 vehicles with more energy-efficient vehicles that are appropriately sized for the kinds of packages they deliver. The approximately 300 mail-processing centers could be retooled with mail-processing equipment that actually reflects what the mail service delivers in the 21st century. The post offices themselves could have the kinds of upgrades and technology investments that would enable better service as well. That is what the Postal Service could do if they had the money.

Sometimes when people think of the Postal Service they think the Postal Service is not really innovative; they don't come up with a bunch of ideas. It turns out that they are even more innovative than I and a lot of other people thought they were.

I want to mention a couple of things they have begun doing that I think are noteworthy. They ought to be able to do more. If they could, they actually could make money and have the money to make capital investments and not be a burden to taxpayers of this country.

This morning in San Francisco, CA, at around 3 a.m., in 32 ZIP Codes, the U.S. Postal Service delivered groceries to people. They delivered them to homes, in some cases to businesses, to apartments, to high-rises. They delivered groceries. They also delivered the mail later in the day, but from 3 a.m. to 7 a.m. the Postal Service in 32 ZIP Codes delivered groceries. They have been doing it for over a month, and I understand they are doing it for Amazon. I understand Amazon is pleased and the Postal Service is pleased with it. Amazon customers like it, and the Postal Service can do this and make money. They are not doing anything else with the trucks from 3 a.m. to 7 a.m., and it just works. It just works.

The Postal Service is doing this for Amazon, but they are reaching out to 100 grocery chains across the country and saying: This is what we do for Amazon in San Francisco. How would you like us to do this for you?

My guess is this will turn into a good piece of business, but they need the vehicles to enable them to do this, and they need money for capital investment.

Some people think the only thing the Postal Service has done creatively in years is flat-rate boxes. You know, if it fits, it ships. It is a great product. It is still growing. It has grown by around 4 or 5 percent a year. But there are a bunch of other things they can do and want to do. They need money for capital investment.

About a year ago they started delivering for Amazon—not everywhere but in a couple hundred ZIP Codes—on Sundays. It worked pretty well. And this past Sunday they delivered packages and parcels through Amazon—not to 200 ZIP Codes but I think to over 5,000 across the country. It enables them to do next-day delivery that includes Sunday. It is a nice piece of business and it is growing, but in order to continue to grow it, the Postal Service needs vehicles that are right-sized for that sort of business and a lot of them—potentially a lot of them.

Another thing the Postal Service is doing—and this is a product which I have used and a product which I think is going to have growing utilization across the country. It is called Priority Mail Express.

I went to a post office in Delaware not long ago. I wanted to send my sister a Mother's Day gift.

I said: I want this to get there in 2 days.

They asked: Do you want it insured?

I said: Not really.

They said: Well, if you send it by Priority Mail Express, we can guarantee delivery in 2 days, we can guarantee delivery in 1 day, or we can guarantee delivery in 3 days. We can track it for you for free.

And I think they said the first $100 of insurance is free.

I said: This is great. I will take 2 days. The insurance is fine.

As it turns out, I am not the only person who is using Priority Mail Express. It is available not just 2 or 3 days a week, it is available for delivery 7 days a week. If somebody has something they want to mail this Saturday and have it delivered on Sunday, they can do so with Priority Mail Express. They can do it and get next-day delivery. They can do it and get free tracking. They can do it and get insurance up to $50 or $100 on whatever is being mailed. That is going to be a great product. I think it is going to make flat-rate boxes—well, not look like a second-class citizen, but it is going to make flat-rate boxes look modest by comparison.

These are the sorts of things our folks at the Postal Service would like to do—to deliver not only mail but to deliver groceries, to be able to deliver tomorrow, deliver on Sunday. And it is ironic that in a day and age that we worry about postal service going from 6 days a week to 5, that right now they are a 7-day-a-week operation. I think there is reason to believe they will grow even more.

There are some who say that rather than passing the sort of legislation the Homeland Security and Governmental Affairs Committee reported out on a bipartisan vote earlier this year, there is some alternative legislation. We should simply say to the Postal Service: You cannot close any more mail-processing centers for another year.

As it turns out, that is not going to give the Postal Service the money to do this, or, frankly, the money to invest in any other number of new products that have the great potential of generating revenues and enabling them not just to be open or remain alive but to actually become vibrant and to be part of our growing economy in this country.

I wish to close by saying that I am more hopeful about the Postal Service than I have been in all the years I have worked on this as an issue. As I talked to my colleagues, I am encouraged to hear from Democrats and Republicans that they want to be part of the solution, and they realize the idea of just leaving the Postal Service twisting in the wind for another year is not a good thing.

If the Postal Service has a choice to say don't close these 60 or 70 or 80 mail processing centers, that is not what they need. They need to not necessarily unleash them—better ensure that they have the resources they need to not just right-size the organization but to modernize and recapitalize the organization and enable them to do things in the 21st century that will actually build off their age-old delivery network and find new ways to make money doing so.

As we close here today—a lot of people are scattering to head back to their home States in anticipation of elections and that sort of thing, and to do other things—I wanted to mention on a more hopeful note, and I say to the members of our committee, and especially to the Presiding Officer, thanks for trying to make sure the Postal Service continues to be a linchpin within our economy, whether it happens to be Alaska, Delaware, or even South Dakota.

Senator THUNE is waiting for me to stop talking.

They have the opportunity to be a big, important part of our economy going forward, and my hope and prayer is that is exactly what we will enable them to do.

With that, I will yield the floor. I don't know if the Senator from South Dakota would like to take the floor, but if he wants to, it is his.

The PRESIDING OFFICER. The Senator from South Dakota.

CELEBRATING THE 125TH ANNIVERSARY OF THE STATE OF SOUTH DAKOTA

Mr. THUNE. Mr. President, I rise today along with my colleague from South Dakota, Senator JOHNSON, to commemorate South Dakota's 125th anniversary of Statehood. One hundred twenty-five years ago, on November 2, 1889, President Benjamin Harrison shuffled the Act of Admission Papers for North and South Dakota to ensure that no one knew which State entered the Union first. To this day, we still don't know which act President Harrison signed first.

South Dakota is perhaps best known as the home of the Shrine of Democracy at Mount Rushmore, which opened to the public just 50 years after South Dakota attained statehood. This monument captures the way of life and governance structure that we have in South Dakota. Our elected officials take the concerns of their constituents to Pierre and ensure that our State is bettering the lives of its citizens in a fiscally responsible manner.

We believe in limited government which provides room for individuals and businesses to grow and thrive. Our model of free enterprise has allowed businesses to flourish in South Dakota, and as a result, is one of the best States in the country to start a business.

We consistently have one of the lowest unemployment rates in the country, which is currently at 3.7 percent. Our labor force and our economy are driven by our State's top industries of tourism and agriculture. The 28,000

South Dakotans who work in our tourism industry ensure that people from all over the world enjoy our great places. Tourists enjoy visiting Mount Rushmore, of course, but also seeing the sights throughout the Black Hills and the Badlands, the Corn Palace in Mitchell, the Crazy Horse Memorial, and the falls in Sioux Falls.

In addition to welcoming Americans from coast to coast, South Dakota is feeding our Nation and our world. Each year, one South Dakota farmer produces enough food to feed 155 people. South Dakota ranks in the top 10 States for wheat, corn, soybeans, alfalfa, and sunflowers. We are also in the top 10 States of bison, honey, sheep, and beef. In all, South Dakota's agriculture industry contributes $26 billion annually to our economy.

While the productivity of our farmers and ranchers is unmatched, all hardworking South Dakota families contribute to our State's success. Whether they are educating our children, serving in our growing health care and financial services sectors, conducting research in our college laboratories, hard work is what binds South Dakotans together and has made our State's experiment in democracy one of the most successful in our Nation's history.

I am proud to call the great State of South Dakota home, and I am honored to have the privilege of serving all South Dakotans here in the Senate.

Today I wish to honor the spirit that has endured in our State for the last 125 years by celebrating this special anniversary.

CELEBRATING SOUTH DAKOTA'S 125TH ANNIVERSARY

Mr. JOHNSON of South Dakota. Mr. President, today, I join with my colleague, the junior Senator from South Dakota, in celebrating the birth of our home State, which entered the union 125 years ago on November 2. I'm a fourth generation South Dakotan, and my great-grandfather was a homesteader in what was then known as the Dakota Territory. As I have learned growing up in Canton and from the generations of my family that came before me, being a South Dakotan instills in oneself a unique kind of work ethic and a drive to do good unto others.

South Dakotans know how to deal with adversity and they know how to help each other when disaster strikes. Last year, a devastating blizzard hit much of western South Dakota, causing millions of dollars in damage and killing tens of thousands of head of livestock. Without blinking an eye, neighbors were out helping neighbors who lost power. They donated their time and money to help ranchers who lost their livelihoods. Recovery would not have been possible without the inherent attitude that South Dakotans have to help one another.

South Dakotans also have a lot to celebrate this year. The ag industry has driven our economy, creating jobs and spurring economic development in rural communities. Our State also boasts some of the Nation's most popular tourist destinations including the Badlands, the Black Hills National Forest, the world's only Corn Palace, and some of the best pheasant hunting in the country. Mount Rushmore in the Black Hills also symbolizes democracy and enables all Americans to remember and celebrate our history. The Crazy Horse monument, which is still a work in progress, honors the legendary Lakota warrior. South Dakota is also home to nine Native American tribes, each having its own distinct cultures and traditions.

There is an awful lot to be proud of in our State, from the attitude we have as individuals to what we have built during our 125 year history. Throughout this past year, South Dakotans have taken part in a number of activities to celebrate our State's history, heritage, and culture, and those celebrations will continue in the weeks ahead. I am honored to play just a small role in this celebration by joining with my colleague in offering this resolution, and I urge all of our colleagues to join us in celebrating the birth of our State.

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 566, which was submitted earlier today.

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

The bill clerk read as follows:

A bill (S. Res. 566) celebrating the 125th anniversary of the State of South Dakota.

There being no objection, the Senate proceeded to consider the resolution.

Mr. THUNE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 566) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

BANK ON STUDENTS EMERGENCY LOAN REFINANCING ACT—MOTION TO PROCEED—Continued

TRIBAL GENERAL WELFARE EXCLUSION ACT OF 2013

Mr. THUNE. Mr. President, I also wish to speak in support of S. 1507, the Tribal General Welfare Exclusion Act of 2013. I am a cosponsor of this bipartisan legislation which passed the House of Representatives earlier this week.

This bill would codify that general welfare benefits provided to tribal members by Indian tribes—often in areas with high levels of poverty and unemployment where these benefits are much needed—are exempt from Federal taxation.

The bill would ensure parity between the tax treatment of benefits provided by Indian tribes and those provided by State and local governments.

While the Internal Revenue Service has issued guidance on this issue, further action is needed to ensure that our tribal citizens are treated fairly with regard to taxation of certain tribal welfare benefits.

This bill establishes a tribal advisory committee to advise the Secretary of the Treasury on the taxation of tribal members.

This is a bipartisan amendment with support from the National Congress of American Indians and the U.S. Chamber of Commerce.

Tribes and tribal organizations across the country, including the Great Plains Tribal Chairman Association and the Coalition of Large Tribes representing the nine tribes in my home State of South Dakota, are urging us to move forward with this legislation.

The Joint Committee on Taxation has estimated that this legislation would have a negligible impact on Federal revenue.

I hope before we adjourn that the Senate can pass by unanimous consent this legislation that was passed by the House of Representatives earlier this week under suspension and that we will reaffirm our commitment to Indian Country.

I hope we move this legislation and move it quickly and clarify once and for all this important issue.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MORAN. I ask unanimous consent to speak as in morning business.

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

DOMESTIC VIOLENCE AWARENESS MONTH

Mr. MORAN. Mr. President, October—next month—is Domestic Violence Awareness Month. It is not expected that the Senate will be in session next month and I would like to use this opportunity to visit just a moment about domestic violence in an effort to create a greater awareness and to work to eliminate this plight among many families and many individuals across the country.

Domestic violence is an issue that impacts way too many Americans. In fact, it affects so many homes, and yet it is something that is rarely spoken about publicly. Right now, because of actions of professional athletes, domestic violence is in the news and it is on our minds. But this attention needs to continue when the sports writers quit writing and when the news reporters and camera crews quit covering and they move on to the next story.

Many Americans assume domestic violence doesn't occur in their neighborhood, it doesn't occur among their friends, but unfortunately that is not the case. Domestic violence does not discriminate by race, gender, age group, education or social status. We can't stereotype, the way we often do, about domestic violence. In fact, it is not just a problem for women; it is also a problem for children and men who are often victims.

In large communities, in small communities across the country and across, unfortunately, my State of Kansas, too many Americans, too many Kansans find themselves placed in danger by the very people who are supposed to love and care for and protect them. Each year, more than 2 million women are victims of domestic violence across the country. In Kansas alone, it is estimated that 1 in 10 adult women will suffer from domestic abuse this year. These are damning statistics that make clear, whether we realize it, someone we know is enduring physical and psychological abuse today, tomorrow, this week. We have a responsibility to help the hopeless—those who are often too afraid to speak out for themselves. I rise tonight to try to give voice to those who are victims and to acknowledge professionals and volunteers who provide care and the services those victims need.

On a single day last year, shelters and organizations in Kansas served more than 720 victims, and similar organizations around the country served more than 66,000 victims each day.

I visited one of those organizations last year, the Kansas SAFEHOME. It is a tremendous organization that serves the greater Kansas City area. SAFEHOME provides more than just a shelter for those needing a place to live or to escape from abuse. They provide no-cost advocacy, counseling, an inhouse attorney, and assistance in finding employment. The agency also provides education in the community to prevent abuse.

Each year SAFEHOME helps thousands of women and children reestablish their lives without violence. The employees and volunteers there are making huge differences in the lives of many. I have often said on the Senate floor that what happens in Washington, DC, matters, but I know we change the world one person, one soul at a time, and in this setting and in settings similar to it across Kansas and around the country, lives are being changed and improved.

Despite the important and the honorable and noble work that organizations such as SAFEHOME are performing, they are often faced with uncertainty regarding the Federal support they will receive. The good news is that last year Congress was able to move past politics and pass legislation to reauthorize the Violence Against Women Act.

I sponsored and voted for that legislation and in my view it provides crucial, critical resources for victims of domestic violence and empowers our justice system to act on their behalf. Just as crucial, it works to prevent abuse from occurring in the first place.

This legislation is having a real impact on the lives of Kansans because survivors now have access, for example, to legal services, through the Legal Assistance to Victims grant project, established in 2012 by the Kansas Coalition Against Sexual and Domestic Violence.

One survivor expressed how grateful she was for the program because, as she said, ''I didn't know what I would have done without it.'' Without the assistance of this program, she may have had to go to court without legal representation, knowing that her perpetrator already had an attorney representing him. With that legal representation, her perpetrator was held accountable for his actions.

Throughout our country, more than one in three women still suffer from abuse during their lifetime, and domestic violence brings fear and hopelessness and depression into the lives of every victim. We should work not only to end this violent crime, but we must also care for those who are victims. By volunteering at a local shelter, speaking out when we become aware of domestic violence or making a donation to an organization that helps in those circumstances, every citizen—as I said, we could change the world one person at a time, and every citizen can find a way to get involved and make a difference.

Now and throughout the year—not just now, not just next month, October is Domestic Violence Month—let us be mindful of the victims of domestic violence and each of us do our part to break the cycle and bring hope to those who suffer and are in despair. Let us also use the conversations taking place now in the print in the papers and on the view of the television as an opportunity to speak out against any and all types of domestic abuse. Let's raise the awareness of this silent and devastating crime and bring about an end to all domestic violence.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE SESSION

NOMINATION OF RANDOLPH D. MOSS TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA

Mr. REID. Mr. President, I now move to proceed to executive session to consider Calendar No. 853.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Randolph D. Moss, of Maryland, to be United States District Judge for the District of Columbia.

CLOTURE MOTION

Mr. REID. I have a cloture motion that has been filed and is at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Randolph D. Moss, of Maryland, to be United States District Judge for the District of Columbia.

Harry Reid, Patrick J. Leahy, Sheldon Whitehouse, Patty Murray, Elizabeth Warren, Charles E. Schumer, Jack Reed, Christopher A. Coons, Dianne Feinstein, Angus S. King, Jr., Benjamin L. Cardin, Mazie K. Hirono, Richard Blumenthal, Amy Klobuchar, Christopher Murphy, Cory A. Booker, Martin Heinrich.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

Mr. REID. Mr. President, I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF LEIGH MARTIN MAY TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA

Mr. REID. Mr. President, I now move to proceed to executive session to consider Calendar No. 855.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Leigh Martin May, of Georgia, to be United States District Judge for the Northern District of Georgia.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Leigh Martin May, of Georgia, to be United States District Judge for the District of Columbia.

Harry Reid, Patrick J. Leahy, Mazie K. Hirono, Richard J. Durbin, Angus S. King, Jr., Jon Tester, Richard Blumenthal, Bill Nelson, Robert P. Casey, Jr., Elizabeth Warren, Brian Schatz, Al Franken, Sheldon Whitehouse, Benjamin L. Cardin, Tim Kaine, Charles E. Schumer, Tom Harkin.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

Mr. REID. Mr. President, I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding rule XXII, that on Wednesday, November 12, 2014, at 5:30 p.m., the Senate proceed to executive session and vote on cloture on Executive Calendar Nos. 853 and 855; further, that if cloture is invoked on either of these nominations, that on Thursday, November 13, 2014, at 2:15 p.m., all postcloture time be considered expired and the Senate proceed to vote on confirmation of the nominations in the order upon which cloture was invoked; further, that there be 2 minutes for debate prior to each vote and all rollcall votes after the first vote in each sequence be 10 minutes in length; further, that with respect to the nominations in this agreement, that if any nomination is confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

CHILD CARE AND DEVELOPMENT BLOCK GRANT OF 2014

Mr. REID. I ask the Chair to lay before the Senate a message from the House with respect to S. 1086.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, that the bill from the Senate (S. 1086) entitled ''An act to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes'', do pass with an amendment.

MOTION TO CONCUR

Mr. REID. I move to concur in the House amendment to S. 1086.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to S. 1086.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to S. 1086, an Act to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.

Harry Reid, Tom Harkin, Barbara A. Mikulski, Mazie K. Hirono, Richard J. Durbin, Angus S. King, Jr., Jon Tester, Richard Blumenthal, Bill Nelson, Robert P. Casey, Jr., Elizabeth Warren, Brian Schatz, Patrick J. Leahy, Al Franken, Sheldon Whitehouse, Benjamin L. Cardin, Tim Kaine.

MOTION TO CONCUR WITH AMENDMENT NO. 3923

Mr. REID. I move to concur in the House amendment to S. 1086, with an amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to S. 1086 with an amendment numbered 3923.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

Mr. REID. I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3924 TO AMENDMENT NO. 3923

Mr. REID. I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows.

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3924 to amendment No. 3923.

The amendment is as follows:

In the amendment, strike ''1 day'' and insert ''2 days''.

MOTION TO REFER WITH AMENDMENT NO. 3925

Mr. REID. I have a motion to refer the House message with respect to S. 1086 with instructions.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to refer the House message on S. 1086 to the Committee on Health, Education, Labor, and Pensions, with instructions to report back forthwith with an amendment numbered 3925.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

Mr. REID. I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3926

Mr. REID. I have an amendment to the instructions that has been filed.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3926 to the instructions of the motion to refer (Amendment No. 3925).

The amendment is as follows:

In the amendment, strike ''3 days'' and insert ''4 days''.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3927 TO AMENDMENT NO. 3926

Mr. REID. I have a second-degree agreement at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3927 to amendment No. 3926.

The amendment is as follows:

In the amendment, strike ''4'' and insert ''5''.

Mr. REID. I ask unanimous consent that the quorum required under rule XXII be waived.

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

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawals which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:08 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 476. An act to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historic Park Commission.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 24. An act to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

H.R. 5462. An act to amend title 49, United States Code, to provide for limitations on the fees charged to passengers of air carriers.

The message also announced that pursuant to section 106(b)(5)(B) of the Higher Education Opportunity Act (Public Law 110–315), the Speaker's appointments of May 25, 2010, and December 22, 2010, of individuals on the part of the House of Representatives to the National Advisory Committee on Institutional Quality and Integrity expired on May 25, 2014, and that pursuant to section 106 of the Higher Education Opportunity Act (Public Law 110–315), and the order of the House of January 3, 2013, the Speaker appoints the following individuals on the part of the House of Representatives to the National Advisory Committee on Institutional Quality and Integrity for a term of six years: Upon the recommendation of the Majority Leader: Mr. Arthur E. Keiser, of Fort Lauderdale, Florida, Mr. William Pepicello of Scottsdale, Arizona, and Mr. Arthur J. Rothkopf of Washington, DC.

ENROLLED BILLS SIGNED

At 1:08 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1603. An act to reaffirm that certain land has been taken into trust for the benefit of the Match-E-Be-Nash-She-Wish Band of Pottawatami Indians, and for other purposes.

S. 2154. An act to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children Program.

S. 2258. An act to provide for an increase, effective December 1, 2014, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

ENROLLED BILLS SIGNED

At 5:26 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker had signed the following enrolled bills:

S. 476. An act to amend the Chesapeake and Ohio Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission.

H.R. 4751. An act to make technical corrections to Public Law 110–229 to reflect the renaming of the Bainbridge Island Japanese American Exclusion Memorial, and for other purposes.

H.R. 4809. An act to reauthorize the Defense Production Act, to improve the Defense Production Act Committee, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5462. An act to amend title 49, United States Code, to provide for limitations on the fees charged to passengers of air carriers; to the Committee on Commerce, Science, and Transportation.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 18, 2014, she had presented to the President of the United States the following enrolled bills:

S. 1603. An act to reaffirm that certain land has been taken into trust for the benefit of the Match-E-Be-Nash-She-Wish of Pottawatami Indians, and for other purposes.

S. 2154. An act to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children Program.

S. 2258. An act to provide for an increase, effective December 1, 2014, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–7042. A communication from the Assistant Administrator, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Species: Critical Habitat for the Northwest Atlantic Ocean Loggerhead Sea Turtle Distinct Population Segment (DPS) and Determination Regarding Critical Habitat for the North Pacific Ocean Loggerhead DPS'' (RIN0648–BD27) received during adjournment of the Senate in the Office of the President of the Senate on August 13, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7043. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Evart and Ludington, Michigan)'' ((MB Docket No. 13–284) (DA 14–1058)) received in the Office of the President of the Senate on August 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7044. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Custer, Michigan)'' ((MB Docket No. 14–66) (DA 14–1222)) received in the Office of the President of the Senate on September 8, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7045. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Caseville and Pigeon, Michigan) (Harbor Beach and Lexington, Michigan)'' ((MM Docket No. 01–229 and MM Docket No. 01–231) (DA 14–1215)) received in the Office of the President of the Senate on September 8, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7046. A communication from the Census Bureau Federal Register Liaison Officer, Census Bureau, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Foreign Trade Regulations (FTR): Clarification on Uses of Electronic Export Information'' (RIN0607–AA52) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7047. A communication from the Chairman of the Office of Proceedings and the Office of Economics, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services—2014 Update'' (Docket No. 542) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7048. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Jurisdictional Separations and Referral to the Federal-State Joint Board'' ((RIN3060–AJ06) (FCC 14–91)) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7049. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Modernizing the E-rate Program for Schools and Libraries'' ((RIN3060–AF85) (FCC 14–99)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7050. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Annual Events on the Maumee River, Toledo, OH'' ((RIN1625–AA08) (Docket No. USCG–2012–0714)) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7051. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Gay Games 9 Triathlon, North Coast Harbor, Cleveland, OH'' ((RIN1625–AA00) (Docket No. USCG–2014–0427)) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7052. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Raccoon Creek, Bridgeport, NJ'' ((RIN1625–AA09) (Docket No. USCG–2013–0711)) received during adjournment of the Senate in the Office

of the President of the Senate on August 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7053. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Gay Games 9 Open Water Swim, Lake Erie, Edgewater Park, Cleveland, OH'' (Docket No. USCG–2014–0635) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7054. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone, Patapsco River; Baltimore, MD'' ((RIN1625–AA00) (Docket No. USCG–2014–0201)) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7055. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Gulf Intracoastal Waterway, St. Petersburg Beach, FL'' ((RIN1625–AA09) (Docket No. USCG–2014–0437)) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7056. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone, James River; Newport News, VA'' ((RIN1625–AA00) (Docket No. USCG–2014–0376)) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7057. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone, Elizabeth River; Norfolk, VA'' ((RIN1625–AA00) (Docket No. USCG–2014–0619)) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7058. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations and Safety Zones; Marine Events in Captain of the Port Long Island Sound Zone'' ((RIN1625–AA08 and RIN1625–AA00) (Docket No. USCG–2014–0446)) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7059. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Mantua Creek, Paulsboro, NJ'' ((RIN1625–AA09) (Docket No. USCG–2013–0710)) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7060. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Gulf Intracoastal Waterway, Treasure Island, FL'' ((RIN1625–AA09) (Docket No. USCG–2013–0319)) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7061. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Gulf Intracoastal Waterway, Mile Marker 49.0 to 50.0, West of Harvey Locks, Bank to Bank, Bayou Blue Pontoon Bridge, Lafourche Parish, LA'' ((RIN1625–AA00) (Docket No. USCG–2014–0411)) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7062. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Offshore Supply Vessels of at Least 6,000 GT ITC'' ((RIN1625–AB62) (Docket No. USCG–2012–0208)) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7063. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; TAKE MARU 55 Vessel Salvage; Cocos Island, Merizo, Guam'' ((RIN1625–AA00) (Docket No. USCG–2014–0721)) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7064. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone, Aquarium Wedding, Delaware River; Camden, NJ'' ((RIN1625–AA00) (Docket No. USCG–2014–0704)) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7065. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events, New Jersey'' ((RIN1625–AA08) (Docket No. USCG–2014–0702)) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7066. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Vessel Documentation Renewal Fees'' ((RIN1625–AB56) (Docket No. USCG–2010–0990)) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7067. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Marine Events in Captain of the Port Long Island Zone'' ((RIN1625–AA00) (Docket No. USCG–2014–0329)) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7068. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Cumberland River, Mile 127.0 to 128.0; Clarksville, TN'' ((RIN1625–AA08) (Docket No. USCG–2014–0489)) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7069. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events, Sunset Lake; Wildwood Crest, NJ'' ((RIN1625–AA08) (Docket No. USCG–2014–0701)) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7070. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone, Labor Day Long Neck Style Fireworks, Indian River Bay; Long Neck, DE'' ((RIN1625–AA00) (Docket No. USCG–2014–0696)) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7071. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events, Atlantic Ocean; Ocean City, NJ'' ((RIN1625–AA08) (Docket No. USCG–2014–0705)) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7072. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events, Atlantic Ocean; Atlantic City, NJ'' ((RIN1625–AA08) (Docket No. USCG–2014–0703)) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7073. A communication from the Attorney, Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, two (2) reports relative to vacancies in the Federal Transit Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7074. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class B Airspace; Salt Lake City, UT'' ((RIN2120–AA66) (Docket No. FAA–2013–0859)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7075. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Memphis, MO'' ((RIN2120–AA66) (Docket No. FAA–2014–0224)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7076. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Steele, MO'' ((RIN2120–AA66)

(Docket No. FAA–2014–0154)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7077. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Phoenix, AZ'' ((RIN2120–AA66) (Docket No. FAA–2013–0956)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7078. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Needles, CA'' ((RIN2120–AA66) (Docket No. FAA–2013–0987)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7079. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airspace Designations; Incorporation by Reference Amendments'' ((RIN2120–AA66) (Docket No. 2013–0709)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7080. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment and Revocation of Jet Routes; Northeast United States'' ((RIN2120–AA66) (Docket No. FAA–2014–0104)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7081. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Air Traffic Service (ATS) Routes in the Vicinity of Grand Rapids, MI'' ((RIN2120–AA66) (Docket No. FAA–2014–0501)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7082. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification and Establishment of Air Traffic Service (ATS) Routes in the Vicinity of Huntingburg, IN'' ((RIN2120–AA66) (Docket No. FAA–2013–0990)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7083. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Air Traffic Service (ATS) Routes in the Vicinity of Nabb, IN'' ((RIN2120–AA66) (Docket No. FAA–2014–0368)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7084. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment and Revocation of Class E Airspace; Tuskegee, AL'' ((RIN2120–AA66) (Docket No. FAA–2014–0082)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7085. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace; Hartford, CT'' ((RIN2120–AA66) (Docket No. FAA–2014–0384)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7086. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Truth or Consequences, NM'' ((RIN2120–AA66) (Docket No. FAA–2013–0995)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7087. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters Deutschland GmbH (Airbus Helicopters) (Previously Eurocopter Deutschland GmbH) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2014–0394)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7088. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Columbia Helicopters, Inc. (Type Certificate Previously Held By Boeing Defense and Space Group) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2014–0385)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7089. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0862)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7090. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0236)) received in the Office of the President of the Senate on September 8, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7091. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0973)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7092. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; EADS CASA (Type Certificate Previously Held by Construcciones Aeronauticas, S.A.) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0980)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7093. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Learjet Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0010)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7094. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0953)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7095. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0341)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7096. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; AERMACCHI S.p.A. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0939)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7097. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Honeywell International Inc. (Type Certificate previously held by AlliedSignal Inc., Garrett Turbine Engine Company) Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2014–0386)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7098. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Canada Corp. Turboprop Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–1059)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7099. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives;

Airbus Helicopters (Previously Eurocopter France) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–1090)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7100. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Time of Designation for Restricted Area R–3002G; Fort Benning, GA'' ((RIN2120–AA64) (Docket No. FAA–2014–0389)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7101. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters Deutschland GmbH (Type Certificate Previously Held By Eurocopter Deutschland GmbH Helicopters) (AHD)'' ((RIN2120–AA64) (Docket No. FAA–2014–0440)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7102. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters Deutschland GmbH (Airbus Helicopters) (Type Certificate Previously Held By Eurocopter Deutschland GmbH) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2014–0395)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7103. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0009)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7104. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–1027)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7105. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0863)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7106. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0432)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7107. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0206)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7108. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0005)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7109. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0004)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7110. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca S.A. Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2006–23809)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7111. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; British Aerospace Regional Aircraft Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0241)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7112. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0226)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7113. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; GROB–WEKE GmbH and Co KG Gliders'' ((RIN2120–AA64) (Docket No. FAA–2014–0292)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7114. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; M7 Aerospace LLC Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0308)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7115. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Canada Corporation Turboprop Engines'' ((RIN2120–AA64) (Docket No. FAA–2014–0159)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7116. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0055)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7117. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–1024)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7118. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Services B.V. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0007)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7119. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0177)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7120. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0253)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7121. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Canada Corp. Turboprop Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–1009)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7122. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives;

Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–1070)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7123. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–1025)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7124. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0296)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7125. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0867)) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7126. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0122)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7127. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–1327)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7128. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0129)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7129. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0120)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7130. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0250)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7131. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1158)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7132. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca S.A. Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2014–0219)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7133. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0468)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7134. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (Embraer) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0531)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7135. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–1068)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7136. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0121)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7137. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Air Tractor, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0077)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7138. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Embraer S.A. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0511)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7139. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–1065)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7140. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Viking Air Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0616)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7141. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0175)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7142. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0176)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7143. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0258)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7144. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (Embraer)'' ((RIN2120–AA64) (Docket No. FAA–2014–0234)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7145. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0060)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7146. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0124)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7147. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0251)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7148. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Honeywell ASCa Inc. Emergency Locator Transmitters Installed on Various Transport Category Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0573)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7149. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters Deutschland GmbH (Previously Eurocopter Deutschland GbmH) (Airbus Helicopters) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2014–0034)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7150. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0252)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7151. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0544)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7152. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0490)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7153. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Mooney International Corporation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0513)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7154. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Saab AB, Saab Aerosystems Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0056)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7155. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0790)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7156. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0268)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7157. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0145)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7158. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0807)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7159. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; AgustaWestland S.p.A. Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2014–0478)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7160. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2009–1088)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7161. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0196)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7162. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Beechcraft Corporation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0187)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7163. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Beechcraft Corporation (Type Certificate Previously Held by Hawker Beechcraft Corporation; Raytheon Aircraft Company) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0254)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7164. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0228)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7165. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0486)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7166. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fuji Heavy Industries, Ltd. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0311)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7167. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; MD Helicopters, Inc., Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2014–0514)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7168. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters (Previously Eurocopter France)'' ((RIN2120–AA64) (Docket No. FAA–2014–0515)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7169. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives;

Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0488)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7170. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Patient Protection and Affordable Care Act; Annual Eligibility Redeterminations for Exchange Participation and Insurance Affordability Programs; Health Insurance Issuer Standards under the Affordable Care Act, Including Standards Related to Exchanges'' ((RIN0938–AS32) (CMS–9941–F)) received in the Office of the President of the Senate on September 8, 2014; to the Committee on Finance.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–338. A resolution adopted by the Mayor and City Commission of the City of Miami Beach, Florida, urging the United States Congress to enact a comprehensive surface transportation program that provides long term funding for local transportation projects; to the Committee on Commerce, Science, and Transportation.

POM–339. A resolution adopted by the City Council of the City of Garden Grove, California, expressing support for H.R. 4254, the Vietnam Human Rights Sanctions Act, and urging the United States Congress to pass this legislation in protection of human rights in Vietnam; to the Committee on Foreign Relations.

POM–340. A resolution adopted by the Legislature of Rockland County, New York, urging the United States Food and Drug Administration to implement its proposed rule to extend the agency's tobacco authority to cover additional tobacco products including e-cigarettes; to the Committee on Health, Education, Labor, and Pensions; to the Committee on Health, Education, Labor, and Pensions.

POM–341. A resolution adopted by the Village Board of the Village of Delevan, New York, opposing the NY SAFE Act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEVIN, from the Committee on Armed Services:

Special Report entitled ''Inquiry Into Cyber Intrusions Affecting U.S. Transportation Command Contractors'' (Rept. No. 113–258).

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs:

Report to accompany S. 1898, a bill to require adequate information regarding the tax treatment of payments under settlement agreements entered into by Federal agencies, and for other purposes (Rept. No. 113–259).

By Mr. TESTER, from the Committee on Indian Affairs:

Report to accompany S. 1474, a bill to encourage the State of Alaska to enter into intergovernmental agreements with Indian tribes in the State relating to the enforcement of certain State laws by Indian tribes, to improve the quality of life in rural Alaska, to reduce alcohol and drug abuse, and for other purposes (Rept. No. 113–260).

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs:

Report to accompany S. 2651, a bill to repeal certain mandates of the Department of Homeland Security Office of Inspector General (Rept. No. 113–261).

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 1232. A bill to amend titles 40, 41, and 44, United States Code, to eliminate duplication and waste in information technology acquisition and management (Rept. No. 113–262).

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

H.R. 4007. A bill to recodify and reauthorize the Chemical Facility Anti-Terrorism Standards Program (Rept. No. 113–263).

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and an amendment to the title and with an amended preamble:

S. Res. 530. A resolution expressing the sense of the Senate on the current situation in Iraq and the urgent need to protect religious minorities from persecution from the terrorist group the Islamic State of Iraq and the Levant (ISIL).

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment:

S. Res. 540. A resolution recognizing September 15, 2014, as the International Day of Democracy, affirming the role of civil society as a cornerstone of democracy, and encouraging all governments to stand with civil society in the face of mounting restrictions on civil society organizations.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with an amended preamble:

S. Res. 541. A resolution recognizing the severe threat that the Ebola outbreak in West Africa poses to populations, governments, and economies across Africa and, if not properly contained, to regions across the globe, and expressing support for those affected by this epidemic.

By Mr. JOHNSON, of South Dakota, from the Committee on Banking, Housing, and Urban Affairs, with an amendment in the nature of a substitute:

S. 1217. A bill to provide secondary mortgage market reform, and for other purposes.

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 2581. A bill to require the Consumer Product Safety Commission to promulgate a rule to require child safety packaging for liquid nicotine containers, and for other purposes.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment:

S. 2778. A bill to require the Secretary of State to offer rewards totaling up to $10,000,000 for information on the kidnapping and murder of James Foley and Steven Sotloff.

By Mr. MENENDEZ, from the Committee on Foreign Relations, with amendments:

S. 2828. A bill to impose sanctions with respect to the Russian Federation, to provide additional assistance to Ukraine, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. WYDEN for the Committee on Finance.

*Carolyn Watts Colvin, of Maryland, to be Commissioner of Social Security for the term expiring January 19, 2019.

By Mr. MENENDEZ for the Committee on Foreign Relations.

Benjamin L. Cardin, of Maryland, to be a Representative of the United States of America to the Sixty-ninth Session of the General Assembly of the United Nations.

Ronald H. Johnson, of Wisconsin, to be a Representative of the United States of America to the Sixty-ninth Session of the General Assembly of the United Nations.

*Earl Robert Miller, of Michigan, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Botswana.

Nominee: Earl Robert Miller.

Post: Republic of Botswana.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: Ana Gladys Miller, None.

3. Children and Spouses: Andrew Robert Miller, None; Alexander James Miller, None; Kendra Elaine Dexter, None/Unable to locate.

4. Parents: Robert James Miller, None; Wanda Morgan Miller, None.

5. Grandparents: Earl Miller, None; Elsie Miller, None; Walter Lee Morgan, None; Mertie Alberta Morgan, None.

6. Brothers and Spouses: David Gene Keltner, None.

7. Sisters and Spouses: Kara Maria Miller, None; Dena Diane Garrison, None; Donald Garrison (spouse), None; Aimery Liseli Trynt, None; Tara Tene Gilles, None; Patrick John Gilles (spouse), None.

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* Judith Beth Cefkin, of Colorado, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kiribati, the Republic of Nauru, the Kingdom of Tonga, and Tuvalu.

Nominee: Judith Beth Cefkin.

Post: Republic of Fiji, Republic of Kirabati, Republic of Nauru, Kingdom of Tonga, and Tuvalu.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: $200.00, 10/18/2012, Obama Victory Fund.

2. Spouse: none.

3. Children and Spouses: N/A.

4. Parents: John Leo Cefkin—deceased; Rose Cefkin, none.

5. Grandparents: Misha and Bluma Cefkin—deceased; Benjamin and Bella Machanick—deceased.

6. Brothers and Spouses: Jonathan and Piangjai Cefkin, none.

7. Sisters and Spouses: Barbara and Perry Springer, none; Melissa Cefkin and Mazyar Lotfalian, $200.00, 2012, Obama for America.

*Stafford Fitzgerald Haney, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Costa Rica.

Nominee: Stafford Fitzgerald Haney.

Post: U.S. Ambassador to the Republic of Costa Rica.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions Amount, Date, and Donee:

1. Self: $2,600, 2014, Menendez for New Jersey; $49,000, 2013, Presidential Inaugural Committee 2013; $2,000, 2012, Democratic Party of Virginia; $1,104, 2012, Democratic Party of Wisconsin; $644, 2012, Colorado Democratic Party; $1,380, 2012, Democratic Executive Committee of Florida; $920, 2012, Iowa Democratic Party; $920, 2012, Nevada State Democratic Party; $276, 2012, New Hampshire Democratic Party; $2,208, 2012, Ohio Democratic Party; $276, 2012, Pennsylvania Democratic Party; $40,000, 2012, Obama Victory Fund 2012, $30,800, 2012, Democratic National Committee; $644, 2012, North Carolina Democratic Party; $2,500, 2012, Menendez for Senate; $5,000, 2011, Obama for America; $35,800, 2011, Obama Victory Fund 2012; $30,800, 2011, Democratic National Committee; $5,000, 2011, Gillibrand for Senate; $5,000, 2011, Kaine for Virginia; $2,500, 2011, Menendez for Senate; $30,400, 2010, Democratic National Committee; $500, 2010, Ben Chandler for Congress.

2. Spouse: Andrea R. Haney: $5,000, 2011, Kaine for Virginia; $30,400, 2010, Democratic National Committee.

3. Children and Spouses: Asher D. Haney—none; Nava S. Haney—none; Eden N. Haney—none; Shaia A. Haney—none.

4. Parents: Sandra Haney Hogan—deceased; William Chester Haney—deceased.

5. Grandparents: Della Mae Scott—deceased; James D. Brabson—deceased; Oliver Joseph Haney—deceased; Grace Tuggelle—deceased.

6. Brothers and Spouses: Joseph M. Haney—deceased.

Sisters and Spouses: None.

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*James Peter Zumwalt, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Senegal and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guinea-Bissau.

Nominee: James Peter Zumwalt.

Post: Senegal and Guinea Bissau

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions and amount:

Self: none; Spouse: none; Children and Spouses: none; Parents: none; Grandparents: none; Brothers and Spouses: none; Sisters and Spouses: none.

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*Craig B. Allen, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Brunei Darussalam.

Nominee: Craig B. Allen.

Post: U.S. Ambassador to Brunei.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $300, June 2011, Obama Campaign; $100, July 2012, Friends of Pat Fahy (NY Assemblywoman).

2. Spouse: Micheline R. Tusenius: $100, June 2011, Obama Campaign; $35, May 29 2012, Obama Campaign; $15, June 17, 2012, Obama Campaign; $50, July 16, 2012, Obama Campaign; $100, August 9, 2012, Friends of Pat Fahy; $55, Oct. 10, 2012, Obama Campaign; $55, Oct 28, 2012, Obama Campaign; $25, March 30, 2014, Democratic National Committee.

3. Children: Christopher R. Allen, None; Caroline L. Allen, None.

4. Parents: Chester B. Allen, Deceased; Elizabeth R. Allen, None.

5. Grandparents: Chester Allen, Deceased; Miriam Allen, Deceased; Raymond Leonard, Deceased; Marion Leonard, Deceased.

6. Brother: Scott A. Allen: $500, February 24, 2010, Trivedi for Congress; $1,000, March 3, 2010, Ben Cardin for Senate; $1,000, March 9, 2010, Veterans for Security & Democracy (Vetpac); $1,000, March 17, 2010, Patrick Murphy for Congress; $250, May 4, 2010, Trivedi for Congress; $1,000, May 11, 2010, Vetpac; $1,000, June 9, 2010, Vetpac; $1,000, June 30, 2010, Patrick Murphy for Congress; $2,000, Sept. 14, 2010, Trivedi for Congress; $1,000, October 7, 2010, Patrick Murphy for Congress; $30,800, February 24, 2011, DNC Services Corp./Democratic National Comm.; $3,000, March 4, 2011, Vetpac; $2,500, June 3, 2011, Obama for America; $5,000, June 3, 2011, Obama Victory Fund 2012; $1,000, Dec. 6, 2011, Trivedi for Congress; $220, Dec. 16, 2011, Colorado Democratic Party; $340, Dec. 16, 2011, Democratic Executive Committee of Florida; $220, Dec. 16, 2011, North Carolina Democratic Party-Federal; $320, Dec. 16, 2011, Ohio Democratic Party; $260, Dec. 16, 2011, Pennsylvania Democratic Party; $2,000, Dec. 16, 2011, Swing State Victory Fund; $220, Dec. 30, 2011, Democratic Party of Virginia; $2,000, February 4, 2012, Vetpac; $1,000,February 22, 2012, Trivedi for Congress; $550, March 6, 2012, Colorado Democratic Party; $250,March 6, 2012, Iowa Democratic Party; $300, March 6, 2012, Nevada State Democratic Party; $200, March 6, 2012, New Hampshire Democratic Party; $550,March 6, 2012,North Carolina Democratic Party-Federal; $35,800, March 6, 2012, Obama Victory Fund 2012; $800, March 6, 2012, Ohio Democratic Party; $650, March 6, 2012, Pennsylvania Democratic Party; $30,800, March 31, 2012, DNC Services Corp/Dem Natl Comm; $500, April 24, 2012, Trivedi for Congress; $500, June 29, 2012, Kaine for Virginia; $500, June 29, 2012, Trivedi for Congress; $500, August 31, 2012, Trivedi for Congress; $300, Sept. 30, 2012, Democratic Party of Wisconsin; $500, Sept. 30, 2012, Trivedi for Congress; $550, Sept. 30, 2012, Democratic Party of Virginia; $5,000, 2013,Council for a Livable World; $250, 2013, Organizing for America; $250, 2014, Marquez for Arizona; $1,000, 2014, 4DPAC; $1,000, 2014, Don Beyer for Virginia.

Brother's Spouse: Kanako Y. Allen: $2,500, June 21, 2011, Obama for America; $2,500, June 21, 2011, Obama Victory Fund 2012; $388, Sept. 13, 2012, Colorado Democratic Party; $833, Sept. 13, 2012, Democratic Executive Committee of Florida; $666, Sept. 13, 2012, Democratic Party of Wisconsin; $555, Sept 13, 2012, Iowa Democratic Party; $555, Sept. 13, 2012, Nevada State Democratic Party; $5,000, Sept. 13, 2012, Obama Victory Fund 2012; $1,333, Sept. 13, 2012, Ohio Democratic Party; $500, October 17, 2012, Democratic Party of Virginia; $2,500, October 29, 2012, DNC Services Corporation/Dem Nati Comm; $2,500, October 29, 2012, Obama Victory Fund 2012; $2,000, November 1, 2012, DNC Services Corporation/Dem Natl Comm; $2,000, November 1, 2012, Obama Victory Fund 2012.

7. Sister: Sara R. Bowden: $500.00,2012, Obama Campaign; $500.00, 2012, Tim Kaine's U.S. Senate Campaign.

Sister's Spouse: Dennis Bowden: None.

Charles C. Adams, Jr., of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Finland.

Nominee: Charles C. Adams, Jr.

Post: U.S. Ambassador to the Republic of Finland.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $30,400.00, Democratic National Committee; $1,000.00, Bennet for Colorado; $2,400.00, 10/15/2010, Friends for Harry Reid; $240, 10/15/2010, ACTBLUE; $9,200.00, 12/30/2011, Swing State Victory Fund; $2,500.00, 6/29/2011, Kaine for Virginia; $2,500.00, 9/7/2011, Kaine for Virginia; $35,800.00, 9/19/2011, Obama Victory Fund; $2,500.00, Akin Gump Civic Action Committee; $200.00, 12/14/2011; ACTBLUE; $30,800.00, 1/31/2012, Obama Victory Fund; $1,000.00, 1/12/2012, Gillibrand for Senate; $500.00, 2/21/2012, Andrei Cherney for Arizona; $500.00, 8/8/2012, Andrei Cherney for Arizona; $600.00, 5/30/2012, Clyde Williams for Congress; $1,000.00, DSCC; $5,000.00, 4/25/2012, Akin Gump Civic Action Committee; $1,000.00, 3/16/2012, ACTBLUE; $1,000.00, 3/31/2014, Mark Warner for Virginia; $2,000.00, Common Ground PAC; $500.00, 4/1/2014, Nunn for Senate, Inc.; $2,600.00, 2/6/2014, Friends of Don Beyer; $1,000.00, 4/2/2014, Democrats Abroad; $300.00, 5/9/2014, ACTBLUE; $3,000.00, 5/9/2014, Ready for Hillary PAC; $200.00, 5/13/2014, ACTBLUE; $5,200.00, 5/13/2014, Kaine for Virginia.

2. Spouse: None.

3. Children and Spouses: Matthew Andrew Adams: $5,000.00, 12/3/2011, Kaine for Virginia; $1,000.00, 9/28/2011, Obama Victory Fund 2012; $1,000.00, 2/21/2012, Obama Victory Fund 2012; $5,000.00, 5/17/2012, Obama Victory Fund 2012; $1,000.00, 6/8/2012, Obama Victory Fund 2012; $5,000.00, 8/20/2012, Obama Victory Fund 2012; $1,000.00, 10/13/2012, Obama Victory Fund 2012. Maya Adrian Adams: None.

4. Parents: Charles C. Adams—deceased; Florence Adams—deceased.

5. Grandparents: Charles C. Adams—deceased; Nellie M. Adams—deceased; David Schneider—deceased; Mary Schneider—deceased.

6. Brothers and Spouses: Andrew M. Adams—deceased; Kenneth A. Adams, None; Joanne K. Adams, None.

7. Sisters and Spouses: Adrian Adams Sow—Deceased; Diabé Sow, None; Christiane Adams, None; Peter De Bolla, None.

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*Barbara A. Leaf, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Arab Emirates.

Nominee: Barbara Anne Leaf.

Post: Abu Dhabi.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: Chris Querin, None.
3. Children: Maro Querin, None; Asja Querin, None.
4. Parents: Madonna Anne Leaf: $50, 2012; Rick Santorum; Howard W. Leaf—deceased.
5. Grandparents: None. John and Anna Ronan—deceased; Joseph and Hilda Leaf—deceased.
6. Brothers and Spouses: Timothy Leaf, None; Tom and Christina Leaf, None; Dan and Jennifer Leaf, None.
7. Sisters and Spouses: Anne Marie and Tom Moore, None; Mary Beth Leaf, None.

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*Virginia E. Palmer, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Malawi.

Nominee: Virginia Evelyn Palmer.

Post: Ambassador to Malawi.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: none.
3. Children and Spouses: Rebecca A. Asmal: Nadr K. Asmal: none.
4. Parents: Rebecca L. Palmer: Richard H. Hudson: $50 from 2008-2012 Obama for President.
5. Grandparents: deceased.
6. Brothers and Spouses: S. Zachery Palmer: none.
7. Sisters and Spouses: Katherine Palmer Kaup: John Kaup. none.

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*William V. Roebuck, of North Carolina, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Bahrain.

Nominee: William V. Roebuck.

Post: Bahrain.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $50.00, 12/10/2011, Obama for America (OFA).
2. Spouse: Ann Roebuck: $50.00, 09/2012 (approximate date), OfA.
3. Children and Spouses: Son William Roebuck: None.

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*Thomas Frieden, of New York, to be Representative of the United States on the Executive Board of the World Health Organization.

*Pamela Leora Spratlen, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Uzbekistan.

Nominee: Pamela L. Spratlen.

Post: Uzbekistan.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, donee:

1. Self: None.
2. Spouse: N/A.
3. Children and Spouses: N/A.
4. Parents: Lois Price Spratlen (deceased): $500, 2/08, Obama for America; $1000, 10/08, Obama for America. Thaddeus H. Spratlen: $400, 1/08, Obama for America; $500, 3/08, Obama for America; $1000, 8/08, Obama for America; $1000, 10/08, Obama for America; $1000, 10/08, Obama Victory Fund; $1000, 10/08, Obama Victory Fund; $50.00, 1/25/10, Adam Kline for State Senate (Dem); $200.00, 5/6/10, Randy Gordon for State Senate (Dem); $50.00, 6/30/10, Scott White for State Senate (Dem); $250.00, 8/8/10, Patty Murray for U.S. Senate (Dem); $500.00, 2/16/11, Larry Gossett for King County Council; $100.00, 2/23/11, Bruce Harrell for Seattle City Council; $50.00, 3/2/11, MoveOn.org (political action); $200.00, 5/23/11, People for Patty Murray; $100.00, 7/28/11, Frank Irigon for Bellevue City Council; $700.00, 7/18/11, Larry Gossett for King County Council; $200.00, 10/07/11, Jay Inslee for Governor (WA); $100.00, 1/27/12, WA State Democratic Party; $100.00, 2/22/12, Dem. Congressional Campaign Comm.; $50.00, 5/15/12, Judy Ramseyer for Superior Court (KC); $150.00, 5/21/12, Dem. Congressional Campaign Comm.; $75.00, 7/27/12, WA State Democratic Party; $1,000.00, 11/05/12, Obama Victory Fund (Dem); $500.00, 6/12/13, Bruce Harrell for Mayor (Seattle).
5. Grandparents: Paternal: John and Lela Spratlen (both deceased); Maternal: Ora Ferguson Price, James Madison Price (both deceased).
6. Brothers and Spouses: Khalfani Mwamba & Anita Koyier-Mwamba: None; Townsand Price-Spratlen (no spouse): None.
7. Sisters and Spouses: Patricia Etem: $250, 2/08, Obama for America; Paula Mitchell and James Mitchell (deceased): None.

*David Nathan Saperstein, of the District of Columbia, to be Ambassador at Large for International Religious Freedom.

*Robert T. Yamate, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Madagascar, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of the Comoros.

Nominee: Robert T. Yamate

Post Madagascar and the Union of the Comoros.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the Information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: none.
3. Parents (both deceased): Thomas & Hideko Yamate, n/a.
4. Grandparents (all deceased): Gohei and Tome Yamate, n/a; Toworu and Michiko Ozasa, n/a.
5. Sisters and Spouses: Carol Yamate Borders, none; Wayne Borders, none.

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*Donald L. Heflin, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cabo Verde.

Nominee: Donald L. Heflin.

Post: Ambassador to Cabo Verde.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions and amount: Self: Zero; Children and Spouses: Sara G. Heflin: Zero; Parents: Deceased; Grandparents: Deceased; Brothers and Spouses: N/A; Sisters and Spouses: Dawn G. Burson and James Burson: Zero.

Mr. MENENDEZ. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary's desk for the information of Senators.

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

Foreign Service nominations beginning with Leslie Meredith Tsou and ending with Lon C. Fairchild, which nominations were received by the Senate and appeared in the Congressional Record on January 30, 2014. (minus 194 nominees beginning with Gerald Michael Feierstein)

By Mr. LEAHY for the Committee on the Judiciary.

Madeline Cox Arleo, of New Jersey, to be United States District Judge for the District of New Jersey.

Wendy Beetlestone, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Victor Allen Bolden, of Connecticut, to be United States District Judge for the District of Connecticut.

Armando Ormar Bonilla, of the District of Columbia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

David J. Hale, of Kentucky, to be United States District Judge for the Western District of Kentucky.

Mark A. Kearney, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Gerald J. Pappert, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Gregory N. Stivers, of Kentucky, to be United States District Judge for the Western District of Kentucky.

Joseph F. Leeson, Jr., of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Stephen R. Bough, of Missouri, to be United States District Judge for the Western District of Missouri.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MENENDEZ:

S. 2851. A bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the programs and activities of the National Institutes of Health with respect to Tourette syndrome; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COBURN (for himself and Ms. HIRONO):

S. 2852. A bill to clarify membership requirements for the Board of Directors of the Federal Deposit Insurance Corporation; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. COONS (for himself, Mr. GRAHAM, and Mr. CARDIN):

S. 2853. A bill to implement policies to end preventable maternal, newborn, and child deaths globally; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself, Ms. WARREN, Mr. REED, and Mr. BLUMENTHAL):

S. 2854. A bill to establish pilot programs to encourage the use of shared equity mortgage modifications, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CARDIN (for himself and Mr. PORTMAN):

S. 2855. A bill to amend the nondiscrimination provisions of the Internal Revenue Code of 1986 to protect older, longer, service participants; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. CARDIN, and Ms. COLLINS):

S. 2856. A bill to amend the Internal Revenue Code of 1986 to modify the credit for production of electricity from renewable resources for certain open-loop biomass and trash facilities placed in service before the date of the enactment of this Act; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself and Mr. MURPHY):

S. 2857. A bill to direct the Secretary of the Interior to carry out a study regarding the suitability and feasibility of establishing the Naugatuck River Valley National Heritage Area in Connecticut, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ:

S. 2858. A bill to enhance rail safety and provide for the safe transport of hazardous materials, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. MURRAY:

S. 2859. A bill to promote apprenticeships for credentials and employment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself, Mr. BROWN, Mr. JOHNSON of South Dakota, and Mrs. HAGAN):

S. 2860. A bill to authorize the Secretary of Education to make grants to support early college high schools and other dual or concurrent enrollment programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. NELSON (for himself and Mr. RUBIO):

S. 2861. A bill to authorize the Central Everglades Planning Project, Florida, and for other purposes; to the Committee on Environment and Public Works.

By Mr. HATCH (for himself and Mr. WHITEHOUSE):

S. 2862. A bill to amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FLAKE (for himself, Mr. MCCAIN, Mr. HATCH, Mr. ISAKSON, and Mr. SCOTT):

S. 2863. A bill to require the Secretary of Education to complete a data analysis on the impact of the proposed rule on gainful employment prior to issuing a final rule on gainful employment; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Mrs. BOXER, and Mr. WHITEHOUSE):

S. 2864. A bill to direct the Secretary of Health and Human Services to develop a national strategic action plan to assist health professionals in preparing for and responding to the public health effects of climate change, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself, Mr. MERKLEY, and Mr. BEGICH):

S. 2865. A bill to amend the National Voter Registration Act of 1993 to provide for voter registration through the Internet, and for other purposes; to the Committee on Rules and Administration.

By Mr. BOOKER:

S. 2866. A bill to authorize grants for the support of caregivers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KAINE (for himself, Ms. BALDWIN, and Mr. PORTMAN):

S. 2867. A bill to amend the Higher Education Act of 1965 to provide for the preparation of career and technical education teachers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. LEVIN, Mr. MARKEY, Mrs. SHAHEEN, and Ms. WARREN):

S. 2868. A bill to establish a statute of limitations for certain actions of the Securities and Exchange Commission, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. COATS:

S. 2869. A bill to enhance the homeland security of the United States , and for other purposes; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself and Mr. KING):

S. 2870. A bill to amend certain provisions of the Social Security Act relating to demonstration projects designed to provide unemployed workers with the information, skills, and relationships they need for reemployment; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. COONS, and Mr. HELLER):

S. 2871. A bill to amend title 18, United States Code, to safeguard data stored abroad from improper government access, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENTHAL:

S. 2872. A bill to protect individuals by strengthening the Nation's mental health infrastructure, improving the understanding of violence, strengthening firearm prohibitions and protections for at-risk individuals, and improving and expanding the reporting of mental health records to the National Instant Criminal Background Check System; to the Committee on the Judiciary.

By Mr. COBURN (for himself, Mr. WARNER, and Mr. ENZI):

S. 2873. A bill to authorize the Secretary of the Interior to acknowledge contributions at units of the National Park System; to the Committee on Energy and Natural Resources.

By Mr. CASEY:

S. 2874. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to eliminate the use of valid court orders to secure lockup of status offenders, and for other purposes; to the Committee on the Judiciary.

By Mr. BEGICH:

S. 2875. A bill to codify in law the establishment and duties of the Office of Complex Administrative Investigations in the National Guard Bureau, and for other purposes; to the Committee on Armed Services.

By Mrs. MURRAY (for herself, Mrs. BOXER, Ms. WARREN, Mr. BLUMENTHAL, and Mr. BOOKER):

S. 2876. A bill to establish a public education and awareness and access program relating to emergency contraception; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER:

S. 2877. A bill to appropriately manage the debt of the United States by limiting the use of extraordinary measures; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ:

S. 2878. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from income for student loan forgiveness for students in certain income-based or income-contingent repayment programs who have completed payment obligations, and for other purposes; to the Committee on Finance.

By Mr. COONS (for himself, Ms. COLLINS, Mr. ROCKEFELLER, and Mr. ISAKSON):

S. 2879. A bill to provide for the implementation of a Sustainable Chemistry Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ROCKEFELLER:

S. 2880. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive to individuals teaching in elementary and secondary schools located in rural or high unemployment areas and to individuals who achieve certification from the National Board for Professional Teaching Standards, and for other purposes; to the Committee on Finance.

By Ms. AYOTTE:

S. 2881. A bill to amend the Internal Revenue Code of 1986 to simplify the treatment of seasonal positions for purposes of the employer shared responsibility requirement; to the Committee on Finance.

By Mr. MCCONNELL:

S. 2882. A bill to amend the Internal Revenue Code of 1986 to allow certain individuals a credit against income tax for contributions to 529 plans, and for other purposes; to the Committee on Finance.

By Mr. HEINRICH:

S. 2883. A bill to require the Comptroller General of the United States to submit to Congress a report on the entrepreneurial impact of technology transfer at the National Laboratories; to the Committee on Energy and Natural Resources.

By Ms. CANTWELL (for herself, Mr. REID, and Mr. JOHNSON of South Dakota):

S. 2884. A bill to amend the Internal Revenue Code of 1986 to prohibit tax-exempt status to professional sports leagues that promote the use of the term redskins; to the Committee on Finance.

By Mr. LEE:

S. 2885. A bill to amend the National Labor Relations Act to modify the authority of the National Labor Relations Board with respect to rulemaking, issuance of complaints, and authority over unfair labor practices; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WICKER (for himself, Mrs. GILLIBRAND, and Mr. COCHRAN):

S. 2886. A bill to award posthumously a Congressional Gold Medal, collectively, to James Chaney, Andrew Goodman, and Michael Schwerner to commemorate the lives they lost 50 years ago in an effort to bring justice and equality to Americans in Mississippi during Freedom Summer; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HARKIN:

S. 2887. A bill to expand access to transportation services for individuals with disabilities; to the Committee on Finance.

By Mr. HARKIN:

S. 2888. A bill to promote the provision of exercise and fitness equipment that is accessible to individuals with disabilities; to the Committee on Finance.

By Mr. HARKIN:

S. 2889. A bill to require compliance with established universal home design guidelines, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. BALDWIN (for herself, Ms. MIKULSKI, Ms. CANTWELL, Mr. KING, Mr. WHITEHOUSE, Mrs. SHAHEEN, Mr. BEGICH, Ms. HIRONO, and Mr. REED):

S. 2890. A bill to authorize the Secretary of Commerce, through the National Oceanic and Atmospheric Administration, to establish a constituent-driven program that develops an information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices, and coordinates the collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER (for himself, Mr. WICKER, Mr. BEGICH, Mr. COCHRAN, and Mr. CASEY):

S. 2891. A bill to amend title 23, United States Code, to direct the Secretary of Transportation to establish an innovation in surface transportation program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. KIRK (for himself and Mr. VITTER):

S. 2892. A bill to amend the Internal Revenue Code of 1986 to improve and expand Coverdell education savings accounts; to the Committee on Finance.

By Mr. MORAN (for himself and Ms. HEITKAMP):

S. 2893. A bill to authorize the use of multifamily housing subject to a mortgage insured under section 207 of the National Housing Act as short-term residential housing; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HOEVEN:

S. 2894. A bill to streamline the oil and gas permitting process and to recognize fee ownership for certain oil and gas drilling or spacing units, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWN (for himself and Mr. DURBIN):

S. 2895. A bill to amend the Internal Revenue Code to include in income the unrepatriated earnings of groups that include an inverted corporation; to the Committee on Finance.

By Ms. COLLINS (for herself and Mr. NELSON):

S. 2896. A bill to amend title 31, United States Code, to adjust for inflation the amount that is exempt from administrative offsets by the Department of Education for defaulted student loans; to the Committee on Finance.

By Mr. COONS (for himself and Ms. AYOTTE):

S. 2897. A bill to establish a program that promotes reforms in workforce education and skill training for manufacturing in States and metropolitan areas, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself and Mr. HARKIN):

S. 2898. A bill to provide consumer protections for students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS:

S. 2899. A bill to amend the Internal Revenue Code of 1986 to reinstate estate and generation-skipping taxes, and for other purposes; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. REED, Mr. FRANKEN, Mr. SANDERS, Mr. BLUMENTHAL, Mr. LEAHY, Mr. WHITEHOUSE, Mr. SCHUMER, Ms. LANDRIEU, Mr. BENNET, Mrs. GILLIBRAND, and Mr. WYDEN):

S. 2900. A bill to create livable communities through coordinated public investment and streamlined requirements, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SANDERS (for himself, Mr. MERKLEY, Mrs. BOXER, Mr. HARKIN, Mr. WHITEHOUSE, and Mr. MENENDEZ):

S. 2901. A bill to increase the quantity of solar photovoltaic electricity by providing rebates for the purchase and installation of an additional 10,000,000 photovoltaic systems by 2024, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 2902. A bill to prohibit the sale or distribution of certain cosmetics containing synthetic plastic microbeads; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. UDALL of New Mexico):

S. 2903. A bill to reform the Privacy and Civil Liberties Oversight Board, and for other purposes; to the Committee on the Judiciary.

By Mr. COBURN:

S. 2904. A bill to prevent the militarization of Federal, State, and local law enforcement by Federal excess property transfers and grant programs; to the Committee on Armed Services.

By Mr. SANDERS:

S. 2905. A bill to require the Director of the Congressional Budget Office to calculate a carbon score for each bill or resolution; to the Committee on the Budget.

By Mr. REED (for himself, Mr. HARKIN, and Mr. WHITEHOUSE):

S. 2906. A bill to provide for the treatment and extension of temporary financing of short-time compensation programs; to the Committee on Finance.

By Ms. LANDRIEU (for herself and Mr. HEINRICH):

S. 2907. A bill to require the Secretary of Energy to establish and carry out a comprehensive program to improve education and training for energy-related jobs; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN:

S. 2908. A bill to amend the Internal Revenue Code of 1986 to expand eligibility for the refundable credit for coverage under a qualified health plan, and for other purposes; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. JOHANNS, Mr. COONS, Mr. ISAKSON, Mr. CARDIN, and Mr. BOOZMAN):

S. 2909. A bill to authorize a comprehensive strategic approach for United States foreign assistance to developing countries to end extreme global poverty and hunger, achieve food and nutrition security, promote endurable, long-term, agricultural-led economic growth, improve nutritional outcomes, especially for women and children, build resilient, adaptive, local capacity of vulnerable populations, and for other related purposes; to the Committee on Foreign Relations.

By Mr. JOHNSON of South Dakota (for himself and Mr. UDALL of New Mexico):

S. 2910. A bill to prohibit States from carrying out more than one Congressional redistricting after a decennial census and apportionment, to require States to conduct such redistricting through independent commissions, and for other purposes; to the Committee on the Judiciary.

By Mr. MURPHY (for himself, Ms. COLLINS, Mrs. FEINSTEIN, Mr. SANDERS, Mr. COONS, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. WHITEHOUSE, Mr. MERKLEY, Mr. KING, and Ms. WARREN):

S. 2911. A bill to establish a task force to review policies and measures to promote, and to develop best practices for, reduction of short-lived climate pollutants, and for other purposes; to the Committee on Environment and Public Works.

By Ms. AYOTTE (for herself, Mrs. SHAHEEN, and Mr. MCCONNELL):

S. 2912. A bill to amend the Internal Revenue Code of 1986 to exclude certain compensation received by public safety officers and their dependents from gross income; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HELLER (for himself and Mr. TESTER):

S. Res. 561. A resolution expressing the sense of the Senate that recently proposed measures that will reduce transparency and public participation at the International Association of Insurance Supervisors (IAIS) should be disapproved by United States representatives to the IAIS; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. COONS (for himself, Mr. HOEVEN, Mrs. SHAHEEN, Mr. PORTMAN, Ms. LANDRIEU, Ms. COLLINS, Mr. FRANKEN, Mr. GRAHAM, Mr. WYDEN, Mr. CHAMBLISS, Mr. MENENDEZ, Mr. REED, Mr. MERKLEY, Mr. KING, Mr. SCHATZ, Mr. MARKEY, Mr. BOOKER, Mr. BLUMENTHAL, Ms. WARREN, and Mr. DONNELLY):

S. Res. 562. A resolution expressing the sense of the Senate that performance-based contracts for energy savings are a budget-neutral means to support the Federal Government in reducing its energy consumption without increasing spending while simultaneously supporting United States based jobs and economic development; to the Committee on the Budget.

By Mr. KIRK (for himself, Mr. MCCONNELL, Mr. COATS, Mr. ISAKSON, Mr. CHAMBLISS, Mr. WICKER, Mr. THUNE, Mr. BLUNT, Mr. BOOZMAN, Mr. JOHNSON of Wisconsin, Mr. CORNYN, and Mr. GRASSLEY):

S. Res. 563. A resolution expressing the sense of the Senate that the President should pursue extradition authority for international cybercriminals committing credit card theft targeting United States citizens; to the Committee on Foreign Relations.

By Mr. BROWN (for himself and Mr. PORTMAN):

S. Res. 564. A resolution honoring conservation on the centennial of the passenger pigeon extinction; to the Committee on Environment and Public Works.

By Mr. LEVIN (for himself, Mr. KIRK, Ms. STABENOW, and Ms. BALDWIN):

S. Res. 565. A resolution expressing the sense of the Senate that the President and the Secretary of State should ensure that the Canadian Government does not permanently store nuclear waste in the Great Lakes Basin; to the Committee on Foreign Relations.

By Mr. THUNE (for himself and Mr. JOHNSON of South Dakota):

S. Res. 566. A resolution celebrating the 125th anniversary of the State of North Dakota; considered and agreed to.

By Mr. MCCAIN (for himself, Mr. LEAHY, Mr. CORKER, Mr. WHITEHOUSE, and Mr. CARDIN):

S. Res. 567. A resolution expressing the sense of the Senate regarding the possible easing of restrictions on the sale of lethal military equipment to the Government of Vietnam; to the Committee on Foreign Relations.

By Mr. SCHUMER:

S. Res. 568. A resolution designating the month of September 2014 as ''National Sepsis Awareness Month'' ; to the Committee on the Judiciary.

By Mr. NELSON (for himself, Ms. COLLINS, Ms. MIKULSKI, and Mr. SANDERS):

S. Res. 569. A resolution designating September 23, 2014, as ''National Falls Prevention Awareness Day'' to raise awareness and encourage the prevention of falls among older adults; to the Committee on the Judiciary.

By Mr. MANCHIN (for himself, Mr. BURR, Mr. ROCKEFELLER, Ms. MIKULSKI, and Mr. BROWN):

S. Res. 570. A resolution designating October 17, 2014, as ''National Alternative Fuel Vehicle Day'' ; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Mr. CORNYN, and Mr. MENENDEZ):

S. Res. 571. A resolution designating September 30, 2014, as ''United States and India Partnership Day'' ; considered and agreed to.

By Ms. CANTWELL (for herself, Mrs. MURRAY, Mr. CHAMBLISS, Mr. ISAKSON, Mr. WARNER, Mr. KAINE, Mr. BLUMENTHAL, Mr. MURPHY, Mrs. SHAHEEN, Ms. COLLINS, Ms. HIRONO, and Mr. KING):

S. Res. 572. A resolution congratulating the Sailors of the United States Submarine Force upon the completion of 4,000 ballistic missile submarine (SSBN) deterrent patrols; considered and agreed to.

By Mr. WYDEN (for himself, Mr. SESSIONS, Mr. UDALL of Colorado, Mr. ALEXANDER, Mr. UDALL of New Mexico, Mr. PORTMAN, Mr. BENNET, Mr. BURR, Mr. HARKIN, Mr. KIRK, Mr. MARKEY, Mr. DURBIN, Mr. LEVIN, Ms. STABENOW, Ms. CANTWELL, Mr. JOHNSON of South Dakota, Mr. MENENDEZ, Mr. REID, Mr. WALSH, Mrs. BOXER, Mrs. FEINSTEIN, Mr. BOOKER, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mrs. MURRAY, Mr. KING, Mr. COONS, Mr. CASEY, Mr. SCHATZ, Ms. HIRONO, Mr. TESTER, Mr. HEINRICH, Mr. FRANKEN, Mr. SANDERS, Mr. MERKLEY, Mr. WARNER, Ms. BALDWIN, Ms. MIKULSKI, Mr. CARDIN, Mr. ROCKEFELLER, Mr. MURPHY, Mrs. HAGAN, and Ms. WARREN):

S. Res. 573. A resolution commemorating the 50th anniversary of the Wilderness Act; considered and agreed to.

By Mr. WHITEHOUSE (for himself, Mrs. SHAHEEN, Ms. CANTWELL, Mr. WARNER, Mr. BLUMENTHAL, Mr. MENENDEZ, Mr. BOOKER, Mr. REED, Ms. WARREN, Ms. MIKULSKI, Mr. COONS, Mr. MARKEY, Mr. NELSON, Mr. DURBIN, Ms. LANDRIEU, Mrs. MURRAY, Mrs. BOXER, Ms. HIRONO, Mr. KING, Ms. COLLINS, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. CARDIN, Mr. COCHRAN, Mrs. FEINSTEIN, Mr. WYDEN, Mr. BEGICH, and Ms. AYOTTE):

S. Res. 574. A resolution designating the week of September 20 through September 27, 2014, as ''National Estuaries Week'' ; considered and agreed to.

By Mr. SESSIONS (for himself, Mr. SHELBY, Mr. CARDIN, Mr. MORAN, Mrs. BOXER, Ms. AYOTTE, Mr. JOHNSON of South Dakota, Mrs. FEINSTEIN, Mr. MARKEY, Mr. COCHRAN, Mr. MENENDEZ, Mr. BLUNT, Mr. VITTER, Mr. WYDEN, and Mr. CHAMBLISS):

S. Res. 575. A resolution designating September 2014 as ''National Prostate Cancer Awareness Month''; considered and agreed to.

By Mr. REID:

S. Con. Res. 44. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

ADDITIONAL COSPONSORS

S. 209

At the request of Mr. PAUL, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 209, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 326

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 326, a bill to reauthorize 21st century community learning centers, and for other purposes.

S. 403

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 489

At the request of Mr. THUNE, the names of the Senator from North Carolina (Mr. BURR) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 489, a bill to amend the Tariff Act of 1930 to increase and adjust for inflation the maximum value of articles that may be imported duty-free by one person on one day, and for other purposes.

S. 569

At the request of Mr. BROWN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 569, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 631

At the request of Mr. HARKIN, the names of the Senator from Delaware (Mr. COONS) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 631, a bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.

S. 635

At the request of Mr. MORAN, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 635, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

At the request of Mr. BROWN, the names of the Senator from Utah (Mr. LEE) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 635, supra.

S. 641

At the request of Mr. WYDEN, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 641, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 820

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 820, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 1009

At the request of Mr. DONNELLY, his name was added as a cosponsor of S. 1009, a bill to reauthorize and modernize the Toxic Substances Control Act, and for other purposes.

S. 1011

At the request of Mr. JOHANNS, the names of the Senator from Illinois (Mr. DURBIN), the Senator from California (Mrs. BOXER), the Senator from Hawaii (Ms. HIRONO), the Senator from New Jersey (Mr. BOOKER) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 1011, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

S. 1088

At the request of Mr. FRANKEN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1088, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 1323

At the request of Mrs. FEINSTEIN, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 1323, a bill to address the continued threat posed by dangerous synthetic drugs by amending the Controlled Substances

Act relating to controlled substance analogues.

S. 1406

At the request of Ms. AYOTTE, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1406, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1407

At the request of Mr. CASEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1407, a bill to amend the Elementary and Secondary Education Act of 1965 to strengthen elementary and secondary computer science education, and for other purposes.

S. 1463

At the request of Mrs. BOXER, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 1463, a bill to amend the Lacey Act Amendments of 1981 to prohibit importation, exportation, transportation, sale, receipt, acquisition, and purchase in interstate or foreign commerce, or in a manner substantially affecting interstate or foreign commerce, of any live animal of any prohibited wildlife species.

S. 1507

At the request of Mr. MORAN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1507, a bill to amend the Internal Revenue Code of 1986 to clarify the treatment of general welfare benefits provided by Indian tribes.

S. 1654

At the request of Mr. REED, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1654, a bill to amend the Internal Revenue Code of 1986 to deny tax deductions for corporate regulatory violations.

S. 1702

At the request of Mr. LEE, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1702, a bill to empower States with authority for most taxing and spending for highway programs and mass transit programs, and for other purposes.

S. 1756

At the request of Mr. BLUNT, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 1756, a bill to amend section 403 of the Federal Food, Drug and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants, similar retail food establishments, and vending machines.

S. 2103

At the request of Mr. BOOZMAN, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of S. 2103, a bill to direct the Administrator of the Federal Aviation Administration to issue or revise regulations with respect to the medical certification of certain small aircraft pilots, and for other purposes.

S. 2164

At the request of Mrs. MURRAY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2164, a bill to prevent harassment at institutions of higher education, and for other purposes.

S. 2192

At the request of Mr. CRAPO, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2192, a bill to amend the National Alzheimer's Project Act to require the Director of the National Institutes of Health to prepare and submit, directly to the President for review and transmittal to Congress, an annual budget estimate (including an estimate of the number and type of personnel needs for the Institutes) for the initiatives of the National Institutes of Health pursuant to such an Act.

S. 2210

At the request of Ms. COLLINS, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2210, a bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to make loan guarantees and grants to finance certain improvements to school lunch facilities, to train school food service personnel, and for other purposes.

S. 2241

At the request of Mr. BEGICH, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 2241, a bill to enhance the safety of drug-free playgrounds.

S. 2248

At the request of Mr. FRANKEN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2248, a bill to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to increase the number of children eligible for free school meals, with a phased-in transition period, with an offset.

S. 2250

At the request of Ms. KLOBUCHAR, the names of the Senator from Montana (Mr. TESTER) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 2250, a bill to extend the Travel Promotion Act of 2009, and for other purposes.

S. 2298

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S. 2298, a bill to provide for a lifetime National Recreational Pass for any veteran with a service-connected disability, and for other purposes.

S. 2319

At the request of Mr. FLAKE, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2319, a bill to amend title 11 of the United States Code to require the public disclosure by trusts established under section 524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos, and for other purposes.

S. 2329

At the request of Mrs. SHAHEEN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2329, a bill to prevent Hezbollah from gaining access to international financial and other institutions, and for other purposes.

S. 2348

At the request of Mr. BROWN, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from Mississippi (Mr. WICKER), the Senator from New Jersey (Mr. BOOKER), the Senator from Rhode Island (Mr. REED) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2348, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 2366

At the request of Mrs. MURRAY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2366, a bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program.

S. 2508

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2508, a bill to establish a comprehensive United States Government policy to assist countries in sub-Saharan Africa to improve access to and the affordability, reliability, and sustainability of power, and for other purposes.

S. 2515

At the request of Mr. HARKIN, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 2515, a bill to ensure that Medicaid beneficiaries have the opportunity to receive care in a home and community-based setting.

S. 2527

At the request of Mrs. GILLIBRAND, the names of the Senator from California (Mrs. BOXER) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 2527, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 2529

At the request of Mrs. SHAHEEN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2529, a bill to amend and reauthorize the controlled substance monitoring program under section 399O of the Public Health Service Act.

S. 2552

At the request of Mr. BROWN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2552, a bill to enhance beneficiary and provider protections and improve transparency in the Medicare Advantage market, and for other purposes.

S. 2556

At the request of Mr. LEVIN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 2556, a bill to require the Under Secretary for Oceans and Atmosphere to conduct an assessment of cultural and historic resources in the waters of the Great Lakes, and for other purposes.

S. 2622

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2622, a bill to require breast density reporting to physicians and patients by facilities that perform mammograms, and for other purposes.

S. 2642

At the request of Mr. HARKIN, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 2642, a bill to permit employees to request changes to their work schedules without fear of retaliation, and to ensure that employers consider these requests; and to require employers to provide more predictable and stable schedules for employees in certain growing low-wage occupations, and for other purposes.

S. 2646

At the request of Mr. LEAHY, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 2646, a bill to reauthorize the Runaway and Homeless Youth Act, and for other purposes.

S. 2655

At the request of Ms. KLOBUCHAR, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2655, a bill to reauthorize the Young Women's Breast Health Education and Awareness Requires Learning Young Act of 2009.

S. 2659

At the request of Mr. MURPHY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2659, a bill to amend title 49, United States Code, to require the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish a process for providing expedited and dignified passenger screening services for veterans traveling to visit war memorials built and dedicated to honor their services, and for other purposes.

S. 2686

At the request of Mr. CORNYN, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 2686, a bill to amend the Internal Revenue Code of 1986 to prevent the extension of the tax collection period merely because the taxpayer is a member of the Armed Forces who is hospitalized as a result of combat zone injuries.

S. 2687

At the request of Mrs. SHAHEEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2687, a bill to amend title 10, United States Code, to ensure that women members of the Armed Forces and their families have access to the contraception they need in order to promote the health and readiness of all members of the Armed Forces, and for other purposes.

S. 2689

At the request of Ms. COLLINS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2689, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 2699

At the request of Mr. KING, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2699, a bill to require the National Credit Union Administration to provide pass-through share insurance for the deposits or shares of any interest on lawyers trust accounts, and for other purposes.

S. 2714

At the request of Mr. BLUNT, the names of the Senator from New York (Mr. SCHUMER), the Senator from Alaska (Mr. BEGICH), the Senator from Virginia (Mr. WARNER), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Washington (Ms. CANTWELL), the Senator from Delaware (Mr. CARPER), the Senator from New Mexico (Mr. HEINRICH), the Senator from Mississippi (Mr. COCHRAN), the Senator from Texas (Mr. CORNYN), the Senator from Georgia (Mr. ISAKSON), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Arizona (Mr. FLAKE), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alabama (Mr. SHELBY), the Senator from Florida (Mr. RUBIO), the Senator from Nevada (Mr. HELLER), the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. GRAHAM), the Senator from Kansas (Mr. MORAN), the Senator from South Dakota (Mr. THUNE), the Senator from Delaware (Mr. COONS), the Senator from Indiana (Mr. COATS), the Senator from Alabama (Mr. SESSIONS), the Senator from Arizona (Mr. MCCAIN), the Senator from North Dakota (Mr. HOEVEN), the Senator from Maine (Ms. COLLINS), the Senator from Utah (Mr. HATCH), the Senator from Iowa (Mr. GRASSLEY), the Senator from Idaho (Mr. RISCH), the Senator from Idaho (Mr. CRAPO), the Senator from Texas (Mr. CRUZ), the Senator from Minnesota (Mr. FRANKEN), the Senator from Arkansas (Mr. PRYOR), the Senator from Nevada (Mr. REID), the Senator from Michigan (Ms. STABENOW), the Senator from Montana (Mr. WALSH), the Senator from Oregon (Mr. WYDEN), the Senator from Washington (Mrs. MURRAY), the Senator from Virginia (Mr. KAINE), the Senator from New York (Mrs. GILLIBRAND), the Senator from Massachusetts (Mr. MARKEY), the Senator from Hawaii (Ms. HIRONO), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Pennsylvania (Mr. CASEY), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Vermont (Mr. SANDERS), the Senator from Montana (Mr. TESTER), the Senator from South Carolina (Mr. SCOTT), the Senator from New Mexico (Mr. UDALL), the Senator from Illinois (Mr. DURBIN), the Senator from Vermont (Mr. LEAHY), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Colorado (Mr. UDALL), the Senator from Tennessee (Mr. CORKER) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 2714, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of World War I.

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S. 2714, supra.

S. 2743

At the request of Mr. CORNYN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2743, a bill making supplemental appropriations for the fiscal year ending September 30, 2014, for border security, law enforcement, humanitarian assistance, and for other purposes.

S. 2746

At the request of Mr. BROWN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2746, a bill to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

S. 2762

At the request of Mr. FRANKEN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2762, a bill to prevent future propane shortages, and for other purposes.

S. 2777

At the request of Mr. ROCKEFELLER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2777, a bill to establish the Surface Transportation Board as an independent establishment, and for other purposes.

S. 2779

At the request of Mr. CRUZ, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2779, a bill to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality.

S. 2781

At the request of Mr. GRASSLEY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2781, a bill to improve student and exchange visitor visa programs.

S. 2782

At the request of Mr. SANDERS, the names of the Senator from Kansas (Mr. MORAN), the Senator from Hawaii (Mr. SCHATZ), the Senator from New York (Mr. SCHUMER), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Oregon (Mr. WYDEN), the Senator from California (Mrs. FEINSTEIN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Nebraska (Mr. JOHANNS), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 2782, a bill to amend title 36, United States Code, to improve the Federal charter for the Veterans of Foreign Wars of the United States, and for other purposes.

S. 2789

At the request of Mr. HARKIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2789, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 2795

At the request of Ms. BALDWIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2795, a bill to amend the Higher Education Act of 1965 to expand the definition of eligible program.

S. 2796

At the request of Ms. BALDWIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2796, a bill to amend the Higher Education Act of 1965 to increase the income protection allowances.

S. 2811

At the request of Mr. SCHUMER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2811, a bill to prohibit the distribution in commerce of children's products and upholstered furniture containing certain flame retardants, and for other purposes.

S. 2814

At the request of Mr. ALEXANDER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2814, a bill to amend the National Labor Relations Act to reform the National Labor Relations Board, the Office of the General Counsel, and the process for appellate review, and for other purposes.

S. 2827

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2827, a bill to amend section 117 of the Internal Revenue Code of 1986 to exclude Federal student aid from taxable gross income.

S. 2833

At the request of Mr. THUNE, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2833, a bill to improve the establishment of any lower ground-level ozone standards, and for other purposes.

S. 2848

At the request of Mr. ENZI, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 2848, a bill to amend title 49, United States Code, with respect to apportionments under the Airport Improvement Program, and for other purposes.

S.J. RES. 44

At the request of Mr. KAINE, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S.J. Res. 44, a joint resolution to authorize the use of United States Armed Forces against the Islamic State in Iraq and the Levant.

S. RES. 372

At the request of Mr. MENENDEZ, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 372, a resolution supporting the goals and ideals of the Secondary School Student Athletes' Bill of Rights.

S. RES. 420

At the request of Ms. MIKULSKI, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. Res. 420, a resolution designating the week of October 6 through October 12, 2014, as ''Naturopathic Medicine Week'' to recognize the value of naturopathic medicine in providing safe, effective, and affordable health care.

S. RES. 540

At the request of Mr. CARDIN, the names of the Senator from Florida (Mr. RUBIO) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. Res. 540, a resolution recognizing September 15, 2014, as the International Day of Democracy, affirming the role of civil society as a cornerstone of democracy, and encouraging all governments to stand with civil society in the face of mounting restrictions on civil society organizations.

S. RES. 541

At the request of Mr. COONS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 541, a resolution recognizing the severe threat that the Ebola outbreak in West Africa poses to populations, governments, and economies across Africa and, if not properly contained, to regions across the globe, and expressing support for those affected by this epidemic.

AMENDMENT NO. 3733

At the request of Ms. COLLINS, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of amendment No. 3733 intended to be proposed to S. 2410, an original bill to authorize appropriations for fiscal year 2015 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.

AMENDMENT NO. 3788

At the request of Mr. MORAN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of amendment No. 3788 intended to be proposed to S. 2410, an original bill to authorize appropriations for fiscal year 2015 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.

AMENDMENT NO. 3819

At the request of Mr. HATCH, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of amendment No. 3819 intended to be proposed to S. 2410, an original bill to authorize appropriations for fiscal year 2015 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE (for himself, Ms. BALDWIN, and Mr. PORTMAN):

S. 2867. A bill to amend the Higher Education Act of 1965 to provide for the preparation of career and technical education teachers; to the Committee on Health, Education, Labor, and Pensions.

Mr. KAINE. Mr. President, school districts across the nation are facing serious shortages in high-quality career and technical education, CTE, teachers. When CTE teachers have real-world experience in a related industry before entering the classroom, students not only benefit from their hands-on knowledge, but also look to them as career role models. Through grant in the Higher Education and Opportunity Act of 2008, many teacher residency partnerships already exist between postsecondary institutions and local schools to train prospective educators, but none are CTE focused.

This is why I am pleased to introduce with my colleagues, Senator BALDWIN and Senator PORTMAN, the Creating Quality Technical Educators Act, which would create a CTE teacher-training grant partnership to give aspiring CTE teachers the preparation necessary to mirror their success in the business world with that in the classroom. The Creating Technical Education Act will foster CTE teacher training partnerships between high-needs secondary schools and postsecondary institutions to create a 1-year residency initiative for prospective teachers and includes teacher mentorship for a minimum of 2 years.

This bipartisan bill amends the Higher Education Act and would give aspiring CTE teachers the experience necessary to succeed in the classroom,

where students can benefit from their work experience and credibility. The Creating Quality Technical Educators Act would take a robust proactive approach to recruit and train high-quality CTE teachers. In addition to midcareer professionals in related technical fields, CTE teacher residencies would target candidates who are recent college graduates or veterans or currently licensed teachers with a desire to transition to a CTE focus.

I am pleased we are beginning to see a renaissance of interest in career and technical education, but we have to recruit and train talented teachers to meet this rising demand for CTE. The Creating Quality Technical Educators Act will take an important step to ensure students in communities of all sizes have access to high-quality CTE teachers and career-training programs.

By Mr. REED (for himself, Mr. LEVIN, Mr. MARKEY, Mrs. SHAHEEN, and Ms. WARREN):

S. 2868. A bill to establish a statute of limitations for certain actions of the Securities and Exchange Commission, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am introducing legislation that extends the time period the Securities and Exchange Commission, SEC, would have to seek civil monetary penalties for securities law violations.

This legislation is necessary in light of the Supreme Court's decision in Gabelli v. SEC in which the Court held that the 5 year clock to take action aginst wrongdoing starts when the fraud occurs, not when it is discovered. In effect, Gabelli has made the SEC's job of protecting investors even tougher by shortening the amount of time that the SEC has to investigate and pursue securities law violations.

Financial fraud has evolved significantly over the years and now involves multiple parties, complex financial products, and elaborate transactions that are executed in a variety of securities markets, both domestic and foreign. As a result, many of the critical facts necessary to initiate an action may go undetected for years. Securities law violators may simply run out the clock, now with greater ease in the aftermath of Gabelli.

Couple this with the fact that while we have given the SEC even greater responsibilities, Congress, despite my ongoing efforts to urge otherwise, has not provided the agency with all the resources necessary to carry out its duties. SEC Chair White recently testified before the Banking Committee that ''if the SEC does not receive sufficient additional resources, the agency will be unable to fully build out its technology and hire the industry experts and other staff needed to oversee and police our areas of responsibility, especially in light of the expanding size and complexity of our overall regulatory space.''

To give just one example of the impact of this resource shortfall, Chair White also testified that ''in 2004, the SEC had 19 examiners per trillion dollars in investment adviser assets under management. Today, we have only 8.''

This legislation would address these challenges by giving the SEC the breathing room it needs to better police our markets and protect investors. Specifically, this bill extends the time period the SEC has to seek civil monetary penalties from five years to ten years, thereby strengthening the integrity of our markets, better protecting public investors, and empowering the SEC to investigate and pursue more securities law violators, particularly those most sophisticated at evading detection.

In so doing, the bill would align the SEC's statute of limitations with the limitations period applicable to complex civil financial fraud actions initiated pursuant to the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, FIRREA. For over 2 decades, the Department of Justice has benefited from FIRREA, which allows the DOJ to seek civil penalties within a 10-year time period against persons who have committed fraud against financial institutions. The SEC, which pursues similarly complex financial fraud cases, should have the same time necessary to bring wrongdoers that violate the securities laws to justice.

I urge my colleagues to join me in supporting this legislation.

By Mr. ROCKEFELLER:

S. 2880. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive to individuals teaching in elementary and secondary schools located in rural or high unemployment areas and to individuals who achieve certification from the National Board for Professional Teaching Standards, and for other purposes; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, today, I rise to reintroduce the Incentives to Educate American Children, or I TEACH, Act of 2014. With teacher retention rates on a steady decline nationwide, it is my hope that this legislation will encourage our best and brightest teachers to remain in the classroom.

In the past two decades, the number of years of experience for the average teacher has decreased from 15 years to 5 years. Almost half of our education workforce today has less than ten years of experience. This is partly because teachers continue to be paid less than those employed in other fields, earning approximately 79 percent of the average wage of other workers with a bachelor's degree. In addition, their salaries have remained static since 2009, with the average starting salary for a new teacher estimated at just $36,141. At the same time, college debt levels continue to increase. The average student graduating in 2014 had $33,000 worth of student debt, making it difficult for young, eager graduates to pursue a career in teaching while paying down student loans and other living expenses.

No dedicated young person should have to decide that they simply cannot ''afford'' to be a teacher, but this happens. If passed, the I TEACH Act would invest in our most critical educators by providing a $1,000 refundable tax credit to teachers serving in rural or high poverty schools. It would also provide every teacher, regardless of school or district, the chance to earn a $1,000 refundable tax credit if they receive accreditation from the National Board for Professional Teaching Standards. This means that a National Board Teacher in a rural or high poverty school would be eligible to receive $2,000 in refundable tax credits.

In doing so, the I TEACH Act will provide meaningful incentives to teachers willing to serve in rural or high poverty schools, as well as rewarding quality teachers for staying in the classroom and continuing their professional development by earning National Board certification. Today, the majority of States see the value in this effort, providing some type of financial incentive to National Board certified teachers, and this refundable tax credit will work in tandem with those efforts. My home State of West Virginia, for example, offers a $3,500 bonus for National Board teachers. If I TEACH is enacted, a National Board teacher in my State would receive a nearly 12 percent bonus. That is a clear sign of appreciation for their hard work and a meaningful incentive to continue teaching.

Our teachers are among the most important members of our society. They inspire and educate our children, preparing the next generation for success. They deserve our respect and full support, and that is why I urge my colleagues to work with me to enact I TEACH and invest in our children's education.

By Mr. MCCONNELL:

S. 2882. A bill to amend the Internal Revenue Code of 1986 to allow certain individuals a credit against income tax for contributions to 529 plans, and for other purposes; to the Committee on Finance.

Mr. MCCONNELL. Mr. President, today I am proud to offer legislation that will make it easier for American families to pay for their child's higher education. This legislation is the Enhanced 529–Setting Aside for a Valuable Education, or Enhanced 529–SAVE, Act. This measure will make the 529 college savings plans more accessible to lower and middle-income families.

A 529 plan is a tax-advantaged savings plan that is designed to encourage Americans to save for future college costs. 529 plans can be sponsored by states, state agencies, or educational institutions and they are authorized by Section 529 of the Internal Revenue

Code. I championed efforts to ensure that 529 plans would be 100 percent tax-free at the Federal level. In 2001, I authored the Setting Aside for Valuable Education, or SAVE, Act, which was included in a tax package that became law. In 2006, I helped make the tax benefits under these accounts permanent.

The Enhanced 529–SAVE Act will make 529 plans more accessible by encouraging employers to contribute to an employee's 529 plan. My bill would exclude up to $600 of an employer's contribution from an employee's gross income. This will help families and individuals save more for higher education expenses.

The Enhanced 529–SAVE Act will also create an incentive for lower-income families and individuals to save money for college by allowing the individual that contributes to the 529 plan to qualify for the Saver's Credit, which is an income-based, non-refundable tax credit up to $4,000.

The Enhanced 529–SAVE Act is similar to H.R. 529, introduced in the House of Representatives by Congresswoman LYNN JENKINS of Kansas. I want to commend her for her leadership on this important issue. I urge my colleagues to consider and pass the Enhanced 529–SAVE Act, and I look forward to its eventual passage.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2882

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Enhanced 529 - Setting Aside for a Valuable Education Act'' or the ''Enhanced 529 - S.A.V.E. Act''.

SEC. 2. CREDIT FOR CONTRIBUTIONS TO 529 PLANS.

(a) IN GENERAL.—Paragraph (1) of section 25B(d) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of subparagraph (B)(ii), by striking the period at the end of subparagraph (C) and inserting '', and'', and by adding at the end the following new subparagraph:

''(D) the amount of the contributions to qualified tuition programs described in paragraph (2) made by the eligible individual.''.

(b) CONTRIBUTIONS TO QUALIFIED TUITION PROGRAMS.—Subsection (d) of section 25B of the Internal Revenue Code of 1986 is amended by redesignating paragraph (2) as paragraph (3) and by inserting after paragraph (1) the following new paragraph:

''(2) CONTRIBUTIONS TO QUALIFIED TUITION PROGRAMS.—

''(A) IN GENERAL.—The term 'contributions to qualified tuition programs' means any purchase or contribution described in paragraph (1)(A) of section 529(b) to a qualified tuition program (as defined in such section) if—

''(i) the eligible individual has the power to authorize distributions and otherwise administer the account, and

''(ii) the designated beneficiary of such purchase or contribution is the eligible individual, the eligible individual's spouse, or an individual with respect to whom the eligible individual is allowed a deduction under section 151.

''(B) LIMITATION BASED ON COMPENSATION.—The amount treated as a qualified savings contribution by reason of subparagraph (A) for any taxable year shall not exceed the sum of—

''(i) the compensation (as defined in section 219(f)(1)) includible in the eligible individual's gross income for the taxable year, and

''(ii) the amount excluded from the eligible individual's gross income under section 112 (relating to combat pay) for such year.

''(C) DETERMINATION OF ADJUSTED GROSS INCOME.—Solely for purposes of determining the applicable percentage under subsection (b) which applies with respect to the amount treated as contributions to qualified tuition programs, adjusted gross income (determined without regard to this subparagraph) shall be increased by the excess (if any) of—

''(i) the social security benefits received during the taxable year (within the meaning of section 86), over

''(ii) the amount included in gross income for such year under section 86.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 25B of the Internal Revenue Code of 1986 is amended by striking ''qualified retirement savings'' each place it appears and inserting ''qualified savings''.

(2) The heading of subsection (d) of section 25B of such Code is amended by striking ''RETIREMENT''.

(3) Subparagraph (A) of section 25B(d)(3) of such Code, as redesignated by subsection (a), is amended—

(A) by striking ''paragraph (1)'' the first place it appears and inserting ''paragraph (1) or (2)'', and

(B) by striking ''paragraph (1)'' the second place it appears and inserting ''paragraph (1), or (2), as the case may be,''.

(4) The heading for section 25B of such Code is amended by striking ''**AND IRA CONTRIBUTIONS**'' and inserting ''**, IRA CONTRIBUTIONS, AND QUALIFIED TUITION PROGRAM CONTRIBUTIONS**''.

(5) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by striking the item relating to section 25B and inserting the following new item:

''Sec. 25B. Elective deferrals, IRA contributions, and qualified tuition program contributions by certain individuals.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made after December 31, 2014, in taxable years ending after such date.

SEC. 3. EXCLUSION FROM GROSS INCOME FOR EMPLOYER CONTRIBUTIONS TO QUALIFIED TUITION PROGRAMS.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 127 the following new section:

''SEC. 127A. EMPLOYER CONTRIBUTIONS TO QUALIFIED TUITION PROGRAMS.

''(a) IN GENERAL.—Gross income of an employee does not include amounts paid by the employer as contributions to a qualified tuition program held by the employee or spouse of the employee if the contributions are made pursuant to a program which is described in subsection (c).

''(b) MAXIMUM EXCLUSION.—The amount excluded from the gross income of an employee under this section for the taxable year shall not exceed $600.

''(c) QUALIFIED TUITION ASSISTANCE PROGRAM.—For purposes of this section, a qualified tuition assistance program is a separate written plan of an employer for the benefit of such employer's employees—

''(1) under which the employer makes matching contributions to qualified tuition programs of—

''(A) such employees,

''(B) their spouses, or

''(C) any individual with respect to whom such an employee or spouse—

''(i) is allowed a deduction under section 151, and

''(ii) has the power to authorize distributions and otherwise administer such individual's account under the qualified tuition program, and

''(2) which meets requirements similar to the requirements of paragraphs (2), (3), (4), (5), and (6) of section 127(b).

''(d) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) QUALIFIED TUITION PROGRAM.—The term 'qualified tuition program' means a qualified tuition program as defined in section 529(b).

''(2) EMPLOYEE AND EMPLOYER.—The terms 'employee' and 'employer' shall have the meaning given such terms by paragraphs (2) and (3), respectively, of section 127(c).

''(3) APPLICABLE RULES.—Rules similar to the rules of paragraphs (4), (5), (6), and (7) of section 127(c) shall apply.

''(e) INFLATION ADJUSTMENT.—

''(1) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 2015, the $600 amount contained in subsection (b)(1) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2014' for 'calendar year 1992' in subparagraph (B) thereof.

Any increase determined under the preceding sentence shall be rounded to the nearest multiple of $50.

''(f) CROSS REFERENCE.—For reporting and recordkeeping requirements, see section 6039D.''.

(b) EXCLUSION FROM EMPLOYMENT TAXES.—

(1) Sections 3121(a)(18), 3306(b)(13), and 3401(a)(18) of such Code are each amended by inserting '', 127A'' after ''127'' each place it appears.

(2) Section 3231(e)(6) of such Code is amended by striking ''section 127'' and inserting ''section 127 or 127A''.

(c) REPORTING AND RECORDKEEPING REQUIREMENTS.—Section 6039D(d)(1) of such Code is amended by inserting '', 127A'' after ''127''.

(d) OTHER CONFORMING AMENDMENTS.—

(1) Sections 125(f), 414(n)(3)(C), and 414(t)(2) of such Code are each amended by inserting '', 127A'' after ''127'' each place it appears.

(2) Section 132(j)(8) of such Code is amended by striking ''section 127'' and inserting ''section 127 or 127A''.

(3) Section 1397(a)(2)(A) of such Code is amended by inserting at the end the following new clause:

''(iii) Any amount paid or incurred by an employer which is excludable from the gross income of an employee under section 127A, but only to the extent paid or incurred to a person not related to the employer.''.

(4) Section 209(a)(15) of the Social Security Act (42 U.S.C. 409(a)(15)) is amended by striking ''or 129'' and inserting '', 127A, or 129''.

(e) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting after the item relating to section 127 the following new item:

''Sec. 127A. Employer contributions to qualified tuition programs.''.

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

By Mr. HARKIN:

S. 2887. A bill to expand access to transportation services for individuals with disabilities; to the Committee on Finance.

Mr. HARKIN. Mr. President, 24 years ago, Congress passed the Americans with Disabilities Act. I will never forget the day, July 26, 1990, the ADA was signed into law. It was one of the proudest days of my legislative career.

The ADA set forth four great goals for individuals with disabilities—equality of opportunity, full participation, independent living, and economic self-sufficiency. In many ways, we have been successful in making progress toward these goals. We have increased the accessibility of our buildings, our streets, even our parks, beaches and recreation areas. We have made our books and TVs, phones, computers, and other technology more accessible. And for many Americans with disabilities, our workplaces have become increasingly more open and accessible.

America is far more inclusive, today, for individuals with disabilities. But our work is still far from complete.

According to new data released this week, almost 30 percent of people with disabilities are living in poverty, and fewer than one in three individuals with a disability participate in the workforce. This is further evidence that we are far from realizing the ADA's goal of economic self-sufficiency for all people with disabilities.

Today, the Health, Education, Labor, and Pensions Committee, which I chair, released a report titled ''Fulfilling the Promise: Overcoming Persistent Barriers to Economic Self-Sufficiency for People with Disabilities.'' In our report, we detail many of the barriers that adversely impact the economic well-being of individuals with disabilities—including the lack of accessible transportation and the lack of accessible housing. These barriers don't only affect individuals with disabilities who are living in poverty; they also impact individuals with disabilities who are striving to reach the American dream as members of the middle class.

That is why, today, I am introducing three bills that I believe will begin to address these barriers to individuals with disabilities, S. 2887, S. 2888, and S. 2889. The first bill, the Universal Home Design Act, will increase the availability of accessible housing for individuals with disabilities. The second, the Accessible Transportation for All Act, will increase the availability of accessible passenger cars and taxis. The third, the Exercise and Fitness for All Act, will increase the availability of exercise and fitness equipment that is accessible to individuals with disabilities, which will help individuals with disabilities maintain and improve their health through appropriate physical activity.

I am confident that these three bills, along with the Community Integration Act, and the recently passed Workforce Innovation and Opportunity Act, will help provide the framework for a future of continued opportunities, inclusion and advancement for individuals with disabilities in America. I urge my Senate colleagues to support these important bills.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2887

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Accessible Transportation for All Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ACCESSIBLE VEHICLE FOR HIRE.—The term ''accessible vehicle for hire'' means a vehicle used in a demand responsive system by private entities to provide non-fixed route transportation service, including taxi service and transportation network operator vehicles, which—

(A) is designed to enable persons who use wheelchairs or other mobility devices to be transported, and to remain in their wheelchairs or other mobility devices if they so choose; and

(B) affords independent access for people with disabilities to all in-vehicle functions generally available to other passengers in such vehicles, including credit card payment devices.

(2) ACCESSIBLE PASSENGER CAR.—The term ''accessible passenger car'' means a passenger car that is designed to enable persons who use wheelchairs or other mobility devices as a result of a significant mobility impairment—

(A) to independently enter and exit the car via a ramp, lift, or similar device that permits access to the driver's seat, while remaining in a manual wheelchair, power wheelchair, or other mobility device;

(B) to safely store a wheelchair or other mobility device in the car, if desired; and

(C) to independently operate the car, including through using hand controls or other optional modifications.

(3) ACCESSIBLE TAXI VEHICLE.—The term ''accessible taxi vehicle'' means an accessible vehicle for hire operated by a taxi company or other company that provides immediate service through on-street hailing or on-demand dispatch by telephone or electronic means.

(4) ADMINISTRATION.—The term ''Administration'' means the Federal Transit Administration.

(5) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Transit Administration.

(6) DISCRIMINATORY TERMS OR CONDITIONS.—The term ''discriminatory terms or conditions'' includes—

(A) denial of participation (as described in section 302(b)(1)(A)(i) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12182(b)(1)(A)(i)));

(B) participation in an unequal benefit (as described in section 302(b)(1)(A)(ii) of such Act);

(C) the imposition or application of eligibility criteria described in section 302(b)(2)(A)(i) of such Act;

(D) a failure to make reasonable accommodations in policies, practices, or procedures (as described in section 302(b)(2)(A)(ii) of such Act);

(E) imposing a surcharge for the use of an accessible taxi or an accessible for-hire vehicle by a person with a disability; and

(F) failing to permit an individual with a disability with his service animal.

(7) FOR HIRE TRANSPORTATION COMPANY.—The term ''for hire transportation company'' means a public or private entity operating a demand responsive system, including a taxi service, a transportation network company, or other public or private entity providing transportation or access to non-fixed route transportation services.

(8) PASSENGER CAR.—The term ''passenger car'' has the meaning given the term ''passenger automobile'' in section 32901(a) of title 49, United States Code.

(9) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(10) TRANSPORTATION NETWORK COMPANY.—The term ''transportation network company'' means a company that uses a digital network, a software application, or other means to connect a passenger to transportation network services provided by a transportation network operator.

(11) TRANSPORTATION NETWORK OPERATOR.—The term ''transportation network operator'' means an individual who operates a motor vehicle that is—

(A) owned or leased by the individual;

(B) not licensed as a taxi or other public vehicle for hire; and

(C) used to provide services through a transportation network or transportation network company.

SEC. 3. ACCESSIBILITY AND NONDISCRIMINATION.

(a) ADEQUATE PROVISION OF ACCESSIBLE VEHICLES.—Any person who owns, leases, operates, or arranges for the operation of transportation services to members of the public through a for hire transportation company, taxi service, or transportation network company shall provide, or arrange for, the adequate provision of accessible vehicles for hire to serve individuals with disabilities who require such services.

(b) RIGHTS OF DISABLED INDIVIDUALS.—An individual with a disability may not, as a result of such disability—

(1) be denied full and equal access to appropriate and useable transportation by a person providing transportation services, including services—

(A) through a transportation network company;

(B) through a for hire transportation company;

(C) through a taxi service; or

(D) by a driver, owner, or operator of a taxi vehicle; or

(2) be subject to discriminatory terms or conditions by any person who owns, leases, or operates a transportation vehicle, or arranges for such transportation services, to members of the public, including the services set forth in subparagraphs (A) through (D) of paragraph (1).

(c) APPLICABLE REMEDIES AND PROCEDURES.—The remedies and procedures set forth in sections 308(a) and 505 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12188(a) and 12205) shall be available to any person aggrieved by the failure of a person to comply with this section.

SEC. 4. MODEL ACCESSIBLE TAXI COMPETITION.

(a) IN GENERAL.—

(1) COMPETITION AUTHORIZED.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall organize a national competition to design 1 or more model accessible taxi vehicles.

(2) PURPOSE.—The purpose of the competition under this section shall be to develop 1 or more designs for an accessible taxi vehicle which, without additional modification, can

be manufactured for an amount not to exceed the sum of the average manufacturing cost of a minivan that is generally available for purchase by consumers in the United States.

(b) ELIGIBLE COMPETITORS.—Any automobile manufacturer that manufacturers vehicles for sale in the United States may submit a proposal for the competition authorized under this section, regardless of size.

(c) GUIDELINES.—

(1) IN GENERAL.—The Administration shall establish guidelines for the competition authorized under this section in accordance with paragraphs (2) through (5).

(2) COST.—A proposal may not be selected for a cash prize under subsection (d) unless the Administrator determines that the cost for manufacturing the proposed accessible taxi vehicle does not exceed the average manufacturing cost of a minivan that is generally available for purchase by consumers in the United States.

(3) COLLABORATION REQUIREMENT.—Each proposal submitted under this section shall represent designs collaboratively developed by—

(A) an eligible automobile manufacturer; and

(B) at least 1 national organization serving people with disabilities.

(4) ADOPTABILITY.—Proposals submitted under this section shall be judged on whether the design for an accessible taxi vehicle represents a design that a local taxi commission could realistically adopt. The Administrator shall encourage competitors to seek feedback on their designs from members of a local taxi commission before such submission.

(5) VEHICLE ATTRIBUTES.—Each proposal submitted under this section shall describe the specifications of the proposed accessible taxi vehicle, including—

(A) accessibility features and the extent to which such features allow for the full inclusion of individuals with various disabilities;

(B) estimated highway and city fuel economy;

(C) the cost of the vehicle;

(D) the extent to which the vehicle provides adequate space for passengers and any mobility devices, including wheelchairs;

(E) the relative comfort provided for passengers with disabilities and others; and

(F) available luggage or storage space.

(d) SELECTION.—The Administrator shall convene a selection panel to select the winning proposals for the competition that includes representatives from the taxi industry, the for-hire transportation industry, and the disability community.

(e) PAYMENT.—

(1) IN GENERAL.—The Administrator shall award automobile manufacturers that are selected pursuant to subsection (d) with cash prizes in an amount to be determined by the Administrator.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 5. MODEL ACCESSIBLE PASSENGER CAR COMPETITION.

(a) IN GENERAL.—

(1) COMPETITION AUTHORIZED.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall organize a national competition to design 1 or more model accessible passenger cars.

(2) PURPOSE.—The purpose of the competition under this section shall be to develop 1 or more designs for an accessible passenger car which, without additional modification—

(A) can be manufactured for an amount not to exceed 75 percent of the average manufacturing cost of a passenger car that is available for purchase by consumers in the United States; and

(B) can be sold to the public for an amount not to exceed 75 percent of the average sale price of a new passenger car that is available for purchase by consumers in the United States.

(b) ELIGIBLE COMPETITORS.—Any automobile manufacturer that manufacturers passenger cars for sale in the United States may submit a proposal for the competition authorized under this section, regardless of size.

(c) GUIDELINES.—

(1) IN GENERAL.—The Administrator shall establish guidelines for the competition authorized under this section in accordance with paragraphs (2) through (5).

(2) COST.—A proposal may not be selected for a cash prize under subsection (d) unless the Administrator determines that—

(A) the cost for manufacturing the proposed accessible passenger car does not exceed 75 percent of the average manufacturing cost of a passenger car that is generally available for purchase by consumers in the United States; and

(B) the sale price of the proposed accessible passenger car will not to exceed 75 percent of the average sale price of a new passenger car that is available for purchase by consumers in the United States.

(3) COLLABORATION REQUIREMENT.—Each proposal submitted under this section shall represent designs collaboratively developed by—

(A) an eligible automobile manufacturer;

(B) a postsecondary school of design; and

(C) at least 1 national organization serving people with disabilities.

(4) STANDARDS.—Proposals submitted under this section shall meet the general requirements set by the Department of Transportation for all passenger cars available for purchase in the United States.

(5) VEHICLE ATTRIBUTES.—Each proposal submitted under this section shall describe the specifications of the proposed accessible passenger car, including—

(A) the extent to which the car meets the requirements of an accessible passenger car set forth in subsection (a)(2);

(B) estimated highway and city fuel economy;

(C) the cost of the vehicle;

(D) the extent to which the vehicle provides adequate space for using and storing mobility devices, including wheelchairs;

(E) whether the car includes hand controls, either as standard equipment or as an option available from the manufacturer;

(F) the ease and comfort with which drivers with disabilities can enter and exit the car;

(G) the ease with which drivers with disabilities can reach and utilize car controls;

(H) the ease of making additional modifications to the car, if necessary; and

(I) available luggage or storage space.

(d) SELECTION.—The Administrator shall convene a selection panel to select the winning proposals for the competition that includes representatives from the automobile industry and the disability community.

(e) PAYMENT.—

(1) IN GENERAL.—The Administrator shall award cash prizes, in an amount to be determined by the Administrator, to the automobile manufacturers, post secondary schools of design, and disability organizations that collaborated on a design that was selected under subsection (d).

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 6. ACCESSIBLE TAXI AND FOR-HIRE TRANSPORTATION BOARD.

(a) ESTABLISHMENT.—Chapter 1 of subtitle I of title 49, United States Code, is amended by adding at the end the following:

"§ 116. Accessible Taxi and For-Hire Transportation Board

''(a) IN GENERAL.—There is established in the Administration an Accessible Taxi and For-Hire Transportation Board (referred to in this section as the 'Board').

''(b) MEMBERSHIP.—The Board shall be composed of 9 members, who shall be appointed as follows:

''(1) PUBLIC MEMBERS.—

''(A) IN GENERAL.—The Secretary of Transportation shall appoint 5 people with disabilities to the Board, including—

''(i) at least 1 person who uses a wheelchair for mobility;

''(ii) at least 1 person who is deaf or hard of hearing;

''(iii) at least 1 person who is blind or visually impaired; and

''(iv) at least 1 person with an intellectual disability or a developmental disability.

''(B) TERM.—Each public member appointed under this paragraph shall be appointed for a 2-year term.

''(2) ADMINISTRATION REPRESENTATIVES.—The Administrator shall designate 2 officials of the Administration to represent the Administration on the Board.

''(3) TAXI INDUSTRY MEMBERS.—The Secretary shall appoint 2 members from the taxi and for-hire transportation industry to the Board.

''(c) CHAIRPERSON.—The Secretary shall designate a Chairperson of the Board from among the appointed public members of the Board.

''(d) MEETINGS.—The Board shall meet at the call of the Chairperson, but not less frequently than 4 times per year.

''(e) DUTIES.—The Board shall conduct activities to increase the availability of accessible taxis and other for-hire vehicles, including—

''(1) coordinating with the Federal Transit Administration to provide information and technical assistance to local municipalities, taxi commissions, and for hire transportation companies (as defined in section 2 of the Accessible Transportation for All Act)—

''(A) to increase the availability of accessible taxi vehicles and accessible vehicles for hire; and

''(B) to facilitate improvements to access to taxis and other accessible for-hire transportation options for people with disabilities; and

''(2) submitting an annual report to the Secretary that includes studies, findings, conclusions, and recommendations about the availability of accessible taxi vehicles and accessible vehicles for hire throughout the Nation, including—

''(A) the number of accessible taxi vehicles and accessible vehicles for hire in the various States and localities, including in the 25 most populated cities in the United States;

''(B) improvements, increases, or changes in the availability of accessible taxi vehicles and accessible vehicles for hire to access to taxis and other for-hire transportation in the States, localities, and cities referred to in subparagraph (A);

''(C) any State or local policies, ordinances, regulations, or statutes that led to the increases or changes referred to in subparagraph (B);

''(D) barriers to further increases in the availability of accessible taxi vehicles and accessible vehicles for hire; and

''(E) recommendations about how best to address the barriers described in subparagraph (D).

''(f) PERSONNEL MATTERS.—

''(1) TRAVEL EXPENSES.—The members of the Board may not receive compensation for the performance of services for the Board, but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Board. Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept the voluntary uncompensated services of members of the Board.

''(2) STAFF.—The Secretary may designate such personnel as may be necessary to enable the Board to perform its duties.

''(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee, with the approval of the head of the appropriate Federal agency, may be detailed to the Board without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

''(4) FACILITIES, EQUIPMENT, AND SERVICES.—The Secretary shall make available to the Board necessary office space and furnish the Board, under such arrangements respecting financing as may be appropriate, with necessary equipment, supplies, and services.''.

(b) CLERICAL AMENDMENT.—The table of sections in chapter 1 of title 49, United States Code, is amended by adding at the end the following:

''116. Accessible Taxi and For-Hire Transportation Board.''.

SEC. 7. STATE STRATEGIC PLANS FOR IMPROVING ACCESS TO TAXIS AND FOR-HIRE TRANSPORTATION.

(a) IN GENERAL.—Not later than the last day of the first calendar year beginning after the date of the enactment of this Act, each State shall develop a strategic plan that describes ways to increase the availability of accessible taxi vehicles, accessible vehicles for hire, and other accessible for-hire transportation options for people with disabilities in the State.

(b) BEST PRACTICES.—Each strategic plan developed under this section shall describe—

(1) current best practices, if any, for increasing the availability of accessible taxi vehicles, accessible vehicles for hire, and other accessible for hire transportation options for people with disabilities within local municipalities in the State; and

(2) any policies, ordinances, or regulations adopted by municipalities to achieve the highest possible standard for accessibility and lowest possible cost for accessible taxi vehicles and accessible vehicle for hire.

(c) GOALS AND OBJECTIVES.—Each strategic plan developed under this section—

(1) shall outline long-term goals and specific objectives for increasing the availability of accessible taxi vehicles, accessible vehicles for hire, and other accessible for hire transportation options for people with disabilities;

(2) shall consider options, including incentives, to help reduce the cost of implementing an increase in the availability of accessible taxi vehicles, accessible vehicles for hire, and other accessible for hire transportation options for people with disabilities in the State; and

(3) may examine how to reduce costs through the use of low-cost model taxis and other means.

(d) COLLABORATION.—Each strategic plan developed under this section—

(1) set yearly goals for the number and availability of accessible taxi vehicles and accessible vehicles for hire throughout the State;

(2) describe how the State will meet the goals referred to in paragraph (1);

(3) describe how the State will encourage interstate and intrastate collaboration to increase the availability of accessible taxi vehicles, accessible vehicles for hire, and other accessible for hire transportation options for people with disabilities through collaboration—

(A) among municipalities;

(B) between municipalities and the State; and

(C) between municipalities and private industry.

(e) DISTRIBUTION.—

(1) SUBMISSION.—Not later than April 1st of each year, each State shall submit the strategic plan developed under this section to the Secretary.

(2) REVIEW.—The Secretary shall review each State plan submitted under paragraph (1). Following each such review, the Secretary shall post the State strategic plan on a publicly available website to facilitate collaboration and to share information and best practices.

SEC. 8. ACCESSIBILITY AND SERVICE STANDARDS FOR ACCESSIBLE TAXIS VEHICLES AND ACCESSIBLE VEHICLES FOR HIRE.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Administrator, in collaboration and consultation with the Access Board established under section 502 of the Rehabilitation Act (29 U.S.C. 792), shall promulgate regulatory standards, in accordance with this section, including—

(1) accessibility standards for accessible taxi vehicles and accessible vehicles for hire; and

(2) service standards for vehicles referred to in paragraph (1).

(b) ACCESSIBILITY STANDARDS.—Accessibility standards for accessible taxi vehicles and accessible vehicles for hire promulgated under this section shall ensure that such vehicles are fully accessible to, and usable by, passengers with disabilities, including individuals that use wheelchairs or other mobility devices.

(c) SERVICE STANDARDS.—Service standards for accessible taxi vehicles and accessible vehicles for hire promulgated under this section shall, at a minimum, ensure that such vehicles—

(1) are readily available in a manner (including wait times) that is comparable to other, nonaccessible taxi vehicles or nonaccessible vehicles for hire in the area being served;

(2) can be requested using a variety of technological methods or systems; and

(3) are operated by individuals who are trained in properly loading, unloading, securing, and transporting individuals with disabilities.

SEC. 9. TAX CREDIT FOR EXPENDITURES FOR ACCESSIBLE TAXI VEHICLES.

(a) IN GENERAL.—Subsection (c) section 44 of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (1)—

(A) by striking ''paid or incurred by an eligible small business'' and inserting ''paid or incurred—

''(A) by an eligible small business'';

(B) by striking ''section).'' and inserting ''section), and''; and

(C) by inserting at the end the following:

''(B) by an eligible small business which is a qualified taxi company for the purpose of purchasing or adapting a vehicle for use as an accessible taxi vehicle that meets the guidelines established under section 8 of the Accessible Transportation for All Act.''; and

(2) by adding at the end the following:

''(6) DEFINITIONS.—

''(A) IN GENERAL.—Any term used in paragraph (1)(B), which is defined in section 2 of the Accessible Transportation for All Act shall have the meaning given such term in such section, as in effect on the date of the enactment of this paragraph.

''(B) QUALIFIED TAXI COMPANY.—The term 'qualified taxi company' means a person that provides passenger land transportation for a fixed fare by a taxicab and is licensed to engage in the trade or business of furnishing such transportation by a Federal, State, or local authority having jurisdiction over transportation furnished by such person.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to expenses paid or incurred in taxable years beginning after the date of the enactment of this Act.

By Mr. HARKIN:

S. 2888. A bill to promote the provision of exercise and fitness equipment that is accessible to individuals with disabilities; to the Committee on Finance.

Mr. HARKIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2888

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Exercise and Fitness For All Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Individuals with disabilities can maintain and improve their health through appropriate physical activity.

(2) In the 2008 Physical Activity Guidelines for Americans (referred to as the ''Guidelines''), the Department of Health and Human Services recommends that individuals with disabilities, who are able, participate in regular aerobic activity.

(3) The Guidelines also recommend that adults with disabilities, who are able, do muscle-strengthening activities of moderate or high intensity on 2 or more days a week, as these activities provide additional health benefits.

(4) The Guidelines recommend that when adults with disabilities are not able to meet the Guidelines, they should engage in regular physical activity according to their abilities and avoid inactivity.

(5) Unfortunately, many individuals with disabilities are unable to engage in the recommended exercise or fitness activities due to the inaccessibility of exercise or fitness equipment.

(6) Physical inactivity by adults with disabilities can lead to increased risk for functional limitations and secondary health conditions.

(b) PURPOSE.—The purposes of this Act are—

(1) to encourage exercise and fitness service providers to provide accessible exercise and fitness equipment for individuals with disabilities; and

(2) to provide guidance about the requirements necessary to ensure that such exercise and fitness equipment is accessible to, and usable by, individuals with disabilities.

SEC. 3. DEFINITIONS.

In this Act:

(1) ACCESS BOARD.—The term ''Access Board'' means the Architectural and Transportation Barriers Compliance Board established under section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792).

(2) ACCESSIBLE EXERCISE OR FITNESS EQUIPMENT.—The term ''accessible exercise or fitness equipment'' means exercise or fitness equipment that is accessible to, and can be independently used and operated by, individuals with disabilities.

(3) EXERCISE OR FITNESS EQUIPMENT.—The term ''exercise or fitness equipment'' means devices such as motorized treadmills, stair climbers or step machines, stationary bicycles, rowing machines, weight machines, circuit training equipment, cardiovascular equipment, strength equipment, or other exercise or fitness equipment.

(4) EXERCISE OR FITNESS SERVICE PROVIDER.—The term ''exercise or fitness service provider'' means a fitness facility, health spa, health club, college or university facility, gymnasium, or other similar place of exercise or fitness that—

(A) is considered a public accommodation under section 301 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181) or is considered a public entity under section 201 of such Act (42 U.S.C. 12131); and

(B) provides exercise or fitness equipment for the use of its patrons.

(5) INDIVIDUAL WITH A DISABILITY.—The term ''individual with a disability'' means any person with a disability as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

(6) INDIVIDUALS WITH DISABILITIES.—The term ''individuals with disabilities'' means more than one individual with a disability.

SEC. 4. EXERCISE AND FITNESS ACCESSIBILITY GUIDELINES.

(a) ESTABLISHMENT OF GUIDELINES.—Not later than 18 months after the date of enactment of this Act, the Access Board shall develop and publish guidelines for exercise or fitness service providers regarding the provision of accessible exercise or fitness equipment, including relevant personnel training.

(b) CONTENTS OF GUIDELINES.—The guidelines described in subsection (a) shall—

(1) be consistent with the Standard Specification for Universal Design of Fitness Equipment for Inclusive Use by Persons with Functional Limitations and Impairments of the American Society for Testing and Materials (ASTM F3021–13) (and any future revisions thereto);

(2) ensure that—

(A) exercise or fitness equipment is accessible to, and usable by, individuals with disabilities; and

(B) individuals with disabilities have independent entry to, use of, and exit from the exercise or fitness equipment, to the maximum extent possible; and

(3) take into consideration the following:

(A) Whether the exercise or fitness service provider is a new or existing facility.

(B) Whether the exercise or fitness service provider is staffed or not.

(C) Instruction and additional assistance on the use of the accessible exercise or fitness equipment (including specific accessibility features) for individuals with disabilities.

(D) The size and overall financial resources of the exercise or fitness service provider.

(E) The availability of closed captioning of video programing displayed on equipment and televisions provided by an exercise or fitness service provider.

(c) REVIEW AND AMENDMENT.—The Access Board shall periodically review and, as appropriate, amend the guidelines, and shall issue the resulting guidelines as revised guidelines.

SEC. 5. TAX CREDIT FOR EXPENDITURES TO PROVIDE ACCESSIBLE EXERCISE OR FITNESS EQUIPMENT.

(a) IN GENERAL.—Paragraph (1) of section 44(c) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''paid or incurred by an eligible small business'' and inserting ''paid or incurred—

''(A) by an eligible small business'',

(2) by striking ''section).'' and inserting ''section), and'', and

(3) by inserting at the end the following:

''(B) by an eligible small business which is an exercise or fitness service provider for the purpose of providing for use by individuals with disabilities accessible exercise or fitness equipment that meets the guidelines established by the Access Board under section 4 of the Exercise and Fitness for All Act.

Any term used in subparagraph (B) which is defined in section 3 of the Exercise and Fitness for All Act shall have the meaning given such term in such section, as in effect on the date of the enactment of such subparagraph.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to expenses paid or incurred in taxable years beginning after the date of the enactment of this Act.

By Mr. HARKIN:

S. 2889. A bill to require compliance with established universal home design guidelines, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. HARKIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2889

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Universal Home Design Act of 2014''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ACCESSIBLE.—The term ''accessible'' (except when used in the context of accessible format) means—

(A) consistent with—

(i) subpart D of part 36 of title 28, Code of Federal Regulations (or any corresponding similar regulation or ruling); and

(ii) appendices B and D to part 1191 of title 36, Code of Federal Regulations (or any corresponding similar regulation or ruling); and

(B) independently usable by individuals with disabilities, including those who use a mobility device such as a wheelchair.

(2) ACCESS BOARD.—The term ''Access Board'' means the Architectural and Transportation Barriers Compliance Board established under section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792).

(3) COVERED DWELLING UNIT.—The term ''covered dwelling unit'' means a dwelling unit that—

(A) is a detached single family house, a townhouse or multi-level dwelling unit (whether detached or attached to other units or structures), or a ground-floor unit in a building of not more than 3 dwelling units;

(B) is designed as, or intended for occupancy as, a residence;

(C)(i) was designed, constructed, or commissioned, contracted, or otherwise arranged for construction, by a person or entity who, at any time before the design or construction, received or was guaranteed Federal financial assistance for any program or activity;

(ii) is purchased by a person or entity using amounts that are provided or guaranteed under a program that provides Federal financial assistance for homeownership; or

(iii) is offered for purchase by a person or entity using amounts that are provided or guaranteed under a program that provides Federal financial assistance for homeownership; and

(D) is made available for first occupancy after the expiration of the 30-month period beginning on the date of the enactment of this Act.

(4) DEPARTMENT.—The term ''Department'' means the Department of Housing and Urban Development.

(5) FEDERAL FINANCIAL ASSISTANCE.—The term ''Federal financial assistance'' means—

(A) any assistance that is provided or otherwise made available by the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, any Federal Home Loan Bank, the Secretary of Housing and Urban Development, the Secretary of Veterans Affairs, or any program or activity of the Department of Housing and Urban Development or the Department of Veterans Affairs, through any grant, loan, insurance, guarantee, contract, or any other arrangement, after the expiration of the 1-year period beginning on the date of the enactment of this Act, including—

(i) a grant, subsidy, or any other funds;

(ii) real or personal property or any interest in or use of such property, including—

(I) transfers or leases of the property for less than the fair market value or for reduced consideration; and

(II) proceeds from a subsequent transfer or lease of the property if the Federal share of the fair market value is not returned to the Federal Government;

(iii) any tax credit, mortgage or loan guarantee, or insurance; and

(iv) community development funds in the form of obligations guaranteed under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308); and

(B) any assistance that is provided or otherwise made available by the Secretary of Agriculture under title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.).

(6) INDIVIDUAL WITH A DISABILITY.—The term ''individual with a disability'' means an individual with a disability, as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

(7) INDIVIDUALS WITH DISABILITIES.—The term ''individuals with disabilities'' means more than 1 individual with a disability.

(8) PERSON OR ENTITY.—The term ''person or entity'' includes 1 or more individuals, corporations (including not-for-profit corporations), partnerships, associations, labor organizations, legal representatives, mutual corporations, joint-stock companies, trusts, unincorporated associations, trustees, trustees in cases under title 11 of the United States Code, receivers, and fiduciaries.

(9) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(10) UNIVERSAL HOME DESIGN.—The term ''universal home design'' means the inclusion of architectural and other landscaping features that allow basic access to and within a residential dwelling by an individual with a disability who cannot climb stairs, including an individual who uses a mobility device such as a wheelchair.

SEC. 3. ESTABLISHMENT OF UNIVERSAL HOME DESIGN GUIDELINES.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Access Board, in consultation with the Secretary, shall develop and issue guidelines setting forth the minimum technical criteria and scoping requirements for a covered dwelling unit to be in compliance with universal home design under this Act.

(b) UNIVERSAL HOME DESIGN FEATURES COVERED.—The guidelines required to be developed and issued under subsection (a) shall include, at a minimum, basic access to a covered dwelling unit and to not less than 1 level within such covered dwelling unit, including—

(1) an accessible entrance located on an accessible path from the public street or driveway;

(2) accessible interior doors with sufficient clear width and accessible thresholds;

(3) accessible environmental controls on the wall;

(4) at least 1 accessible indoor room that has an area of not less than 70 square feet and contains no side or dimension narrower than 7 feet;

(5) an accessible bathroom with—

(A) an accessible sink and toilet; and

(B) reinforced walls that permit the installation of grab bars; and

(6) a kitchen space—

(A) with accessible food preparation, washing, and storage areas; and

(B) that can easily be further adapted to accommodate an individual with a disability.

(c) REGULATIONS.—Not later than 6 months after the date on which the guidelines are issued under subsection (a), the Secretary shall issue regulations, in an accessible format—

(1) to carry out the provisions of this Act; and

(2) that include accessibility standards that are consistent with the guidelines issued under subsection (a).

(d) REVIEW AND AMENDMENT.—

(1) ACCESS BOARD.—The Access Board, in consultation with the Secretary, shall—

(A) periodically review and, as appropriate, amend the guidelines issued under subsection (a); and

(B) issue such amended guidelines as revised guidelines.

(2) SECRETARY.—Not later than 6 months after the date on which revised guidelines are issued under paragraph (1)(B), the Secretary shall issue revised regulations that are consistent with such revised guidelines.

SEC. 4. USE OF UNIVERSAL HOME DESIGN GUIDELINES IN NEW CONSTRUCTION.

It shall be unlawful for any person described in clauses (i), (ii), and (ii) of section 2(3)(C), with respect to a covered dwelling unit, to fail to ensure that the covered dwelling unit complies with the universal home design guidelines established under section 3.

SEC. 5. ENFORCEMENT.

(a) REQUIREMENT FOR FEDERAL FINANCIAL ASSISTANCE.—Each applicant for Federal financial assistance that is to be used for a covered dwelling unit shall submit to the agency providing such Federal financial assistance an assurance, at such time and in such manner as the head of the agency may require, verifying that the applicant is in compliance with the universal home design guidelines established under section 3 with respect to the covered dwelling unit.

(b) CIVIL ACTION FOR PRIVATE PERSONS.—Any person aggrieved by an act or omission that is unlawful under section 3 or 4 may commence a civil action in an appropriate United States district court against any person or entity responsible for any part of the design, construction, or sale of a covered dwelling unit.

(c) ENFORCEMENT BY ATTORNEY GENERAL.—Whenever the Attorney General has reasonable cause to believe that any person or group of persons has violated section 3 or 4, the Attorney General may commence a civil action in any appropriate United States district court. The Attorney General may also, upon timely application, intervene in any civil action brought under subsection (b) by a private person if the Attorney General certifies that the case is of general public importance.

(d) RELIEF.—In any civil action brought under subsection (b) or (c), if the court finds that a violation of section 3 or 4 of this Act has occurred or is about to occur, it may award to the plaintiff actual and punitive damages, and may grant as relief, as the court finds appropriate, any permanent or temporary injunction, temporary restraining order, or other order (including an order enjoining the defendant from violating section 3 or 4 of this Act or ordering such affirmative action as may be appropriate).

(e) ATTORNEY'S FEES.—In any civil action brought under subsection (b) or (c), the court, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney's fee and costs.

(f) VIOLATIONS.—For purposes of this section, a violation involving a covered dwelling unit that is not designed or constructed in conformity with the universal home design guidelines established under section 3 shall not be considered to terminate until the violation is corrected.

SEC. 6. OFFICE OF ACCESSIBLE HOUSING AND DEVELOPMENT.

(a) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Secretary shall establish in the Department an Office of Accessible Housing and Development.

(b) DIRECTOR.—The Office of Accessible Housing and Development shall be headed by a Director of Accessible Housing and Development, who shall be—

(1) appointed by the Secretary;

(2) an individual with substantial knowledge of individuals with disabilities and universal design; and

(3) responsible for implementing the responsibilities described in subsection (c).

(c) RESPONSIBILITIES.—

(1) INFORMATION DISSEMINATION.—The Office of Accessible Housing and Development shall disseminate information to inform the public about the importance of universal home design by—

(A) sharing information and resources about the requirements under this Act, the Fair Housing Act (42 U.S.C. 3601 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and the Americans with Disabilities Act (42 U.S.C. 12101 et seq.); and

(B) creating a website in accordance with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d) to facilitate the dissemination of information and resources under subparagraph (A).

(2) SURVEYING THE AVAILABILITY OF AFFORDABLE AND ACCESSIBLE HOUSING.—Not later than 180 days after the date of enactment of this Act, the Office of Accessible Housing and Development shall conduct a study and submit to the Secretary a report on the number of covered dwelling units and other housing units that are accessible to individuals with disabilities in each State, disaggregated by type of housing, cost, and location.

(3) PROMOTING UNIVERSAL HOME DESIGN.—The Office of Accessible Housing and Development shall—

(A) help monitor progress and compliance with the universal home design guidelines established under section 3;

(B) submit to the Secretary an annual report detailing compliance with the universal home design guidelines established under section 3, including the number of covered dwelling units that were built in each State that were in compliance with such guidelines;

(C) coordinate with, and provide technical assistance to, the Department of Justice to assist in the enforcement of this Act; and

(D) perform any other duties as the Secretary may determine appropriate.

SEC. 7. SEVERABILITY.

If any provision of this Act of the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of the provision to other persons not similarly situated shall not be affected thereby.

By Mr. BOOKER (for himself, Mr. WICKER, Mr. BEGICH, Mr. COCHRAN, and Mr. CASEY):

S. 2891. A bill to amend title 23, United States Code, to direct the Secretary of Transportation to establish an innovation in surface transportation program, and for other purposes; to the Committee on Environment and Public Works.

Mr. BOOKER. Mr. President, I rise today to introduce with Senate colleagues the Innovation in Surface Transportation Act, which will spur economic development and include more local stakeholders in transportation projects. I am proud to join with Senators WICKER, BEGICH, COCHRAN, and CASEY to sponsor this important bipartisan legislation.

As a former Mayor, I understand local leaders are often in the best position to make sound, cost-effective investment decisions to boost the local economy. Today, our cities, towns and suburbs are not getting the transportation investments they need to remain competitive and attract the kind of investment needed to create jobs and put more people to work.

This legislation establishes a statewide program of competitive grants to local communities overseen by a diverse selection panel, including state Departments of Transportation, local jurisdictions, port authorities, and representatives from air quality and safety organizations. This innovative proposal would encourage communities to compete against their peers, and stretch to make the most of every project and every dollar. Recognizing each state and region has different transportation needs, the panel would create criteria specific to their State's needs, such as improving the movement of freight, or connecting low-income communities to jobs. The bill would also require a metric-based, objective, fully transparent process based off critical criteria, such as return on investment, job creation, and reducing environmental impacts.

The most cost-effective and economically important projects will rise to the top, which will help communities across the country meet the great challenge of maintaining aging infrastructure and preparing for future growth with constrained funding.

I look forward to working with my colleagues to build further support for this legislation and continue working to provide long-term transportation investment that strengthens communities across the nation.

By Ms. COLLINS (for herself and Mr. NELSON):

S. 2896. A bill to amend title 31, United States Code, to adjust for inflation the amount that is exempt from administrative offsets by the Department of Education for defaulted student loans; to the Committee on Finance.

Ms. COLLINS. Mr. President, today Senator NELSON and I are introducing legislation to limit the amount the Federal Government can garnish from Social Security benefits for unpaid student loan debt. Our bill would adjust the current $750 garnishment floor for inflation and index it going forward, to make sure that garnishments do not force seniors into poverty.

According to a recent study by the Government Accountability Office, GAO, the number of borrowers who have experienced garnishments to Social Security retirement, survivor, or disability benefits to repay student loans has increased over time. In 2001, about 31,000 Social Security beneficiaries had part of their benefits garnished to pay defaulted student loans. In 2013, this number had grown to approximately 155,000 beneficiaries, an increase of 400 percent.

The Debt Collection Improvement Act limits the amount the federal government can garnish from monthly Federal benefits. In 1998, this amount was set at $750 per month, and since then, it has not been raised or adjusted for inflation. This means that the federal government can garnish Social Security benefits so long as the beneficiary is not left with less than $750 per month. Fifteen years ago, this was above the poverty line, but as a result of inflation, the $750 limit now represents just 81 percent of the poverty threshold for a single adult 65 or older.

GAO found that if the garnishment limit had been indexed to match the rate of increase in the poverty threshold, in 2013, 68 percent of all borrowers whose Social Security benefits were garnished for Federal student loan debt would have kept their entire benefit. This means that in more than 2/3 of all cases involving the garnishment of Social Security benefits for unpaid student loan debt, the senior was forced into poverty. Indexing the floor to keep up with cost of living would keep this from happening.

I urge my colleagues to support this legislation to protect the financial security of seniors facing garnishment for unpaid student loan debt.

Mr. NELSON. Mr. President, today I announce my support of the Social Security Garnishment Modernization Act. I once again want to thank and commend Senator COLLINS, my cosponsor on this legislation and co-leader on the Senate Special Committee on Aging. This is the fifth bill I have cosponsored with Senator COLLINS as a direct result of a hearing we have held in the Aging Committee.

Earlier this month, our Committee examined the growing problem of seniors facing student loan debt in retirement. A senior with student loan debt who reaches the age of 65 has a one in four chance of being in default on that loan. If a senior still has student loan debt by the time he reaches 75, there's a better chance than not that the senior is in default on those loans.

The consequences for being in default on those loans in retirement can be devastating. The Department of Education can direct the Treasury Department to garnish a substantial portion of a senior's monthly Social Security payment. Seniors can be left with just $750 a month, well below the official monthly poverty threshold of $931. This figure has not been updated since the late 1990s. This bill would update the amount of money protected from garnishment and index it for inflation going forward so that a senior today would get to keep $1,072 a month even if he was in default on his student loans.

This bill could help people like 72-year-old Janet Lee Dupree of Citra, FL, whose Social Security check was garnished for a $3,000 loan she took out in the early 1970s. With interest and fees, that loan ballooned to $15,000, which means that she will likely be in debt the rest of her life. If this bill passed, she would get to keep more of her hard-earned Social Security benefits that she needs to get by and pay for health care costs associated with two chronic and debilitating diseases.

We need to fix this problem soon because the next wave of retirees is coming, and a substantial number of them are still carrying student loan debt. Nearly 18 million people ages 50 to 64 owe on their student loans, and one in five of those people are already in default, meaning they could face garnishment once they start taking Social Security benefits. We need to protect today's retirees and tomorrow's retirees so that they have enough money to live with dignity.

By Mr. REED (for himself, Mr. HARKIN, and Mr. WHITEHOUSE):

S. 2906. A bill to provide for the treatment and extension of temporary financing of short-time compensation programs; to the Committee on Finance.

Mr. REED. Mr. President, today I am joined by Senators HARKIN and WHITEHOUSE in introducing the Layoff Prevention Extension Act of 2014. This bill would extend the financing and grant provisions for the work sharing initiative I authored and worked to include as part of the Middle Class Tax Relief and Job Creation Act of 2012. Since becoming law, work sharing has helped save over 110,000 jobs, including 1,200 jobs in my State of Rhode Island, according to the Department of Labor. It has saved States $225 million by reimbursing them for work sharing benefits they paid out to workers—benefits that helped keep people on the job as employees and employers elected to reduce hours across the board instead of laying workers off.

Before my bill became law only a handful of States had work sharing programs. By tilting the incentives away from layoffs and toward work sharing a majority of states now have laws on their books. However, the 100 percent Federal financing of these work sharing benefits will expire in the summer of 2015 and the $100 million in implementation grants by the end of this year. My bill would extend both of these deadlines by one year so States with existing work sharing programs and those that are looking to enact a program can qualify for Federal support.

I urge my colleagues to join me in passing this bill to keep American workers on the job and encourage more States to enact work sharing programs that enjoy broad support in States that have adopted them and economists on both sides of the spectrum.

By Mrs. FEINSTEIN:

S. 2908. A bill to amend the Internal Revenue Code of 1986 to expand eligibility for the refundable credit for coverage under a qualified health plan, and for other purposes; to the Committee on Finance.

Mrs. FEINSTEIN. Mr. President, the Affordable Care Act made great strides in improving access to health insurance for millions of Americans. Unfortunately, especially in high-cost geographic areas, some in the middle class are facing high insurance premiums.

If you make a penny over $45,960 you lose all Federal assistance for purchasing health insurance through the new exchanges. This is especially hard for individuals between the ages of 50 and 64, who are facing higher premiums but do not yet qualify for Medicare.

I have received thousands of calls and emails about access to health insurance. The high costs are a real problem. For example, Dave, one of my constituents from Livermore, CA, wrote to me to share how this policy has affected him. Dave is 60 and self-employed, making $65,000 per year. He signed up for a plan through the new health insurance exchange to cover both himself and his wife. If they made just $3,000 less per year they would have qualified for a subsidy and paid $491 for the second lowest cost silver plan. Since they are just over the threshold, the full cost of this plan is $1552. They decided to go with less robust coverage and still pay $1147 for a bronze plan. Under this legislation, Dave and his wife could get a better plan for less than half of what they pay now.

Another constituent, Dan, lives in Riverside, CA, and is 62 years old. He wrote to me and explained that his pension is just barely too high to receive help with his health insurance premiums and that he just can't afford it. Currently, the second lowest cost silver plan for Dan and his wife would be $1141 per month. Under this legislation, they would be able to afford health insurance.

The way the law is currently designed, there is a steep subsidy cliff.

This should gradually reduce, in a way that provides some help for more middle-income Americans so they pay no more than 9.5 percent their income in health insurance premiums.

The Affordable Health Insurance for the Middle Class Act would do just that. This legislation extends the current subsidy up to 600 percent of the Federal poverty level, which is $68,940 for an individual. As an individual makes more, their subsidy goes down.

I am particularly concerned about older individuals who need medical care but face premiums they simply cannot afford. In California, it is estimated that approximately 360,600 individuals between the ages of 50–64 who do not qualify for Medicaid or have employer-based coverage would see premiums greater than 9.5 percent of their income. Nearly 98,000 of these are expected to remain uninsured due to the cost. This is a simple fix to improve the law that will further increase access to coverage.

The bill is paid for by a nominal increase in the federal cigarette tax, which amounts to five cents per pack.

I urge my colleagues to join me in supporting the Affordable Health Insurance for the Middle Class Act. It is commonsense to have a gradual decline in the federal assistance for health insurance and help those who are just out of reach of affording it on their own.

I look forward to working with my colleagues on this important issue.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 561—EXPRESSING THE SENSE OF THE SENATE THAT RECENTLY PROPOSED MEASURES THAT WILL REDUCE TRANSPARENCY AND PUBLIC PARTICIPATION AT THE INTERNATIONAL ASSOCIATION OF INSURANCE SUPERVISORS (IAIS) SHOULD BE DISAPPROVED BY UNITED STATES REPRESENTATIVES TO THE IAIS

Mr. HELLER (for himself and Mr. TESTER) submitted the following resolution; which was referred to the Committee on Banking, Housing, and Urban Affairs:

S. RES. 561

Whereas the International Association of Insurance Supervisors (IAIS) establishes global insurance standards that the United States and other countries are expected to implement and are graded on their compliance with;

Whereas heretofore, the procedures of the IAIS were relatively transparent for observers;

Whereas on August 4, 2014, the IAIS proposed eliminating public observers from its meetings starting on January 1, 2015, significantly reducing the transparency of its activities and only allowing certain parties to attend;

Whereas representatives of United States consumer advocacy organizations have just recently been admitted as observers;

Whereas the IAIS proposed procedures would provide far less transparency and participation than the procedure afforded to interested stakeholders in the United States by the National Association of Insurance Commissioners (NAIC);

Whereas maximum transparency produces the best regulation and the proposed procedures will reduce transparency; and

Whereas United States State insurance regulators who currently provide the largest portion of funding to the IAIS have already publically expressed opposition to the proposed reduction in IAIS transparency: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the International Association of Insurance Supervisors' (IAIS) proposed procedures will reduce transparency and access to IAIS supervisory standard development by United States stakeholders including those representing consumers;

(2) the proposed procedures specifically authorize the unfair and unequal treatment of interested parties by allowing the IAIS to selectively admit certain parties and exclude others at key meetings;

(3) all representatives of the United States at the International Association of Insurance Supervisors should oppose these new procedures and instead advocate more transparency and public inclusion by the IAIS;

(4) should the IAIS adopt the proposed procedures or any similar reductions in transparency, United States representatives to the IAIS should make all appropriate efforts to ensure that proper transparency is restored; and

(5) all United States representatives to the IAIS should work to ensure that their activities are transparent to Congress and United States stakeholders, and that United States representatives to the IAIS should regularly communicate with United States stakeholders through timely comprehensive reporting and in-person discussions.

SENATE RESOLUTION 562—EXPRESSING THE SENSE OF THE SENATE THAT PERFORMANCE-BASED CONTRACTS FOR ENERGY SAVINGS ARE A BUDGET-NEUTRAL MEANS TO SUPPORT THE FEDERAL GOVERNMENT IN REDUCING ITS ENERGY CONSUMPTION WITHOUT INCREASING SPENDING WHILE SIMULTANEOUSLY SUPPORTING UNITED STATES BASED JOBS AND ECONOMIC DEVELOPMENT

Mr. COONS (for himself, Mr. HOEVEN, Mrs. SHAHEEN, Mr. PORTMAN, Ms. LANDRIEU, Ms. COLLINS, Mr. FRANKEN, Mr. GRAHAM, Mr. WYDEN, Mr. CHAMBLISS, Mr. MENENDEZ, Mr. REED of Rhode Island, Mr. MERKLEY, Mr. KING, Mr. SCHATZ, Mr. MARKEY, Mr. BOOKER, Mr. BLUMENTHAL, Ms. WARREN, and Mr. DONNELLY) submitted the following resolution; which was referred to the Committee on the Budget:

S. RES. 562

Whereas Energy Savings Performance Contracts and Utility Energy Service Contracts were first authorized by Congress in 1986 and 1992 respectively and reduce energy costs and consumption at Federal buildings and facilities without relying on additional appropriations;

Whereas the contracts are financed by a third-party and realize sufficient energy savings to cover the cost of the financed improvements over the contract term;

Whereas the contractor provides a guarantee of energy savings for the Energy Savings Performance Contract and the utility provides energy savings performance assurances or guarantees of the savings for the Utility Energy Service Contract;

Whereas performance-based contracting is an opportunity for significant savings so much so that the Oak Ridge National Laboratory has determined that under an Energy Savings Performance Contract the total cost savings delivered to the Government is nearly twice the guaranteed amount;

Whereas the Energy Independence and Security Act of 2007 required a Government-wide audit of facilities and, although to date only half of those buildings have been surveyed, it has been established that at least $9,000,000,000 worth of energy savings that could be achieved within a decade;

Whereas the Office of Management and Budget first recognized savings from Energy Savings Performance Contracts and Utility Energy Service Contracts on an annual basis throughout the term of the contract as far back as 1998;

Whereas the Congressional Budget Office instead has determined that the full cost of the authority to enter into the long-term contracts for capital investments be scored upfront as new mandatory spending while the savings in energy costs that flow from these investments be realized over time as part of the annual appropriations process;

Whereas this has continued to hinder the ability of Congress to pass legislation ensuring additional energy and cost savings to the Federal Government through utilization of these contracts despite their proven savings; and

Whereas there is broad bipartisan and bicameral recognition in Congress of the value of these energy saving contracts: Now, therefore, be it

Resolved, That it is the sense of the Senate that legislation regarding Energy Savings Performance Contracts and Utility Energy Service Contracts, and legislation which may lead to their use by the Federal Government, should receive Congressional scoring treatment that allows future year guaranteed discretionary savings to be counted against the mandatory spending attributed to undertaking such contracts.

SENATE RESOLUTION 563—EXPRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD PURSUE EXTRADITION AUTHORITY FOR INTERNATIONAL CYBERCRIMINALS COMMITTING CREDIT CARD THEFT TARGETING UNITED STATES CITIZENS

Mr. KIRK (for himself, Mr. MCCONNELL, Mr. COATS, Mr. ISAKSON, Mr. CHAMBLISS, Mr. WICKER, Mr. THUNE, Mr. BLUNT, Mr. BOOZMAN, Mr. JOHNSON of Wisconsin, Mr. CORNYN, and Mr. GRASSLEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 563

Whereas the number of United States citizens who have had their identity and financial information compromised as a result of recent data breaches at major retailers exceeds 100,000,000;

Whereas the financial security of middle class Americans has been put at risk by these criminal attacks;

Whereas cybercrimes targeting the financial information of United States citizens are often transnational crimes; and

Whereas the United States does not currently have established extradition agreements with many countries acting as safe

havens for cybercriminals: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should immediately launch international negotiations with the governments of the world's leading powers for new, effective extradition treaties with countries with which the United States has no current extradition authority, as well as renegotiate old, ineffective treaties, in order to combat more effectively international cybercriminals, including those who target the credit card information of United States citizens.

SENATE RESOLUTION 564—HONORING CONSERVATION ON THE CENTENNIAL OF THE PASSENGER PIGEON EXTINCTION

Mr. BROWN (for himself and Mr. PORTMAN) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 564

Whereas the Senate recognizes the importance of conserving natural habitats for bird populations and preserving the Nation's biodiversity;

Whereas the death of Martha, the last passenger pigeon, on September 1, 1914, at the Cincinnati Zoo, and the extinction of the passenger pigeon helped to catalyze the American conservation movement of the early 20th century, resulting in new laws and practices that prevented the extinction of many species;

Whereas the story of the passenger pigeon can serve as a cautionary tale and raise awareness of current issues related to human-caused extinction, explore connections between humans and the natural world, and inspire people to build sustainable relationships with other species;

Whereas the passenger pigeon (Ectopistes migratorius) was once the most abundant bird in North America, with a population exceeding 3,000,000,000 and with flocks so large that they could darken the skies for hours and even days at a time;

Whereas due to unregulated market hunting in the 19th century and deforestation, the passenger pigeon population plummeted toward extinction;

Whereas Project Passenger Pigeon, a consortium of over 150 institutions, scientists, conservationists, educators, artists, musicians, filmmakers, and others throughout the Nation, is using the centenary of the extinction of the species to tell the story of the passenger pigeon; and

Whereas the story of the passenger pigeon, once a symbol of never-ending natural abundance, and its subsequent extinction is unique in the annals of the history of the United States:

Now, therefore, be it

Resolved, That the Senate commemorates the importance of this centenary, our natural heritage, the sustainability of our ecosystem, and the conservation of our Nation's wildlife.

SENATE RESOLUTION 565—EXPRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT AND THE SECRETARY OF STATE SHOULD ENSURE THAT THE CANADIAN GOVERNMENT DOES NOT PERMANENTLY STORE NUCLEAR WASTE IN THE GREAT LAKES BASIN

Mr. LEVIN (for himself, Mr. KIRK, Ms. STABENOW, and Ms. BALDWIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 565

Whereas the water resources of the Great Lakes Basin are precious public natural resources, shared by the Great Lakes States and the Canadian Provinces;

Whereas since 1909, the United States and Canada have worked to maintain and improve the water quality of the Great Lakes through water quality agreements;

Whereas more than 40,000,000 people in Canada and the United States depend on the fresh water from the Great Lakes for drinking water;

Whereas Ontario Power Generation is proposing to build a permanent geological repository for nuclear waste less than one mile from Lake Huron in Kincardine, Ontario, Canada;

Whereas nuclear waste is highly toxic and can take tens of thousands of years to decompose to safe levels;

Whereas during the 1980s when the Department of Energy, in accordance with the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.), was studying potential sites for a permanent nuclear waste repository in the United States, the Canadian Government expressed concern with locating a permanent nuclear waste repository within the shared water basins of the 2 countries; and

Whereas a spill of nuclear waste into the Great Lakes could have lasting and severely adverse environmental, health, and economic impacts on the Great Lakes and the people that depend on them for their livelihood: Now, therefore, be it

Resolved, That it is the sense of the Senate—

(1) the Canadian Government should not allow a permanent nuclear waste repository to be built within the Great Lakes Basin;

(2) the President and the Secretary of State should take appropriate action to work with the Canadian Government to prevent a permanent nuclear waste repository from being built within the Great Lakes Basin; and

(3) the President and the Secretary of State should work together with their Canadian Government counterparts on a safe and responsible solution for the long-term storage of nuclear waste.

SENATE RESOLUTION 566—CELEBRATING THE 125TH ANNIVERSARY OF THE STATE OF SOUTH DAKOTA

Mr. THUNE (for himself and Mr. JOHNSON of South Dakota) submitted the following resolution; which was considered and agreed to:

S. RES. 566

Whereas South Dakota joined the Union as a State on November 2, 1889;

Whereas South Dakota serves as a breadbasket for the United States and the world;

Whereas the agriculture industry in South Dakota produces a $25,600,000,000 economic impact each year;

Whereas South Dakota is among the top 10 producers in the United States of 9 different crops;

Whereas South Dakota is among the top 10 producers in the United States in 5 different animal production areas;

Whereas South Dakota is a land of opportunity and free enterprise;

Whereas South Dakota consistently has one of the lowest unemployment rates in the United States;

Whereas South Dakota has an outstanding system of education at every level, teaching students to become leaders and innovators in a variety of fields;

Whereas South Dakotans have gone on to serve proudly and in disproportionately high numbers in the United States Armed Forces;

Whereas the USS South Dakota was commissioned in 1942 and valiantly served in the Pacific during World War II;

Whereas South Dakota is honored to be home to 9 Native American tribes;

Whereas South Dakota boasts the highest mountains between the Appalachians and the Rockies;

Whereas South Dakota supports environmental conservation as home to 6 National parks;

Whereas people from all over the United States travel to South Dakota every year to participate in an annual tradition of pheasant hunting that has spurred tourism and economic growth and has maintained a heritage important to South Dakotans for generations; and

Whereas South Dakota came to symbolize the commitment of the United States to freedom and democracy by way of the world-famous Mount Rushmore: Now, therefore, be it

Resolved, That the Senate commends and celebrates South Dakota and its people on the State's 125th anniversary.

SENATE RESOLUTION 567—EXPRESSING THE SENSE OF THE SENATE REGARDING THE POSSIBLE EASING OF RESTRICTIONS ON THE SALE OF LETHAL MILITARY EQUIPMENT TO THE GOVERNMENT OF VIETNAM

Mr. MCCAIN (for himself, Mr. LEAHY, Mr. CORKER, Mr. WHITEHOUSE, and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 567

Resolved, That it is the sense of the Senate that—

(1) Vietnam is an important emerging partner with which the United States increasingly shares strategic and economic interests, including improving bilateral and multilateral capacity for humanitarian assistance and disaster relief, upholding the principles of freedom of navigation and peaceful resolution of international disputes, strengthening an open regional trading order, and maintaining a favorable balance of power in the Asia-Pacific region;

(2) the Government of Vietnam has recently taken modest but encouraging steps to improve its human rights record, including signing the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the United Nations General Assembly December 10, 1984, increasing registrations for places of worship, taking greater action to combat human trafficking, reviewing the Criminal Code, and beginning high-level engagement with the United States and international human rights nongovernmental organizations;

(3) in light of growing challenges in the Asia-Pacific region and some steps by the Government of Vietnam to improve its human rights record, the President should begin a process to ease the United States prohibition on the sale of lethal military equipment to Vietnam, which is maintained under executive authority and can be changed without legislative action, but should not be changed without consultation with Congress;

(4) easing the prohibition on the sale of lethal military equipment to Vietnam at this time solely with regard to maritime and coastal defense would further United States national security interests, but steps beyond this to ease further the prohibition would require the Government of Vietnam to take significant and sustained steps to protect human rights, including releases of prisoners of conscience and legal reforms;

(5) the United States Government should continue to support civil society in Vietnam, including advocates for religious freedom, press freedom, and labor rights who seek to use peaceful means to build a strong and prosperous Vietnam that respects human rights and the rule of law; and

(6) the United States Government should continue to engage the Government of Vietnam in a high-level dialogue and specify what steps on human rights would be necessary for the Government of Vietnam to take in order to continue strengthening the bilateral relationship, including to ease further the prohibition on the sale of lethal military equipment.

SENATE RESOLUTION 568—DESIGNATING THE MONTH OF SEPTEMBER 2014 AS ''NATIONAL SEPSIS AWARENESS MONTH''

Mr. SCHUMER submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 568

Whereas sepsis is a medical condition resulting from an immune system response to an infection;

Whereas the overwhelming flood of immune chemicals released into the blood to fight an infection can impair blood flow, injuring organs;

Whereas sepsis is a serious community-acquired infection and a leading cause of death in the United States;

Whereas in severe cases of sepsis, a patient can experience a drop in blood pressure, a weakened heart, and septic shock, causing potentially fatal multiple organ failure;

Whereas approximately 1,000,000 individuals in the United States are infected with sepsis each year;

Whereas sepsis has killed over 4,000,000 individuals in the United States between 2004 and 2014;

Whereas the Centers for Disease Control and Prevention estimates that approximately 50 percent of individuals infected with sepsis die, accounting for more deaths in the United States than prostate cancer, breast cancer, and AIDS combined;

Whereas according to the Agency for Healthcare Research and Quality, sepsis is the most expensive cause of hospitalization in the United States, with an annual cost of $24,000,000,000;

Whereas the number of sepsis deaths is on the rise in the United States;

Whereas an article in the Journal of the American Medical Association reports that more than 80 percent of individuals who die from sepsis arrive at the hospital with sepsis;

Whereas early recognition, diagnosis, and treatment can prevent sepsis fatalities; and

Whereas September 2014 is an appropriate month to designate as ''National Sepsis Awareness Month'' to raise awareness of sepsis and encourage educating patients, families, health care professionals, and government agencies on the importance of early detection as the key for patients to survive sepsis: Now, therefore, be it

Resolved, That the Senate designates the month of September 2014 as ''National Sepsis Awareness Month''.

SENATE RESOLUTION 569—DESIGNATING SEPTEMBER 23, 2014, AS ''NATIONAL FALLS PREVENTION AWARENESS DAY'' TO RAISE AWARENESS AND ENCOURAGE THE PREVENTION OF FALLS AMONG OLDER ADULTS

Mr. NELSON (for himself, Ms. COLLINS, Ms. MIKULSKI, and Mr. SANDERS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 569

Whereas adults who are age 65 or older (referred to in this preamble as ''older adults'') are the fastest-growing population in the United States;

Whereas the number of older adults in the United States is expected to increase from 35,000,000 older adults in 2000 to 79,700,000 older adults in 2040;

Whereas each year, 1 out of every 3 older adults in the United States falls;

Whereas falls are the leading cause of fatal and nonfatal injuries among older adults;

Whereas in 2012, more than 2,400,000 older adults were treated in hospital emergency departments for fall-related injuries, and more than 722,000 older adults were subsequently hospitalized from such injuries;

Whereas in 2011, more than 22,900 older adults in the United States died from injuries related to unintentional falls;

Whereas in 2010, the total direct medical cost of fall-related injuries for older adults, adjusted for inflation, was $30,000,000,000;

Whereas between 2004 and 2014, the rate of death from falls of older adults in the United States has risen sharply;

Whereas the Centers for Disease Control and Prevention estimate that if the rate of increase in falls does not decrease, the annual cost of injuries from falls will reach an estimated $67,700,000,000 by 2020; and

Whereas evidence-based programs show promise in reducing falls by utilizing cost-effective strategies, such as exercise programs to improve balance and strength, medication management, vision improvement, comprehensive clinical assessments, and reduction of home hazards: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 23, 2014, as ''National Falls Prevention Awareness Day'';

(2) recognizes that there are proven, cost-effective falls prevention programs and policies;

(3) commends the 72 member organizations of the Falls Free® Coalition, and the falls prevention coalitions in 42 States and the District of Columbia, for their efforts to work together to increase education and awareness about preventing falls among adults who are age 65 or older (referred to in this resolution as ''older adults'');

(4) encourages businesses, individuals, Federal, State, and local governments, the public health community, and health care providers to work together to raise awareness of falls in an effort to reduce the incidence of falls among older adults in the United States;

(5) urges the Centers for Disease Control and Prevention to continue developing and evaluating interventions to prevent falls among older adults that will translate into effective community-based falls prevention programs;

(6) urges the Administration for Community Living, the Centers for Disease Control and Prevention, and their partners to continue to promote evidence-based programs and services in communities across the United States to reduce the number of older adults at risk of falling;

(7) encourages State health departments and State Units on Aging, which provide significant leadership in reducing injuries and related health care costs, to collaborate with organizations and individuals to reduce falls among older adults in the United States; and

(8) encourages experts in the field of falls prevention to share best practices so that others can replicate their success.

Mr. NELSON. Mr. President, today, I wish to bring awareness to the growing problem of falls amongst our seniors, the fastest-growing population in the United States. Each year, one out of every three older Americans over age 65 falls, resulting in more than 2,400,000 older hospital emergency department visits and more than 22,900 deaths resulting from injuries sustained in unintentional falls. The costs associated with these falls are equally alarming: in 2010, the direct medical cost of fall-related injuries for older adults was $30,000,000,000. The Centers for Disease Control and Prevention estimate that if the rate of falls does not decrease, the annual cost of injuries resulting from falls will reach an estimated $67,700,000,000 by 2020.

These staggering numbers are alarming, and we must work to reduce the incidence of falls among older adults by utilizing cost-effective strategies to improve balance and strength through exercise programs, improve comprehensive clinical assessments, and reduce hazards in seniors' homes. That is why today I have put forth this Resolution to designate September 23, 2014, as National Falls Prevention Awareness Day. I thank my colleagues, Senator COLLINS, my partner on the Senate Special Committee on Aging, and Senators MIKULSKI and SANDERS for joining with me in support of National Falls Prevention Awareness Day. National Falls Prevention Awareness Day seeks to raise awareness and encourage the prevention of falls among older adults. The 72 member organizations of the Falls Free Coalition and the falls prevention coalitions in 42 States and the District of Columbia have worked tirelessly to increase education and awareness about preventing falls among older Americans. We will continue to foster and encourage these coalitions and ensure the safety and independence of our older adults as they age in their homes.

SENATE RESOLUTION 570—DESIGNATING OCTOBER 17, 2014, AS ''NATIONAL ALTERNATIVE FUEL VEHICLE DAY''

Mr. MANCHIN (for himself, Mr. BURR, Mr. ROCKEFELLER, Ms. MIKULSKI,

and Mr. BROWN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 570

Whereas the United States should reduce dependence on foreign oil and enhance energy security by creating a transportation sector that is less dependent on oil;

Whereas the United States should improve air quality in the United States by reducing emissions from the millions of motor vehicles that operate in the United States;

Whereas the United States should foster national expertise and technological advancement in cleaner, more energy-efficient alternative fuel and advanced technology vehicles;

Whereas a robust domestic industry for alternative fuels and alternative fuel and advanced technology vehicles will create jobs and increase the competitiveness of the United States in the international community;

Whereas the people of the United States need more options for clean and energy-efficient transportation;

Whereas mainstream adoption of alternative fuel and advanced technology vehicles will produce benefits at the local, national, and international levels;

Whereas consumers and businesses require a better understanding of the benefits of alternative fuel and advanced technology vehicles;

Whereas first responders require proper comprehensive training to be fully prepared for any precautionary measures that they may need to take during incidents and extrications that involve alternative fuel and advanced technology vehicles;

Whereas the Federal Government can lead the way toward a cleaner and more efficient transportation sector by choosing alternative fuel and advanced technology vehicles for the fleets of the Federal Government; and

Whereas Federal support for the adoption of alternative fuel and advanced technology vehicles can accelerate greater energy independence for the United States, improve the environmental security of the United States, and address global climate change: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 17, 2014, as ''National Alternative Fuel Vehicle Day'';

(2) proclaims National Alternative Fuel Vehicle Day as a day to promote programs and activities that will lead to the greater use of cleaner, more efficient transportation that uses new sources of energy; and

(3) urges the people of the United States to—

(A) increase personal and commercial use of cleaner and more energy-efficient alternative fuel and advanced technology vehicles;

(B) promote public sector adoption of cleaner and more energy-efficient alternative fuel and advanced technology vehicles; and

(C) encourage the adoption of Federal policies to advance and adopt alternative, advanced, and emerging vehicle and fuel technologies in order to reduce the dependence of the United States on foreign oil.

SENATE RESOLUTION 571—DESIGNATING SEPTEMBER 30, 2014, AS ''UNITED STATES AND INDIA PARTNERSHIP DAY''

Mr. WARNER (for himself, Mr. CORNYN, and Mr. MENENDEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 571

Whereas the United States, the oldest democracy in the world, will welcome the Prime Minister of India, the leader of the largest democracy in the world, to the Nation's capital, on September 30, 2014;

Whereas the United States–India relationship is built on mutual respect for common values, including democracy, the rule of law, a market economy, and ethnic and religious diversity, and is bolstered by strong people-to-people connections, including a 3,000,000 strong Indian American diaspora;

Whereas the Senate places tremendous value on the relationship between the United States and India, and the bipartisan Senate India Caucus comprises 42 Senators and is the largest country-specific caucus in the Senate;

Whereas the Indian general election of 2014 was the largest election in Indian history, proving that democracy in India is as strong as it is encompassing of its religious, ethnic, socioeconomic, and cultural diversity;

Whereas the President of the United States congratulated the Prime Minister of India after his party's election victory and emphasized the ''deep bond and commitment to promoting economic opportunity, freedom, and security'' in India and the United States;

Whereas the 2 largest democracies in the world, the United States and India, have further developed their governments, businesses, nonprofit organizations, nongovernmental organizations, artists, entertainers, athletes, scientists, engineers, doctors, nurses, universities, schools, and faiths and the dignity of their citizens by demonstrating the value of an enlightened democratic rule of law, a peaceful government, and freedom from terror, tyranny, and oppression;

Whereas the relationship between the United States and India is vital to promoting stability, democracy, and economic prosperity in the 21st century;

Whereas bilateral trade between the United States and India increased from $19,000,000,000 in 2000 to $95,000,000,000 in 2013;

Whereas in 2013, the United States exported goods to India totaling $35,000,000,000 and generating 168,000 jobs in the United States; and

Whereas in 2013, the United States invested more than $28,000,000,000 in India, generating more than 500,000 jobs in India: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 30, 2014, as ''United States and India Partnership Day'', recognizing the contributions of the United States and India to one another and their relationship that will continue to help define the 21st century; and

(2) recognizes that the relationship between the United States and India is a special and permanent bond.

SENATE RESOLUTION 572—CONGRATULATING THE SAILORS OF THE UNITED STATES SUBMARINE FORCE UPON THE COMPLETION OF 4,000 BALLISTIC MISSILE SUBMARINE (SSBN) DETERRENT PATROLS

Ms. CANTWELL (for herself, Mrs. MURRAY, Mr. CHAMBLISS, Mr. ISAKSON, Mr. WARNER, Mr. KAINE, Mr. BLUMENTHAL, Mr. MURPHY, Mrs. SHAHEEN, Ms. COLLINS, Ms. HIRONO, and Mr. KING) submitted the following resolution; which was considered and agreed to:

S. RES. 572

Whereas the Sailors of the United States Submarine Force recently completed the 4,000th deterrent patrol of a ballistic missile submarine (SSBN);

Whereas this milestone is significant for the Submarine Force, its crews and their families, the United States Navy, and the entire country;

Whereas this milestone was reached through the combined efforts and impressive achievements of all of the submariners who have participated in such patrols since the first patrol of USS George Washington (SSBN 598) in 1960;

Whereas, as a result of the dedication and commitment to excellence of the Sailors of the United States Submarine Force, ballistic missile submarines have always been ready and vigilant, reassuring United States allies and deterring anyone who might seek to do harm to the United States or United States allies;

Whereas the national maritime strategy of the United States recognizes the critical need for strategic deterrence in today's uncertain world;

Whereas the true strength of the ballistic missile submarine lies in the extremely talented and motivated Sailors who have voluntarily chosen to serve in the submarine community; and

Whereas the inherent stealth, unparalleled firepower, and nearly limitless endurance of the ballistic missile submarine provide a credible deterrence for any enemies that would seek to use force against the United States or United States allies: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Sailors of the United States Submarine Force upon the completion of 4,000 ballistic missile submarine (SSBN) deterrent patrols; and

(2) honors and thanks the crews of ballistic missile submarines and their devoted families for their continued dedication and sacrifice.

SENATE RESOLUTION 573—COMMEMORATING THE 50TH ANNIVERSARY OF THE WILDERNESS ACT

Mr. WYDEN (for himself, Mr. SESSIONS, Mr. UDALL of Colorado, Mr. ALEXANDER, Mr. UDALL of New Mexico, Mr. PORTMAN, Mr. BENNET, Mr. BURR, Mr. HARKIN, Mr. KIRK, Mr. MARKEY, Mr. DURBIN, Mr. LEVIN, Ms. STABENOW, Ms. CANTWELL, Mr. JOHNSON of South Dakota, Mr. MENENDEZ, Mr. REID of Nevada, Mr. WALSH, Mrs. BOXER, Mrs. FEINSTEIN, Mr. BOOKER, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mrs. MURRAY, Mr. KING, Mr. COONS, Mr. CASEY, Mr. SCHATZ, Ms. HIRONO, Mr. TESTER, Mr. HEINRICH, Mr. FRANKEN, Mr. SANDERS, Mr. MERKLEY, Mr. WARNER, Ms. BALDWIN, Ms. MIKULSKI, Mr. CARDIN, Mr. ROCKEFELLER, Mr. MURPHY, Mrs. HAGAN, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

S. RES. 573

Whereas September 3, 2014, marks the 50th anniversary of the date of enactment of the Wilderness Act (16 U.S.C. 1131 et seq.), which gave to the people of the United States the National Wilderness Preservation System, an enduring resource of natural heritage;

Whereas great writers of the United States, including Ralph Waldo Emerson,

Henry David Thoreau, Willa Cather, George Perkins Marsh, Mary Hunter Austin, David James Duncan, and John Muir, poets such as William Cullen Bryant, and painters such as Thomas Cole, Frederic Church, Frederic Remington, Georgia O'Keefe, Albert Bierstadt, and Thomas Moran, helped define the distinct cultural value of wild nature and concept of wilderness in the United States;

Whereas national leaders, such as President Theodore Roosevelt, who reveled in outdoor pursuits, have sought to ensure the wisest use of natural resources, so as to provide the greatest good for the greatest number of people as possible;

Whereas luminaries in the conservation movement, such as scientist Aldo Leopold, writer Howard Zahniser, teacher Sigurd Olson, biologists Olaus, Adolph, and Margaret ''Mardy'' Murie, and conservationists David Brower and Marjory Stoneman Douglas, envisioned and ardently advocated for a national system of protected wilderness areas and believed that the people of the United States could and should protect and preserve wilderness so that wilderness lasts well into the future;

Whereas legislators such as Senator Hubert H. Humphrey, a Democrat from Minnesota, Senator Clinton P. Anderson, a Democrat from New Mexico, and Representative John Saylor, a Republican from Pennsylvania, introduced versions of the Wilderness Act in each House of Congress and worked tirelessly along with colleagues for 8 years to secure its passage with bipartisan votes of 78 to 12 in the Senate and 373 to 1 in the House of Representatives;

Whereas President Lyndon B. Johnson signed the Wilderness Act into law in the Rose Garden on September 3, 1964;

Whereas, over the 50 years since the enactment of the Wilderness Act, various Presidents from both parties, leaders of Congress, and experts in the land management agencies within the Departments of the Interior and Agriculture have expanded and improved the system of wilderness protection created by the Wilderness Act;

Whereas the Wilderness Act instituted an unambiguous national policy to recognize the natural heritage of the United States as a valuable resource and protect wilderness for the good of future generations;

Whereas wilderness provides billions of dollars of ecosystem services in the form of safe drinking water, clean air, and recreational opportunities;

Whereas 44 States have protected wilderness areas; and

Whereas President Gerald R. Ford stated that the National Wilderness Preservation System ''serves a basic need of all Americans, even those who may never visit a wilderness area—the preservation of a vital element in our heritage'' and that ''wilderness preservation ensures that a central facet of our Nation can still be realized, not just remembered'': Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 50th anniversary of the Wilderness Act (16 U.S.C. 1131 et seq.);

(2) recognizes and commends the extraordinary work of the individuals and organizations involved in building and maintaining the National Wilderness Preservation System; and

(3) is grateful for wilderness, a tremendous asset the United States continues to preserve as a gift to future generations.

SENATE RESOLUTION 574—DESIGNATING THE WEEK OF SEPTEMBER 20 THROUGH SEPTEMBER 27, 2014, AS ''NATIONAL ESTUARIES WEEK''

Mr. WHITEHOUSE (for himself, Mrs. SHAHEEN, Ms. CANTWELL, Mr. WARNER, Mr. BLUMENTHAL, Mr. MENENDEZ, Mr. BOOKER, Mr. REED of Rhode Island, Ms. WARREN, Ms. MIKULSKI, Mr. COONS, Mr. MARKEY, Mr. NELSON, Mr. DURBIN, Ms. LANDRIEU, Mrs. MURRAY, Mrs. BOXER, Ms. HIRONO, Mr. KING, Ms. COLLINS, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. CARDIN, Mr. COCHRAN, Mrs. FEINSTEIN, Mr. WYDEN, Mr. BEGICH, and Ms. AYOTTE) submitted the following resolution; which was considered and agreed to:

S. RES. 574

Whereas the estuary regions of the United States constitute a significant share of the economy of the United States, with as much as 42 percent of the gross domestic product of the United States generated in coastal shoreline counties;

Whereas the population of coastal shoreline counties in the United States increased by 39 percent from 1970 to 2010 and is projected to continue to increase;

Whereas not less than 1,900,000 jobs in the United States are supported by marine tourism and recreation;

Whereas the commercial fishing, recreational fishing, and seafood industries rely on healthy estuaries and directly support 1,681,000 jobs in the United States;

Whereas in 2012, commercial fish landings generated $5,100,000,000 and recreational anglers took more than 70,000,000 fishing trips and spent $24,600,000,000;

Whereas estuaries provide vital habitats for countless species of fish and wildlife, including many species that are listed as threatened or endangered species;

Whereas estuaries provide critical ecosystem services that protect human health and public safety, including water filtration, flood control, shoreline stabilization, erosion prevention, and the protection of coastal communities during hurricanes and storms;

Whereas the United States has lost more than 110,000,000 acres of wetland, or 50 percent of the wetland of the United States, since the first European settlers arrived;

Whereas some bays in the United States that were once filled with fish and oysters have become dead zones filled with excess nutrients, chemical wastes, harmful algae, and marine debris;

Whereas changes in sea level can affect estuarine water quality and estuarine habitats;

Whereas the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) provides that it is the policy of the United States to preserve, protect, develop, and, if possible, restore or enhance the resources of the coastal zone of the United States, including estuaries, for current and future generations;

Whereas 24 coastal and Great Lakes States and territories of the United States operate a National Estuary Program or contain a National Estuarine Research Reserve;

Whereas scientific study leads to a better understanding of the benefits of estuaries to human and ecological communities;

Whereas the Federal Government, State, local, and tribal governments, national and community organizations, and individuals work together to effectively manage the estuaries of the United States;

Whereas estuary restoration efforts restore natural infrastructure in local communities in a cost-effective manner, helping to create jobs and reestablish the natural functions of estuaries that yield countless benefits; and

Whereas the week of September 20 through September 27, 2014, is recognized as ''National Estuaries Week'' to increase awareness among all people of the United States, including Federal Government and State and local government officials, about the importance of healthy estuaries and the need to protect and restore estuaries: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of September 20 through September 27, 2014, as ''National Estuaries Week'';

(2) supports the goals and ideals of National Estuaries Week;

(3) acknowledges the importance of estuaries to sustaining employment in the United States and the economic well-being and prosperity of the United States;

(4) recognizes that persistent threats undermine the health of the estuaries of the United States;

(5) applauds the work of national and community organizations and public partners that promote public awareness, understanding, protection, and restoration of estuaries;

(6) reaffirms the support of the Senate for estuaries, including the scientific study, preservation, protection, and restoration of estuaries; and

(7) expresses the intent of the Senate to continue working to understand, protect, and restore the estuaries of the United States.

SENATE RESOLUTION 575—DESIGNATING SEPTEMBER 2014 AS ''NATIONAL PROSTATE CANCER AWARENESS MONTH''

Mr. SESSIONS (for himself, Mr. SHELBY, Mr. CARDIN, Mr. MORAN, Mrs. BOXER, Ms. AYOTTE, Mr. JOHNSON of South Dakota, Mrs. FEINSTEIN, Mr. MARKEY, Mr. COCHRAN, Mr. MENENDEZ, Mr. BLUNT, Mr. VITTER, Mr. WYDEN, and Mr. CHAMBLISS) submitted the following resolution; which was considered and agreed to:

S. RES. 575

Whereas over 2,900,000 families in the United States live with prostate cancer;

Whereas 1 in 7 males in the United States will be diagnosed with prostate cancer in their lifetimes;

Whereas prostate cancer is the most commonly diagnosed non-skin cancer and the second leading cause of cancer-related deaths among males in the United States;

Whereas the National Cancer Institute estimates that, in 2014, 233,000 men will be diagnosed with, and more than 29,000 men will die of, prostate cancer;

Whereas 40 percent of newly diagnosed prostate cancer cases occur in males under the age of 65;

Whereas approximately every 7.5 seconds, a male in the United States turns 50 years old and increases his odds of developing cancer, including prostate cancer;

Whereas African-American males suffer from a prostate cancer incidence rate that is up to 60 percent higher than that for white males and have double the prostate cancer mortality rate than that of white males;

Whereas obesity is a significant predictor of the severity of prostate cancer;

Whereas the probability that obesity will lead to death and high cholesterol levels is strongly associated with advanced prostate cancer;

Whereas males in the United States with 1 family member diagnosed with prostate cancer have a 33 percent chance of being diagnosed with the disease, males with 2 close family members diagnosed have an 83 percent chance, and males with 3 family members diagnosed have a 97 percent chance;

Whereas screening by a digital rectal examination and a prostate-specific antigen blood test can detect the disease in the early stages, increasing the chances of survival for more than 5 years to nearly 100 percent;

Whereas only 33 percent of males survive more than 5 years if diagnosed with prostate cancer after the cancer has metastasized;

Whereas there are no noticeable symptoms of prostate cancer while it is in the early stages, making screening critical;

Whereas ongoing research promises further improvements in prostate cancer prevention, early detection, and treatment; and

Whereas educating people in the United States, including health care providers, about prostate cancer and early detection strategies is crucial to saving the lives of males and preserving and protecting families: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2014 as ''National Prostate Cancer Awareness Month'';

(2) declares that steps should be taken—

(A) to raise awareness about the importance of screening methods for, and treatment of, prostate cancer;

(B) to increase research funding to a level that is commensurate with the burden of prostate cancer, so that—

(i) screening and treatment for prostate cancer may be improved;

(ii) the causes of prostate cancer may be discovered; and

(iii) a cure for prostate cancer may be developed; and

(C) to continue to consider ways for improving access to, and the quality of, health care services for detecting and treating prostate cancer; and

(3) calls on the people of the United States, interest groups, and affected persons—

(A) to promote awareness of prostate cancer;

(B) to take an active role in the fight to end the devastating effects of prostate cancer on individuals, families, and the economy; and

(C) to observe National Prostate Cancer Awareness Month with appropriate ceremonies and activities.

SENATE CONCURRENT RESOLUTION 44—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 44

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, September 18, 2014, through Tuesday, October 14, 2014, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Wednesday, October 15, 2014, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn; and that when the Senate recesses or adjourns on Wednesday, October 15, 2014, it stand adjourned until 12:00 noon on Wednesday, November 12, 2014, or such other time on that day as may be specified by its Majority Leader or his designee, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, September 18, 2014, through Friday, November 7, 2014, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Wednesday, November 12, 2014, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3843. Ms. AYOTTE (for herself and Mr. RUBIO) submitted an amendment intended to be proposed by her to the joint resolution H.J . Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; which was ordered to lie on the table.

SA 3844. Ms. AYOTTE (for herself, Mr. LEE, and Mr. CRUZ) submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 124, supra; which was ordered to lie on the table.

SA 3845. Mr. LEE submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 124, supra; which was ordered to lie on the table.

SA 3846. Mr. MANCHIN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 124, supra; which was ordered to lie on the table.

SA 3847. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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.

SA 3848. Mr. NELSON submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3849. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3850. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3851. Mr. REID proposed an amendment to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes.

SA 3852. Mr. REID proposed an amendment to amendment SA 3851 proposed by Mr. REID to the joint resolution H.J. Res. 124, supra.

SA 3853. Mr. REID proposed an amendment to the joint resolution H.J. Res. 124, supra.

SA 3854. Mr. REID proposed an amendment to amendment SA 3853 proposed by Mr. REID to the joint resolution H.J. Res. 124, supra.

SA 3855. Mr. REID proposed an amendment to amendment SA 3854 proposed by Mr. REID to the amendment SA 3853 proposed by Mr. REID to the joint resolution H.J. Res. 124, supra.

SA 3856. Mr. PAUL submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 124, supra; which was ordered to lie on the table.

SA 3857. Mr. CRUZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 124, supra; which was ordered to lie on the table.

SA 3858. Mr. CRUZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 124, supra; which was ordered to lie on the table.

SA 3859. Mr. CRUZ (for himself and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 124, supra; which was ordered to lie on the table.

SA 3860. Mr. CRUZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 124, supra; which was ordered to lie on the table.

SA 3861. Mr. TOOMEY (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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.

SA 3862. Mr. HELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3863. Mr. HELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3864. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3865. Mr. HELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3866. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3867. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3868. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3869. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3870. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3871. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3872. Mrs. HAGAN submitted an amendment intended to be proposed by her to the

bill S. 2410, supra; which was ordered to lie on the table.

SA 3873. Mr. REID submitted an amendment intended to be proposed to amendment SA 3851 proposed by Mr. REID to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; which was ordered to lie on the table.

SA 3874. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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.

SA 3875. Mr. LEVIN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3876. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3877. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3878. Mr. BEGICH (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3879. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3880. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3881. Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3882. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3883. Mrs. BOXER (for herself, Ms. WARREN, Mr. JOHNSON of South Dakota, Mrs. GILLIBRAND, Mr. HARKIN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3884. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3885. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 2470, to provide for drought relief measures in the State of New Mexico, and for other purposes; which was referred to the Committee on Energy and Natural Resources.

SA 3886. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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.

SA 3887. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3888. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3889. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3890. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3891. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3892. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3893. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3894. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3895. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3896. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3897. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3898. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3899. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3900. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3901. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3902. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3903. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2094, to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel; which was referred to the Committee on Commerce, Science, and Transportation.

SA 3904. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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.

SA 3905. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3906. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3907. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3908. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3909. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3910. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3911. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3912. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3913. Mr. CARPER (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3914. Mr. UDALL, of Colorado submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3915. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3916. Ms. KLOBUCHAR (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3917. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3918. Mrs. GILLIBRAND (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3919. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3920. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3921. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3922. Mrs. MURRAY (for herself, Mr. BLUNT, Mr. BEGICH, Mr. RUBIO, Mr. MURPHY, and Mr. SCHATZ) submitted an amendment intended to be proposed by her to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3923. Mr. REID proposed an amendment to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.

SA 3924. Mr. REID proposed an amendment to amendment SA 3923 proposed by Mr. REID to the bill S. 1086, supra.

SA 3925. Mr. REID proposed an amendment to the bill S. 1086, supra.

SA 3926. Mr. REID proposed an amendment to amendment SA 3925 proposed by Mr. REID to the bill S. 1086, supra.

SA 3927. Mr. REID proposed an amendment to amendment SA 3926 proposed by Mr. REID to the amendment SA 3925 proposed by Mr. REID to the bill S. 1086, supra.

SA 3928. Mr. PRYOR (for Ms. MURKOWSKI) proposed an amendment to the bill H.R. 83, to require the Secretary of the Interior to assemble a team of technical, policy, and financial experts to address the energy needs of the insular areas of the United States and the Freely Associated States through the development of energy action plans aimed at promoting access to affordable, reliable energy, including increasing use of indigenous

clean-energy resources, and for other purposes.

SA 3929. Mr. PRYOR (for Mr. CARPER (for himself, Mr. COBURN, and Mr. BENNET)) proposed an amendment to the bill S. 1611, to require certain agencies to conduct assessments of data centers and develop data center consolidation and optimization plans.

SA 3930. Mr. PRYOR (for Mr. BENNET (for himself, Mr. COBURN, Mr. CARPER, and Ms. AYOTTE)) proposed an amendment to the bill S. 1611, supra.

SA 3931. Mr. PRYOR (for Mr. CARPER) proposed an amendment to the bill S. 1691, to amend title 5, United States Code, to improve the security of the United States border and to provide for reforms and rates of pay for border patrol agents.

SA 3932. Mr. PRYOR (for Mr. CRAPO) proposed an amendment to the bill S. 2040, to exchange trust and fee land to resolve land disputes created by the realignment of the Blackfoot River along the boundary of the Fort Hall Indian Reservation, and for other purposes.

SA 3933. Mr. PRYOR (for Mrs. BOXER) proposed an amendment to the bill S. 2673, to enhance the strategic partnership between the United States and Israel.

SA 3934. Mr. PRYOR (for Mr. CARPER (for himself and Mr. COBURN)) proposed an amendment to the bill S. 1360, to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay initiative, for improved detection, prevention, and recovery of improper payments to deceased individuals, and for other purposes.

SA 3935. Mr. BURR (for Mr. PRYOR) proposed an amendment to the resolution S. Res. 479, recognizing Veterans Day 2014 as a special ''Welcome Home Commemoration'' for all who have served in the military since September 14, 2001.

TEXT OF AMENDMENTS

SA 3843. Ms. AYOTTE (for herself and Mr. RUBIO) submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; which was ordered to lie on the table; as follows:

In section 126, strike ''shall be applied by substituting the date specified in section 106(3) of this joint resolution for 'November 1, 2014' '' and inserting ''are each amended by striking 'November 1, 2014' and inserting 'June 30, 2015' ''.

SA 3844. Ms. AYOTTE (for herself, Mr. LEE, and Mr. CRUZ) submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 126 and insert the following:

SEC. 126. (a) Section 1101(a) of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking ''during the period beginning November 1, 2003, and ending November 1, 2014''.

(b) Paragraph (2) of section 1104(a) of such Act is amended to read as follows:

''(2) STATE TELECOMMUNICATIONS SERVICE TAX.—

''(A) DATE FOR TERMINATION.—This subsection shall not apply after November 1, 2006, with respect to a State telecommunications service tax described in subparagraph (B).

''(B) DESCRIPTION OF TAX.—A State telecommunications service tax referred to in subparagraph (A) is a State tax—

''(i) enacted by State law on or after October 1, 1991, and imposing a tax on telecommunications service; and

''(ii) applied to Internet access through administrative code or regulation issued on or after December 1, 2002.''.

SA 3845. Mr. LEE submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 149.

SA 3846. Mr. MANCHIN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 149.

SA 3847. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 1069. REPORT ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Director of the Office of Management and Budget shall submit to Congress a report on all assessed and voluntary contributions, including in-kind, of the United States Government to the United Nations and its affiliated agencies and related bodies during the previous fiscal year.

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

(1) The total amount of all assessed and voluntary contributions, including in-kind, of the United States Government to the United Nations and United Nations affiliated agencies and related bodies.

(2) The approximate percentage of United States Government contributions to each United Nations affiliated agency or body in such fiscal year when compared with all contributions to such agency or body from any source in such fiscal year.

(3) For each such contribution—

(A) the amount of the contribution;

(B) a description of the contribution (including whether assessed or voluntary);

(C) the department or agency of the United States Government responsible for the contribution;

(D) the purpose of the contribution; and

(E) the United Nations or United Nations affiliated agency or related body receiving the contribution.

(c) SCOPE OF INITIAL REPORT.—The first report required under subsection (a) shall include the information required under this section for the previous four fiscal years.

(d) PUBLIC AVAILABILITY OF INFORMATION.—Not later than 14 days after submitting a report required under subsection (a), the Director of the Office of Management and Budget shall post a public version of the report on a text-based, searchable, and publicly available Internet website.

SA 3848. Mr. NELSON submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. INDEPENDENT STUDY AND ASSESSMENT OF THE UNITED STATES MODELING AND SIMULATION INDUSTRIAL BASE IN SUPPORT OF DEPARTMENT OF DEFENSE REQUIREMENTS.

(a) IN GENERAL.—The Under Secretary shall enter into a contract with one or more entities that has expertise in industrial base analysis and modeling and simulation technologies and is not part of the Department of Defense to conduct an independent study and assessment of the domestic modeling and simulation industrial base.

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

(1) An identification and categorization of Department of Defense requirements for modeling and simulation in support of, but not limited to, operational planning, training and readiness, technology development, and test and evaluation.

(2) A definition, general description, and assessment of the capacity and capability of the domestic modeling and simulation industrial base.

(3) A description and assessment of the capability and capacity of the domestic modeling and simulation industrial base related, but not limited, to Department of Defense requirements for—

(A) operational planning;

(B) training and readiness;

(C) technology development; and

(D) test and evaluation.

(4) A description, assessment, and estimate of potential impact, including increased costs, related to the risk of the loss of Department of Defense related modeling and simulation industrial base capability, capacity, or skills related, but not limited, to requirements for—

(A) operational planning;

(B) training and readiness;

(C) technology development; and

(D) test and evaluation.

(5) For risks assessed in paragraph (4) as high or significant, alternative or recommended mitigation strategies to manage potential loss of capability, capacity, or skills.

(6) A description and assessment, including recommendations, if any, for improvement of the Department of Defense's distribution of responsibility and authority for, and capability or development of, analytical systems for monitoring and managing risk related to the health of the defense related modeling and simulation industrial base.

(c) CONSULTATION.—In undertaking the independent study and assessment required by subsection (a), the Under Secretary of Defense shall consult with the Secretaries of the military departments and such others as the Under Secretary may consider appropriate.

(d) ACCESS.—The Under Secretary shall ensure that the entity or entities awarded a

contract under subsection (a) has access to all the data, records, plans, and other information required by the entity or entities to conduct the study and assessment required under such subsection.

(e) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a final report, including findings and recommendations, with respect to the independent study and assessment conducted under subsection (a).

(2) ELEMENTS.—The report submitted under paragraph (1) shall include the comments of the Secretaries of the military departments and, at the discretion of the Under Secretary, any other agencies that may have been consulted or participated in the study, including specific plans to respond to the finding and recommendations of the independent assessment.

(3) INTERIM REPORT.—The Under Secretary shall submit to the congressional defense committees an interim report on the independent assessment not later than 1 year after the date of enactment of this Act.

SA 3849. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 XII, add the following:

SEC. 1268. SENSE OF CONGRESS ON OPPORTUNITIES TO STRENGTHEN THE UNITED STATES-REPUBLIC OF KOREA RELATIONSHIP.

It is the sense of Congress that—

(1) the alliance between the United States and the Republic of Korea has served as an anchor for stability, security, and prosperity on the Korean Peninsula, in the Asia-Pacific region, and around the world;

(2) the people and the Governments of the United States and the Republic of Korea continue to strengthen and adapt the alliance to serve as a linchpin of peace and stability in the Asia-Pacific region, recognizing the shared values of democracy, human rights, and the rule of law as the foundations of the alliance;

(3) the people and the Governments of the United States and the Republic of Korea share deep concerns that North Korea's nuclear and ballistic missiles programs and its repeated provocations pose grave threats to peace and stability on the Korean Peninsula and Northeast Asia, recognize that both nations are determined to achieve the peaceful denuclearization of North Korea, and remain fully committed to continuing close cooperation on the full range of issues related to North Korea;

(4) the Governments of the United States and the Republic of Korea are working closely together to realize a Korean Peninsula free of nuclear weapons, free from the fear of war, and peacefully reunited on the basis of democratic and free market principles;

(5) the United States Government support the goals and vision articulated in President Park Geun Hye's March 28, 2014, Dresden Address on unification to include family reunions, humanitarian assistance targeting mothers and children, infrastructure projects, cultural and educational exchange programs, and reconfirms its commitment to help realize such goals and vision;

(6) the United States Government supports the concrete steps that President Park has taken to promote unification to include the creation of the Presidential Committee on Unification and the proposal to create an International Peace Park at the DMZ;

(7) the United States Government fully recognizes that the United States-Korea alliance will play a pivotal role in achieving unification on the Korean Peninsula;

(8) the Governments of the United States and the Republic of Korea are strengthening the combined defense posture on the Korean Peninsula;

(9) the Governments of the United States and the Republic of Korea have decided that due to the evolving security environment in the region, including the enduring North Korean nuclear and missile threat, the current timeline to the transition of wartime operational control (OPCON) to a Republic of Korea-led defense in 2015 can be reconsidered; and

(10) the United States Government welcomes the Republic of Korea's ratification of a new five-year Special Measures Agreement, which establishes the framework for Republic of Korea contributions to offset the costs associated with the stationing of United States Forces Korea on the Korean Peninsula.

SA 3850. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 VIII, add the following:

SEC. 830. PROHIBITION ON REVERSE AUCTIONS FOR COVERED CONTRACTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, when used appropriately, reverse auctions may improve the Federal Government's procurement of commercially available commodities by increasing competition, reducing prices, and improving opportunities for small businesses.

(b) USE OF REVERSE AUCTIONS.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 47 as section 48; and

(2) by inserting after section 46 the following new section:

"SEC. 47. REVERSE AUCTIONS PROHIBITED FOR COVERED CONTRACTS.

''(a) IN GENERAL.—In the case of a covered contract described in subsection (c), reverse auction methods may not be used—

''(1) if the covered contract is suitable for award to a small business concern; or

''(2) if the award is to be made under—

''(A) section 8(a);

''(B) section 8(m);

''(C) section 15(a);

''(D) section 15(j);

''(E) section 31;

''(F) section 36; or

''(G) section 8127 of title 38, United States Code.

''(b) LIMITATIONS ON USING REVERSE AUCTIONS.—

''(1) NUMBER OF OFFERS; REVISIONS TO BIDS.—A Federal agency may not award a covered contract using a reverse auction method if only one offer is received or if offerors do not have the ability to submit revised bids throughout the course of the auction.

''(2) OTHER PROCUREMENT AUTHORITY.—A Federal agency may not award a covered contract under a procurement provision other than those provisions described in subsection (a)(2) if the justification for using such procurement provision is to use reverse auction methods.

''(c) DEFINITIONS.—In this section the following definitions apply:

''(1) COVERED CONTRACT.—The term 'covered contract' means a contract—

''(A) for services, including design and construction services; or

''(B) for goods in which the technical qualifications of the offeror constitute part of the basis of award.

''(2) DESIGN AND CONSTRUCTION SERVICES.—The term 'design and construction services' means—

''(A) site planning and landscape design;

''(B) architectural and interior design;

''(C) engineering system design;

''(D) performance of construction work for facility, infrastructure, and environmental restoration projects;

''(E) delivery and supply of construction materials to construction sites;

''(F) construction, alteration, or repair, including painting and decorating, of public buildings and public works; and

''(G) architectural and engineering services as defined in section 1102 of title 40, United States Code.

''(3) REVERSE AUCTION.—The term 'reverse auction' means, with respect to procurement by an agency, a real-time auction conducted through an electronic medium between a group of offerors who compete against each other by submitting offers for a contract or task order with the ability to submit revised offers throughout the course of the auction.''.

(c) CONTRACTS AWARDED BY SECRETARY OF VETERANS AFFAIRS.—Section 8127(j) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(3) The provisions of section 47(a) of the Small Business Act (relating to the prohibition on using reverse auction methods to award a contract) shall apply to a contract awarded under this section.''.

SA 3851. Mr. REID proposed an amendment to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; as follows:

On page 19, line 15, strike ''30 days'' and insert ''29 days''.

SA 3852. Mr. REID proposed an amendment to amendment SA 3851 proposed by Mr. REID to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; as follows:

In the amendment, strike ''29'' and insert ''28''.

SA 3853. Mr. REID proposed an amendment to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; as follows:

On page 19, line 15, strike ''not later than 30 days after the enactment of this joint resolution'' and insert ''By October 31, 2014''.

SA 3854. Mr. REID proposed an amendment to amendment SA 3853 proposed by Mr. REID to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; as follows:

In the amendment, strike ''October 31'' and insert ''October 30''.

SA 3855. Mr. REID proposed an amendment to amendment SA 3854 proposed by Mr. REID to the amendment SA 3853 proposed by Mr. REID to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; as follows:

In the amendment, strike ''30'' and insert ''29''.

SA 3856. Mr. PAUL submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; which was ordered to lie on the table; as follows:

Strike Sec. 149.

SA 3857. Mr. CRUZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON FUNDING.

None of the funds made available in this Resolution may be used—

(1) to carry out any provision of the Patient Protection and Affordable Care Act (Public Law 111–148) or title I or subtitle B of title II of the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), or the amendments made by such Act, title, or subtitle; or

(2) for rulemaking under such Act, title, or subtitle.

SA 3858. Mr. CRUZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; which was ordered to lie on the table; as follows:

In section 106(3), strike ''December 11, 2014'' and insert ''April 17, 2015''.

SA 3859. Mr. CRUZ (for himself and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. No agency or instrumentality of the Federal Government may use any Federal funding—

(1) to consider or adjudicate any new or previously denied application of any alien requesting consideration of deferred action for childhood arrivals, as authorized by Executive memorandum dated June 15, 2012 and effective on August 15, 2012 (or by any subsequent Executive memorandum or policy authorizing a similar program);

(2) to newly authorize deferred action for any class of aliens not lawfully present in the United States; or

(3) to authorize any alien to work in the United States if such alien—

(A) was not lawfully admitted into the United States in compliance with the Immigration and Nationality Act (8 U.S.C. 1101 et seq.); and

(B) is not in lawful status in the United States as of the date of the enactment of this Act.

SA 3860. Mr. CRUZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. None of the funds appropriated or otherwise made available by this Act may be used to deploy or maintain United States Armed Forces in a sustained combat role relative to the organization known as the Islamic State of Iraq and the Levant (also known as the Islamic State of Iraq and Syria), or any similar successor organization, in Iraq, Syria, or both unless—

(1) there is an imminent threat to United States citizens or the national security interests of the United States; or

(2) expressly authorized by an Act or Joint Resolution of Congress.

SA 3861. Mr. TOOMEY (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 1087. PROTECTION OF EMPLOYMENT AND TRAINING SERVICES FOR VETERANS.

(a) DISABLED VETERANS' OUTREACH PROGRAM.—Section 4103A of title 38, United States Code, is amended—

(1) in subsection (a), by adding at the end the following new paragraphs:

''(4) If a disabled veterans' outreach program specialist is not able to assist all eligible veterans seeking his or her assistance under this chapter, the Secretary may establish an order of priority for the furnishing of such assistance that is consistent with paragraph (1) of this subsection and section 4102 of this title.

''(5) A disabled veterans' outreach program specialist may perform an initial intake and assessment of an individual under this chapter in order to—

''(A) determine whether the individual is a special disabled veteran, another disabled veteran, or another eligible veteran;

''(B) administer the order of priority set forth in paragraph (1) and any order of priority established under paragraph (4); and

''(C) assess the needs of the individual, including whether the individual needs intensive services.''; and

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

''(e) LIMITATION.—The Secretary may not impose any restriction on the duties that a disabled veterans' outreach program specialist may perform or on the individuals whom a disabled veterans' outreach program specialist may assist other than those specifically provided for in this chapter.''.

(b) LOCAL VETERANS' EMPLOYMENT REPRESENTATIVES.—Section 4104 of title 38, United States Code, is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) in the matter before subparagraph (A), as redesignated by subparagraph (A) of this paragraph, by inserting ''(1)'' before ''As principal duties'';

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

''(2) In addition to the principal duties required by paragraph (1), a local veterans' employment representative may furnish employment, training, and placement services directly to eligible veterans and eligible persons.

''(3) Each local veterans' employment representative shall spend a majority of his or her time as a local veterans' employment representative carrying out the principal duties set forth in subsection (b).''; and

(D) in the heading, by striking ''PRINCIPAL'';

(2) by redesignating subsection (f) as subsection (g); and

(3) by inserting after subsection (e) the following new subsection (f):

''(f) LIMITATION.—The Secretary may not impose any restriction on the duties that a local veterans' employment representative may perform or on the individuals whom a local veterans' employment representative may assist other than those specifically provided for in this chapter.''.

SA 3862. Mr. HELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 1087. INCREASED COOPERATION BETWEEN THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF VETERANS AFFAIRS TO IMPROVE PROCESSING OF CLAIMS FOR VETERANS BENEFITS.

(a) APPOINTMENT OF LIAISONS.—The Secretary of Defense shall appoint individuals as follows:

(1) At least one individual to act as a liaison under this section between the Department of Defense and the Department of Veterans Affairs.

(2) At least one individual for each of the reserve components of the Armed Forces to act as a liaison under this section between the respective component of the Armed Forces and the Department of Veterans Affairs.

(b) DUTIES OF LIAISONS.—Each individual acting as a liaison under this section shall expedite the timely provision to the Secretary of Veterans Affairs of such information as the Secretary requires to process claims submitted to the Secretary for benefits under laws administered by the Secretary.

(c) PROCEDURES.—

(1) IN GENERAL.—The Secretary of Veterans Affairs and the Secretary of Defense shall jointly develop and implement procedures to improve the timely provision to the Secretary of Veterans Affairs of such information as the Secretary requires to process claims submitted to the Secretary for benefits under laws administered by the Secretary.

(2) TIMELY PROVISION.—The procedures developed and implemented under paragraph

(1) shall ensure that the information provided to the Secretary of Veterans Affairs is provided to the Secretary not later than 30 days after the date on which the Secretary requests the information.

(d) ANNUAL REPORTS.—Not less frequently than once each year, the Secretary of Veterans Affairs shall submit to Congress a report on—

(1) the requests for information made by the Secretary during the most recent one-year period for information from the Secretary of Defense required by the Secretary of Veterans Affairs to process claims submitted to the Secretary for benefits under laws administered by the Secretary; and

(2) the timeliness of responses to such requests.

SA 3863. Mr. HELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 V, add the following:

SEC. 515. PHYSICAL EXAMINATIONS FOR MEMBERS OF THE RESERVE COMPONENTS WHO ARE SEPARATING FROM THE ARMED FORCES.

Section 1145 of title 10, United States Code, is amended—

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

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

''(d) PHYSICAL EXAMINATIONS FOR MEMBERS OF RESERVE COMPONENTS.—(1) The Secretary concerned shall provide a physical examination pursuant to subsection (a)(5) to each member of a reserve component who—

''(A) will not otherwise receive such an examination under such subsection; and

''(B) elects to receive such a physical examination.

''(2) The Secretary concerned shall—

''(A) provide the physical examination under paragraph (1) to a member during the 90-day period before the date on which the member is scheduled to be separated from the armed forces; and

''(B) issue orders to such a member to receive such physical examination.

''(3) A member may not be entitled to health care benefits pursuant to subsection (a), (b), or (c) solely by reason of being provided a physical examination under paragraph (1).

''(4) In providing to a member a physical examination under paragraph (1), the Secretary concerned shall provide to the member a record of the physical examination.''.

SA 3864. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 1087. DETERMINATION OF CERTAIN SERVICE IN PHILIPPINES DURING WORLD WAR II.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs and such military historians as the Secretary of Defense considers appropriate, shall establish a process 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.—The process established under subsection (a) 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.

SA 3865. Mr. HELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 VII, add the following:

SEC. 737. REPORT ON INTEROPERABILITY BETWEEN ELECTRONIC HEALTH RECORDS SYSTEMS OF DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report that sets forth a timeline with milestones for achieving interoperability between the electronic health records systems of the Department of Defense and the Department of Veterans Affairs.

SA 3866. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 VI, add the following:

SEC. 632. REPORT ON IMPACT OF REDUCING OR ELIMINATING COMMISSARY SUBSIDY.

(a) IN GENERAL.—Not later than 90 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 impact that eliminating or reducing the commissary subsidy would have on eligible beneficiaries.

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

(1) The number of commissaries currently in operation.

(2) An estimate of the number of eligible beneficiaries utilizing commissaries.

(3) An estimate of the financial impact and costs incurred by eligible beneficiaries if the commissary subsidy is reduced or eliminated.

(4) An estimate of the cost savings for families utilizing the commissary benefit.

(5) Any other matter the Secretary considers appropriate.

SA 3867. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 526. GUIDANCE ON PROCESSING OF REQUESTS FOR EARLY SEPARATION FROM THE ARMED FORCES FOR MEMBERS PARTICIPATING IN PROGRAMS OF NATIONAL AND COMMUNITY SERVICE AFTER SEPARATION.

The Secretary of Defense shall issue guidance to the Secretaries of the military departments on measures to streamline and encourage the processing by the military departments of requests for early separation or discharge from the Armed Forces submitted by members of the Armed Forces who have agreed to participate in programs under the Corporation for National and Community Service after separation or discharge from the Armed Forces.

SA 3868. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 526. AUTHORITY TO WAIVE SIX-MONTH MINIMUM SERVICE IN GRADE REQUIREMENT FOR RETIREMENT AT HIGHER GRADE FOR OFFICERS INVOLUNTARILY RETIRED FOR AGE BEFORE MEETING MINIMUM.

Section 1370 of title 10, United States Code, is amended—

(1) in subsection (b), by striking ''An officer'' and inserting ''Except as provided in subsection (e), an officer'';

(2) in subsection (d)(4), by striking ''A person'' and inserting ''Except as provided in subsection (e), a person'';

(3) by redesignating subsection (e) as subsection (f); and

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

''(e) WAIVER OF CERTAIN SERVICE IN GRADE REQUIREMENT FOR OFFICERS RETIRED FOR AGE.—(1) Under authority the Secretary of Defense may grant to the Secretary of the

military department concerned, an officer may be retired in the highest grade in which the officer served on active duty satisfactorily, notwithstanding the failure of the officer to meet the service in grade requirement specified in subsection (a)(1) with respect to service in such grade, if the officer is retired for age while serving in such grade.

''(2) Under authority the Secretary of Defense may grant to the Secretary of the military department concerned, a person may be retired in the highest grade in which the person served satisfactorily as a reserve commissioned officer in an active status or in a retired status on active duty, notwithstanding the failure of the person to meet the service in grade requirement specified in subsection (d)(2) with respect to service in such grade, if the person is retired for age while serving in such grade.''.

SA 3869. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 1105. PREFERENCE ELIGIBLE TREATMENT FOR FATHERS OF CERTAIN PERMANENTLY DISABLED OR DECEASED VETERANS.

(a) SHORT TITLE.—This section may be cited as the ''Gold Star Fathers Act of 2014''.

(b) AMENDMENT.—Section 2108(3) of title 5, United States Code, is amended by striking subparagraphs (F) and (G) and inserting the following:

''(F) the parent of an individual who lost his or her life under honorable conditions while serving in the armed forces during a period named by paragraph (1)(A) of this section, if—

''(i) the spouse of that parent is totally and permanently disabled; or

''(ii) that parent, when preference is claimed, is unmarried or, if married, legally separated from his or her spouse;

''(G) the parent of a service-connected permanently and totally disabled veteran, if—

''(i) the spouse of that parent is totally and permanently disabled; or

''(ii) that parent, when preference is claimed, is unmarried or, if married, legally separated from his or her spouse; and''.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect 90 days after the date of enactment of this Act.

SA 3870. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 VII, add the following:

Subtitle D—Mental Health Exposure Tracking

SEC. 741. SHORT TITLE.

This subtitle may be cited as the ''Mental Health Exposure Military Official Record Act of 2014''.

SEC. 742. PURPOSE.

The purpose of this subtitle is to implement a significant event tracker (SET) system to train and enable members of the Armed Forces, including members of the reserve components thereof, to track exposures to traumatic events and address mental health issues during and after service.

SEC. 743. DEFINITIONS.

In this subtitle:

(1) UNIT COMMANDER DEFINED.—The term ''unit commander'' means the first individual in the chain of command with authority over the member concerned under the Uniform Code of Military Justice.

(2) REPORTABLE EVENT.—The term ''reportable event'' includes—

(A) a kinetic combat patrol;

(B) witnessed loss of life, dismemberment, or significant physical injury in a combat operation, expeditionary operation, or peacetime regular training;

(C) an injury or exposure that may constitute a traumatic brain injury (TBI), including a concussive or mechanical event involving the head that occurs in a combat operation, expeditionary operation, or peacetime regular training;

(D) victimization or witnessing of a sexual assault; and

(E) any other event determined by the Secretary of Defense to be potentially traumatic to an affected individual.

(3) RESERVE COMPONENT.—The term ''reserve component'' means a reserve component of the Armed Forces named in section 10101 of title 10, United States Code.

SEC. 744. REQUIREMENT TO IMPLEMENT SET SYSTEM.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations to implement the significant event tracker system described under section 745 (in this subtitle referred to as the ''SET system'').

SEC. 745. SIGNIFICANT EVENT TRACKER (SET) SYSTEM.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a SET system to track, report, and summarize individual exposures to traumatic events for the purpose of enabling former members of the Armed Forces, including members of the reserve components thereof, to show evidence of possible traumatic events incurred during their service.

(b) RECORDING OF EVENTS.—

(1) RESPONSIBILITY.—

(A) UNIT COMMANDERS.—A unit commander may enter reportable events that affect the entire unit and its members or delegate to a leader of a subunit of the unit commander's command the entry of reportable events affecting the subunit.

(B) INDIVIDUAL REPORTING.—A unit commander may choose to delegate event reporting to the individual members of units who are employed as short-term, temporary (less than 30 days) detachments and individual augments which, by the nature of their mission, preclude the persistent inclusion in one common reviewing unit. The delegation may be until a predetermined date such as the end of a deployment or on a 30-day basis, as determined by the unit commander.

(C) MEDICAL TREATMENT FACILITY.—A medical treatment facility may directly enter a reportable event affecting a member of the Armed Forces undergoing treatment at such facility for an injury identified by a military medical personnel or as reported by a member of the Armed Forces to such an individual.

(D) MILITARY LAW ENFORCEMENT.—Military law enforcement may directly enter a reportable event involving victimization or witnessing of a sexual assault.

(E) REPORTING OF OUTSIDE INCIDENTS.—The Secretary of Defense shall issue guidance regarding the entry of reportable events involving members of the Armed Forces that occur while in duty status outside of military installations and are initially reported to local non-military law enforcement or non-military medical treatment facilities.

(F) REPORTING OF PREVIOUS INCIDENTS FOR CURRENTLY SERVING SERVICEMEMBERS.—The Secretary of Defense shall issue guidance regarding the potential entry of past reportable events involving currently serving members of the Armed Forces that occurred earlier in their career.

(2) INCLUDED INFORMATION.—Each entry for a reportable event shall include the following information:

(A) Name, date, location, and unit.

(B) Duty Status.

(C) Type of event.

(D) Whether a physical injury was sustained as a result, and if so, the extent of such injury.

(E) Other information as required by the Secretary of Defense.

(c) VERIFICATION OF EVENTS.—

(1) EVENTS REPORTED BY INDIVIDUALS.—

(A) IN GENERAL.—A reportable event entered by an individual member under subsection (b)(1)(B) shall be reviewed by the unit commander for purposes of verifying, contesting, or denying the event.

(B) VERIFICATION TOOLS.—In reviewing reportable events under subparagraph (A), the unit commander shall use all available verification tools, including Department of Defense reports, unit logs, reports from creditable witnesses such as patrol leaders, and any other evidence deemed appropriate by the unit commander.

(C) GUIDANCE.—The Secretary of Defense shall issue guidance designed to ensure that entries submitted to a unit commander for review are handled accurately with discretion and in a timely fashion while recognizing the challenges posed by operational tempo and competing time demands.

(2) EVENTS REPORTED BY THE UNIT COMMANDERS OR DELEGATES.—Reportable events entered by a unit commander or delegate under subsection (b)(1)(A), other than reportable events involving victimization or witnessing of a sexual assault, shall be submitted directly to the respective unit's commanding officer for review under subsection (d). Reportable events involving victimization or witnessing of a sexual assault shall be submitted directly to the secure central tracking database under subsection (e).

(3) EVENTS REPORTED BY MEDICAL TREATMENT FACILITIES.—Reportable events entered by medical treatment facilities under subsection (b)(1)(C) shall be submitted directly to the secure central tracking database under subsection (e).

(4) EVENTS REPORTED BY MILITARY LAW ENFORCEMENT.—Reportable events entered by military law enforcement under subsection (b)(1)(D) shall be submitted directly to the secure central tracking database under subsection (e).

(d) COMMAND REVIEW.—

(1) AUTHORITY AND RESPONSIBILITY.—The commanding officer shall have responsibility for reviewing and determining the disposition of a reportable event involving the member submitted pursuant to paragraph (1) or (2) of subsection (c), other than a reportable event involving victimization or witnessing of a sexual assault, and submitting the event and such determination to the secure central tracking database under subsection (e).

(2) DISPOSITION.—The commanding officer shall, in accordance with guidance issued by the Secretary of Defense, assign to each such reportable event one of the following designations:

(A) Approved, in the case of clear documentation and verification of the facts and the individual's exposure.

(B) Approved/Contested, in the case of clear documentation and verification of the occurrence of the event, but where the commanding officer has reasonable doubt for approval of the reportable event.

(C) Denied/Contested, in the case of questionable documentation or verification, but where the commanding officer has reasonable doubt for denial of the reportable event.

(D) Denied, in the case of no clear evidence of the facts or the member's exposure.

(3) NON-REMOVAL OF DESIGNATION.—Each reportable entry reviewed under this subsection shall be entered into the secure central tracking database and may not be removed or deleted, regardless of designation.

(e) SECURE CENTRAL TRACKING DATABASE.—

(1) STORAGE OF INFORMATION.—

(A) IN GENERAL.—All reportable events shall be submitted to a secure central tracking database, either indirectly pursuant to subsection (d), or directly pursuant to paragraphs (3) or (4) of subsection (c) or, in the case of a reportable event involving victimization or witnessing of a sexual assault, paragraph (2) of subsection (c). The database shall serve as the central repository for all reportable events relating to a member of the Armed Forces, including for purposes of preparing the member's official SET record upon separation from service.

(B) TREATMENT OF INFORMATION.—

(i) CLASSIFIED AND SENSITIVE OPERATIONS.—The secure central tracking database shall include measures to ensure that information related to classified and sensitive operations is coded so as to document the event without violating operational security concerns.

(ii) SEXUAL ASSAULT CASES.—The secure central tracking database shall include measures to ensure that information related to sexual assault cases in the secure central tracking database is coded in order to protect privacy and to correctly reflect the status, and protect the integrity, of ongoing investigations.

(iii) CONFIDENTIALITY OF INDIVIDUAL RECORDS.—An individual member's complete SET record and individual entries may not be reviewed by the member's unit commander or the chain of command, and may not be used by anyone for the purpose of evaluating promotion, reenlistment, or assignment issues.

(C) USE BY MEDICAL TREATMENT FACILITIES.—Medical treatment facilities shall be provided access to the secure central tracking database for purposes of entering reportable events under subsection (b)(1)(C) and consulting for diagnoses.

(D) USE BY MILITARY LAW ENFORCEMENT AND CRIMINAL INVESTIGATIVE SERVICES.—Military law enforcement and criminal investigative services shall be provided general access to the secure central tracking database for purposes of entering reportable events under section (b)(1)(D) and to a limited summary for purposes of diagnosing patterns and trends related to crimes committed inside their jurisdiction. The summary shall not include specific information about events, evidence, or individual members, including private personal information such as names and social security numbers.

(E) ACCESS TO INDIVIDUAL RECORDS FOR PURPOSES OF MILITARY AND NON-MILITARY DISCIPLINARY AND JUDICIAL PROCEEDINGS.—

(i) IN GENERAL.—An individual member's complete SET record and individual entries may, with the explicit consent of the member, be reviewed, evaluated, and shared with—

(I) in the case of a military disciplinary or judicial hearing or proceeding, the member's military and civilian legal representative or representatives, unit commander, or military judge for the purpose of addressing concerns related to such hearing or proceeding; and

(II) in the case of a non-military disciplinary or judicial hearing or proceeding, the member's civilian legal representative or representatives for the purpose of addressing concerns related to such hearing or proceeding.

(ii) ACCESS IN CASES OF MENTAL INCAPACITY.—The Secretary of Defense shall provide guidance for questions related to the accessing a servicemember's SET record for servicemembers who have been determined to be mentally incapable and thus are unable to provide their own consent or objection to the release of personal information.

(F) UNIT COMMANDER REVIEW.—

(i) IN GENERAL.—Except as provided in clause (ii), unit commanders may only view individual pending entries that have been submitted to them for review and designation, and may not view previous entries that have already been reviewed and designated.

(ii) ADMINISTRATIVE ACCESS.—Unit commanders may only access entries that have already been reviewed, designated, and entered into the secure central data base by that individual commander in order to correct roster entries for subunits, provide additional post-incident documentation, or take such other administrative actions as may be determined appropriate by the Secretary of Defense. In no instance may such access permit the removal of any entry, regardless of designation.

(G) STATISTICAL ANALYSIS AND EVALUATION OF UNIT COMMANDERS.—

(i) INFORMATION SHARING.—The Secretary of Defense shall issue guidance governing the sharing of SET entry statistics among unit commands and other Department of Defense individuals, offices, activities, and agencies for purposes of analyzing the number and types of entries generated over time. Information so shared may not include specific information about events, evidence, or individual members, including private personal information such as names and social security numbers.

(ii) EVALUATION ON UNIT COMMANDERS.—Unit commanders may not be evaluated by their superiors for the number and types of entries generated by their command, but may be evaluated by their superior officer in the chain of command for the speed and accuracy of their entries, and the review of their entries.

(H) ADDITIONAL LIMITATIONS ON ACCESS.—No non-Department of Defense agencies, organizations, or individuals, such as veterans' service organizations, local law enforcement, judicial courts, or civilian medical treatment facilities, shall be granted access to the secure central tracking database. Department of Defense medical officers may only review an individual member's entire SET record for the medical purposes set forth in subsection (e)(2)(A) and such other purposes as may be determined appropriate by the Secretary of Defense.

(2) DISTRIBUTION AND CONTROL.—

(A) PRE-DISCHARGE.—

(i) MEDICAL RETIREMENTS.—In the case of a member of the Armed Services preparing for medical retirement due to injury or other conditions, the official SET record shall be provided to and used by the Medical Evaluation Board or Physical Evaluation Board.

(ii) NON-MEDICAL DISCHARGES AND RETIREMENTS.—In the case of a member of the Armed Services preparing for a non-medical discharge or retirement, the official SET record shall be reviewed by the medical officer of the member's parent unit and serve as the basis for any follow-on actions as determined by the medical officer.

(iii) BENEFITS DELIVERY AT DISCHARGE CLAIMS.—In the case of a member of the Armed Services initiating a Benefits Delivery at Discharge (BDD) claim, the BDD Specialist shall be provided with the official SET record in order to file a fully developed claim for the member.

(B) UPON DISCHARGE.—Upon a member's separation from service in the Armed Forces, including a member of a reserve component thereof, copies of the member's official SET record, including a compilation of all reported events and a summary prepared by an authorizing agent with cleared access to the secure central tracking database, shall be distributed in accordance with the procedures of the military service in which the individual served, including copies to the following recipients:

(i) The separating member.

(ii) The separating member's Service Personnel and Medical File, or other relevant record as determined under the Secretary of Defense's guidance.

(iii) The Department of Veterans Affairs, and if specifically designated by the member, the veteran affairs agency of the State that is the separating member's relevant home of record or intended new residence and such other veterans service organization as may be designated by the member.

SEC. 746. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed as limiting the ability of current and former members of the Armed Forces to provide documentation other than the SET record, including handwritten statements, for purposes of appealing, documenting, or presenting evidence related to post traumatic stress disorder or traumatic brain injury claims.

SA 3871. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 II, add the following:

SEC. 234. PILOT PROGRAM ON SUPPORT OF ACTIVITIES THAT PROMOTE PARTICIPATION OF VETERANS IN SCIENCE AND TECHNOLOGY ACTIVITIES OF DEPARTMENT OF DEFENSE.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may establish a pilot program to assess the feasibility and advisability of supporting activities of covered entities that promote the participation of covered veterans in science and technology activities of the Department of Defense to promote the education and training of such veterans in science, technology, engineering, and math fields that are relevant to the needs of the Department.

(b) COVERED ENTITIES.—For purposes of the pilot program, a covered entity is any entity that is in receipt of a contract or grant from the Department of Defense to carry out research, development, testing, or evaluation.

(c) COVERED VETERANS.—For purposes of the pilot program, a covered veteran is any veteran who—

(1) is pursuing a program of education;

(2) is a teacher;

(3) has a service-connected disability; or

(4) is a member of the faculty at a community college.

(d) SUPPLEMENTARY FUNDING.—The Secretary may carry out the pilot program

through the award of supplementary funding to covered entities to support—

(1) participation of covered veterans in research activities otherwise funded by the Secretary; or

(2) internships and fellowships at—

(A) Department laboratories or research facilities; or

(B) university or industry research facilities.

(e) DERIVATION OF AMOUNTS.—Amounts used to carry out the pilot program shall be derived from amounts authorized to be appropriated under section 201.

(f) TERMINATION.—The authority to carry out the pilot program under this section shall expire on September 30, 2019.

(g) REPORT.—Not less frequently than once each fiscal year in which the Secretary carries out the pilot program under this section, the Secretary shall submit to the congressional defense committees a report on the pilot program.

SA 3872. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 X, add the following:

SEC. 1069. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON ELECTRONIC WASTE RECYCLING BY THE DEPARTMENT OF DEFENSE.

(a) REPORT REQUIRED.—Not later than September 30, 2016, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth a review and assessment by the Comptroller General of the current state of electronic waste recycling by the Department of Defense, including an assessment of recycling, reuse, refurbishment, and demanufacturing activities of Department with respect to used electronics.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) Information on the disposition of used Department electronics, including the volume of electronics that are recycled, reused, refurbished, and demanufactured.

(2) Information on the value of all strategic and critical materials recovered from recycled electronics of the Department during fiscal years 2010 through 2014.

(3) Information on the economic models used by the Department for the collection and capture of strategic or critical materials from used electronics, including any benefits and challenges associated with the models.

(4) An identification and assessment of potential opportunities for improving the efficiency or effectiveness of Department efforts to recover strategic and critical materials from used Department electronics.

SA 3873. Mr. REID submitted an amendment intended to be proposed to amendment SA 3851 proposed by Mr. REID to the joint resolution H.J. Res. 124, making continuing appropriations for fiscal year 2015, and for other purposes; which was ordered to lie on the table; as follows:

In the amendment, strike ''29'' and insert ''27''.

SA 3874. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. SMALL BUSINESS CYBER EDUCATION.

The Secretary of Defense, in consultation with the Administrator of the Small Business Administration, may make every reasonable effort to promote an outreach and education program to assist small businesses (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) contracted by the Department of Defense to assist such businesses to—

(1) understand the gravity and scope of cyber threats;

(2) develop a plan to protect intellectual property; and

(3) develop a plan to protect the networks of such businesses.

SA 3875. Mr. LEVIN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 476, line 15, strike'' '$20,000,000' '' and insert '' '$10,000,000' ''.

On page 492, line 19, strike ''**SURFACE**''.

On page 492, line 22, insert ''AND SUBSURFACE'' after ''SURFACE''.

On page 492, line 25, insert ''and subsurface'' after ''surface''.

On page 493, line 5, insert ''and subsurface'' after ''surface''.

On page 493, line 17, insert ''and subsurface'' after ''surface''.

On page 496, line 25, strike ''$30,000,000'' and insert ''$140,000,000''.

Strike subtitle A of title XV and insert the following:

Subtitle A—Authorization of Additional Appropriations

SEC. 1501. PURPOSE.

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2015 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2015 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2015 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2015 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.

SEC. 1505. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2015 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.

SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2015 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2015 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 1508. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2015 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2015 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

SEC. 1510. COUNTERTERRORISM PARTNERSHIPS FUND.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2015 for expenses, not otherwise provided for, for the Counterterrorism Partnerships Fund, as specified in the funding table in section 4502.

SEC. 1511. EUROPEAN REASSURANCE INITIATIVE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2015 for expenses, not otherwise provided for, for the European Reassurance Initiative, as specified in the funding table in section 4502.

SEC. 1512. MILITARY CONSTRUCTION.

Funds are hereby authorized to be appropriated for fiscal year 2015 for the use of the Armed Forces and other activities and agencies of the Department of Defense for military construction, as specified in the funding table in section 4602.

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

SEC. 1526. COUNTERTERRORISM PARTNERSHIPS FUND.

(a) AVAILABILITY OF FUNDS.—Amounts authorized to be appropriated for a fiscal year for the Counterterrorism Partnerships Fund shall be available for the following purposes:

(1) To enhance counterterrorism and crisis response activities undertaken by the United States Armed Forces under authority provided by any other provision of law.

(2) To provide support and assistance to foreign security forces or other groups or individuals to conduct, support, or facilitate counterterrorism and crisis response activities under authority provided by any other provision of law.

(b) CONTRACT AUTHORITY.—Activities using amounts available pursuant to subsection (a) may be conducted by contract, including contractor-operated capabilities, if the Secretary of Defense typically acquires services

or equipment by contract in conducting a similar activity for the Department of Defense.

(c) LIMITATION ON USE OF FUNDS FOR ASSISTANCE FOR CERTAIN SECURITY FORCES.—The provision of support and assistance to foreign security forces using amounts available pursuant to subsection (a)(2) shall be subject to the provisions of section 2246 of title 10, United States Code (as added by section 1202 of this Act).

(d) TRANSFER REQUIREMENT AND AUTHORITIES.—

(1) USE OF FUNDS ONLY PURSUANT TO TRANSFER.—Amounts in the Counterterrorism Partnerships Fund may be used for the purposes specified in subsection (a) only pursuant to transfers authorized by this subsection.

(2) TRANSFERS AUTHORIZED.—Amounts in the Counterterrorism Partnerships Fund may be transferred from the Fund to any of the following accounts of the Department of Defense for the purposes specified in subsection (a):

(A) Operation and maintenance accounts.

(B) Procurement accounts.

(C) Research, development, test, and evaluation accounts.

(3) LIMITATION ON AGGREGATE AMOUNT TRANSFERRABLE BY FISCAL YEAR.—The total amount transferred from the Counterterrorism Partnerships Funds under the authority in paragraph (2) in any fiscal year may not exceed $4,000,000,000.

(4) TRANSFER FOR ACTIVITIES IN CONNECTION WITH CERTAIN PROGRAMS.—

(A) LIMITATION ON AGGREGATE AMOUNT AVAILABLE FOR CERTAIN PROGRAMS.—With respect to a program specified in subparagraph (B), the maximum amount that may be available in a fiscal year in connection with such program, including by transfer from the Counterterrorism Partnerships Fund under paragraph (2), is the amount specified for that program in subparagraph (B), notwithstanding any limitation on the amount of funds available for that program in a fiscal year that is specified in the applicable provision of law referred to in subparagraph (B).

(B) COVERED PROGRAMS.—The programs specified in this subparagraph are the following:

(i) The Regional Defense Combating Terrorism Fellowship Program under section 2249c of title 10, United States Code, the amount of $50,000,000.

(ii) Programs under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163), the amount of $700,000,000.

(iii) Programs under section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375), the amount of $80,000,000.

(5) EFFECT ON AUTHORIZATION AMOUNTS.—The transfer of an amount to an account under the authority in paragraph (2) shall be deemed to increase the amount authorized for such account by an amount equal to the amount transferred.

(6) TRANSFERS BACK TO FUND.—Upon a determination that all or part of the amounts transferred from the Counterterrorism Partnerships Fund under paragraph (2) are not necessary for the purpose for which transferred, such amounts shall be transferred back to the Fund.

(7) CONSTRUCTION WITH OTHER TRANSFER AUTHORITY.—The transfer authority provided by paragraph (2) is in addition to any other transfer authority available to the Department of Defense.

(e) MANAGEMENT PLAN AND BUDGET MATERIALS.—

(1) MANAGEMENT PLAN.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for the intended management and use of the Counterterrorism Partnerships Fund.

(2) BUDGET MATERIALS.—The budget justification materials for the Department of Defense for any fiscal year in which amounts are requested for the Counterterrorism Partnerships Fund (as submitted to Congress with the budget of the President for such fiscal year pursuant to section 1105 of title 31, United States Code) shall include a separate request, and justifying materials, for amounts for the Fund.

(f) MANAGER.—Not later than 45 days after the date of the enactment of this Act, the Secretary shall designate a senior civilian employee of the Department of Defense to serve as manager of the Counterterrorism Partnerships Fund.

(g) NOTIFICATION REQUIREMENTS.—Not later than 15 days before transferring amounts from the Counterterrorism Partnerships Fund pursuant to subsection (b), the Secretary of Defense shall notify the congressional defense committees in writing of such transfer. Each notice of a transfer shall include the following:

(1) A detailed description of the project or activity to be supported by the transfer, including the request of the commander of the combatant command concerned for support, urgent operational need, or emergent operational need.

(2) The amount planned to be expended on such project or activity, and the timeline for such expenditure.

(h) BIANNUAL REPORT ON USE OF FUNDS.—

(1) REPORTS REQUIRED.—Not later than 60 days after the end of the first half of a fiscal year and after the end of the second half of a fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the following:

(A) A description of the expenditure of funds from the Counterterrorism Partnerships Fund during such half fiscal year, including expenditures of funds in direct or indirect support of the counterterrorism activities of foreign governments.

(B) A description of any funds considered not necessary for the purpose for which transferred from the Counterterrorism Partnerships Fund and transferred back to the Counterterrorism Partnerships Fund pursuant to subsection (d)(6) during such half fiscal year.

(2) INFORMATION ON SUPPORT OF COUNTERTERRORISM ACTIVITIES OF FOREIGN GOVERNMENTS.—The information in a report under paragraph (1)(A) on direct or indirect support of the counterterrorism activities of foreign governments shall include, for each foreign government so supported, the following:

(A) The total amount of such assistance provided to, or expended on behalf of, the foreign government pursuant to this section.

(B) A description of the types of counterterrorism activities conducted using the assistance.

(3) DEFINITIONS.—In this subsection:

(A) The term ''first half of a fiscal year'' means the period beginning on October 1 of any year and ending on March 31 of the following year.

(B) The term ''second half of a fiscal year'' means the period beginning on April 1 of any year and ending on September 30 of such year.

(i) DURATION OF AUTHORITY.—No amounts may be transferred from the Counterterrorism Partnerships Fund after September 30, 2017.

SEC. 1527. EUROPEAN REASSURANCE INITIATIVE.

(a) AVAILABILITY OF FUNDS.—Amounts authorized to be appropriated for a fiscal year for the European Reassurance Initiative shall be available for the purpose of providing support and assistance to allies and partner nations in Europe under authority provided by any other provision of law, including through such activities as the following:

(1) Activities to increase the presence of the United States Armed Forces in Europe.

(2) Bilateral and multilateral military exercises and training with allies and partner nations in Europe.

(3) Activities to improve infrastructure in Europe to enhance the responsiveness of the United States Armed Forces.

(4) Activities to enhance the prepositioning in Europe of equipment of the United States Armed Forces.

(5) Activities to build the defense and security capacity of allies and partner nations in Europe.

(b) TRANSFER REQUIREMENT AND RELATED AUTHORITIES.—

(1) USE OF FUNDS ONLY PURSUANT TO TRANSFER.—Except as provided in paragraph (3), amounts in the European Reassurance Initiative may be used for the purpose specified in subsection (a) only pursuant to transfers authorized by this subsection.

(2) TRANSFERS AUTHORIZED.—Amounts in the European Reassurance Initiative may be transferred from the Initiative to any of the following accounts of the Department of Defense for the purpose specified in subsection (b):

(A) Military personnel accounts.

(B) Operation and maintenance accounts.

(C) Procurement accounts.

(3) MILITARY CONSTRUCTION.—

(A) IN GENERAL.—Of the amounts in the European Reassurance Initiative, $163,000,000 may be used for military construction projects in connection with activities undertaken as described in subsection (a). Such funds may be used for any such project only if, not later than 15 days before the contract for any such project is awarded, the Secretary of Defense submits to the congressional defense committees for such project the following:

(i) A complete Military Construction Project Data Form DD 1391.

(ii) Except as provided in subparagraph (B), a certification that such project—

(I) is consistent with the basing assessment initiated by the Secretary of Defense on January 25, 2013 (known as the ''European Infrastructure Consolidation Assessment'');

(II) is of an enduring nature; and

(III) most effectively meets requirements of the Commander of the United States European Command at the location specified in the Military Construction Project Data Form DD 1391.

(B) EXCEPTION.—A certification is not required under subparagraph (A)(ii) for a military construction project if the project is to be carried out under the authority of, and subject to the limits specified in, section 2805 of title 10, United States Code.

(C) MILITARY CONSTRUCTION PROJECT DEFINED.—In this paragraph, the term ''military construction project'' means a military construction project within the meaning of section 2801 of title 10, United States Code.

(4) TRANSFER FOR ACTIVITIES IN CONNECTION WITH CERTAIN PROGRAMS.—With respect to a program specified in section 1526(d), the maximum amount that may be available in a fiscal year in connection with such program, including by transfer from the European Reassurance Initiative under paragraph (2), is the amount specified for that program in section 1526(d), notwithstanding any limitation on the amount of funds available for that program in a fiscal year that is specified in the applicable provision of law referred to in section 1526(d).

(5) EFFECT ON AUTHORIZATION AMOUNTS.—The transfer of an amount to an account

under the authority in paragraph (2) shall be deemed to increase the amount authorized for such account by an amount equal to the amount transferred.

(6) TRANSFERS BACK TO FUND.—Upon a determination that all or part of the amounts transferred from the European Reassurance Initiative under paragraph (2) are not necessary for the purpose for which transferred, such amounts shall be transferred back to the Initiative.

(7) CONSTRUCTION WITH OTHER TRANSFER AUTHORITY.—The transfer authority provided by paragraph (2) is in addition to any other transfer authority available to the Department of Defense.

(c) PLAN FOR USE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for the intended use of the European Reassurance Initiative.

(d) NOTIFICATION REQUIREMENTS.—Not later than 15 days before transferring amounts from the European Reassurance Initiative pursuant to subsection (b) for activities specified in paragraph (1), (2), (3), or (4) of subsection (a), the Secretary of Defense shall notify the congressional defense committees in writing of such transfer. Each notice of a transfer shall include the following:

(1) A detailed description of the project or activity to be supported by the transfer, including any request of the Commander of the United States European Command for support, urgent operational need, or emergent operational need.

(2) The amount planned to be expended on such project or activity, and the timeline for such expenditure.

(e) BIANNUAL REPORT ON USE OF FUNDS.—

(1) REPORTS REQUIRED.—Not later than 60 days after the end of the first half of a fiscal year and after the end of the second half of a fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the following:

(A) A description of the expenditure of funds from the European Reassurance Initiative during such half fiscal year, including expenditures of funds in direct or indirect support of the activities of foreign governments described in subsection (a).

(B) A description of any funds considered not necessary for the purpose for which transferred from the European Reassurance Initiative and transferred back to the European Reassurance Initiative pursuant to subsection (d)(6) during such half fiscal year.

(2) INFORMATION ON SUPPORT OF ACTIVITIES OF FOREIGN GOVERNMENTS.—The information in a report under paragraph (1)(A) on direct or indirect support of the activities of foreign governments described in subsection (a) shall include, for each foreign government so supported, the following:

(A) The total amount of such assistance provided to, or expended on behalf of, the foreign government pursuant to this section.

(B) A description of the types of activities conducted using the assistance.

(3) DEFINITIONS.—In this subsection:

(A) The term ''first half of a fiscal year'' means the period beginning on October 1 of any year and ending on March 31 of the following year.

(B) The term ''second half of a fiscal year'' means the period beginning on April 1 of any year and ending on September 30 of such year.

(f) DURATION OF AUTHORITY.—No amounts may be transferred or obligated from the European Reassurance Initiative after September 30, 2016.

On page 750, between section 4101 and title XLII, insert the following:

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
3	AERIAL COMMON SENSOR (ACS) (MIP)	36,000	36,000
	AIRCRAFT PROCUREMENT, ARMY TOTAL	**36,000**	**36,000**
	MISSILE PROCUREMENT, ARMY		
	AIR-TO-SURFACE MISSILE SYSTEM		
4	HELLFIRE SYS SUMMARY	29,100	29,100
	MISSILE PROCUREMENT, ARMY TOTAL	**29,100**	**29,100**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
7	CTG, 30MM, ALL TYPES	35,000	35,000
	MORTAR AMMUNITION		
9	60MM MORTAR, ALL TYPES	5,000	5,000
	ARTILLERY AMMUNITION		
13	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	10,000	10,000
14	ARTILLERY PROJECTILE, 155MM, ALL TYPES	15,000	15,000
	ROCKETS		
20	ROCKET, HYDRA 70, ALL TYPES	66,905	66,905
	OTHER AMMUNITION		
21	DEMOLITION MUNITIONS, ALL TYPES	3,000	3,000
22	GRENADES, ALL TYPES	1,000	1,000
23	SIGNALS, ALL TYPES	5,000	5,000
	PROCUREMENT OF AMMUNITION, ARMY TOTAL	**140,905**	**140,905**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
05	FAMILY OF MEDIUM TACTICAL VEHICLES (FHTV)	95,624	95,624
8	PLS ESP	60,300	60,300
10	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	192,620	192,620
15	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	197,000	197,000
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
63	DCGS-A (MIP)	48,331	48,331
67	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	4,980	4,980
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
71	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE	32,083	32,083
72	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	17,535	17,535
	COMBAT SERVICE SUPPORT EQUIPMENT		
133	FORCE PROVIDER	51,500	51,500
135	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	2,580	2,580
	OTHER SUPPORT EQUIPMENT		
170	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	25,000	25,000
	OTHER PROCUREMENT, ARMY TOTAL	**727,553**	**727,553**
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	NETWORK ATTACK		
01	ATTACK THE NETWORK	189,700	189,700
	JIEDDO DEVICE DEFEAT		
02	DEFEAT THE DEVICE	94,600	94,600

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Senate Authorized
	FORCE TRAINING		
03	TRAIN THE FORCE	15,700	15,700
	STAFF AND INFRASTRUCTURE		
4	OPERATIONS	79,000	79,000
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND TOTAL	**379,000**	**379,000**
	SUBTOTAL, DEPARTMENT OF THE ARMY	**1,312,558**	**1,312,558**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
11	H–1 UPGRADES (UH–1Y/AH–1Z)	30,000	30,000
	OTHER AIRCRAFT		
27	MQ–8 UAV	40,888	40,888
	MODIFICATION OF AIRCRAFT		
39	EP–3 SERIES	34,955	34,955
49	SPECIAL PROJECT AIRCRAFT	2,548	2,548
54	COMMON ECM EQUIPMENT	31,920	31,920
	AIRCRAFT SPARES AND REPAIR PARTS		
67	AIRCRAFT INDUSTRIAL FACILITIES	936	936
	AIRCRAFT PROCUREMENT, NAVY TOTAL	**141,247**	**141,247**
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
10	LASER MAVERICK	7,656	7,656
11	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	4,800	4,800
	WEAPONS PROCUREMENT, NAVY TOTAL	**12,456**	**12,456**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	5,086	5,086
2	AIRBORNE ROCKETS, ALL TYPES	8,862	8,862
3	MACHINE GUN AMMUNITION	3,473	3,473
6	AIR EXPENDABLE COUNTERMEASURES	29,376	29,376
11	OTHER SHIP GUN AMMUNITION	3,919	3,919
12	SMALL ARMS & LANDING PARTY AMMO	3,561	3,561
13	PYROTECHNIC AND DEMOLITION	2,913	2,913
14	AMMUNITION LESS THAN $5 MILLION	2,764	2,764
	MARINE CORPS AMMUNITION		
15	SMALL ARMS AMMUNITION	9,475	9,475
16	LINEAR CHARGES, ALL TYPES	8,843	8,843
17	40 MM, ALL TYPES	7,098	7,098
18	60MM, ALL TYPES	5,935	5,935
19	81MM, ALL TYPES	9,318	9,318
20	120MM, ALL TYPES	6,921	6,921
22	GRENADES, ALL TYPES	3,218	3,218
23	ROCKETS, ALL TYPES	7,642	7,642
24	ARTILLERY, ALL TYPES	30,289	30,289
25	DEMOLITION MUNITIONS, ALL TYPES	1,255	1,255
26	FUZE, ALL TYPES	2,061	2,061
	PROCUREMENT OF AMMO, NAVY & MC TOTAL	**152,009**	**152,009**
	OTHER PROCUREMENT, NAVY		
	OTHER SHIPBOARD EQUIPMENT		
23	UNDERWATER EOD PROGRAMS	8,210	8,210
	SHIPBOARD COMMUNICATIONS		
88	COMMUNICATIONS ITEMS UNDER $5M	1,100	1,100
	OTHER ORDNANCE SUPPORT EQUIPMENT		
132	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	207,860	207,860
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
138	PASSENGER CARRYING VEHICLES	1,063	1,063
139	GENERAL PURPOSE TRUCKS	152	152
142	TACTICAL VEHICLES	26,300	26,300
145	ITEMS UNDER $5 MILLION	3,300	3,300
	COMMAND SUPPORT EQUIPMENT		
152	COMMAND SUPPORT EQUIPMENT	10,745	10,745
157	OPERATING FORCES SUPPORT EQUIPMENT	3,331	3,331
158	C4ISR EQUIPMENT	35,923	35,923
159	ENVIRONMENTAL SUPPORT EQUIPMENT	514	514
	OTHER PROCUREMENT, NAVY TOTAL	**298,498**	**298,498**
	PROCUREMENT, MARINE CORPS		
	OTHER SUPPORT		
7	MODIFICATION KITS	3,190	3,190
	GUIDED MISSILES		
10	JAVELIN	17,100	17,100
	OTHER SUPPORT		
13	MODIFICATION KITS	13,500	13,500
	COMMAND AND CONTROL SYSTEMS		
	REPAIR AND TEST EQUIPMENT		
16	REPAIR AND TEST EQUIPMENT	980	980
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
19	ITEMS UNDER $5 MILLION (COMM & ELEC)	996	996

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Senate Authorized
	INTELL/COMM EQUIPMENT (NON-TEL)		
25	INTELLIGENCE SUPPORT EQUIPMENT	1,450	1,450
28	RQ–11 UAV	1,740	1,740
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
31	NIGHT VISION EQUIPMENT	134	134
36	COMM SWITCHING & CONTROL SYSTEMS	3,119	3,119
	TACTICAL VEHICLES		
42	MEDIUM TACTICAL VEHICLE REPLACEMENT	584	584
	ENGINEER AND OTHER EQUIPMENT		
52	EOD SYSTEMS	5,566	5,566
	MATERIALS HANDLING EQUIPMENT		
55	MATERIAL HANDLING EQUIP	3,230	3,230
	GENERAL PROPERTY		
58	TRAINING DEVICES	2,000	2,000
	PROCUREMENT, MARINE CORPS TOTAL	**53,589**	**53,589**
	SUBTOTAL, DEPARTMENT OF THE NAVY	**657,799**	**657,799**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	OTHER AIRLIFT		
4	C–130J	70,000	70,000
	OTHER AIRCRAFT		
18	MQ–9	192,000	192,000
	STRATEGIC AIRCRAFT		
21	B–1B	91,879	91,879
	OTHER AIRCRAFT		
50	C–130	47,840	47,840
51	C–130J MODS	18,000	18,000
53	COMPASS CALL MODS	24,800	24,800
63	HC/MC–130 MODIFICATIONS	44,300	44,300
64	OTHER AIRCRAFT	111,990	111,990
	AIRCRAFT SPARES AND REPAIR PARTS		
70	INITIAL SPARES/REPAIR PARTS	45,410	45,410
	AIRCRAFT PROCUREMENT, AIR FORCE TOTAL	**646,219**	**646,219**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
6	PREDATOR HELLFIRE MISSILE	114,939	114,939
	MISSILE PROCUREMENT, AIR FORCE TOTAL	**114,939**	**114,939**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	CARTRIDGES		
2	CARTRIDGES	2,163	2,163
	BOMBS		
4	GENERAL PURPOSE BOMBS	41,545	41,545
5	JOINT DIRECT ATTACK MUNITION	90,330	90,330
	FLARES		
11	FLARES	18,916	18,916
	FUZES		
12	FUZES	17,778	17,778
	PROCUREMENT OF AMMUNITION, AIR FORCE TOTAL	**170,732**	**170,732**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
4	ITEMS LESS THAN $5 MILLION	3,000	3,000
6	ITEMS LESS THAN $5 MILLION	1,878	1,878
	MATERIALS HANDLING EQUIPMENT		
8	ITEMS LESS THAN $5 MILLION	5,131	5,131
	BASE MAINTENANCE SUPPORT		
9	RUNWAY SNOW REMOV & CLEANING EQUIP	1,734	1,734
10	ITEMS LESS THAN $5 MILLION	22,000	22,000
	SPCL COMM-ELECTRONICS PROJECTS		
27	GENERAL INFORMATION TECHNOLOGY	3,857	3,857
33	C3 COUNTERMEASURES	900	900
	SPACE PROGRAMS		
48	MILSATCOM SPACE	19,547	19,547
	ORGANIZATION AND BASE		
55	BASE COMM INFRASTRUCTURE	1,970	1,970
	PERSONAL SAFETY & RESCUE EQUIP		
57	NIGHT VISION GOGGLES	765	765
	BASE SUPPORT EQUIPMENT		
60	BASE PROCURED EQUIPMENT	2,030	2,030
61	CONTINGENCY OPERATIONS	99,590	99,590
63	MOBILITY EQUIPMENT	107,361	107,361
64	ITEMS LESS THAN $5 MILLION	10,975	10,975
	SPECIAL SUPPORT PROJECTS		
70	DEFENSE SPACE RECONNAISSANCE PROG.	6,100	6,100
	CLASSIFIED PROGRAMS		
70A	CLASSIFIED PROGRAMS	2,599,434	2,599,434
	OTHER PROCUREMENT, AIR FORCE TOTAL	**2,886,272**	**2,886,272**
	SUBTOTAL, DEPARTMENT OF THE AIR FORCE	**3,818,162**	**3,818,162**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Senate Authorized
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
10	TELEPORT PROGRAM	4,330	4,330
	CLASSIFIED PROGRAMS		
46A	CLASSIFIED PROGRAMS	41,529	41,529
	AMMUNITION PROGRAMS		
65	ORDNANCE ITEMS <$5M	14,903	14,903
	OTHER PROCUREMENT PROGRAMS		
68	INTELLIGENCE SYSTEMS	13,549	13,549
71	OTHER ITEMS <$5M	32,773	32,773
76	WARRIOR SYSTEMS <$5M	78,357	78,357
88	OPERATIONAL ENHANCEMENTS	3,600	3,600
	PROCUREMENT, DEFENSE-WIDE TOTAL	**189,041**	**189,041**
	SUBTOTAL, DEFENSE-WIDE	**189,041**	**189,041**
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
1	JOINT URGENT OPERATIONAL NEEDS FUND	50,000	50,000
	JOINT URGENT OPERATIONAL NEEDS FUND TOTAL	**50,000**	**50,000**
	TOTAL, TITLE XV, PROCUREMENT OCO	**6,027,560**	**6,027,560**

On page 764, between section 4201 and title XLIII, insert the following:

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2015 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
60	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	4,500	4,500
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**4,500**	**4,500**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**4,500**	**4,500**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		OPERATIONAL SYSTEMS DEVELOPMENT		
229A	9999999999	CLASSIFIED PROGRAMS	35,080	35,080
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**35,080**	**35,080**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**35,080**	**35,080**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		OPERATIONAL SYSTEMS DEVELOPMENT		
265A	9999999999	CLASSIFIED PROGRAMS	40,397	40,397
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**40,397**	**40,397**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**40,397**	**40,397**
		TOTAL, TITLE XV, RESEARCH DEVELOPMENT TEST & EVAL, OCO	**79,977**	**79,977**

On page 771, between section 4301 and title XLIV, insert the following:

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Senate Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	77,419	77,419
020	MODULAR SUPPORT BRIGADES	3,827	3,827
030	ECHELONS ABOVE BRIGADE	22,353	22,353
040	THEATER LEVEL ASSETS	1,231,128	1,231,128
050	LAND FORCES OPERATIONS SUPPORT	452,332	452,332
060	AVIATION ASSETS	47,522	47,522
070	FORCE READINESS OPERATIONS SUPPORT	1,043,683	1,043,683
080	LAND FORCES SYSTEMS READINESS	166,725	166,725

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Senate Authorized
090	LAND FORCES DEPOT MAINTENANCE	87,636	87,636
100	BASE OPERATIONS SUPPORT	291,977	291,977
140	ADDITIONAL ACTIVITIES	7,041,667	7,041,667
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	10,000	10,000
160	RESET	2,834,465	2,834,465
	SUBTOTAL, OPERATING FORCES	**13,310,734**	**13,310,734**
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	1,776,267	1,776,267
380	AMMUNITION MANAGEMENT	45,537	45,537
400	SERVICEWIDE COMMUNICATIONS	32,264	32,264
420	OTHER PERSONNEL SUPPORT	98,171	98,171
430	OTHER SERVICE SUPPORT	99,694	99,694
450	REAL ESTATE MANAGEMENT	137,053	137,053
525	CLASSIFIED PROGRAMS	856,002	856,002
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**3,044,988**	**3,044,988**
	TOTAL, OPERATION & MAINTENANCE, ARMY	**16,355,722**	**16,355,722**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
030	ECHELONS ABOVE BRIGADE	3,726	3,726
050	LAND FORCES OPERATIONS SUPPORT	1,242	1,242
070	FORCE READINESS OPERATIONS SUPPORT	608	608
100	BASE OPERATIONS SUPPORT	30,996	30,996
	SUBTOTAL, OPERATING FORCES	**36,572**	**36,572**
	TOTAL, OPERATION & MAINTENANCE, ARMY RES	**36,572**	**36,572**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	12,593	12,593
020	MODULAR SUPPORT BRIGADES	647	647
030	ECHELONS ABOVE BRIGADE	6,670	6,670
040	THEATER LEVEL ASSETS	664	664
060	AVIATION ASSETS	22,485	22,485
070	FORCE READINESS OPERATIONS SUPPORT	14,560	14,560
100	BASE OPERATIONS SUPPORT	13,923	13,923
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	4,601	4,601
	SUBTOTAL, OPERATING FORCES	**76,143**	**76,143**
	ADMIN & SRVWIDE ACTIVITIES		
150	ADMINISTRATION	318	318
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**318**	**318**
	TOTAL, OPERATION & MAINTENANCE, ARNG	**76,461**	**76,461**
	AFGHANISTAN SECURITY FORCES FUND		
	MINISTRY OF DEFENSE		
011	SUSTAINMENT	2,514,660	2,514,660
012	INFRASTRUCTURE	20,000	20,000
013	EQUIPMENT AND TRANSPORTATION	21,442	21,442
014	TRAINING AND OPERATIONS	359,645	359,645
021	SUSTAINMENT	953,189	953,189
022	INFRASTRUCTURE	15,155	15,155
023	EQUIPMENT AND TRANSPORTATION	18,657	18,657
024	TRAINING AND OPERATIONS	174,732	174,732
	SUBTOTAL, MINISTRY OF DEFENSE	**4,077,480**	**4,077,480**
	DETAINEE OPS		
031	SUSTAINMENT	29,603	29,603
032	TRAINING AND OPERATIONS	2,250	2,250
	SUBTOTAL, DETAINEE OPS	**31,853**	**31,853**
	TOTAL, AFGHANISTAN SECURITY FORCES FUND	**4,109,333**	**4,109,333**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	547,145	547,145
040	AIR OPERATIONS AND SAFETY SUPPORT	2,600	2,600
050	AIR SYSTEMS SUPPORT	22,035	22,035
060	AIRCRAFT DEPOT MAINTENANCE	192,411	192,411
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	1,116	1,116
080	AVIATION LOGISTICS	33,900	33,900
090	MISSION AND OTHER SHIP OPERATIONS	1,105,500	1,105,500
100	SHIP OPERATIONS SUPPORT & TRAINING	20,068	20,068
110	SHIP DEPOT MAINTENANCE	1,922,829	1,922,829
130	COMBAT COMMUNICATIONS	29,303	29,303
160	WARFARE TACTICS	26,229	26,229
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	20,398	20,398
180	COMBAT SUPPORT FORCES	676,555	676,555
190	EQUIPMENT MAINTENANCE	10,662	10,662

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Senate Authorized
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	90,684	90,684
260	WEAPONS MAINTENANCE	189,196	189,196
300	SUSTAINMENT, RESTORATION AND MODERNIZATION	16,220	16,220
310	BASE OPERATING SUPPORT	88,688	88,688
	SUBTOTAL, OPERATING FORCES	**4,995,539**	**4,995,539**
	MOBILIZATION		
360	EXPEDITIONARY HEALTH SERVICES SYSTEMS	5,307	5,307
380	COAST GUARD SUPPORT	213,319	213,319
	SUBTOTAL, MOBILIZATION	**218,626**	**218,626**
	TRAINING AND RECRUITING		
420	SPECIALIZED SKILL TRAINING	48,270	48,270
	SUBTOTAL, TRAINING AND RECRUITING	**48,270**	**48,270**
	ADMIN & SRVWIDE ACTIVITIES		
500	ADMINISTRATION	2,464	2,464
510	EXTERNAL RELATIONS	520	520
530	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	5,205	5,205
540	OTHER PERSONNEL SUPPORT	1,439	1,439
570	SERVICEWIDE TRANSPORTATION	186,318	186,318
590	PLANNING, ENGINEERING AND DESIGN	1,350	1,350
600	ACQUISITION AND PROGRAM MANAGEMENT	11,811	11,811
640	NAVAL INVESTIGATIVE SERVICE	1,468	1,468
705	CLASSIFIED PROGRAMS	4,230	4,230
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**214,805**	**214,805**
	TOTAL, OPERATION & MAINTENANCE, NAVY	**5,477,240**	**5,477,240**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	467,286	467,286
020	FIELD LOGISTICS	353,334	353,334
030	DEPOT MAINTENANCE	426,720	426,720
060	BASE OPERATING SUPPORT	12,036	12,036
	SUBTOTAL, OPERATING FORCES	**1,259,376**	**1,259,376**
	TRAINING AND RECRUITING		
110	TRAINING SUPPORT	52,106	52,106
	SUBTOTAL, TRAINING AND RECRUITING	**52,106**	**52,106**
	ADMIN & SRVWIDE ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	162,000	162,000
160	ADMINISTRATION	1,322	1,322
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**163,322**	**163,322**
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS	**1,474,804**	**1,474,804**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	16,133	16,133
040	AIRCRAFT DEPOT MAINTENANCE	6,150	6,150
070	MISSION AND OTHER SHIP OPERATIONS	12,475	12,475
090	SHIP DEPOT MAINTENANCE	2,700	2,700
110	COMBAT SUPPORT FORCES	8,418	8,418
	SUBTOTAL, OPERATING FORCES	**45,876**	**45,876**
	TOTAL, OPERATION & MAINTENANCE, NAVY RES	**45,876**	**45,876**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	9,740	9,740
040	BASE OPERATING SUPPORT	800	800
	SUBTOTAL, OPERATING FORCES	**10,540**	**10,540**
	OPERATION & MAINTENANCE, MC RESERVE	**10,540**	**10,540**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,136,015	1,136,015
020	COMBAT ENHANCEMENT FORCES	803,939	803,939
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	8,785	8,785
040	DEPOT MAINTENANCE	1,146,099	1,146,099
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	78,000	78,000
060	BASE SUPPORT	1,113,273	1,113,273
070	GLOBAL C3I AND EARLY WARNING	92,109	92,109
080	OTHER COMBAT OPS SPT PROGRAMS	168,269	168,269
090	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	26,337	26,337
100	LAUNCH FACILITIES	852	852
110	SPACE CONTROL SYSTEMS	4,942	4,942
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	69,400	69,400
	SUBTOTAL, OPERATING FORCES	**4,648,020**	**4,648,020**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Senate Authorized
	MOBILIZATION		
140	AIRLIFT OPERATIONS	2,417,280	2,417,280
150	MOBILIZATION PREPAREDNESS	138,043	138,043
160	DEPOT MAINTENANCE	437,279	437,279
170	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,801	2,801
180	BASE SUPPORT	15,370	15,370
	SUBTOTAL, MOBILIZATION	**3,010,773**	**3,010,773**
	TRAINING AND RECRUITING		
190	OFFICER ACQUISITION	39	39
200	RECRUIT TRAINING	432	432
230	BASE SUPPORT	1,617	1,617
240	SPECIALIZED SKILL TRAINING	2,145	2,145
310	OFF-DUTY AND VOLUNTARY EDUCATION	163	163
	SUBTOTAL, TRAINING AND RECRUITING	**4,396**	**4,396**
	ADMIN & SRVWIDE ACTIVITIES		
340	LOGISTICS OPERATIONS	85,016	85,016
350	TECHNICAL SUPPORT ACTIVITIES	934	934
380	BASE SUPPORT	6,923	6,923
390	ADMINISTRATION	151	151
400	SERVICEWIDE COMMUNICATIONS	162,106	162,106
410	OTHER SERVICEWIDE ACTIVITIES	246,256	246,256
450	INTERNATIONAL SUPPORT	60	60
465	CLASSIFIED PROGRAMS	12,921	12,921
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**514,367**	**514,367**
	TOTAL, OPERATION & MAINTENANCE, AIR FORCE	**8,177,556**	**8,177,556**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
030	DEPOT MAINTENANCE	72,575	72,575
050	BASE SUPPORT	5,219	5,219
	SUBTOTAL, OPERATING FORCES	**77,794**	**77,794**
	TOTAL, OPERATION & MAINTENANCE, AF RESERVE	**77,794**	**77,794**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	20,300	20,300
	SUBTOTAL, OPERATING FORCES	**20,300**	**20,300**
	TOTAL, OPERATION & MAINTENANCE, ANG	**20,300**	**20,300**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
020	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	2,390,521	2,390,521
	SUBTOTAL, OPERATING FORCES	**2,390,521**	**2,390,521**
	ADMIN & SRVWIDE ACTIVITIES		
080	DEFENSE CONTRACT AUDIT AGENCY	22,847	22,847
090	DEFENSE CONTRACT MANAGEMENT AGENCY	21,516	21,516
110	DEFENSE INFORMATION SYSTEMS AGENCY	36,416	36,416
130	DEFENSE LEGAL SERVICES AGENCY	105,000	105,000
150	DEFENSE MEDIA ACTIVITY	6,251	6,251
170	DEFENSE SECURITY COOPERATION AGENCY	1,660,000	1,660,000
230	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	93,000	93,000
270	OFFICE OF THE SECRETARY OF DEFENSE	28,264	28,264
290	WASHINGTON HEADQUARTERS SERVICES	2,424	2,424
295	CLASSIFIED PROGRAMS	1,341,224	1,341,224
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**3,316,942**	**3,316,942**
	TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE	**5,707,463**	**5,707,463**
	TOTAL, TITLE XV, OPERATION AND MAINTENANCE, OCO	**41,569,661**	**41,569,661**

On page 772, between section 4401 and title XLV, insert the following:

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2015 Request	Senate Authorized
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2015 Request	Senate Authorized
MILITARY PERSONNEL APPROPRIATIONS	5,394,983	5,394,983
SUBTOTAL, MILITARY PERSONNEL APPROPRIATIONS	**5,394,983**	**5,394,983**
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS		
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	58,728	58,728
SUBTOTAL, MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	**58,728**	**58,728**
TOTAL, TITLE XV, MILITARY PERSONNEL, OCO	**5,453,711**	**5,453,711**

On page 773, between section 4501 and title XLVI, insert the following:

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Senate Authorized
	WORKING CAPITAL FUND, AIR FORCE		
010	WORKING CAPITAL FUND, AIR FORCE	5,000	5,000
	TOTAL, WORKING CAPITAL FUND, AIR FORCE	**5,000**	**5,000**
	WORKING CAPITAL FUND, DEFENSE-WIDE		
010	WORKING CAPITAL FUND, DEFENSE-WIDE	86,350	86,350
	TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	**86,350**	**86,350**
	TOTAL, ALL WORKING CAPITAL FUNDS	**91,350**	**91,350**
	OFFICE OF THE INSPECTOR GENERAL		
010	OPERATION AND MAINTENANCE	7,968	7,968
	TOTAL, OFFICE OF THE INSPECTOR GENERAL	**7,968**	**7,968**
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
010	DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	189,000	189,000
	TOTAL, DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**189,000**	**189,000**
	DEFENSE HEALTH PROGRAM		
	DHP OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	65,902	65,902
020	PRIVATE SECTOR CARE	214,259	214,259
030	CONSOLIDATED HEALTH SUPPORT	15,311	15,311
060	EDUCATION AND TRAINING	5,059	5,059
	SUBTOTAL, DHP OPERATION & MAINTENANCE	**300,531**	**300,531**
	TOTAL, DEFENSE HEALTH PROGRAM	**300,531**	**300,531**
	COUNTERTERRORISM PARTNERSHIPS FUND		
010	COUNTERTERRORISM PARTNERSHIPS FUND	4,000,000	4,000,000
	TOTAL, COUNTERTERRORISM PARTNERSHIPS FUND	**4,000,000**	**4,000,000**
	EUROPEAN REASSURANCE INITIATIVE		
010	EUROPEAN REASSURANCE INITIATIVE	925,000	925,000
	TOTAL, EUROPEAN REASSURANCE INITIATIVE	**925,000**	**925,000**
	TOTAL, TITLE XV, OTHER AUTHORIZATIONS, OCO	**5,513,849**	**5,513,849**

On page 779, after section 4601, add the following:

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Authorized
Military Construction				
Military Construction, Defense-Wide				
MC, Def-Wide	Worldwide Classified Classified Location	Classified Project	46,000	46,000
	Subtotal, Military Construction, Defense-Wide		**46,000**	**46,000**
	Total, Title XV, Military Construction, OCO		**46,000**	**46,000**

SA 3876. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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:

SECTION ___. PURCHASE OF PRISON-MADE PRODUCTS BY FEDERAL DEPARTMENTS.

(a) REPEAL OF PURCHASE REQUIREMENT.—Section 4124 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''shall purchase'' and inserting ''may purchase''; and

(B) by inserting ''and services'' after ''such products''; and

(2) in subsection (c), by striking ''subject to the requirements of subsection (a)'' and inserting ''that purchases such products or services of the industries authorized by this chapter''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 8504 of title 41, United States Code, is amended—

(1) in subsection (a), by striking ''(a) IN GENERAL.—''; and

(2) by striking subsection (b).

SEC. ___. PROHIBITION ON AWARD OF CERTAIN CONTRACTS TO FEDERAL PRISON INDUSTRIES, INC..

Notwithstanding any other provision of law, a Federal agency may not award a contract to Federal Prison Industries after competition restricted to small business concerns under section 15 of the Small Business Act (15 U.S.C. 644) or the program established under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

SEC. ___. SHARE OF INDEFINITE DELIVERY/INDEFINITE QUANTITY CONTRACTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to require that if the head of an executive agency reduces the quantity of items or services to be delivered under an indefinite delivery/indefinite quantity contract to which Federal Prison Industries is a party, the head of the executive agency shall reduce Federal Prison Industries's share of the items or services to be delivered under the contract by the same percentage by which the total number of items or services to be delivered under the contract from all sources is reduced.

(b) DEFINITIONS.—In this section—

(1) the term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code; and

(2) the term ''Federal Acquisition Regulatory Council'' means the Federal Acquisition Regulatory Council established under section 1302(a) of title 41, United States Code.

SA 3877. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 1047. PROHIBITION ON TERMINATION OF C–130 ACTIVE ASSOCIATE UNITS OF THE RESERVE COMPONENTS OF THE AIR FORCE.

(a) PROHIBITION.—The Secretary of the Air Force may not—

(1) terminate any C–130 active associate unit of a reserve component of the Air Force in existence as of October 1, 2013;

(2) reduce the authorized number, or number, of airmen assigned to C–130 active associate units of the reserve components of the Air Force to fewer than the number authorized for assignment, or assigned, to such units as of October 1, 2013; or

(3) reduce the number of aircraft assigned to C–130 active associate units of the reserve components of the Air Force from the number so assigned as of October 1, 2014.

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2015 by title XV for operation and maintenance is hereby reduced by $13,850,000.

SA 3878. Mr. BEGICH (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 VIII, add the following:

SEC. 830. AMENDMENTS TO JUSTIFICATION AND APPROVAL REQUIREMENTS RELATED TO CERTAIN SOLE-SOURCE CONTRACTS.

(a) EXPANSION OF SOLE-SOURCE CONTRACTS COVERED.—Paragraph (1) of section 811(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111—84; 123 Stat. 2405) is amended to read as follows:

''(1) COVERED PROCUREMENT.—The term 'covered procurement' means either of the following:

''(A) A procurement covered by chapter 137 of title 10, United States Code.

''(B) A procurement covered by division C of subtitle I of title 41, United States Code.''.

(b) TREATMENT OF OTHER JUSTIFICATION AND APPROVAL ACTIONS.—Section 811 of such Act is further amended by adding at the end the following new subsection:

''(d) TREATMENT OF OTHER JUSTIFICATION AND APPROVAL ACTIONS.—In the case of any contract for which a justification and approval is required under section 2304(f) of title 10, United States Code, or section 3304(e) of title 41, United States Code, a justification and approval meeting the requirements of such section shall be treated as meeting the requirements of this section for purposes of the award of a sole-source contract.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Section 811 of such Act is further amended—

(1) in subsection (a), by striking ''Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to provide that the'' and inserting ''The'';

(2) in subsection (a)(3), by striking ''sections 303(f)(1)(C) and 303(j) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(f)(1)(C) and 253(j))'' and inserting ''sections 3304(e)(1)(C) and 3304(f) of title 41, United States Code'';

(3) in subsection (c)—

(A) in paragraph (2)(B), by striking ''section 309(a)'' and all that follows through the period at the end and inserting ''section 151 of title 41, United States Code.''; and

(B) in paragraph (3)(B), by striking ''section 303(f)(1)(B)'' and all that follows through the period at the end and inserting ''section 3304(e)(1)(B) of title 41, United States Code.''; and

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

''(d) REGULATIONS.—The Federal Acquisition Regulation shall be revised to implement this section.''.

SA 3879. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 2835. LAND CONVEYANCE, WAINWRIGHT, ALASKA.

(a) IN GENERAL.—Notwithstanding section 102 of the Naval Petroleum Reserves Production Act of 1976 (42 U.S.C. 6502), the Secretary of the Air Force shall convey to the Olgoonik Corporation, an Alaska Native Corporation established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), by quitclaim deed all right, title, and interest of the United States in the parcels of real property described in subsection (d) and known as the Distant Early Warning line site in the National Petroleum Reserve near Wainwright, Alaska, that is currently subject to a right-of-way reservation issued to the United States Air Force by the Bureau of Land Management, BLM case file number F–81468.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the Corporation shall pay to the Secretary an amount that is not less than the fair market value of the property conveyed, as determined by an independent appraiser selected by the Secretary and in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the Corporation to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs, to carry out the conveyance under subsection (a). If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Corporation.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) PROPERTY DESCRIPTION.—The parcel of real property conveyed in subsection (a) consists of Lots 1, 2, and 3 of United States Survey 5252, approximately 1,518.95 acres, including improvements thereon.

(e) DATE OF TRANSFER.—The conveyance under subsection (a) shall take place as soon as practicable after any necessary environmental remediation activities at the parcel are certified by the applicable State or Federal Government entities as complete.

(f) REMEDIATION ACTIVITIES.—The Secretary of the Air Force shall retain responsibility for the implementation and completion of remedial action upon the parcels of conveyed real property described in subsection (b) as well as for implementation of any necessary response actions at areas of contamination identified in the future where the contamination was the result of Air Force activities.

(g) REVOCATION OF RIGHT OF WAY PERMITS AND LEASES.—Upon completion of the conveyance, all existing right-of-way grants or leases issued by the Bureau of Land Management or the Air Force authorizing use of the parcels by the Air Force or Olgoonik Corporation shall be revoked.

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

SA 3880. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 69, after line 19, add the following:

SEC. 317. BROWNFIELDS UTILIZATION, INVESTMENT, AND LOCAL DEVELOPMENT.

(a) EXPANDED ELIGIBILITY FOR NONPROFIT ORGANIZATIONS.—Section 104(k)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(1)) is amended—

(1) in subparagraph (G), by striking ''or'' after the semicolon;

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

(3) by adding at the end the following:

''(I) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code;

''(J) a limited liability corporation in which all managing members are organizations described in subparagraph (I) or limited liability corporations whose sole members are organizations described in subparagraph (I);

''(K) a limited partnership in which all general partners are organizations described in subparagraph (I) or limited liability corporations whose sole members are organizations described in subparagraph (I); or

''(L) a qualified community development entity (as defined in section 45D(c)(1) of the Internal Revenue Code of 1986).''.

(b) MULTIPURPOSE BROWNFIELDS GRANTS.—Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) is amended—

(1) by redesignating paragraphs (4) through (9) and (10) through (12) as paragraphs (5) through (10) and (13) through (15), respectively;

(2) in paragraph (3)(A), by striking ''subject to paragraphs (4) and (5)'' and inserting ''subject to paragraphs (5) and (6)''; and

(3) by inserting after paragraph (3) the following:

''(4) MULTIPURPOSE BROWNFIELDS GRANTS.—

''(A) IN GENERAL.—Subject to subparagraph (D) and paragraphs (5) and (6), the Administrator shall establish a program to provide multipurpose grants to an eligible entity based on the considerations under paragraph (3)(C), to carry out inventory, characterization, assessment, planning, or remediation activities at 1 or more brownfield sites in a proposed area.

''(B) GRANT AMOUNTS.—

''(i) INDIVIDUAL GRANT AMOUNTS.—Each grant awarded under this paragraph shall not exceed $950,000.

''(ii) CUMULATIVE GRANT AMOUNTS.—The total amount of grants awarded for each fiscal year under this paragraph shall not exceed 15 percent of the funds made available for the fiscal year to carry out this subsection.

''(C) CRITERIA.—In awarding a grant under this paragraph, the Administrator shall consider the extent to which an eligible entity is able—

''(i) to provide an overall plan for revitalization of the 1 or more brownfield sites in the proposed area in which the multipurpose grant will be used;

''(ii) to demonstrate a capacity to conduct the range of eligible activities that will be funded by the multipurpose grant; and

''(iii) to demonstrate that a multipurpose grant will meet the needs of the 1 or more brownfield sites in the proposed area.

''(D) CONDITION.—As a condition of receiving a grant under this paragraph, each eligible entity shall expend the full amount of the grant not later than the date that is 3 years after the date on which the grant is awarded to the eligible entity unless the Administrator, in the discretion of the Administrator, provides an extension.''.

(c) TREATMENT OF CERTAIN PUBLICLY OWNED BROWNFIELD SITES.—Section 104(k)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(2)) is amended by adding at the end the following:

''(C) EXEMPTION FOR CERTAIN PUBLICLY OWNED BROWNFIELD SITES.—Notwithstanding any other provision of law, an eligible entity that is a governmental entity may receive a grant under this paragraph for property acquired by that governmental entity prior to January 11, 2002, even if the governmental entity does not qualify as a bona fide prospective purchaser (as that term is defined in section 101(40)).''.

(d) INCREASED FUNDING FOR REMEDIATION GRANTS.—Section 104(k)(3)(A)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(3)(A)(ii)) is amended by striking ''$200,000 for each site to be remediated'' and inserting ''$500,000 for each site to be remediated, which limit may be waived by the Administrator, but not to exceed a total of $650,000 for each site, based on the anticipated level of contamination, size, or ownership status of the site''.

(e) ALLOWING ADMINISTRATIVE COSTS FOR GRANT RECIPIENTS.—Paragraph (5) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by subsection (b)(1)) is amended—

(1) in subparagraph (B)—

(A) in clause (i)—

(i) by striking subclause (III); and

(ii) by redesignating subclauses (IV) and (V) as subclauses (III) and (IV), respectively;

(B) by striking clause (ii);

(C) by redesignating clause (iii) as clause (ii); and

(D) in clause (ii) (as redesignated by subparagraph (C)), by striking ''Notwithstanding clause (i)(IV)'' and inserting ''Notwithstanding clause (i)(III)''; and

(2) by adding at the end the following:

''(E) ADMINISTRATIVE COSTS.—

''(i) IN GENERAL.—An eligible entity may use up to 8 percent of the amounts made available under a grant or loan under this subsection for administrative costs.

''(ii) RESTRICTION.—For purposes of clause (i), the term 'administrative costs' does not include—

''(I) investigation and identification of the extent of contamination;

''(II) design and performance of a response action; or

''(III) monitoring of a natural resource.''.

(f) SMALL COMMUNITY TECHNICAL ASSISTANCE.—Paragraph (7)(A) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by subsection (b)(1)) is amended—

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

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

(2) by inserting after clause (i) (as added by paragraph (1)) the following:

''(ii) SMALL COMMUNITY RECIPIENTS.—In carrying out the program under clause (i), the Administrator shall give priority to small communities, Indian tribes, rural areas, or low-income areas with a population of not more than 15,000 individuals, as determined by the latest available decennial census.''.

(g) WATERFRONT BROWNFIELDS GRANTS.—Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) is amended by inserting after paragraph (10) (as redesignated by subsection (b)(1)) the following:

''(11) WATERFRONT BROWNFIELD SITES.—

''(A) DEFINITION OF WATERFRONT BROWNFIELD SITE.—In this paragraph, the term 'waterfront brownfield site' means a brownfield site that is adjacent to a body of water or a federally designated floodplain.

''(B) REQUIREMENTS.—In providing grants under this subsection, the Administrator shall—

''(i) take into consideration whether the brownfield site to be served by the grant is a waterfront brownfield site; and

''(ii) give consideration to waterfront brownfield sites.''.

(h) CLEAN ENERGY BROWNFIELDS GRANTS.—Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as amended by subsection (g)) is amended by inserting after paragraph (11) the following:

''(12) CLEAN ENERGY PROJECTS AT BROWNFIELD SITES.—

''(A) DEFINITION OF CLEAN ENERGY PROJECT.—In this paragraph, the term 'clean energy project' means—

''(i) a facility that generates renewable electricity from wind, solar, or geothermal energy; and

''(ii) any energy efficiency improvement project at a facility, including combined heat and power and district energy.

''(B) ESTABLISHMENT.—The Administrator shall establish a program to provide grants—

''(i) to eligible entities to carry out inventory, characterization, assessment, planning, feasibility analysis, design, or remediation activities to locate a clean energy project at 1 or more brownfield sites; and

''(ii) to capitalize a revolving loan fund for the purposes described in clause (i).

''(C) MAXIMUM AMOUNT.—A grant under this paragraph shall not exceed $500,000.''.

(i) TARGETED FUNDING FOR STATES.—Paragraph (15) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C.

9604(k)) (as redesignated by subsection (b)(1)) is amended by adding at the end the following:

''(C) TARGETED FUNDING.—Of the amounts made available under subparagraph (A) for a fiscal year, the Administrator may use not more than $2,000,000 to provide grants to States for purposes authorized under section 128(a), subject to the condition that each State that receives a grant under this subparagraph shall have used at least 50 percent of the amounts made available to that State in the previous fiscal year to carry out assessment and remediation activities under section 128(a).''.

(j) AUTHORIZATION OF APPROPRIATIONS.—

(1) BROWNFIELDS REVITALIZATION FUNDING.—Paragraph (15)(A) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by subsection (b)(1)) is amended by striking ''2006'' and inserting ''2016''.

(2) STATE RESPONSE PROGRAMS.—Section 128(a)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9628(a)(3)) is amended by striking ''2006'' and inserting ''2016''.

SA 3881. Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 XXVI, add the following:

SEC. 2614. MODIFICATION OF AUTHORITY TO CARRY OUT ARMY RESERVE PROJECT, TUSTIN, CALIFORNIA.

In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2135) for Tustin, California, for construction of an Army Reserve Center at that location, the Secretary of the Army may, instead of constructing a new facility in Tustin, construct a new facility in the vicinity of Tustin, California.

SA 3882. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 354. USE OF AIR NATIONAL GUARD AND AIR FORCE RESERVE FOR INITIAL AIRBORNE RESPONSE TO FIGHTING WILDFIRES.

(a) INTERAGENCY AGREEMENTS.—Subject to subsection (b), in order to prevent the loss of life and reduce property losses from wildfires, section 1535(a)(4) of title 31, United States Code, shall not apply to limit the use of interagency agreements with the Air National Guard or Air Force Reserve to procure the services of a unit of the Air National Guard or Air Force Reserve to conduct Defense Support to Civil Authority (DSCA) missions utilizing military fixed-wing aerial firefighting aircraft, including Modular Airborne Fire Fighting System (MAFFS) units, in the airborne response to fighting wildfires.

(b) LIMITATIONS.—Section 1535(a)(4) of title 31, United States Code, shall not apply to interagency agreements described in subsection (a) only when a requesting agency determines that—

(1) privately contracted fixed-wing aerial firefighting aircraft are unavailable;

(2) there is an unfilled request for fixed-wing aerial firefighting aircraft, including MAFFS units, to perform an initial airborne response; or

(3) fixed-wing aerial firefighting aircraft, including MAFFS units, are needed to supplement privately contracted fixed-wing aerial firefighting aircraft.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be interpreted as diminishing the role of contractor owned and operated fixed-wing aircraft as the primary source of aerial firefighting assets for the Federal wildland firefighting agencies.

SA 3883. Mrs. BOXER (for herself, Ms. WARREN, Mr. JOHNSON of South Dakota, Mrs. GILLIBRAND, Mr. HARKIN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 1087. PROHIBITIONS RELATING TO REFERENCES TO GI BILL AND POST-9/11 GI BILL.

(a) IN GENERAL.—Subchapter II of chapter 36 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 3699. Prohibition relating to references to GI Bill and Post-9/11 GI Bill

''(a) PROHIBITION.—(1) No person may, except with the written permission of the Secretary, use the words and phrases covered by this subsection in connection with any promotion, goods, services, or commercial activity in a manner that reasonably and falsely suggests that such use is approved, endorsed, or authorized by the Department or any component thereof.

''(2) For purposes of this subsection, the words and phrases covered by this subsection are as follows:

''(A) 'GI Bill'.

''(B) 'Post-9/11 GI Bill'.

''(3) A determination that a use of one or more words and phrases covered by this subsection in connection with a promotion, goods, services, or commercial activity is not a violation of this subsection may not be made solely on the ground that such promotion, goods, services, or commercial activity includes a disclaimer of affiliation with the Department or any component thereof.

''(b) ENFORCEMENT BY ATTORNEY GENERAL.—(1) When any person is engaged or is about to engage in an act or practice which constitutes or will constitute conduct prohibited by subsection (a), the Attorney General may initiate a civil proceeding in a district court of the United States to enjoin such act or practice.

''(2) Such court may, at any time before final determination, enter such restraining orders or prohibitions, or take such other action as is warranted, to prevent injury to the United States or to any person or class of persons for whose protection the action is brought.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by inserting after the item relating to section 3698 the following new item:

''3699. Prohibition relating to references to GI Bill and Post-9/11 GI Bill.''.

SA 3884. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 V, add the following:

SEC. 515. PILOT PROGRAM ON JOB PLACEMENT AND RELATED EMPLOYMENT ASSISTANCE FOR MEMBERS OF THE NATIONAL GUARD AND THE RESERVES.

(a) PILOT PROGRAM AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of various mechanisms to enhance Department of Defense efforts in providing job placement assistance and related employment services to members of the National Guard and the Reserves.

(2) CONSULTATION.—The Secretary shall carry out the pilot program in consultation with the Chief of the National Guard Bureau.

(b) ELIGIBLE MEMBERS.—The members of the National Guard and the Reserves eligible for job placement assistance and related employment services under the pilot program are such categories of members as the Secretary shall specify for purposes of the pilot program.

(c) ASSISTANCE AND SERVICES.—The mechanisms assessed under the pilot program shall include mechanisms as follows:

(1) To identify unemployed and underemployed members of the National Guard and the Reserves.

(2) To provide job placement assistance and related employment services to members of the National Guard and the Reserves on an individualized basis, including—

(A) resume writing and interview preparation assistance and services;

(B) cost-effective job placement services;

(C) post-employment follow up services; and

(D) such other assistance and services as the Secretary shall specify for purposes of the pilot program.

(d) DISCHARGE.—

(1) DISCHARGE THROUGH ADJUTANTS GENERAL.—The Secretary shall provide for the carrying out of the pilot program through the Adjutants General of the States.

(2) OUTREACH.—The Adjutants General shall take appropriate actions to facilitate participation in the pilot program by eligible members of the National Guard and the Reserves, including through outreach to unit commanders.

(e) STATE MATCHING SHARE OF FUNDS.—In order for the pilot program to be carried out in a State, the State shall agree to contribute to the carrying out of the pilot program an amount, derived from non-Federal sources, equal to at least 30 percent of the funds provided by the Secretary for carrying out the pilot program in the State.

(f) EVALUATION METRICS.—The Secretary shall establish metrics for purposes of evaluating the success of the pilot program.

(g) ANNUAL REPORT.—

(1) IN GENERAL.—The Secretary shall submit to the congressional defense committees on an annual basis a report on the activities, if any, under the pilot program during the preceding fiscal year.

(2) ELEMENTS.—Each report under this subsection shall include the following:

(A) A description of the activities under the pilot program during the fiscal year covered by such report, set forth by State in which the pilot program was carried out, including—

(i) the number of members of the National Guard and the Reserves who participated in the pilot program;

(ii) the job placement assistance and related employment services provided to such members under the pilot program; and

(iii) the number of members of the National Guard and Reserves who obtained employment through participation in the pilot program.

(B) A comparison of the pilot program with other programs conducted by the Department of Defense during such fiscal year to provide job placement assistance and related employment services to unemployed and underemployed members of the National Guard and the Reserves, including the costs of services per individual under such programs.

(C) An assessment of the impact of the pilot program, and increased employment among members of the National Guard and the Reserves as a result of the pilot program, on the readiness of the reserve components of the Armed Forces.

(D) Such recommendations for improvement or extension of the pilot program as the Secretary considers appropriate.

(E) Such other matters relating to the pilot program as the Secretary considers appropriate.

(h) LIMITATION ON FUNDING.—The amount obligated by the Secretary in any fiscal year to carry out the pilot program may not exceed $20,000,000.

(i) SUNSET.—

(1) IN GENERAL.—Except as provided in paragraph (2), the authority to carry out the pilot program shall expire on September 30, 2018.

(2) TWO-YEAR EXTENSION.—The Secretary may continue to carry out the pilot program for a period, not in excess of two years, after September 30, 2018, if the Secretary considers continuation of the pilot program for such period to be advisable.

SA 3885. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 2470, to provide for drought relief measures in the State of New Mexico, and for other purposes; which was referred to the Committee on Energy and Natural Resources; as follows:

On page 7, line 2, strike ''or possible removal''.

SA 3886. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 1105. RETALIATORY INVESTIGATIONS.

Section 2302(a)(2)(A) of title 5, United States Code, is amended—

(1) in clause (xi), by striking ''and'' at the end;

(2) in clause (xii), by adding ''and'' at the end; and

(3) by inserting after clause (xii) the following:

''(xiii) an investigation, other than a ministerial or nondiscretionary investigation, if the investigation or a series of investigations is ongoing for a period of—

''(I) not less than 90 consecutive days; or

''(II) not less than a total of 181 days in any 1-year period;''.

SA 3887. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 1105. PUBLIC DISCLOSURE OF INFORMATION.

(a) IN GENERAL.—Section 2302(a) of title 5, United States Code, is amended by adding at the end the following:

''(3) For purposes of subsection (b)(8), the public disclosure of information is specifically prohibited by law only if a statute—

''(A) leaves no discretion on the prohibition;

''(B) establishes particular criteria for the prohibition; or

''(C) refers to particular types of matters to be prohibited.''.

(b) APPLICABILITY.—The amendment made by this section shall apply to any matter pending on, or filed or commenced on or after, the date of enactment of this Act.

SA 3888. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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:

SEC. ___ COMPTROLLER GENERAL REPORT ON SERIOUS MISCONDUCT WITHIN THE NATIONAL GUARD

Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report evaluating the effectiveness of—

(1) the authorities of the Secretary of Defense and the Chief of the National Guard Bureau to investigate and respond on their own initiative to allegations of serious misconduct, including but not limited to sexual assault, sexual harassment, violations of federal law, retaliation and waste, fraud and abuse arising in operations of the National Guard in Title 32 and Title 10 status.

(2) the mechanisms available to the Secretary of Defense, each of the Armed Services, and the Chief of the National Guard to receive, process and monitor the disposition of allegations of the nature referred to in subparagraph (1) whether first brought to the attention of the federal government or the Adjutant Generals.

(3) the process used to determine whether allegations of the nature referred to in subsection (1) are investigated by the Department of Defense, the Department of Defense Inspector General, the Inspector General of the National Guard Bureau, the Inspectors General of the Armed Services, the Office of Complex Investigations of the National Guard Bureau, federal military and civilian law enforcement agencies or other agencies in the first instance and the coordination of investigations among such agencies

(4) the monitoring of investigations into allegations of the nature referred to in subsection (1) by the Secretary of Defense, the Armed Services and the Chief of the National Guard Bureau which are undertaken by federal agencies and those undertaken under the direction of the Adjutant Generals.

(5) the process used for disposing of substantiated allegations whether by prosecution or administrative action and the consistency in the disposition of allegations of a similar nature across the National Guard

(6) state codes of military justice in prosecuting members of the National Guard for serious misconduct of the nature referred to in subparagraph (1) and an evaluation of whether the Uniform Code of Military Justice should be extended to authorize prosecution of some or all offenses committed by members of the National Guard while in Title 32 status

(7) mechanisms to protect the confidentiality of members of the National Guard who report allegations of serious misconduct of the nature referred to in subparagraph (1) and to prevent retaliation aganst such persons

(8) the National Guard Bureau in preventing and proactively identifying instances of serious misconduct of the nature referred to in subparagraph (1), including the availability and effectiveness of hotlines through which members of the National Guard who are uncomfortable reporting their concerns through state channels may bring them to the attention of the National Guard Bureau and the use of command climate surveys in identifying serious misconduct.

SA 3889. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 2835. LAND CONVEYANCE, WEST NOME TANK FARM, NOME, ALASKA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the City of Nome (in this section referred to as the ''City'') all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, known as the USAF West Nome Tank Farm, located adjacent to the City's port facilities along Port Road in Nome, Alaska. To the extent practicable, the Secretary is encouraged to complete the conveyance by September 30, 2015.

(b) PAYMENT OF COSTS OF CONVEYANCES.—

(1) PAYMENT REQUIRED.—The Secretary shall require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs and costs related to environmental documentation. If amounts are collected from the City

in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursements under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(c) RESPONSIBILITY FOR ENVIRONMENTAL RESTORATION AND CLEAN-UP.—The Department of the Air Force shall retain liability for environmental restoration and clean-up activities for the real property conveyed under this section.

(d) SAVINGS PROVISION.—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the National Environmental Policy Act (42 U.S. C. 4321 et se.), the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. C. 9601 et se.) and the Solid Waste Disposal Act (42 U.S. C. 6901 et se.).

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under this section shall be determined by a survey satisfactory to the Secretary.

(f) ADDITIONAL TERM AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

SA 3890. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 title XI, add the following:

SEC. 1105. EXTENSION OF PART-TIME REEMPLOYMENT AUTHORITY FOR ANNUITANTS.

(a) CSRS.—Section 8344(l)(7) of title 5, United States Code, is amended by strike ''5 years'' and inserting ''10 years''.

(b) FERS.—Section 8468(i)(7) of such title is amended by striking ''5 years'' and inserting ''10 years''.

SA 3891. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 29, line 17, insert ''or personnel'' after ''aircraft''.

SA 3892. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 V, add the following:

SEC. 515. USE OF THE NATIONAL GUARD FOR SUPPORT OF CIVILIAN FIREFIGHTING ACTIVITIES.

(a) OPERATIONAL USE AUTHORIZED.—

(1) IN GENERAL.—Chapter 1 of title 32, United States Code, is amended by adding at the end the following new section:

''§ 116. Operational use: support for civilian firefighting activities

''(a) BASIS OF AUTHORITY.—The authority in this section is based on a recognition of the basic premises of the National Incident Management System and the National Response Framework that—

''(1) incidents are typically managed at the local level first; and

''(2) local jurisdictions retain command, control, and authority over response activities for their jurisdictional areas.

''(b) ASSISTANCE TO CIVILIAN FIREFIGHTING ORGANIZATIONS AUTHORIZED.—Members and units of the National Guard are authorized to support firefighting operations, missions, or activities, including aerial firefighting employment of the Modular Airborne Firefighting System (MAFFS), undertaken in support of a Federal or State agency or other civilian authority.

''(c) ROLE OF GOVERNOR AND STATE ADJUTANT GENERAL.—For the purposes of subsection (a)—

''(1) the Governor of a State shall be the principal civilian authority; and

''(2) the adjutant general of the State—

''(A) shall be the principal military authority, when acting in the adjutant general's State capacity; and

''(B) has the primary authority to mobilize members and units of the National Guard of the State in any duty status under this title the adjutant general considers appropriate to employ necessary forces when funds to perform such operations, missions, or activities are reimbursed.''.

(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. Operational use: support for civilian firefighting activities.''.

(b) ACTIVE GUARD AND RESERVE (AGR) SUPPORT.—Section 328(b) of such title is amended by inserting ''duty as specified in section 116(b) of this title or may perform'' after ''subsection (a) may perform''.

(c) FEDERAL TECHNICIAN SUPPORT.—Section 709(a)(3) of such is amended by inserting ''duty as specified in section 116(b) of this title or'' after ''the performance of'' the first place it appears.

SA 3893. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 354. REIMBURSEMENT OF STATES FOR LOSS OR DESTRUCTION OF PROPERTY AS A RESULT OF FIRE CAUSED BY MILITARY TRAINING OR OTHER ACTIONS IN THE UNITED STATES OF THE ARMED FORCES OR THE DEPARTMENT OF DEFENSE.

(a) REIMBURSEMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall, upon application by a State, reimburse the State for the reasonable costs of the State for services provided in connection with loss or destruction of property, or mitigation of damage, loss, or destruction of property, whether or not property of the State, as a result of a fire caused by military training or other actions in the United States of units or members of the Armed Forces or employees of the Department of Defense.

(2) SERVICES COVERED.—Services reimbursable under this subsection shall be limited to services proximately related to the fire for which reimbursement is sought under this subsection.

(b) APPLICATION.—Each application of a State for reimbursement for costs under subsection (a) shall set forth an itemized request of the services covered by the application, including the costs of such services.

(c) FUNDS.—Reimbursements under subsection (a) shall be made from amounts authorized to be appropriated for the Department of Defense for operation and maintenance.

SA 3894. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 715, between lines 3 and 4, insert the following:

Subtitle F—Brownfields Utilization, Investment, and Local Development

SEC. 2851. SHORT TITLE.

This subtitle may be cited as the ''Brownfields Utilization, Investment, and Local Development Act of 2014'' or the ''BUILD Act''.

SEC. 2852. EXPANDED ELIGIBILITY FOR NONPROFIT ORGANIZATIONS.

Section 104(k)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. C. 9604(k)(1)) is amended—

(1) in subparagraph (G), by striking ''or'' after the semicolon;

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

(3) by adding at the end the following:

''(I) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code;

''(J) a limited liability corporation in which all managing members are organizations described in subparagraph (I) or limited liability corporations whose sole members are organizations described in subparagraph (I);

''(K) a limited partnership in which all general partners are organizations described in subparagraph (I) or limited liability corporations whose sole members are organizations described in subparagraph (I); or

''(L) a qualified community development entity (as defined in section 45D(c)(1) of the Internal Revenue Code of 1986).''.

SEC. 2853. MULTIPURPOSE BROWNFIELDS GRANTS.

Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. C. 9604(k)) is amended—

(1) by redesignating paragraphs (4) through (9) and (10) through (12) as paragraphs (5) through (10) and (13) through (15), respectively;

(2) in paragraph (3)(A), by striking ''subject to paragraphs (4) and (5)'' and inserting ''subject to paragraphs (5) and (6)''; and

(3) by inserting after paragraph (3) the following:

''(4) MULTIPURPOSE BROWNFIELDS GRANTS.—

''(A) IN GENERAL.—Subject to subparagraph (D) and paragraphs (5) and (6), the Administrator shall establish a program to provide multipurpose grants to an eligible entity based on the considerations under paragraph (3)(C), to carry out inventory, characterization, assessment, planning, or remediation activities at 1 or more brownfield sites in a proposed area.

''(B) GRANT AMOUNTS.—

''(i) INDIVIDUAL GRANT AMOUNTS.—Each grant awarded under this paragraph shall not exceed $950,000.

''(ii) CUMULATIVE GRANT AMOUNTS.—The total amount of grants awarded for each fiscal year under this paragraph shall not exceed 15 percent of the funds made available for the fiscal year to carry out this subsection.

''(C) CRITERIA.—In awarding a grant under this paragraph, the Administrator shall consider the extent to which an eligible entity is able—

''(i) to provide an overall plan for revitalization of the 1 or more brownfield sites in the proposed area in which the multipurpose grant will be used;

''(ii) to demonstrate a capacity to conduct the range of eligible activities that will be funded by the multipurpose grant; and

''(iii) to demonstrate that a multipurpose grant will meet the needs of the 1 or more brownfield sites in the proposed area.

''(D) CONDITION.—As a condition of receiving a grant under this paragraph, each eligible entity shall expend the full amount of the grant not later than the date that is 3 years after the date on which the grant is awarded to the eligible entity unless the Administrator, in the discretion of the Administrator, provides an extension.''.

SEC. 2854. TREATMENT OF CERTAIN PUBLICLY OWNED BROWNFIELD SITES.

Section 104(k)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. C. 9604(k)(2)) is amended by adding at the end the following:

''(C) EXEMPTION FOR CERTAIN PUBLICLY OWNED BROWNFIELD SITES.—Notwithstanding any other provision of law, an eligible entity that is a governmental entity may receive a grant under this paragraph for property acquired by that governmental entity prior to January 11, 2002, even if the governmental entity does not qualify as a bona fide prospective purchaser (as that term is defined in section 101(40)), so long as the eligible entity has not caused or contributed to a release or threatened release of a hazardous substance at the property.''.

SEC. 2855. INCREASED FUNDING FOR REMEDIATION GRANTS.

Section 104(k)(3)(A)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. C. 9604(k)(3)(A)(ii)) is amended by striking ''$200,000 for each site to be remediated'' and inserting ''$500,000 for each site to be remediated, which limit may be waived by the Administrator, but not to exceed a total of $650,000 for each site, based on the anticipated level of contamination, size, or ownership status of the site''.

SEC. 2856. ALLOWING ADMINISTRATIVE COSTS FOR GRANT RECIPIENTS.

Paragraph (5) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. C. 9604(k)) (as redesignated by section 2853(1)) is amended—

(1) in subparagraph (B)—

(A) in clause (i)—

(i) by striking sub clause (III); and

(ii) by redesignating subclauses (IV) and (V) as subclauses (III) and (IV), respectively;

(B) by striking clause (ii);

(C) by redesignating clause (iii) as clause (ii); and

(D) in clause (ii) (as redesignated by subparagraph (C)), by striking ''Notwithstanding clause (i)(IV)'' and inserting ''Notwithstanding clause (i)(III)''; and

(2) by adding at the end the following:

''(E) ADMINISTRATIVE COSTS.—

''(i) IN GENERAL.—An eligible entity may use up to 8 percent of the amounts made available under a grant or loan under this subsection for administrative costs.

''(ii) RESTRICTION.—For purposes of clause (i), the term 'administrative costs' does not include—

''(I) investigation and identification of the extent of contamination;

''(II) design and performance of a response action; or

''(III) monitoring of a natural resource.''.

SEC. 2857. SMALL COMMUNITY TECHNICAL ASSISTANCE GRANTS.

Paragraph (7)(A) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. C. 9604(k)) (as redesignated by section 2853(1)) is amended—

(1) by striking ''The Administrator may provide,'' and inserting the following:

''(i) DEFINITIONS.—In this subparagraph:

''(I) DISADVANTAGED AREA.—The term 'disadvantaged area' means an area with an annual median household income that is less than 80 percent of the State-wide annual median household income, as determined by the latest available decennial census.

''(II) SMALL COMMUNITY.—The term 'small community' means a community with a population of not more than 15,000 individuals, as determined by the latest available decennial census.

''(ii) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish a program to provide grants that provide,''; and

(2) by adding at the end the following:

''(iii) SMALL OR DISADVANTAGED COMMUNITY RECIPIENTS.—

''(I) IN GENERAL.—Subject to sub clause (II), in carrying out the program under clause (ii), the Administrator shall use not more than $600,000 of the amounts made available to carry out this paragraph to provide grants to States that receive amounts under section 128(a) to assist small communities, Indian tribes, rural areas, or disadvantaged areas in achieving the purposes described in clause (ii).

''(II) LIMITATION.—Each grant awarded under sub clause (I) shall be not more than $7,500.''.

SEC. 2858. WATERFRONT BROWNFIELDS GRANTS.

Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. C. 9604(k)) is amended by inserting after paragraph (10) (as redesignated by section 2853(1)) the following:

''(11) WATERFRONT BROWNFIELD SITES.—

''(A) DEFINITION OF WATERFRONT BROWNFIELD SITE.—In this paragraph, the term 'waterfront brownfield site' means a brownfield site that is adjacent to a body of water or a federally designated floodplain.

''(B) REQUIREMENTS.—In providing grants under this subsection, the Administrator shall—

''(i) take into consideration whether the brownfield site to be served by the grant is a waterfront brownfield site; and

''(ii) give consideration to waterfront brownfield sites.''.

SEC. 2859. CLEAN ENERGY BROWNFIELDS GRANTS.

Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. C. 9604(k)) (as amended by section 2858) is amended by inserting after paragraph (11) the following:

''(12) CLEAN ENERGY PROJECTS AT BROWNFIELD SITES.—

''(A) DEFINITION OF CLEAN ENERGY PROJECT.—In this paragraph, the term 'clean energy project' means—

''(i) a facility that generates renewable electricity from wind, solar, or geothermal energy; and

''(ii) any energy efficiency improvement project at a facility, including combined heat and power and district energy.

''(B) ESTABLISHMENT.—The Administrator shall establish a program to provide grants—

''(i) to eligible entities to carry out inventory, characterization, assessment, planning, feasibility analysis, design, or remediation activities to locate a clean energy project at 1 or more brownfield sites; and

''(ii) to capitalize a revolving loan fund for the purposes described in clause (i).

''(C) MAXIMUM AMOUNT.—A grant under this paragraph shall not exceed $500,000.''.

SEC. 2860. TARGETED FUNDING FOR STATES.

Paragraph (15) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. C. 9604(k)) (as redesignated by section 2853(1)) is amended by adding at the end the following:

''(C) TARGETED FUNDING.—Of the amounts made available under subparagraph (A) for a fiscal year, the Administrator may use not more than $2,000,000 to provide grants to States for purposes authorized under section 128(a), subject to the condition that each State that receives a grant under this subparagraph shall have used at least 50 percent of the amounts made available to that State in the previous fiscal year to carry out assessment and remediation activities under section 128(a).''.

SEC. 2861. AUTHORIZATION OF APPROPRIATIONS.

(a) BROWNFIELDS REVITALIZATION FUNDING.—Paragraph (15)(A) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. C. 9604(k)) (as redesignated by section 2853(1)) is amended by striking ''2006'' and inserting ''2016''.

(b) STATE RESPONSE PROGRAMS.—Section 128(a)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. C. 9628(a)(3)) is amended by striking ''2006'' and inserting ''2016''.

SEC. 2862. STUDY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, after consultation with the Administrator of the Environmental Protection Agency, shall submit a report to Congress that—

(1) Describes the options to use the Brownfields program to redevelop domestic defense facilities that are no longer being used by the military for the purposes of revitalizing local communities;

(2) Describes potential joint funding opportunities between the two agencies to advance redevelopment of unmused domestic defense facilities; and

(3) Analyzes the impact that redeveloped facilities would have on improving local economies and employment.

SEC. 2863. CONFORMING AMORTIZATION PERIODS BEGINNING IN 2014 FOR 402(A)(2) FROZEN PLAN RELIEF UNDER THE PENSION PROTECTION ACT OF 2006.

(a) IN GENERAL.—Section 402 of the Pension Protection Act of 2006 (26 U.S. C. 430 note) is amended by redesignating subsection (j) as subsection (k), and by inserting after subsection (i) the following new subsection:

''(j) CONFORMING AMORTIZATION PERIODS BEGINNING IN 2014.—

''(1) IN GENERAL.—The rules of paragraphs (3) and (4) shall apply in the case of a plan sponsor of an eligible plan that—

''(A) made an initial election under subsection (a)(2) prior to January 1, 2008, and

''(B) satisfies the requirements of paragraph (2).

''(2) REQUIREMENTS.—The requirements of this paragraph are satisfied if—

''(A) no applicable benefit increase (as defined in subsection (b)(3)(B)) takes effect at any time during the period beginning on November 29, 2011, and ending on the day before the first day of the first plan year beginning in 2014, and

''(B) the requirements of subsection (b)(2)(A)(i) are satisfied as of January 1, 2013, for the plan for which the initial election under subsection (a)(2) was made (treating the plan year commencing on January 1, 2013, as the first applicable plan year for purposes of such requirements).

''(3) CONFORMING AMORTIZATION PERIODS.—Effective for the first plan year beginning on or after January 1, 2014, and for each subsequent plan year through the end of the 17-year period determined under subparagraph (A), the plan sponsor shall apply section 303 of the Employee Retirement Income Security Act of 1974 and section 430 of the Internal Revenue Code of 1986 by—

''(A) determining the amortization period as a 17-year period beginning on January 1, 2008,

''(B) amortizing any funding shortfall in equal annual installments over the portion of the 17-year amortization period remaining as of the date of the enactment of the Brownfields Utilization, Investment, and Local Development Act of 2013 (with all previously established shortfall amortization bases considered fully amortized),

''(C) using an interest rate of 8.25 percent (rather than the segment rates calculated on the basis of the corporate bond yield curve) in determining the funding target and shortfall amortization charge, and

''(D) excluding any plan-related expenses expected to be paid from plan assets during the plan year.

''(4) AUTOMATIC REVOCATION OF ELECTION MADE UNDER THE PRESERVATION OF ACCESS TO CARE FOR MEDICARE BENEFICIARIES AND PENSION RELIEF ACT OF 2010.—In the case of a plan sponsor that made an election under section 303(c)(2)(D)(iv) of the Employee Retirement Income Security Act of 1974 and section 430(c)(2)(D)(iv) of the Internal Revenue Code of 1986, such election shall be automatically revoked notwithstanding sub clause (III) of section 303(c)(2)(D)(iv) of such Act and section 430(c)(2)(D)(iv) of such Code.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years ending after the date of the enactment of this Act.

SA 3895. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 1213. INCREASED MILITARY ASSISTANCE FOR THE GOVERNMENT OF UKRAINE.

(a) IN GENERAL.—The President is authorized to provide defense articles, defense services, and training to the Government of Ukraine for the purpose of countering offensive weapons and reestablishing the sovereignty and territorial integrity of Ukraine, including anti-tank and anti-armor weapons, crew weapons and ammunition, counter-artillery radars to identify and target artillery batteries, fire control, range finder, and optical and guidance and control equipment, tactical troop-operated surveillance drones, and secure command and communications equipment, pursuant to the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.), the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), and other relevant provisions of law.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes—

(1) a detailed description of the anticipated defense articles, defense services, and training to be provided pursuant to this section;

(2) a timeline for the provision of such defense articles, defense services, and training; and

(3) a list of defense articles, defense services, and training authorized to be provided by subsection (a) that have been requested by the Government of Ukraine but are not being provided and an explanation with respect to why such defense articles, defense services, and training are not being provided.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of State $350,000,000 for fiscal year 2015 to carry out activities under this section.

(2) AVAILABILITY OF AMOUNTS.—Amounts authorized to be appropriated pursuant to paragraph (1) shall remain available for obligation and expenditure through the end of fiscal year 2017.

(d) AUTHORITY FOR THE USE OF FUNDS.—The funds made available pursuant to subsection (c) for provision of defense articles, defense services, and training may be used to procure such articles, services, and training from the United States Government or other appropriate sources.

(e) DEFINITIONS.—In this section:

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

(A) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Armed Services of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Armed Services of the House of Representatives.

(2) DEFENSE ARTICLE; DEFENSE SERVICE; TRAINING.—The terms ''defense article'', ''defense service'', and ''training'' have the meanings given those terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

SA 3896. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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.

SA 3897. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 1247. REPORT ON NON-COMPLIANCE BY THE RUSSIAN FEDERATION WITH ITS OBLIGATIONS UNDER THE INF TREATY.

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

(1) The Russian Federation is in material breach of its obligations under the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988 (commonly referred to as the ''Intermediate-Range Nuclear Forces Treaty'' or ''INF Treaty'').

(2) This behavior poses a threat to the United States, its deployed forces, and its allies.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should hold the Russian Federation accountable for being in material breach of its obligations under the INF Treaty; and

(2) the President should demand the Russian Federation completely and verifiably eliminate the military systems that constitute the material breach of its obligations under the INF Treaty.

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees a report that includes the following elements:

(A) A description of the status of the President's efforts, in cooperation with United States allies, to hold the Russian Federation accountable for being in material breach of its obligations under the INF Treaty and obtain the complete and verifiable elimination of its military systems that constitute the material breach of its obligations under the INF Treaty.

(B) The President's assessment as to whether it remains in the national security interests of the United States to remain a party to the INF Treaty, and other related treaties and agreements, while the Russian Federation is in material breach of its obligations under the INF Treaty.

(C) Notification of any deployment by the Russian Federation of a ground launched ballistic or cruise missile system with a range of between 500 and 5,500 kilometers.

(D) A plan, prepared by the Secretary of Defense, for the research and development of United States systems for which there is a military requirement but the flight test or deployment of which is prohibited by the INF treaty as well as a description of the military countermeasures being developed by the United States to respond to Russia's potential deployment of systems current prohibited by the INF.

(E) A plan developed by the Secretary of State, in consultation with the Director of National Intelligence and the Defense Threat Reduction Agency (DTRA), to verify that Russia has fully and completely dismantled any ground launched cruise missiles or ballistic missiles with a range of between 500 and 5,500 kilometers, including details on facilities that inspectors need access to, people inspectors need to talk with, how often inspectors need the accesses for, and how much the verification regime would cost.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

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

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

SA 3898. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 E—Palestinian Authority Reform

SEC. 1271. SHORT TITLE.

This subtitle may be cited as the ''Palestinian and United Nations Anti-Terrorism Act of 2014''.

SEC. 1272. FINDINGS.

Congress makes the following findings:

(1) On April 23, 2014, representatives of the Palestinian Liberation Organization and Hamas, a designated terrorist organization, signed an agreement to form a government of national consensus.

(2) On June 2, 2014, Palestinian President Mahmoud Abbas announced a unity government as a result of the April 23, 2014, agreement.

(3) United States law requires that any Palestinian government that ''includes Hamas as a member'', or over which Hamas exercises ''undue influence'', only receive United States assistance if certain certifications are made to Congress.

(4) The President has taken the position that the current Palestinian government does not include members of Hamas or is influenced by Hamas and has thus not made the certifications required under current law.

(5) The leadership of the Palestinian Authority has failed to completely denounce and distance itself from Hamas' campaign of terrorism against Israel.

(6) President Abbas has refused to dissolve the power-sharing agreement with Hamas even as more than 2,300 rockets have targeted Israel since July 2, 2014.

(7) President Abbas and other Palestinian Authority officials have failed to condemn Hamas' extensive use of the Palestinian people as human shields.

(8) The Israeli Defense Forces have gone to unprecedented lengths for a modern military to limit civilian casualties.

(9) On July 23, 2014, the United Nations Human Rights Council adopted a one-sided resolution criticizing Israel's ongoing military operations in Gaza.

(10) The United Nations Human Rights Council has a long history of taking anti-Israel actions while ignoring the widespread and egregious human rights violations of many other countries, including some of its own members.

(11) On July 16, 2014, officials of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) discovered 20 rockets in one of the organization's schools in Gaza, before returning the weapons to local Palestinian officials rather than dismantling them.

(12) On multiple occasions during the conflict in Gaza, Hamas has used the facilities and the areas surrounding UNRWA locations to store weapons, harbor their fighters, and conduct attacks.

SEC. 1273. DECLARATION OF POLICY.

It shall be the policy of the United States—

(1) to deny United States assistance to any entity or international organization that harbors or collaborates with Hamas, a designated terrorist organization, until Hamas agrees to recognize Israel, renounces violence, disarms, and accepts prior Israeli-Palestinian agreements;

(2) to seek a negotiated settlement of this conflict only under the condition that Hamas and any United States-designated terrorist groups are required to entirely disarm; and

(3) to continue to provide security assistance to the Government of Israel to assist its efforts to defend its territory and people from rockets, missiles, and other threats.

SEC. 1274. RESTRICTIONS ON AID TO THE PALESTINIAN AUTHORITY.

For purposes of section 620K of the Foreign Assistance Act of 1961 (22 U.S.C. 2378b), any power-sharing government, including the current government, formed in connection with the agreement signed on April 23, 2014, between the Palestinian Liberation Organization and Hamas is considered a ''Hamas-controlled Palestinian Authority''.

SEC. 1275. REFORM OF UNITED NATIONS HUMAN RIGHTS COUNCIL.

(a) IN GENERAL.—Until the Secretary of State submits to the appropriate congressional committees a certification that the requirements described in subsection (b) have been satisfied—

(1) the United States contribution to the regular budget of the United Nations shall be reduced by an amount equal to the percentage of such contribution that the Secretary determines would be allocated by the United Nations to support the United Nations Human Rights Council or any of its Special Procedures;

(2) the Secretary shall not make a voluntary contribution to the United Nations Human Rights Council; and

(3) the United States shall not run for a seat on the United Nations Human Rights Council.

(b) CERTIFICATION.—The annual certification referred to in subsection (a) is a certification made by the Secretary of State to Congress that the United Nations Human Rights Council's agenda does not include a permanent item related to the State of Israel or the Palestinian territories.

(c) REVERSION OF FUNDS.—Funds appropriated and available for a United States contribution to the United Nations but withheld from obligation and expenditure pursuant to this section shall immediately revert to the United States Treasury and the United States Government shall not consider them arrears to be repaid to any United Nations entity.

SEC. 1276. UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (UNRWA).

Section 301(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2221(c)) is amended to read as follows:

''(c) PALESTINE REFUGEES; CONSIDERATIONS AND CONDITIONS FOR FURNISHING ASSISTANCE.—

''(1) IN GENERAL.—No contributions by the United States to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for programs in the West Bank and Gaza, a successor entity or any related entity, or to the regular budget of the United Nations for the support of UNRWA or a successor entity for programs in the West Bank and Gaza, may be provided until the Secretary certifies to the appropriate congressional committees that—

''(A) no official, employee, consultant, contractor, subcontractor, representative, or affiliate of UNRWA—

''(i) is a member of Hamas or any United States-designated terrorist group; or

''(ii) has propagated, disseminated, or incited anti-Israel, or anti-Semitic rhetoric or propaganda;

''(B) no UNRWA school, hospital, clinic, other facility, or other infrastructure or resource is being used by Hamas or an affiliated group for operations, planning, training, recruitment, fundraising, indoctrination, communications, sanctuary, storage of weapons or other materials, or any other purposes;

''(C) UNRWA is subject to comprehensive financial audits by an internationally recognized third party independent auditing firm and has implemented an effective system of vetting and oversight to prevent the use, receipt, or diversion of any UNRWA resources by Hamas or any United States-designated terrorist group, or their members; and

''(D) no recipient of UNRWA funds or loans is a member of Hamas or any United States-designated terrorist group.

''(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term 'appropriate congressional committees' means—

''(A) the Committees on Foreign Relations, Appropriations, and Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committees on Foreign Affairs, Appropriations, and Oversight and Government Reform of the House of Representatives.''.

SEC. 1277. ISRAELI SECURITY ASSISTANCE.

The equivalent amount of all United States contributions withheld from the Palestinian Authority, the United Nations Human Rights Council, and the United Nations Relief and Works Agency for Palestine Refugees in the Near East under this subtitle is authorized to be provided to—

(1) the Government of Israel for the Iron Dome missile defense system and other missile defense programs; and

(2) underground warfare training and technology and assistance to identify and deter tunneling from Palestinian-controlled territories into Israel.

SA 3899. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 III, add the following:

SEC. 332. REPORT ON EASTERN RANGE SUPPORT FOR LAUNCHES IN SUPPORT OF NATIONAL SECURITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the requirements and investments needed to modernize the Eastern Range off the coast of Florida to support launches in support of United States defense and commercial interests.

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

(1) The results of the investigation into the failure of the radar system supporting the range in March 2014, including the causes for the failure.

(2) An assessment of each current radar and other system as well as supporting infrastructure required to support the mission requirement of the range, including back-up systems.

(3) An estimate of the annual level of dedicated funding required to maintain the range infrastructure in adequate condition to meet national security requirements.

(4) A review of requirements to repair, upgrade, and modernize the radars and other mission support systems to current technologies.

(5) A prioritized list of projects, costs, and projected funding schedules needed to carry out the maintenance, repair, and modernization requirements.

SA 3900. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 X, add the following:

SEC. 1069. REPORT ON ADDITIONAL MATTERS IN CONNECTION WITH REPORT ON THE FORCE STRUCTURE OF THE UNITED STATES ARMY.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report on the matters specified in subsection (b) with respect to the report of the Secretary on the force structure of the United States Army submitted under section 1066 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1943).

(b) MATTERS.—The matters specified in this subsection with respect to the report referred to in subsection (a) are the following:

(1) An update of the planning assumptions and scenarios used to determine the size and force structure of the Army, including the reserve component, for the future-years defense program for fiscal years 2016 through 2020.

(2) An updated evaluation of the adequacy of the proposed force structure for meeting the goals of the national military strategy of the United States.

(3) A description of any new alternative force structures considered, if any, including the assessed advantages and disadvantages of each and a brief explanation of why those not selected were rejected.

(4) The estimated resource requirements of each of the new alternative force structures referred to in paragraph (3).

(5) An updated independent risk assessment of the proposed Army force structure, to be conducted by the Chief of Staff of the Army.

(6) A description of plans and actions taken to implement and apply the recommendations of the Comptroller General of the United States regarding force reduction analysis and decision process improvements in the report entitled ''Defense Infrastructure: Army Brigade Combat Team Inactivations Informed by Analysis but Actions Needed to Improve Stationing Process'' (GAO–14—76, December 2013) used in the Supplemental Programmatic Environmental Assessment of the Army.

(7) A description of various alternative options for allocating funds available to the Army to ensure that the end strengths of the Army do not fall below the end strengths contemplated in the 2014 Quadrennial Defense Review and accompanying defense guidance.

(8) Such other information or updates as the Secretary considers appropriate.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 3901. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 221, line 20, insert '', including the availability of inpatient mental health care'' before the period.

On page 222, between lines 23 and 24, insert the following:

(8) With respect to each military medical treatment facility covered by the study that serves a major training center of the Armed Forces, an assessment whether the Secretary consulted with the appropriate training directorate, training and doctrine command, and forces command of the military department concerned with respect to the frequency of high-tempo, live-fire military operations at such training center.

(9) An assessment of the capacity of each medical facility in the surrounding area of a major training center of the Armed Forces to treat battlefield related injuries, including whether such facility has a helipad capable of receiving medical evacuation airlift patients arriving from the primary evacuation aircraft platform used by such training center.

SA 3902. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 713, between lines 11 and 12, insert the following:

SEC. 2835. CONVEYANCE OF FEDERAL PROPERTY LOCATED IN THE NATIONAL PETROLEUM RESERVE IN ALASKA.

(a) DEFINITIONS.—In this section:

(1) CORPORATION.—The term ''Corporation'' means the Olgoonik Corporation, an Alaska Native Corporation established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) CONVEYANCE.—Not later than 180 days after the date of enactment of this Act and after the date of completion of the appraisal required under subsection (d)(1)(B), the Secretary shall convey to the Corporation by quitclaim deed for the amount of consideration determined under subsection (d)(1), all right, title, and interest of the United States in and to a parcel of real property described in subsection (c).

(c) DESCRIPTION OF PROPERTY.—The parcel to be conveyed under subsection (b) consists of approximately 1,518 acres and improvements comprising a former Distant Early

Warning Line site in the National Petroleum Reserve in Alaska near Wainwright, Alaska, and described as United States Survey Number 5252 located within the Umiat Meridian.

(d) TERMS AND CONDITIONS.—

(1) CONSIDERATION.—

(A) IN GENERAL.—As consideration for the conveyance of the property under subsection (b), the Corporation shall pay to the Secretary an amount not less than the fair market value of the conveyed property, to be determined as provided in subparagraph (B).

(B) APPRAISAL.—The fair market value of the property to be conveyed under subsection (b) shall be determined based on an appraisal that—

(i) is conducted by a licensed, independent appraiser that is approved by the Secretary and the Corporation;

(ii) is based on the highest and best use of the property;

(iii) is approved by the Secretary; and

(iv) is paid for by the Corporation.

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

SA 3903. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2094, to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel; which was referred to the Committee on Commerce, Science, and Transportation; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Vessel Incidental Discharge Act''.

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

SEC. 2. FINDINGS; PURPOSE.

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

(1) Beginning with enactment of the Act to Prevent Pollution from Ships in 1980 (22 U.S.C. 1901 et seq.), the United States Coast Guard has been the principal Federal authority charged with administering, enforcing, and prescribing regulations relating to the discharge of pollutants from vessels engaged in maritime commerce and transportation.

(2) The Coast Guard estimates there are approximately 21,560,000 State-registered recreational vessels, 75,000 commercial fishing vessels, and 33,000 freight and tank barges operating in United States waters.

(3) From 1973 to 2005, certain discharges incidental to the normal operation of a vessel were exempted by regulation from otherwise applicable permitting requirements.

(4) Over the 32 years during which this regulatory exemption was in effect, Congress enacted statutes on a number of occasions dealing with the regulation of discharges incidental to the normal operation of a vessel, including—

(A) the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) in 1980;

(B) the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.);

(C) the National Invasive Species Act of 1996 (110 Stat. 4073);

(D) section 415 of the Coast Guard Authorization Act of 1998 (112 Stat. 3434) and section 623 of the Coast Guard and Maritime Transportation Act of 2004 (33 U.S.C. 1901 note), which established interim and permanent requirements, respectively, for the regulation of vessel discharges of certain bulk cargo residue;

(E) title XIV of division B of Appendix D of the Consolidated Appropriations Act, 2001 (114 Stat. 2763), which prohibited or limited certain vessel discharges in certain areas of Alaska;

(F) section 204 of the Maritime Transportation Security Act of 2002 (33 U.S.C. 1902a), which established requirements for the regulation of vessel discharges of agricultural cargo residue material in the form of hold washings; and

(G) title X of the Coast Guard Authorization Act of 2010 (33 U.S.C. 3801 et seq.), which provided for the implementation of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001.

(b) PURPOSE.—The purpose of this Act is to provide for the establishment of nationally uniform and environmentally sound standards and requirements for the management of discharges incidental to the normal operation of a vessel.

SEC. 3. DEFINITIONS.

In this Act:

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

(2) AQUATIC NUISANCE SPECIES.—The term ''aquatic nuisance species'' means a nonindigenous species (including a pathogen) that threatens the diversity or abundance of native species or the ecological stability of navigable waters or commercial, agricultural, aquacultural, or recreational activities dependent on such waters.

(3) BALLAST WATER.—

(A) IN GENERAL.—The term ''ballast water'' means any water, including any sediment suspended in such water, taken aboard a vessel—

(i) to control trim, list, draught, stability, or stresses of the vessel; or

(ii) during the cleaning, maintenance, or other operation of a ballast water treatment technology of the vessel.

(B) EXCLUSIONS.—The term ''ballast water'' does not include any pollutant that is added to water described in subparagraph (A) that is not directly related to the operation of a properly functioning ballast water treatment technology under this Act.

(4) BALLAST WATER PERFORMANCE STANDARD.—The term ''ballast water performance standard'' means the numerical ballast water discharge standard set forth in section 151.2030 of title 33, Code of Federal Regulations or section 151.1511 of title 33, Code of Federal Regulations, as applicable, or a revised numerical ballast water performance standard established under subsection (a)(1)(B), (b), or (c) of section 5 of this Act.

(5) BALLAST WATER TREATMENT TECHNOLOGY OR TREATMENT TECHNOLOGY.—The term ''ballast water treatment technology'' or ''treatment technology'' means any mechanical, physical, chemical, or biological process used, alone or in combination, to remove, render harmless, or avoid the uptake or discharge of aquatic nuisance species within ballast water.

(6) BIOCIDE.—The term ''biocide'' means a substance or organism, including a virus or fungus, that is introduced into or produced by a ballast water treatment technology to reduce or eliminate aquatic nuisance species as part of the process used to comply with a ballast water performance standard under this Act.

(7) DISCHARGE INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.—

(A) IN GENERAL.—The term ''discharge incidental to the normal operation of a vessel'' means—

(i) a discharge into navigable waters from a vessel of—

(I)(aa) ballast water, graywater, bilge water, cooling water, oil water separator effluent, anti-fouling hull coating leachate, boiler or economizer blowdown, byproducts from cathodic protection, controllable pitch propeller and thruster hydraulic fluid, distillation and reverse osmosis brine, elevator pit effluent, firemain system effluent, freshwater layup effluent, gas turbine wash water, motor gasoline and compensating effluent, refrigeration and air condensate effluent, seawater pumping biofouling prevention substances, boat engine wet exhaust, sonar dome effluent, exhaust gas scrubber washwater, or stern tube packing gland effluent; or

(bb) any other pollutant associated with the operation of a marine propulsion system, shipboard maneuvering system, habitability system, or installed major equipment, or from a protective, preservative, or absorptive application to the hull of a vessel;

(II) weather deck runoff, deck wash, aqueous film forming foam effluent, chain locker effluent, non-oily machinery wastewater, underwater ship husbandry effluent, welldeck effluent, or fish hold and fish hold cleaning effluent; or

(III) any effluent from a properly functioning marine engine; or

(ii) a discharge of a pollutant into navigable waters in connection with the testing, maintenance, or repair of a system, equipment, or engine described in subclause (I)(bb) or (III) of clause (i) whenever the vessel is waterborne.

(B) EXCLUSIONS.—The term ''discharge incidental to the normal operation of a vessel'' does not include—

(i) a discharge into navigable waters from a vessel of—

(I) rubbish, trash, garbage, incinerator ash, or other such material discharged overboard;

(II) oil or a hazardous substance as those terms are defined in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321);

(III) sewage as defined in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6)); or

(IV) graywater referred to in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6));

(ii) an emission of an air pollutant resulting from the operation onboard a vessel of a vessel propulsion system, motor driven equipment, or incinerator; or

(iii) a discharge into navigable waters from a vessel when the vessel is operating in a capacity other than as a means of transportation on water.

(8) GEOGRAPHICALLY LIMITED AREA.—The term ''geographically limited area'' means an area—

(A) with a physical limitation, including limitation by physical size and limitation by authorized route, that prevents a vessel from operating outside the area, as determined by the Secretary; or

(B) that is ecologically homogeneous, as determined by the Secretary, in consultation with the heads of other Federal departments or agencies as the Secretary considers appropriate.

(9) MANUFACTURER.—The term ''manufacturer'' means a person engaged in the manufacture, assemblage, or importation of ballast water treatment technology.

(10) SECRETARY.—The term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

(11) VESSEL.—The term ''vessel'' means every description of watercraft or other artificial contrivance used, or practically or otherwise capable of being used, as a means of transportation on water.

SEC. 4. REGULATION AND ENFORCEMENT.

(a) IN GENERAL.—The Secretary, in consultation with the Administrator, shall establish and implement enforceable uniform national standards and requirements for the regulation of discharges incidental to the normal operation of a vessel. The standards and requirements shall—

(1) be based upon the best available technology economically achievable; and

(2) supersede any permitting requirement or prohibition on discharges incidental to the normal operation of a vessel under any other provision of law.

(b) ADMINISTRATION AND ENFORCEMENT.—The Secretary shall administer and enforce the uniform national standards and requirements under this Act. Each State may enforce the uniform national standards and requirements under this Act.

SEC. 5. UNIFORM NATIONAL STANDARDS AND REQUIREMENTS FOR THE REGULATION OF DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.

(a) REQUIREMENTS.—

(1) BALLAST WATER MANAGEMENT REQUIREMENTS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the requirements set forth in the final rule, Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters (77 Fed. Reg. 17254 (March 23, 2012), as corrected at 77 Fed. Reg. 33969 (June 8, 2012)), shall be the management requirements for a ballast water discharge incidental to the normal operation of a vessel until the Secretary revises the ballast water performance standard under subsection (b) or adopts a more stringent State standard under subparagraph (B) of this paragraph.

(B) ADOPTION OF MORE STRINGENT STATE STANDARD.—If the Secretary makes a determination in favor of a State petition under section 10, the Secretary shall adopt the more stringent ballast water performance standard specified in the statute or regulation that is the subject of that State petition in lieu of the ballast water performance standard in the final rule described under subparagraph (A).

(2) INITIAL MANAGEMENT REQUIREMENTS FOR DISCHARGES OTHER THAN BALLAST WATER.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with the Administrator, shall issue a final rule establishing best management practices for discharges incidental to the normal operation of a vessel other than ballast water.

(b) REVISED BALLAST WATER PERFORMANCE STANDARD; 8-YEAR REVIEW.—

(1) IN GENERAL.—Subject to the feasibility review under paragraph (2), not later than January 1, 2022, the Secretary, in consultation with the Administrator, shall issue a final rule revising the ballast water performance standard under subsection (a)(1) so that a ballast water discharge incidental to the normal operation of a vessel will contain—

(A) less than 1 organism that is living or has not been rendered harmless per 10 cubic meters that is 50 or more micrometers in minimum dimension;

(B) less than 1 organism that is living or has not been rendered harmless per 10 milliliters that is less than 50 micrometers in minimum dimension and more than 10 micrometers in minimum dimension;

(C) concentrations of indicator microbes that are less than—

(i) 1 colony-forming unit of toxicogenic Vibrio cholera (serotypes O1 and O139) per 100 milliliters or less than 1 colony-forming unit of that microbe per gram of wet weight of zoological samples;

(ii) 126 colony-forming units of escherichia coli per 100 milliliters; and

(iii) 33 colony-forming units of intestinal enterococci per 100 milliliters; and

(D) concentrations of such additional indicator microbes and of viruses as may be specified in regulations issued by the Secretary in consultation with the Administrator and such other Federal agencies as the Secretary and the Administrator consider appropriate.

(2) FEASIBILITY REVIEW.—

(A) IN GENERAL.—Not less than 2 years before January 1, 2022, the Secretary, in consultation with the Administrator, shall complete a review to determine the feasibility of achieving the revised ballast water performance standard under paragraph (1).

(B) CRITERIA FOR REVIEW OF BALLAST WATER PERFORMANCE STANDARD.—In conducting a review under subparagraph (A), the Secretary shall consider whether revising the ballast water performance standard will result in a scientifically demonstrable and substantial reduction in the risk of introduction or establishment of aquatic nuisance species, taking into account—

(i) improvements in the scientific understanding of biological and ecological processes that lead to the introduction or establishment of aquatic nuisance species;

(ii) improvements in ballast water treatment technology, including—

(I) the capability of such treatment technology to achieve a revised ballast water performance standard;

(II) the effectiveness and reliability of such treatment technology in the shipboard environment;

(III) the compatibility of such treatment technology with the design and operation of a vessel by class, type, and size;

(IV) the commercial availability of such treatment technology; and

(V) the safety of such treatment technology;

(iii) improvements in the capabilities to detect, quantify, and assess the viability of aquatic nuisance species at the concentrations under consideration;

(iv) the impact of ballast water treatment technology on water quality; and

(v) the costs, cost-effectiveness, and impacts of—

(I) a revised ballast water performance standard, including the potential impacts on shipping, trade, and other uses of the aquatic environment; and

(II) maintaining the existing ballast water performance standard, including the potential impacts on water-related infrastructure, recreation, propagation of native fish, shellfish, and wildlife, and other uses of navigable waters.

(C) LOWER REVISED PERFORMANCE STANDARD.—

(i) IN GENERAL.—If the Secretary, in consultation with the Administrator, determines on the basis of the feasibility review and after an opportunity for a public hearing that no ballast water treatment technology can be certified under section 6 to comply with the revised ballast water performance standard under paragraph (1), the Secretary shall require the use of the treatment technology that achieves the performance levels of the best treatment technology available.

(ii) IMPLEMENTATION DEADLINE.—If the Secretary, in consultation with the Administrator, determines that the treatment technology under clause (i) cannot be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall extend the implementation deadline for that class of vessels for not more than 36 months.

(iii) COMPLIANCE.—If the implementation deadline under paragraph (3) is extended, the Secretary shall recommend action to ensure compliance with the extended implementation deadline under clause (ii).

(D) HIGHER REVISED PERFORMANCE STANDARD.—

(i) IN GENERAL.—If the Secretary, in consultation with the Administrator, determines that ballast water treatment technology exists that exceeds the revised ballast water performance standard under paragraph (1) with respect to a class of vessels, the Secretary shall revise the ballast water performance standard for that class of vessels to incorporate the higher performance standard.

(ii) IMPLEMENTATION DEADLINE.—If the Secretary, in consultation with the Administrator, determines that the treatment technology under clause (i) can be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall accelerate the implementation deadline for that class of vessels. If the implementation deadline under paragraph (3) is accelerated, the Secretary shall provide not less than 24 months notice before the accelerated deadline takes effect.

(3) IMPLEMENTATION DEADLINE.—The revised ballast water performance standard under paragraph (1) shall apply to a vessel beginning on the date of the first drydocking of the vessel on or after January 1, 2022, but not later than December 31, 2024.

(4) REVISED PERFORMANCE STANDARD COMPLIANCE DEADLINES.—

(A) IN GENERAL.—The Secretary may establish a compliance deadline for compliance by a vessel (or a class, type, or size of vessel) with a revised ballast water performance standard under this subsection.

(B) PROCESS FOR GRANTING EXTENSIONS.—In issuing regulations under this subsection, the Secretary shall establish a process for an owner or operator to submit a petition to the Secretary for an extension of a compliance deadline with respect to the vessel of the owner or operator.

(C) PERIOD OF EXTENSIONS.—An extension issued under subparagraph (B) may—

(i) apply for a period of not to exceed 18 months from the date of the applicable deadline under subparagraph (A); and

(ii) be renewable for an additional period of not to exceed 18 months.

(D) FACTORS.—In issuing a compliance deadline or reviewing a petition under this paragraph, the Secretary shall consider, with respect to the ability of an owner or operator to meet a compliance deadline, the following factors:

(i) Whether the treatment technology to be installed is available in sufficient quantities to meet the compliance deadline.

(ii) Whether there is sufficient shipyard or other installation facility capacity.

(iii) Whether there is sufficient availability of engineering and design resources.

(iv) Vessel characteristics, such as engine room size, layout, or a lack of installed piping.

(v) Electric power generating capacity aboard the vessel.

(vi) Safety of the vessel and crew.

(E) CONSIDERATION OF PETITIONS.—

(i) DETERMINATIONS.—The Secretary shall approve or deny a petition for an extension of a compliance deadline submitted by an owner or operator under this paragraph.

(ii) DEADLINE.—If the Secretary does not approve or deny a petition referred to in clause (i) on or before the last day of the 90-day period beginning on the date of submission of the petition, the petition shall be deemed approved.

(c) FUTURE REVISIONS OF VESSEL INCIDENTAL DISCHARGE STANDARDS; DECENNIAL REVIEWS.—

(1) REVISED BALLAST WATER PERFORMANCE STANDARDS.—The Secretary, in consultation with the Administrator, shall complete a review, 10 years after the issuance of a final rule under subsection (b) and every 10 years thereafter, to determine whether further revision of the ballast water performance standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

(2) REVISED STANDARDS FOR DISCHARGES OTHER THAN BALLAST WATER.—The Secretary, in consultation with the Administrator, may include in a decennial review under this subsection best management practices for discharges covered by subsection (a)(2). The Secretary shall initiate a rulemaking to revise 1 or more best management practices for such discharges after a decennial review if the Secretary, in consultation with the Administrator, determines that revising 1 or more of such practices would substantially reduce the impacts on navigable waters of discharges incidental to the normal operation of a vessel other than ballast water.

(3) CONSIDERATIONS.—In conducting a review under paragraph (1), the Secretary, the Administrator, and the heads of other appropriate Federal agencies as determined by the Secretary, shall consider the criteria under section 5(b)(2)(B).

(4) REVISION AFTER DECENNIAL REVIEW.—The Secretary shall initiate a rulemaking to revise the current ballast water performance standard after a decennial review if the Secretary, in consultation with the Administrator, determines that revising the current ballast water performance standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

SEC. 6. TREATMENT TECHNOLOGY CERTIFICATION.

(a) CERTIFICATION REQUIRED.—Beginning 1 year after the date that the requirements for testing protocols are issued under subsection (i), no manufacturer of a ballast water treatment technology shall sell, offer for sale, or introduce or deliver for introduction into interstate commerce, or import into the United States for sale or resale, a ballast water treatment technology for a vessel unless the treatment technology has been certified under this section.

(b) CERTIFICATION PROCESS.—

(1) EVALUATION.—Upon application of a manufacturer, the Secretary shall evaluate a ballast water treatment technology with respect to—

(A) the effectiveness of the treatment technology in achieving the current ballast water performance standard when installed on a vessel (or a class, type, or size of vessel);

(B) the compatibility with vessel design and operations;

(C) the effect of the treatment technology on vessel safety;

(D) the impact on the environment;

(E) the cost effectiveness; and

(F) any other criteria the Secretary considers appropriate.

(2) APPROVAL.—If after an evaluation under paragraph (1) the Secretary determines that the treatment technology meets the criteria, the Secretary may certify the treatment technology for use on a vessel (or a class, type, or size of vessel).

(3) SUSPENSION AND REVOCATION.—The Secretary shall establish, by regulation, a process to suspend or revoke a certification issued under this section.

(c) CERTIFICATION CONDITIONS.—

(1) IMPOSITION OF CONDITIONS.—In certifying a ballast water treatment technology under this section, the Secretary, in consultation with the Administrator, may impose any condition on the subsequent installation, use, or maintenance of the treatment technology onboard a vessel as is necessary for—

(A) the safety of the vessel, the crew of the vessel, and any passengers aboard the vessel;

(B) the protection of the environment; or

(C) the effective operation of the treatment technology.

(2) FAILURE TO COMPLY.—The failure of an owner or operator to comply with a condition imposed under paragraph (1) shall be considered a violation of this section.

(d) PERIOD FOR USE OF INSTALLED TREATMENT EQUIPMENT.—Notwithstanding anything to the contrary in this Act or any other provision of law, the Secretary shall allow a vessel on which a system is installed and operated to meet a ballast water performance standard under this Act to continue to use that system, notwithstanding any revision of a ballast water performance standard occurring after the system is ordered or installed until the expiration of the service life of the system, as determined by the Secretary, so long as the system—

(1) is maintained in proper working condition; and

(2) is maintained and used in accordance with the manufacturer's specifications and any treatment technology certification conditions imposed by the Secretary under this section.

(e) CERTIFICATES OF TYPE APPROVAL FOR THE TREATMENT TECHNOLOGY.—

(1) ISSUANCE.—If the Secretary approves a ballast water treatment technology for certification under subsection (b), the Secretary shall issue a certificate of type approval for the treatment technology to the manufacturer in such form and manner as the Secretary determines appropriate.

(2) CERTIFICATION CONDITIONS.—A certificate of type approval issued under paragraph (1) shall specify each condition imposed by the Secretary under subsection (c).

(3) OWNERS AND OPERATORS.—A manufacturer that receives a certificate of type approval for the treatment technology under this subsection shall provide a copy of the certificate to each owner and operator of a vessel on which the treatment technology is installed.

(f) INSPECTIONS.—An owner or operator who receives a copy of a certificate under subsection (e)(3) shall retain a copy of the certificate onboard the vessel and make the copy of the certificate available for inspection at all times while the owner or operator is utilizing the treatment technology.

(g) BIOCIDES.—The Secretary may not approve a ballast water treatment technology under subsection (b) if—

(1) it uses a biocide or generates a biocide that is a pesticide, as defined in section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136), unless the biocide is registered under that Act or the Secretary, in consultation with Administrator, has approved the use of the biocide in such treatment technology; or

(2) it uses or generates a biocide the discharge of which causes or contributes to a violation of a water quality standard under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

(h) PROHIBITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the use of a ballast water treatment technology by an owner or operator of a vessel shall not satisfy the requirements of this Act unless it has been approved by the Secretary under subsection (b).

(2) EXCEPTIONS.—

(A) COAST GUARD SHIPBOARD TECHNOLOGY EVALUATION PROGRAM.—An owner or operator may use a ballast water treatment technology that has not been certified by the Secretary to comply with the requirements of this section if the technology is being evaluated under the Coast Guard Shipboard Technology Evaluation Program.

(B) BALLAST WATER TREATMENT TECHNOLOGIES CERTIFIED BY FOREIGN ENTITIES.—An owner or operator may use a ballast water treatment technology that has not been certified by the Secretary to comply with the requirements of this section if the technology has been certified by a foreign entity and the certification demonstrates performance and safety of the treatment technology equivalent to the requirements of this section, as determined by the Secretary.

(i) TESTING PROTOCOLS.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Secretary, shall issue requirements for land-based and shipboard testing protocols or criteria for—

(1) certifying the performance of each ballast water treatment technology under this section; and

(2) certifying laboratories to evaluate such treatment technologies.

SEC. 7. EXEMPTIONS.

(a) IN GENERAL.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any standards regarding a discharge incidental to the normal operation of a vessel under this Act apply to—

(1) a discharge incidental to the normal operation of a vessel if the vessel is less than 79 feet in length and engaged in commercial service (as defined in section 2101(5) of title 46, United States Code);

(2) a discharge incidental to the normal operation of a vessel if the vessel is a fishing vessel, including a fish processing vessel and a fish tender vessel, (as defined in section 2101 of title 46, United States Code);

(3) a discharge incidental to the normal operation of a vessel if the vessel is a recreational vessel (as defined in section 2101(25) of title 46, United States Code);

(4) the placement, release, or discharge of equipment, devices, or other material from a vessel for the sole purpose of conducting research on the aquatic environment or its natural resources in accordance with generally recognized scientific methods, principles, or techniques;

(5) any discharge into navigable waters from a vessel authorized by an on-scene coordinator in accordance with part 300 of title 40, Code of Federal Regulations, or part 153 of title 33, Code of Federal Regulations;

(6) any discharge into navigable waters from a vessel that is necessary to secure the safety of the vessel or human life, or to suppress a fire onboard the vessel or at a shoreside facility; or

(7) a vessel of the armed forces of a foreign nation when engaged in noncommercial service.

(b) BALLAST WATER DISCHARGES.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any ballast water performance standards under this Act apply to—

(1) a ballast water discharge incidental to the normal operation of a vessel determined by the Secretary to—

(A) operate exclusively within a geographically limited area;

(B) take up and discharge ballast water exclusively within 1 Captain of the Port Zone

established by the Coast Guard unless the Secretary determines such discharge poses a substantial risk of introduction or establishment of an aquatic nuisance species;

(C) operate pursuant to a geographic restriction issued as a condition under section 3309 of title 46, United States Code, or an equivalent restriction issued by the country of registration of the vessel; or

(D) continuously take on and discharge ballast water in a flow-through system that does not introduce aquatic nuisance species into navigable waters;

(2) a ballast water discharge incidental to the normal operation of a vessel consisting entirely of water suitable for human consumption; or

(3) a ballast water discharge incidental to the normal operation of a vessel in an alternative compliance program established pursuant to section (8).

(c) VESSELS WITH PERMANENT BALLAST WATER.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any ballast water performance standard under this Act apply to, a vessel that carries all of its permanent ballast water in sealed tanks that are not subject to discharge.

(d) VESSELS OF THE ARMED FORCES.—Nothing in this Act shall be construed to apply to a vessel as follows:

(1) A vessel owned or operated by the Department of Defense (other than a time-chartered or voyage-chartered vessel).

(2) A vessel of the Coast Guard, as designated by the Secretary of the department in which the Coast Guard is operating.

SEC. 8. ALTERNATIVE COMPLIANCE PROGRAM.

(a) IN GENERAL.—The Secretary, in consultation with the Administrator, may promulgate regulations establishing 1 or more compliance programs as an alternative to ballast water management regulations issued under section 5 for a vessel that—

(1) has a maximum ballast water capacity of less than 8 cubic meters;

(2) is less than 3 years from the end of the useful life of the vessel, as determined by the Secretary; or

(3) discharges ballast water into a facility for the reception of ballast water that meets standards promulgated by the Administrator, in consultation with the Secretary.

(b) PROMULGATION OF FACILITY STANDARDS.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with the Secretary, shall promulgate standards for—

(1) the reception of ballast water from a vessel into a reception facility; and

(2) the disposal or treatment of the ballast water under paragraph (1).

SEC. 9. JUDICIAL REVIEW.

(a) IN GENERAL.—An interested person may file a petition for review of a final regulation promulgated under this Act in the United States Court of Appeals for the District of Columbia Circuit.

(b) DEADLINE.—A petition shall be filed not later than 120 days after the date that notice of the promulgation appears in the Federal Register.

(c) EXCEPTION.—Notwithstanding subsection (b), a petition that is based solely on grounds that arise after the deadline to file a petition under subsection (b) has passed may be filed not later than 120 days after the date that the grounds first arise.

SEC. 10. EFFECT ON STATE AUTHORITY.

(a) IN GENERAL.—No State or political subdivision thereof may adopt or enforce any statute or regulation of the State or political subdivision with respect to a discharge incidental to the normal operation of a vessel after the date of enactment of this Act.

(b) SAVINGS CLAUSE.—Notwithstanding subsection (a), a State or political subdivision thereof may enforce a statute or regulation of the State or political subdivision with respect to ballast water discharges incidental to the normal operation of a vessel that specifies a ballast water performance standard that is more stringent than the ballast water performance standard under section 5(a)(1)(A) and is in effect on the date of enactment of this Act if the Secretary, after consultation with the Administrator and any other Federal department or agency the Secretary considers appropriate, makes a determination that—

(1) compliance with any performance standard specified in the statute or regulation can in fact be achieved and detected;

(2) the technology and systems necessary to comply with the statute or regulation are commercially available; and

(3) the statute or regulation is consistent with obligations under relevant international treaties or agreements to which the United States is a party.

(c) PETITION PROCESS.—

(1) SUBMISSION.—The Governor of a State seeking to enforce a statute or regulation under subsection (b) shall submit a petition requesting the Secretary to review the statute or regulation.

(2) CONTENTS; DEADLINE.—A petition shall—

(A) be accompanied by the scientific and technical information on which the petition is based; and

(B) be submitted to the Secretary not later than 90 days after the date of enactment of this Act.

(3) DETERMINATIONS.—The Secretary shall make a determination on a petition under this subsection not later than 90 days after the date that the petition is received.

SEC. 11. APPLICATION WITH OTHER STATUTES.

Notwithstanding any other provision of law, this Act shall be the exclusive statutory authority for regulation by the Federal Government of discharges incidental to the normal operation of a vessel to which this Act applies. Except as provided under section 5(a)(1)(A), any regulation in effect on the date immediately preceding the effective date of this Act relating to any permitting requirement for or prohibition on discharges incidental to the normal operation of a vessel to which this Act applies shall be deemed to be a regulation issued pursuant to the authority of this Act and shall remain in full force and effect unless or until superseded by new regulations issued hereunder.

SA 3904. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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:

Reciprocal visas for Nationals of Republic of Korea

(a) IN GENERAL.—Section 101(a)(15)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(15)(E)(ii) is amended by inserting ''or of the Republic of Korea'' after ''Australia''.

(b) NUMERICAL LIMITATION.—Section 214(g)(11)(B) of such Act (8 U.S.C. 1184(g)(11)(B)), is amended by inserting after ''10,500'' the following: ''for nationals of the Commonwealth of Australia and 15,000 for nationals of the Republic of Korea''.

SA 3905. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 1087. TREATMENT OF AGREEMENTS FOR NURSING HOME CARE, ADULT DAY HEALTH CARE, OR OTHER EXTENDED CARE SERVICES.

Section 1720(c)(1) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

''(C) An agreement entered into under subparagraph (A) may not be treated as a Federal contract for the acquisition of goods or services and is not subject to any provision of law governing Federal contracts or the acquisition of goods or services.''.

SA 3906. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 163, strike line 19 and all that follows through page 164, line 3, and insert the following:

the uniformed services are increased by 1.8 percent for enlisted member pay grades, warrant officer pay grades, and commissioned officer pay grades below pay grade O–7.

(c) APPLICATION OF EXECUTIVE SCHEDULE LEVEL II CEILING ON PAYABLE RATES FOR GENERAL AND FLAG OFFICERS.—Section 203(a)(2) of title 37, United States Code, shall be applied for rates of basic pay payable for commissioned officers in pay grades O–7 through O–10 during calendar year 2015 by using the rate of pay for level II of the Executive Schedule in effect during 2014.

(d) INCREASE IN AMOUNT FOR MILITARY PERSONNEL.—The amount authorized to be appropriated for fiscal year 2015 by section 421 for military personnel is hereby increased by $600,000,000.

SA 3907. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 577. PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED CHILDREN.

Section 8003(b)(2)(B)(ii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(2)(B)(ii)) is amended by inserting ''and for the subsequent fiscal year'' before the period at the end.

SA 3908. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 2835. LAND CONVEYANCE, GORDO ARMY RESERVE CENTER, GORDO, ALABAMA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the town of Gordo, Alabama (in this section referred to as the ''Town''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 3.79 acres and containing the Gordo Army Reserve Center located at 25226 Highway 82 in Gordo, Alabama, for the purpose of permitting the Town to use the parcel for municipal government purposes.

(b) REVERSIONARY INTEREST.—If the Secretary of the Army determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in subsection (a), all right, title, and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) ALTERNATIVE CONSIDERATION OPTION.—In lieu of exercising the reversionary interest under subsection (b), if the Secretary of the Army determines that the conveyed property is not being used in accordance with the purpose of the conveyance, the Secretary may require the Town to pay to the United States an amount equal to the fair market value of the property, excluding the value of any improvements on the property constructed by the Town, as determined by the Secretary.

(d) PAYMENT OF COSTS OF CONVEYANCE.—The Secretary of the Army shall require the Town to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the Town in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Town.

(e) TREATMENT OF AMOUNTS RECEIVED.—

(1) CONSIDERATION.—Amounts received as consideration under subsection (c) shall be credited to the account established pursuant to section 572(b)(5) of title 40, United States Code, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such account.

(2) REIMBURSEMENT.—Amounts received as reimbursement under subsection (d) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(f) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Army.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

SA 3909. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 II, add the following:

SEC. 234. SENSE OF CONGRESS ON CONSIDERATION OF NATIONAL CENTER FOR ADVANCED MATERIALS PERFORMANCE A CENTER WITHIN THE NATIONAL NETWORK FOR MANUFACTURING INNOVATION.

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

(1) The National Center for Advanced Materials Performance was established in 2005.

(2) Since it was established, the National Center for Advanced Materials Performance has accelerated advancements in processing and fabrication technologies for the purpose of refining and enhancing the composite material property shared database process in partnership with the Department of Defense, the National Aeronautics and Space Administration, the Federal Aviation Administration, and the Composite Materials Handbook–17 (CMH–17).

(3) Through the joint collaboration of the Department of Defense, the National Aeronautics and Space Administration, and the Federal Aviation Administration, National Center for Advanced Materials Performance reduces the time required for certification of new composite materials by a factor of four and the cost of certification by a factor of ten.

(4) The processes and procedures of National Center for Advanced Materials Performance to integrate matured materials ultimately benefit the Department of Defense and reduces Federal spending.

(5) According to the Air Force Research Laboratory, databases of the National Center for Advanced Materials Performance eliminate redundant materials qualification and increase material trade study efficiencies; two immeasurable benefits in times of fiscal austerity.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should consider the National Center for Advanced Materials Performance a center within the National Network for Manufacturing Innovation to complement the framework of the National Network for Manufacturing Innovation, improve national security, and reduce Federal spending.

SA 3910. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 XIV, add the following:

SEC. 1412. ENHANCING DOMESTIC DEFENSE-RELATED PRODUCTION CAPABILITIES.

(a) POLICY OF THE UNITED STATES.—It is the policy of the United States that, in order to ensure domestic manufacturing capabilities essential to national defense, the Federal Government should encourage and facilitate the development of a reliable domestic supply of minerals and metals necessary to defense-related production.

(b) ENCOURAGEMENT OF DOMESTIC DEFENSE-RELATED METALS AND MINERALS SUPPLY.—To implement the policy described in subsection (a), the Federal Government shall take such measures outlined in the Reconfiguration of the National Defense Stockpile Report, dated April 2009, as may be necessary to encourage and facilitate the development of adequate sources of domestic supply of metals and minerals necessary to defense-related production.

SA 3911. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 the bill, add the following:

SEC. 601. SHORT TITLE.

This title may be cited as the ''Alternative Fuel Vehicle Development Act''.

SEC. 602. ALTERNATIVE FUEL VEHICLES.

(a) MAXIMUM FUEL ECONOMY INCREASE FOR ALTERNATIVE FUEL AUTOMOBILES.—Section 32906(a) of title 49, United States Code, is amended by striking ''(except an electric automobile)'' and inserting ''(except an electric automobile or, beginning with model year 2016, an alternative fueled automobile that does not use a fuel described in subparagraph (A), (B), (C), or (D) of section 32901(a)(1))''.

(b) MINIMUM DRIVING RANGES FOR DUAL FUELED PASSENGER AUTOMOBILES.—Section 32901(c)(2) of title 49, United States Code, is amended—

(1) in subparagraph (B), by inserting '', except that beginning with model year 2016, alternative fueled automobiles that do not use a fuel described in subparagraph (A), (B), (C), or (D) of subsection (a)(1) shall have a minimum driving range of 150 miles'' after ''at least 200 miles''; and

(2) in subparagraph (C), by adding at the end the following: ''Beginning with model year 2016, if the Secretary prescribes a minimum driving range of 150 miles for alternative fueled automobiles that do not use a fuel described in subparagraph (A), (B), (C), or (D) of subsection (a)(1), subparagraph (A) shall not apply to dual fueled automobiles (except electric automobiles).''.

(c) MANUFACTURING PROVISION FOR ALTERNATIVE FUEL AUTOMOBILES.—Section 32905(d) of title 49, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by striking ''For any model'' and inserting the following:

''(1) MODEL YEARS 1993 THROUGH 2015.—For any model'';

(3) in paragraph (1), as redesignated, by striking ''2019'' and inserting ''2015''; and

(4) by adding at the end the following:

''(2) MODEL YEARS AFTER 2015.—For any model of gaseous fuel dual fueled automobile

manufactured by a manufacturer after model year 2015, the Administrator shall calculate fuel economy as a weighted harmonic average of the fuel economy on gaseous fuel as measured under subsection (c) and the fuel economy on gasoline or diesel fuel as measured under section 32904(c). The Administrator shall apply the utility factors set forth in the table under section 600.510–12(c)(2)(vii)(A) of title 40, Code of Federal Regulations.

''(3) MODEL YEARS AFTER 2016.—Beginning with model year 2017, the manufacturer may elect to utilize the utility factors set forth under subsection (e)(1) for the purposes of calculating fuel economy under paragraph (2).''.

(d) ELECTRIC DUAL FUELED AUTOMOBILES.—Section 32905 of title 49, United States Code, is amended—

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

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

''(e) ELECTRIC DUAL FUELED AUTOMOBILES.—

''(1) IN GENERAL.—At the request of the manufacturer, the Administrator may measure the fuel economy for any model of dual fueled automobile manufactured after model year 2015 that is capable of operating on electricity in addition to gasoline or diesel fuel, obtains its electricity from a source external to the vehicle, and meets the minimum driving range requirements established by the Secretary for dual fueled electric automobiles, by dividing 1.0 by the sum of—

''(A) the percentage utilization of the model on gasoline or diesel fuel, as determined by a formula based on the model's alternative fuel range, divided by the fuel economy measured under section 32904(c); and

''(B) the percentage utilization of the model on electricity, as determined by a formula based on the model's alternative fuel range, divided by the fuel economy measured under section 32904(a)(2).

''(2) ALTERNATIVE UTILIZATION.—The Administrator may adapt the utility factor established under paragraph (1) for alternative fueled automobiles that do not use a fuel described in subparagraph (A), (B), (C), or (D) of section 32901(a)(1))''.

''(3) ALTERNATIVE CALCULATION.—If the manufacturer does not request that the Administrator calculate the manufacturing incentive for its electric dual fueled automobiles in accordance with paragraph (1), the Administrator shall calculate such incentive for such automobiles manufactured by such manufacturer after model year 2015 in accordance with subsection (b).''.

(e) CONFORMING AMENDMENT.—Section 32906(b) of title 49, United States Code, is amended by striking ''section 32905(e)'' and inserting ''section 32905(f)''.

SEC. 603. HIGH OCCUPANCY VEHICLE FACILITIES.

Section 166 of title 23, United States Code, is amended—

(1) in subparagraph (b)(5), by striking subparagraph (A) and inserting the following:

''(A) INHERENTLY LOW-EMISSION VEHICLES.—If a State agency establishes procedures for enforcing the restrictions on the use of a HOV facility by vehicles listed in clauses (i) and (ii), the State agency may allow the use of the HOV facility by—

''(i) alternative fuel vehicles; and

''(ii) new qualified plug-in electric drive motor vehicles (as defined in section 30D(d)(1) of the Internal Revenue Code of 1986).''; and

(2) in subparagraph (f)(1), by inserting ''solely'' before ''operating''.

SEC. 604. STUDY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Energy, after consultation with the Secretary of Transportation, shall submit a report to Congress that—

(1) describes options to incentivize the development of public compressed natural gas fueling stations; and

(2) analyzes a variety of possible financing tools, which could include—

(A) Federal grants and credit assistance;

(B) public-private partnerships; and

(C) membership-based cooperatives.

SECTION 605. STUDY

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, after consultation with the Secretary of Transportation, shall submit a report to Congress that—

a. Describe the national security impact a robust natural gas refueling system would have on the country.

b. Analyses the possibility of the Department of Defense adopting the use of more natural gas vehicles if a robust natural gas refueling system existed; and

c. Describes the budgetary impact a robust natural gas refueling system would have on the Department of Defense if the Department used more natural gas vehicles

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SA 3912. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 354. SENSE OF CONGRESS ON VALUE OF MILITARY WORKING DOGS.

It is the sense of Congress that—

(1) military working dogs have been valuable to the Armed Forces in support of military training and combat operations;

(2) the military working dogs program covers a broad range of military missions, including security and patrol, explosives detection, search and rescue, and guard duties;

(3) military working dogs are expected to operate in the harshest of climates and support United States troops in combat;

(4) the joint nature of the military working dogs program requires a high level of interoperability, and the military working dog program should continue its current collaboration efforts in the field of training and research in order to better serve United States security and combat capabilities; and

(5) through a coordinated effort between the Department of Defense, Federal agencies, the veterinary community, universities, and other research centers, the military working dogs program will continue to provide useful mission support.

SA 3913. Mr. CARPER (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 715, between lines 3 and 4, insert the following:

Subtitle F—Federal Purchase Requirement

SEC. 2851. FEDERAL PURCHASE REQUIREMENT.

Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ''a number equivalent to'' before ''the total amount of electric energy'';

(2) in subsection (b), by striking paragraph (2) and inserting the following:

''(2) RENEWABLE ENERGY.—The term 'renewable energy' means electric or, if resulting from a thermal energy project placed in service after December 31, 2014, thermal energy generated from, or avoided by, solar, wind, biomass, landfill gas, ocean (including tidal, wave, current, and thermal), geothermal, municipal solid waste, or new hydroelectric generation capacity achieved from increased efficiency or an addition of new capacity at an existing hydroelectric project.''; and

(3) in subsection (c)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting the subparagraphs appropriately;

(B) in the matter preceding subparagraph (A) (as so redesignated), by striking ''For purposes'' and inserting the following:

''(1) IN GENERAL.—For purposes''; and

(C) by adding at the end the following:

''(2) SEPARATE CALCULATION.—

''(A) IN GENERAL.—For purposes of determining compliance with the requirements of this section, any energy consumption that is avoided through the use of renewable energy shall be considered to be renewable energy produced.

''(B) DENIAL OF DOUBLE BENEFIT.—Avoided energy consumption that is considered to be renewable energy produced under subparagraph (A) shall not also be counted for purposes of achieving compliance with a Federal energy efficiency goal required under any other provision of law.''.

SA 3914. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 VII, add the following:

SEC. 737. REVIEW AND REPORT ON TECHNOLOGIES USED TO TREAT CANCER.

(a) REVIEW.—The Secretary of Defense, in coordination with the Secretary of Veterans Affairs and the Director of the National Institutes of Health, shall seek to enter into an agreement with the National Research Council to conduct a review of the following:

(1) The range of technologies currently used to treat cancer, including emerging technologies used in the United States or abroad.

(2) The strategies and plans of the Department of Defense to treat cancer through the use of emerging technologies, including carbon ion therapy, and how those strategies and plans compare to the strategies and plans of the medical community at large.

(3) The feasibility and advisability of the Department entering into agreements with research partners outside the Federal Government, including institutions of higher

education, to study technologies used to treat cancer, including emerging technologies.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the National Research Council shall submit to the Secretary of Defense, the congressional defense committees, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Education and the Workforce of the House of Representatives a report on the results of the review conducted under subsection (a) and any recommendations that were identified during such review.

SA 3915. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 2813. ACCEPTANCE OF IN-KIND GIFTS ON BEHALF OF HERITAGE CENTER FOR THE NATIONAL MUSEUM OF THE UNITED STATES ARMY.

(a) AUTHORITY TO ACCEPT DESIGN AND CONSTRUCTION FUNDS FROM INDUSTRY SOURCES.—Subsection (c)(2)(A) of section 4772 of title 10, United States Code, is amended by striking ''accept funds from the Army Historical Foundation'' and insert ''accept funds and in-kind gifts, including services, construction materials, and equipment used in construction, from the Army Historical Foundation and industry donors''.

(b) REMOVAL OF CAP ON GIFTS.—Subsection (e)(1) of such section is amended by striking ''of a value of $250,000 or less''.

SA 3916. Ms. KLOBUCHAR (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 X of division A, insert the following:

Subtitle I—Metal Theft Prevention Act

SEC. 1090. SHORT TITLE.

This subtitle may be cited as the ''Metal Theft Prevention Act of 2014''.

SEC. 1091. DEFINITIONS.

In this subtitle—

(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. 1092. 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. 1093. 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 1091(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. 1094. 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. 1095. 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 subtitle.

SEC. 1096. 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 subtitle.

(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 subtitle, no State may, during the pendency of the action instituted by the Attorney General, institute a civil action under this subtitle 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. 1097. 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 1092 of this subtitle 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. 1098. STATE AND LOCAL LAW NOT PREEMPTED.

Nothing in this subtitle 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. 1099. EFFECTIVE DATE.

This subtitle shall take effect 180 days after the date of enactment of this Act.

SA 3917. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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. 526. LEAVE FOR MEMBERS OF THE ARMED FORCES FOR CERTAIN EVENTS FOR WHICH LEAVE IS AVAILABLE UNDER THE FAMILY AND MEDICAL LEAVE ACT OF 1993.

Section 701 of title 10, United States Code, is amended—

(1) by striking subsections (i) and (j); and

(2) by adding after subsection (h) the following new subsection (i):

''(i)(1) Under regulations prescribed by the Secretary concerned, a member of the armed forces shall be entitled to not less than 12 weeks of leave for a reason or reasons as set out in section 102(a)(1) of the of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)) during any twelve-month period.

''(2) Under regulations prescribed by the Secretary concerned, a member of the armed forces shall be entitled to not less than 26 weeks of leave for the reason set out in section 102(a)(3) of the of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(3)) during any twelve-month period.

''(3) Leave under this subsection is in addition to other leave authorized under this section.

''(4) Leave authorized by this subsection may not be—

''(A) accumulated; or

''(B) paid for as unused accrued leave upon discharge as otherwise provided for in section 501 of title 37.''.

SA 3918. Mrs. GILLIBRAND (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 VII, add the following:

SEC. 737. REPORT ON TREATMENT OF INFERTILITY OF MILITARY FAMILIES.

(a) 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 setting forth an assessment of the feasibility and advisability of providing access to reproductive counseling and treatments for infertility, including in vitro fertilization, to members of the Armed Forces and the dependents of such members.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) An assessment of treatment options for infertility available at military medical treatment facilities throughout the military health system.

(2) An identification of factors that might disrupt treatment for infertility, including availability of options, lack of timely access to treatment, change in duty station, or overseas deployments.

(3) The number of members of the Armed Forces who have used specific treatment options for infertility, including in vitro fertilization.

(4) The number of dependents of members who have used specific treatment options for infertility, including in vitro fertilization.

(5) An identification of treatment options for infertility currently covered by private health plans that are not provided by the military health care system.

(6) An estimate of the cost to the Department of providing access to additional counseling and treatment options for infertility to members and dependents of members.

(7) Any other matters the Secretary considers appropriate.

SA 3919. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 V, add the following:

SEC. 557. MODIFICATION OF COMMENCEMENT OF APPLICABILITY OF REVISIONS TO PRELIMINARY HEARING REQUIREMENTS UNDER ARTICLE 32 OF THE UNIFORM CODE OF MILITARY JUSTICE.

Section 1702(d)(1) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 958; 10 U.S.C. 802 note) is amended by striking ''and shall apply'' and all that follows and inserting a period.

SA 3920. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 528, between lines 7 and 8, insert the following:

SEC. 1268. RECIPROCAL VISA FOR NATIONALS OF REPUBLIC OF KOREA.

(a) IN GENERAL.—Section 101(a)(15)(E)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)(iii)) is amended by inserting ''or of the Republic of Korea'' after ''Australia''.

(b) NUMERICAL LIMITATION.—Section 214(g)(11)(B) of such Act (8 U.S.C. 1184(g)(11)(B)) is amended to read as follows:

''(B) The applicable numerical limitation referred to in subparagraph (A) is, for each fiscal year—

''(i) 10,500 for nationals of the Commonwealth of Australia; and

''(ii) 15,000 for nationals of the Republic of Korea.''.

SA 3921. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 715, between lines 3 and 4, insert the following:

SEC. 2842. WEIGHT LIMITATIONS FOR NATURAL GAS VEHICLES.

Section 127 of title 23, United States Code, is amended by adding at the end the following:

''(j) NATURAL GAS VEHICLES.—Not later than 90 days after the date of enactment of this subsection, the Secretary shall issue regulations under section 553 of title 5, United States Code, to allow a vehicle, if operated by an engine fueled primarily by natural gas, to exceed any vehicle weight limit under this section by an amount that is equal to the difference between—

''(1) the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle; and

''(2) the weight of a comparable diesel tank and fueling system.''.

SA 3922. Mrs. MURRAY (for herself, Mr. BLUNT, Mr. BEGICH, Mr. RUBIO, Mr. MURPHY, and Mr. SCHATZ) submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 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 VII, add the following:

SEC. 708. BEHAVIORAL HEALTH TREATMENT OF DEVELOPMENTAL DISABILITIES UNDER THE TRICARE PROGRAM.

(a) BEHAVIORAL HEALTH TREATMENT OF DEVELOPMENTAL DISABILITIES UNDER TRICARE.—Section 1077 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g)(1) Subject to paragraph (4), in providing health care under subsection (a), the treatment of developmental disabilities (as defined by section 102(8) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002(8))), including autism spectrum disorder, shall include behavioral health treatment, including applied behavior analysis, when prescribed by a physician or psychologist.

''(2) In carrying out this subsection, the Secretary shall ensure that—

''(A) except as provided by subparagraph (B), behavioral health treatment is provided pursuant to this subsection—

''(i) in the case of such treatment provided in a State that requires licensing or certification of applied behavioral analysts by State law, by an individual who is licensed or certified to practice applied behavioral analysis in accordance with the laws of the State; or

''(ii) in the case of such treatment provided in a State other than a State described in clause (i), by an individual who is licensed or certified by a State or accredited national certification board; and

''(B) applied behavior analysis or other behavioral health treatment may be provided by an employee, contractor, or trainee of a person described in subparagraph (A) if the employee, contractor, or trainee meets minimum qualifications, training, and supervision requirements as set forth in applicable State law, by an appropriate accredited national certification board, or by the Secretary.

''(3) Nothing in this subsection shall be construed as limiting or otherwise affecting the benefits provided to a covered beneficiary under—

''(A) this chapter;

''(B) title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); or

''(C) any other law.

''(4)(A) Treatment may be provided under this subsection in a fiscal year only to the extent that amounts are provided in advance in appropriations Acts for the provision of such treatment for such fiscal year in the Defense Dependents Developmental Disabilities Account.

''(B) Funds for treatment under this subsection may be derived only from the Defense Dependents Developmental Disabilities Account.''.

(b) DEFENSE DEPENDENTS DEVELOPMENTAL DISABILITIES ACCOUNT.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—There is hereby established on the books of the Treasury an account to be known as the ''Defense Dependents Developmental Disabilities Account'' (in this subsection referred to as the ''Account'').

(B) SEPARATE ACCOUNT.—The Account shall be a separate account for the Department of Defense, and shall not be a subaccount within the Defense Health Program account of the Department.

(2) ELEMENTS.—The Account shall consist of amounts authorized to be appropriated or transferred to the Account.

(3) EXCLUDED SOURCES OF ELEMENTS.—Amounts in the Account may not be derived from transfers from the following:

(A) The Department of Defense Medicare-Eligible Retiree Health Care Fund under chapter 56 of title 10, United States Code.

(B) The Coast Guard Retired Pay Account.

(C) The National Oceanic and Atmospheric Administration Operations, Research, and Facilities Account.

(D) The Public Health Service Retirement Pay and Medical Benefits for Commissioned Officers Account.

(4) AVAILABILITY.—Amounts in the Account shall be available for the treatment of developmental disabilities in covered beneficiaries pursuant to subsection (g) of section 1077 of title 10, United States Code (as added by subsection (a)). Amounts in the Account shall be so available until expended.

(5) FUNDING.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for fiscal year 2015 for the Department of Defense for the Defense Dependents Developmental Disabilities Account, $20,000,000.

(B) TRANSFER FOR CONTINUATION OF EXISTING SERVICES.—From amounts authorized to be appropriated for the Department of Defense for the Defense Health Program for fiscal year 2015, the Secretary of Defense shall transfer to the Defense Dependents Developmental Disabilities Account $250,000,000.

SA 3923. Mr. REID proposed an amendment to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

SA 3924. Mr. REID proposed an amendment to amendment SA 3923 proposed by Mr. REID to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; as follows:

In the amendment, strike ''1 day'' and insert ''2 days''.

SA 3925. Mr. REID proposed an amendment to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 3926. Mr. REID proposed an amendment to amendment SA 3925 proposed by Mr. REID to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; as follows:

In the amendment, strike ''3 days'' and insert ''4 days''.

SA 3927. Mr. REID proposed an amendment to amendment SA 3926 proposed by Mr. REID to the amendment SA 3925 proposed by Mr. REID to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; as follows:

In the amendment, strike ''4'' and insert ''5''.

SA 3928. Mr. PRYOR (for Ms. MURKOWSKI) proposed an amendment to the bill H.R. 83, to require the Secretary of the Interior to assemble a team of technical, policy, and financial experts to address the energy needs of the insular areas of the United States and the Freely Associated States through the development of energy action plans aimed at promoting access to affordable, reliable energy, including increasing use of indigenous clean-energy resources, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. STUDY OF ELECTRIC RATES IN THE INSULAR AREAS.

(a) DEFINITIONS.—In this section:

(1) COMPREHENSIVE ENERGY PLAN.—The term ''comprehensive energy plan'' means a comprehensive energy plan prepared and updated under subsections (c) and (e) of section 604 of the Act entitled ''An Act to authorize appropriations for certain insular areas of the United States, and for other purposes'', approved December 24, 1980 (48 U.S.C. 1492).

(2) ENERGY ACTION PLAN.—The term ''energy action plan'' means the plan required by subsection (d).

(3) FREELY ASSOCIATED STATES.—The term ''Freely Associated States'' means the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

(4) INSULAR AREAS.—The term ''insular areas'' means American Samoa, the Commonwealth of the Northern Mariana Islands, Puerto Rico, Guam, and the Virgin Islands.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) TEAM.—The term ''team'' means the team established by the Secretary under subsection (b).

(b) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall, within the Empowering Insular Communities activity, establish a team of technical, policy, and financial experts—

(1) to develop an energy action plan addressing the energy needs of each of the insular areas and Freely Associated States; and

(2) to assist each of the insular areas and Freely Associated States in implementing such plan.

(c) PARTICIPATION OF REGIONAL UTILITY ORGANIZATIONS.—In establishing the team, the Secretary shall consider including regional utility organizations.

(d) ENERGY ACTION PLAN.—In accordance with subsection (b), the energy action plan shall include—

(1) recommendations, based on the comprehensive energy plan where applicable, to—

(A) reduce reliance and expenditures on fuel shipped to the insular areas and Freely Associated States from ports outside the United States;

(B) develop and utilize domestic fuel energy sources; and

(C) improve performance of energy infrastructure and overall energy efficiency;

(2) a schedule for implementation of such recommendations and identification and prioritization of specific projects;

(3) a financial and engineering plan for implementing and sustaining projects; and

(4) benchmarks for measuring progress toward implementation.

(e) REPORTS TO SECRETARY.—Not later than 1 year after the date on which the Secretary establishes the team and annually thereafter, the team shall submit to the Secretary a report detailing progress made in fulfilling its charge and in implementing the energy action plan.

(f) ANNUAL REPORTS TO CONGRESS.—Not later than 30 days after the date on which the Secretary receives a report submitted by the team under subsection (e), the Secretary shall submit to the appropriate committees of Congress a summary of the report of the team.

(g) APPROVAL OF SECRETARY REQUIRED.—The energy action plan shall not be implemented until the Secretary approves the energy action plan.

SEC. 2. AMENDMENTS TO THE CONSOLIDATED NATURAL RESOURCES ACT.

Section 6 of Public Law 94–241 (90 Stat. 263; 122 Stat. 854) is amended—

(1) in subsection (a)(2), by striking ''December 31, 2014, except as provided in subsections (b) and (d)'' and inserting ''December 31, 2019''; and

(2) in subsection (d)—

(A) in the third sentence of paragraph (2), by striking ''not to extend beyond December 31, 2014, unless extended pursuant to paragraph 5 of this subsection'' and inserting '' 'ending on December 31, 2019' '';

(B) by striking paragraph (5); and

(C) by redesignating paragraph (6) as paragraph (5).

SA 3929. Mr. PRYOR (for Mr. CARPER (for himself, Mr. COBURN, and Mr. BENNET)) proposed an amendment to the bill S. 1611, to require certain agencies to conduct assessments of data centers and develop data center consolidation and optimization plans; as follows:

On page 22, strike lines 11 through 24, and insert the following:

(d) WAIVER OF REQUIREMENTS.—The Director of National Intelligence and the Secretary of Defense, or their respective designee, may waive the applicability to any national security system, as defined in section 3542 of title 44, United States Code, of any provision of this Act if the Director of National Intelligence or the Secretary of Defense, or their respective designee, 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 or the Secretary of Defense, or their respective designee, 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.

SA 3930. Mr. PRYOR (for Mr. BENNET (for himself, Mr. COBURN, Mr. CARPER, and Ms. AYOTTE)) proposed an amendment to the bill S. 1611, to require certain agencies to conduct assessments of data centers and develop data center consolidation and optimization plans; as follows:

On page 16, between lines 18 and 19, insert the following:

(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).

SA 3931. Mr. PRYOR (for Mr. CARPER) proposed an amendment to the bill S. 1691, to amend title 5, United States Code, to improve the security of the United States border and to provide for reforms and rates of pay for border patrol agents; as follows:

On page 25, line 16, strike ''agency'' and insert ''agent''.

On page 28, line 2, strike ''agency'' and insert ''agent''.

At the end, add the following:

SEC. 3. 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 positions formerly identified as—

''(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 this subsection 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 IN NONFOREIGN AREAS.—An employee in a qualified position whose rate of basic pay is fixed under paragraph (2)(A) shall be eligible for an allowance under section 5941 of title 5, United States Code, on the same basis and to the same extent as if the employee was an employee covered by such section 5941, including eligibility conditions, allowance rates, and all other terms and conditions in law or regulation.

''(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 3 years.

''(e) INCUMBENTS OF EXISTING COMPETITIVE SERVICE POSITIONS.—

''(1) IN GENERAL.—An individual serving in a position on the date of enactment of this section that is selected to be converted to a position in the excepted service under this section shall have the right to refuse such conversion.

''(2) SUBSEQUENT CONVERSION.—After the date on which an individual who refuses a conversion under paragraph (1) stops serving in the position selected to be converted, the position may be converted to a position in the excepted service.

''(f) STUDY AND REPORT.—Not later than 120 days after the date of enactment of this section, the National Protection and Programs Directorate shall submit a report regarding the availability of, and benefits (including cost savings and security) of using, cybersecurity personnel and facilities outside of the National Capital Region (as defined in section 2674 of title 10, United States Code) to serve the Federal and national need to—

''(1) the Subcommittee on Homeland Security of the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(2) the Subcommittee on Homeland Security of the Committee on Appropriations and the Committee on Homeland Security of the House of Representatives.''.

(b) CONFORMING AMENDMENT.—Section 3132(a)(2) of title 5, United States Code, is amended in the matter following subparagraph (E)—

(1) in clause (i), by striking ''or'' at the end;

(2) in clause (ii), by inserting ''or'' after the semicolon; and

(3) by inserting after clause (ii) the following:

''(iii) any position established as a qualified position in the excepted service by the Secretary of Homeland Security under section 226 of the Homeland Security Act of 2002;''.

(c) TABLE OF CONTENTS 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.''.

SEC. 4. HOMELAND SECURITY CYBERSECURITY WORKFORCE ASSESSMENT.

(a) SHORT TITLE.—This section may be cited as the ''Homeland Security Cybersecurity Workforce Assessment Act''.

(b) DEFINITIONS.—In this section:

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

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives; and

(C) the Committee on House Administration of the House of Representatives.

(2) CYBERSECURITY WORK CATEGORY; DATA ELEMENT CODE; SPECIALTY AREA.—The terms ''Cybersecurity Work Category'', ''Data Element Code'', and ''Specialty Area'' have the meanings given such terms in the Office of Personnel Management's Guide to Data Standards.

(3) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(4) DIRECTOR.—The term ''Director'' means the Director of the Office of Personnel Management.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(c) NATIONAL CYBERSECURITY WORKFORCE MEASUREMENT INITIATIVE.—

(1) IN GENERAL.—The Secretary shall—

(A) identify all cybersecurity workforce positions within the Department;

(B) determine the primary Cybersecurity Work Category and Specialty Area of such positions; and

(C) assign the corresponding Data Element Code, as set forth in the Office of Personnel Management's Guide to Data Standards which is aligned with the National Initiative for Cybersecurity Education's National Cybersecurity Workforce Framework report, in accordance with paragraph (2).

(2) EMPLOYMENT CODES.—

(A) PROCEDURES.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish procedures—

(i) to identify open positions that include cybersecurity functions (as defined in the OPM Guide to Data Standards); and

(ii) to assign the appropriate employment code to each such position, using agreed standards and definitions.

(B) CODE ASSIGNMENTS.—Not later than 9 months after the date of the enactment of this Act, the Secretary shall assign the appropriate employment code to—

(i) each employee within the Department who carries out cybersecurity functions; and

(ii) each open position within the Department that have been identified as having cybersecurity functions.

(3) PROGRESS REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director shall submit a progress report on the implementation of this subsection to the appropriate congressional committees.

(d) IDENTIFICATION OF CYBERSECURITY SPECIALTY AREAS OF CRITICAL NEED.—

(1) IN GENERAL.—Beginning not later than 1 year after the date on which the employment codes are assigned to employees pursuant to subsection (c)(2)(B), and annually through 2021, the Secretary, in consultation with the Director, shall—

(A) identify Cybersecurity Work Categories and Specialty Areas of critical need in the Department's cybersecurity workforce; and

(B) submit a report to the Director that—

(i) describes the Cybersecurity Work Categories and Specialty Areas identified under subparagraph (A); and

(ii) substantiates the critical need designations.

(2) GUIDANCE.—The Director shall provide the Secretary with timely guidance for identifying Cybersecurity Work Categories and Specialty Areas of critical need, including—

(A) current Cybersecurity Work Categories and Specialty Areas with acute skill shortages; and

(B) Cybersecurity Work Categories and Specialty Areas with emerging skill shortages.

(3) CYBERSECURITY CRITICAL NEEDS REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary, in consultation with the Director, shall—

(A) identify Specialty Areas of critical need for cybersecurity workforce across the Department; and

(B) submit a progress report on the implementation of this subsection to the appropriate congressional committees.

(e) GOVERNMENT ACCOUNTABILITY OFFICE STATUS REPORTS.—The Comptroller General of the United States shall—

(1) analyze and monitor the implementation of subsections (c) and (d); and

(2) not later than 3 years after the date of the enactment of this Act, submit a report to the appropriate congressional committees that describes the status of such implementation.

SA 3932. Mr. PRYOR (for Mr. CRAPO) proposed an amendment to the bill S. 2040, to exchange trust and fee land to resolve land disputes created by the realignment of the Blackfoot River along the boundary of the Fort Hall Indian Reservation, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Blackfoot River Land Exchange Act of 2014''.

SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Shoshone-Bannock Tribes, a federally recognized Indian tribe with tribal headquarters at Fort Hall, Idaho—

(A) adopted a tribal constitution and bylaws on March 31, 1936, that were approved by the Secretary of the Interior on April 30, 1936, pursuant to the Act of June 18, 1934 (25 U.S.C. 461 et seq.) (commonly known as the ''Indian Reorganization Act'');

(B) has entered into various treaties with the United States, including the Second Treaty of Fort Bridger, executed on July 3, 1868; and

(C) has maintained a continuous government-to-government relationship with the United States since the earliest years of the Union;

(2)(A) in 1867, President Andrew Johnson designated by Executive order the Fort Hall Reservation for various bands of Shoshone and Bannock Indians;

(B) the Reservation is located near the cities of Blackfoot and Pocatello in southeastern Idaho; and

(C) article 4 of the Second Treaty of Fort Bridger secured the Reservation as a ''permanent home'' for the Shoshone-Bannock Tribes;

(3)(A) according to the Executive order referred to in paragraph (2)(A), the Blackfoot River, as the river existed in its natural state—

(i) is the northern boundary of the Reservation; and

(ii) flows in a westerly direction along that northern boundary; and

(B) within the Reservation, land use in the River watershed is dominated by—

(i) rangeland;

(ii) dry and irrigated farming; and

(iii) residential development;

(4)(A) in 1964, the Corps of Engineers completed a local flood protection project on the River—

(i) authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 170); and

(ii) sponsored by the Blackfoot River Flood Control District No. 7;

(B) the project consisted of building levees, replacing irrigation diversion structures, replacing bridges, and channel realignment; and

(C) the channel realignment portion of the project severed various parcels of land located contiguous to the River along the boundary of the Reservation, resulting in Indian land being located north of the Realigned River and non-Indian land being located south of the Realigned River;

(5) beginning in 1999, the Cadastral Survey Office of the Bureau of Land Management conducted surveys of—

(A) 25 parcels of Indian land; and

(B) 19 parcels of non-Indian land; and

(6) the enactment of this Act and separate agreements of the parties would represent a resolution of the disputes described in subsection (b)(1) among—

(A) the Tribes;

(B) the allottees; and

(C) the non-Indian landowners.

(b) PURPOSES.—The purposes of this Act are—

(1) to resolve the land ownership and land use disputes resulting from realignment of the River by the Corps of Engineers during calendar year 1964 pursuant to the project described in subsection (a)(4)(A); and

(2) to achieve a final and fair solution to resolve those disputes.

SEC. 3. DEFINITIONS.

In this Act:

(1) ALLOTTEE.—The term ''allottee'' means an heir of an original allottee of the Reservation who owns an interest in a parcel of land that is—

(A) held in trust by the United States for the benefit of the allottee; and

(B) located north of the Realigned River within the exterior boundaries of the Reservation.

(2) BLACKFOOT RIVER FLOOD CONTROL DISTRICT NO. 7.—The term ''Blackfoot River Flood Control District No. 7'' means the governmental subdivision in the State of Idaho, located at 75 East Judicial, Blackfoot, Idaho, that—

(A) is responsible for maintenance and repair of the Realigned River; and

(B) represents the non-Indian landowners relating to the resolution of the disputes described in section 2(b)(1) in accordance with this Act.

(3) INDIAN LAND.—The term ''Indian land'' means any parcel of land that is—

(A) held in trust by the United States for the benefit of the Tribes or the allottees;

(B) located north of the Realigned River; and

(C) identified in exhibit A of the survey of the Bureau of Land Management entitled ''Survey of the Blackfoot River of 2002 to 2005'', which is located at—

(i) the Fort Hall Indian Agency office of the Bureau of Indian Affairs; and

(ii) the Blackfoot River Flood Control District No. 7.

(4) NON-INDIAN LAND.—The term ''non-Indian land'' means any parcel of fee land that is—

(A) located south of the Realigned River; and

(B) identified in exhibit B, which is located at the areas described in clauses (i) and (ii) of paragraph (3)(C).

(5) NON-INDIAN LANDOWNER.—The term ''non-Indian landowner'' means any individual who holds fee title to non-Indian land and is represented by the Blackfoot River Flood Control District No. 7 for purposes of this Act.

(6) REALIGNED RIVER.—The term ''Realigned River'' means that portion of the River that was realigned by the Corps of Engineers during calendar year 1964 pursuant to the project described in section 2(a)(4)(A).

(7) RESERVATION.—The term ''Reservation'' means the Fort Hall Reservation established by Executive order during calendar year 1867 and confirmed by treaty during calendar year 1868.

(8) RIVER.—The term ''River'' means the Blackfoot River located in the State of Idaho.

(9) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(10) TRIBES.—The term ''Tribes'' means the Shoshone-Bannock Tribes.

SEC. 4. RELEASE OF CLAIMS TO CERTAIN INDIAN AND NON-INDIAN OWNED LANDS.

(a) RELEASE OF CLAIMS.—Effective on the date of enactment of this Act—

(1) all existing and future claims with respect to the Indian land and the non-Indian land and all right, title, and interest that the Tribes, allottees, non-Indian landowners, and the Blackfoot River Flood Control District No. 7 may have had to that land shall be extinguished;

(2) any interest of the Tribes, the allottees, or the United States, acting as trustee for the Tribes or allottees, in the Indian land shall be extinguished under section 2116 of the Revised Statutes (commonly known as the ''Indian Trade and Intercourse Act'') (25 U.S.C. 177); and

(3) to the extent any interest in non-Indian land transferred into trust pursuant to section 5 violates section 2116 of the Revised Statutes (commonly known as the ''Indian Trade and Intercourse Act'') (25 U.S.C. 177), that transfer shall be valid, subject to the condition that the transfer is consistent with all other applicable Federal laws (including regulations).

(b) DOCUMENTATION.—The Secretary may execute and file any appropriate documents (including a plat or map of the transferred Indian land) that are suitable for filing with the Bingham County clerk or other appropriate county official, as the Secretary determines necessary to carry out this Act.

SEC. 5. NON-INDIAN LAND TO BE PLACED INTO TRUST FOR TRIBES.

Effective on the date of enactment of this Act, the non-Indian land shall be considered to be held in trust by the United States for the benefit of the Tribes.

SEC. 6. TRUST LAND TO BE CONVERTED TO FEE LAND.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall transfer the Indian land to the Blackfoot River Flood Control District No. 7 for use or sale in accordance with subsection (b).

(b) USE OF LAND.—

(1) IN GENERAL.—The Blackfoot River Flood Control District No. 7 shall use any proceeds from the sale of land described in subsection (a) according to the following priorities:

(A) To compensate, at fair market value, each non-Indian landowner for the net loss of land to that non-Indian landowner resulting from the implementation of this Act.

(B) To compensate the Blackfoot River Flood Control District No. 7 for any administrative or other expenses relating to carrying out this Act.

(2) REMAINING LAND.—If any land remains to be conveyed or proceeds remain after the sale of the land, the Blackfoot River Flood Control District No. 7 may dispose of that remaining land or proceeds as the Blackfoot River Flood Control District No. 7 determines to be appropriate.

SEC. 7. EFFECT ON ORIGINAL RESERVATION BOUNDARY.

Nothing in this Act affects the original boundary of the Reservation, as established by Executive order during calendar year 1867 and confirmed by treaty during calendar year 1868.

SEC. 8. EFFECT ON TRIBAL WATER RIGHTS.

Nothing in this Act extinguishes or conveys any water right of the Tribes, as established in the agreement entitled ''1990 Fort

Hall Indian Water Rights Agreement'' and ratified by section 4 of the Fort Hall Indian Water Rights Act of 1990 (Public Law 101–602; 104 Stat. 3060).

SEC. 9. EFFECT ON CERTAIN OBLIGATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), nothing in this Act affects the obligation of Blackfoot River Flood Control District No. 7 to maintain adequate rights-of-way for the operation and maintenance of the local flood protection projects described in section 2(a)(4) pursuant to agreements between the Blackfoot River Flood Control District No. 7 and the Corps of Engineers.

(b) RESTRICTION ON FEES.—Any land conveyed to the Tribes pursuant to this Act shall not be subject to fees assessed by Blackfoot River Flood Control District No. 7.

SEC. 10. DISCLAIMERS REGARDING CLAIMS.

Nothing in this Act—

(1) affects in any manner the sovereign claim of the State of Idaho to title in and to the beds and banks of the River under the equal footing doctrine of the Constitution of the United States;

(2) affects any action by the State of Idaho to establish the title described in paragraph (1) under section 2409a of title 28, United States Code (commonly known as the ''Quiet Title Act'');

(3) affects the ability of the Tribes or the United States to claim ownership of the beds and banks of the River; or

(4) extinguishes or conveys any water rights of non-Indian landowners or the claims of those landowners to water rights in the Snake River Basin Adjudication.

SA 3933. Mr. PRYOR (for Mrs. BOXER) proposed an amendment to the bill S. 2673, to enhance the strategic partnership between the United States and Israel; as follows:

Beginning on page 8, strike line 1 and all that follows through page 9, line 23, and insert the following:

SEC. 9. STATEMENT OF POLICY REGARDING THE VISA WAIVER PROGRAM.

It shall be the policy of the United States to include Israel in the list of countries that participate in the visa waiver program under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187) when Israel satisfies, and as long as Israel continues to satisfy, the requirements for inclusion in such program specified in such section.

SA 3934. Mr. PRYOR (for Mr. CARPER (for himself and Mr. COBURN)) proposed an amendment to the bill S. 1360, to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay initiative, for improved detection, prevention, and recovery of improper payments to deceased individuals, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Improper Payments Agency Cooperation Enhancement Act of 2014''.

SEC. 2. DISTRIBUTION OF DEATH INFORMATION FURNISHED TO OR MAINTAINED BY THE SOCIAL SECURITY ADMINISTRATION.

(a) IN GENERAL.—

(1) IN GENERAL.—Section 205(r) of the Social Security Act (42 U.S.C. 405(r)) is amended—

(A) in paragraph (2)—

(i) by striking ''may'' and inserting ''shall''; and

(ii) by inserting '', and to ensure the completeness, timeliness, and accuracy of,'' after ''transmitting'';

(B) by striking paragraphs (3), (4), and (5) and inserting the following:

''(3)(A) The Commissioner of Social Security shall, to the extent feasible, provide for the use of information regarding all deceased individuals furnished to or maintained by the Commissioner under this subsection in accordance with subparagraph (B), subject to such safeguards as the Commissioner of Social Security determines are necessary or appropriate to protect the information from unauthorized use or disclosure, by any Federal or State agency providing federally-funded benefits or administering a Federal program for such benefits, including the agency operating the Do Not Pay working system for ensuring proper payment of those benefits, through a cooperative arrangement with the agency (that includes the agency's Inspector General) or with an agency's Inspector General, if—

''(i) under such arrangement the agency (including, if applicable, the agency's Inspector General) provides reimbursement to the Commissioner of Social Security for the reasonable cost of carrying out such arrangement, including the reasonable costs associated with the collection and maintenance of information regarding deceased individuals furnished to the Commissioner pursuant to paragraph (1), and

''(ii) such arrangement does not conflict with the duties of the Commissioner of Social Security under paragraph (1).

''(B) The Commissioner of Social Security shall, to the extent feasible, provide for the use of information regarding all deceased individuals furnished to or maintained by the Commissioner under this subsection, through a cooperative arrangement in order for a Federal agency to carry out any of the following purposes, if the requirements of clauses (i) and (ii) of subparagraph (A) are met:

''(i) Operating the Do Not Pay working system established by section 5 of the Improper Payments Elimination and Recovery Improvement Act of 2012. Under such arrangement, the agency operating the working system may compare death information disclosed by the Commissioner with personally identifiable information reviewed through the working system, and may redisclose such comparison of information, as appropriate, to any Federal or State agency authorized to use the working system.

''(ii) To ensure proper payments under a Federal program or the proper payment of federally-funded benefits, including for purposes of payment certification, payment disbursement, and the prevention, identification, or recoupment of improper payments.

''(iii) To carry out tax administration or debt collection duties of the agency.

''(iv) For use by any policing agency of the Federal Government with the principle function of prevention, detection, or investigation of crime or the apprehension of alleged offenders.

''(4) The Commissioner of Social Security may enter into similar arrangements with States to provide information regarding all deceased individuals furnished to or maintained by the Commissioner under this subsection, for any of the purposes specified in paragraph (3)(B), for use by States in programs wholly funded by the States, or for use in the administration of a benefit pension plan or retirement system for employees of a State or a political subdivision thereof, if the requirements of clauses (i) and (ii) of paragraph (3)(A) are met. For purposes of this paragraph, the terms 'retirement system' and 'political subdivision' have the meanings given such terms in section 218(b).

''(5) The Commissioner of Social Security may use or provide for the use of information regarding all deceased individuals furnished to or maintained by the Commissioner under this subsection, subject to such safeguards as the Commissioner of Social Security determines are necessary or appropriate to protect the information from unauthorized use or disclosure, for statistical purposes and research activities by Federal and State agencies if the requirements of clauses (i) and (ii) of paragraph (3)(A) are met. For purposes of this paragraph, the term 'statistical purposes' has the meaning given that term in section 502 of the Confidential Information Protection and Statistical Efficiency Act of 2002.''; and

(C) in paragraph (8)(A)(i), by striking ''subparagraphs (A) and (B) of paragraph (3)'' and inserting ''clauses (i) and (ii) of paragraph (3)(A)''.

(2) REPEAL.—Effective on the date that is 5 years after the date of enactment of this Act, the amendments made by this subsection to paragraphs (3), (4), (5), and (8) of section 205(r) of the Social Security Act (42 U.S.C. 405(r)) are repealed, and the provisions of section 205(r) of the Social Security Act (42 U.S.C. 605(r)) so amended are restored and revived as if such amendments had not been enacted.

(b) AMENDMENT TO INTERNAL REVENUE CODE.—Section 6103(d)(4) of the Internal Revenue Code of 1986 is amended—

(1) in subparagraphs (A) and (B), by striking ''Secretary of Health and Human Services'' each place it appears and inserting ''Commissioner of Social Security''; and

(2) in subparagraph (B)(ii), by striking ''such Secretary'' and all that follows through ''deceased individuals.'' and inserting ''such Commissioner pursuant to such contract, except that such contract may provide that such information is only to be used by the Social Security Administration (or any other Federal agency) for purposes authorized in the Social Security Act or this title.''.

(c) REPORT TO CONGRESS ON ALTERNATIVE SOURCES OF DEATH DATA.—

(1) REQUIREMENTS.—The Director of the Office of Management and Budget shall conduct a review of potential alternative sources of death data maintained by the non-Federal sources, including sources maintained by State agencies or associations of State agencies, for use by Federal agencies and programs. The review shall include analyses of—

(A) the accuracy and completeness of such data;

(B) interoperability of such data;

(C) the extent to which there is efficient accessability of such data by Federal agencies;

(D) the cost to Federal agencies of accessing and maintaining such data;

(E) the security of such data;

(F) the reliability of such data; and

(G) a comparison of the potential alternate sources of death data to the death data distributed by the Commissioner of Social Security.

(2) REPORT.—Not later than 4 years after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit a report to Congress on the results of the review and analyses required under paragraph (1). The report shall include a recommendation by the Director of the Office of Management and Budget regarding whether to extend the agency access to death data distributed by the Commissioner of Social Security provided under the amendments made by subsection (a)(1) beyond the date on which such amendments are to be repealed under subsection (a)(2).

SEC. 3. IMPROVING THE SHARING AND USE OF DATA BY GOVERNMENT AGENCIES TO CURB IMPROPER PAYMENTS.

The Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) is amended—

(1) in section 5—

(A) in subsection (a)(2), by striking subparagraph (A) and inserting the following:

''(A) The death records maintained by the Commissioner of the Social Security Administration.''; and

(B) in subsection (b)—

(i) by redesignating paragraph (5) as paragraph (6); and

(ii) by inserting after paragraph (4) the following:

''(5) USE OF DEATH AND PRISONER INFORMATION.—The Commissioner of Social Security, and the head of any other agency that obtains information on deaths or incarcerated individuals directly from the Commissioner of Social Security pursuant to an agreement under section 205(r) or sections 202(x) and 1611(e) of the Social Security Act (42 U.S.C. 405(r), 405(x), 1382(e)) or the Department of the Treasury's Do Not Pay program, shall be considered to have satisfied the requirements of this section as such requirements relate to payments or to identifying, preventing, or recovering improper payments in the case of deaths or incarcerated individuals. Nothing in the preceding sentence shall be construed as exempting the Commissioner of Social Security or the head of any other agency that obtains information on deaths or incarcerated individuals directly from the Commissioner of Social Security under an agreement under section 205(r) or sections 202(x) and 1611(e) of the Social Security Act (42 U.S.C. 405(r), 405(x), 1382(e)) or the Department of the Treasury's Do Not Pay program from being subject to any improper payment reporting requirement of the Director of the Office of Management.''; and

(2) by adding at the end the following:

''SEC. 7. IMPROVING THE USE OF DEATH DATA BY GOVERNMENT AGENCIES.

''(a) PROMPT REPORTING OF DEATH INFORMATION BY THE DEPARTMENT OF STATE AND THE DEPARTMENT OF DEFENSE.—Not later than 1 year after the date of enactment of this section, the Secretary of State and the Secretary of Defense, in coordination with the Commissioner of Social Security, shall establish a procedure under which each Secretary shall, promptly and on a regular basis, submit to the Commissioner information relating to the deaths of individuals. The Commissioner shall, to the extent feasible, provide for the use of death information submitted under this subsection for the purpose specified in clause (i) of section 205(r)(3)(B) of the Social Security Act (42 U.S.C. 405(r)(3)(B)).

''(b) GUIDANCE BY THE OFFICE OF MANAGEMENT AND BUDGET.—

''(1) GUIDANCE TO AGENCIES.—Not later than 6 months after the date of enactment of this section, and in consultation with the Council of Inspectors General on Integrity and Efficiency and the heads of other relevant Federal, State, and local agencies, and Indian tribes and tribal organizations, the Director of the Office of Management and Budget shall issue guidance for each agency or component of an agency that operates or maintains a database of information relating to beneficiaries, annuity recipients, or any purpose described in section 205(r)(3)(B) of the Social Security Act (42 U.S.C. 405(r)(3)(B)) for which improved data matching with databases relating to the death of an individual (in this section referred to as 'death databases') would be relevant and necessary regarding implementation of this section to provide such agencies or components access to the death databases no later than 6 months after such date of enactment.

''(2) PLAN TO ASSIST STATES AND LOCAL AGENCIES AND INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—Not later than 1 year after the date of enactment of this section, the Director of the Office of Management and Budget shall develop a plan to assist States and local agencies, and Indian tribes and tribal organizations, in providing electronically to the Federal Government records relating to the death of individuals, which may include recommendations to Congress for any statutory changes or financial assistance to States and local agencies and Indian tribes and tribal organizations that are necessary to ensure States and local agencies and Indian tribes and tribal organizations can provide such records electronically. The plan may include recommendations for the authorization of appropriations or other funding to carry out the plan.

''(c) REPORTS.—

''(1) REPORT TO CONGRESS ON IMPROVING DATA MATCHING REGARDING PAYMENTS TO DECEASED INDIVIDUALS.—Not later than 270 days after the date of enactment of this section, the Director of the Office of Management and Budget, in consultation with the heads of other relevant Federal agencies, and in consultation with States and local agencies, Indian tribes and tribal organizations, shall submit to Congress a plan to improve how States and local agencies and Indian tribes and tribal organizations that provide benefits under a federally-funded program will improve data matching with the Federal Government with respect to the death of individuals who are recipients of such benefits.

''(2) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this section, and for each of the 4 succeeding years, the Director of the Office of Management and Budget shall submit to Congress a report regarding the implementation of this section. The first report submitted under this paragraph shall include the recommendations of the Director required under subsection (b)(2).

''(d) DEFINITIONS.—In this section, the terms 'Indian tribe' and 'tribal organization' have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).''.

SEC. 4. AVAILABILITY OF THE DO NOT PAY INITIATIVE TO THE JUDICIAL AND LEGISLATIVE BRANCHES AND STATES.

Section 5 of the Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note), as amended by section 3, is further amended—

(1) in subsection (b)(3)—

(A) in the paragraph heading, by striking ''BY AGENCIES''; and

(B) by adding at the end the following: ''States and any contractor, subcontractor, or agent of a State, and the judicial and legislative branches of the United States (as defined in paragraphs (2) and (3), respectively, of section 202(e) of title 18, United States Code), shall have access to, and use of, the Do Not Pay Initiative to verify payment or award eligibility for payments (as defined in section (2)(g)(3) of the Improper Payments Information Act of 2002, 31 U.S.C. 3321 note) when, with respect to a State, the Director of the Office of Management and Budget determines that the Do Not Pay Initiative is appropriately established for that State and any contractor, subcontractor, or agent of the State, and, with respect to the judicial and legislative branches of the United States, when the Director of the Office of Management and Budget determines that the Do Not Pay Initiative is appropriately established for the judicial branch or the legislative branch, as applicable.''; and

(2) in subsection (d)(2)—

(A) in subparagraph (B), by striking ''and'' after the semicolon;

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

(C) by inserting after subparagraph (C) the following:

''(D) may include States and their quasi-government entities, and the judicial and legislative branches of the United States (as defined in paragraphs (2) and (3), respectively, of section 202(e) of title 18, United States Code) as users of the system in accordance with subsection (b)(3).''.

SEC. 5. DATA ANALYTICS.

Section 5 of the Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note), as amended by sections 3 and 4, is further amended by adding at the end the following:

''(h) REPORT ON IMPROPER PAYMENTS DATA ANALYSIS.—Not later than 180 days after the date of enactment of the Improper Payments Agency Cooperation Enhancement Act of 2014, the Secretary of the Treasury shall submit to Congress a report which shall include a description of—

''(1) data analytics performed as part of the Do Not Pay Initiative for the purpose of detecting, preventing, and recovering improper payments through pre-award, post-award pre-payment, and post-payment analysis, which shall include a description of any analysis or investigations incorporating—

''(A) review and data matching of payments and beneficiary enrollment lists of State programs carried out using Federal funds for the purposes of identifying eligibility duplication, residency ineligibility, duplicate payments, or other potential improper payment issues;

''(B) review of multiple Federal agencies and programs for which comparison of data could show payment duplication; and

''(C) review of other information the Secretary of the Treasury determines could prove effective for identifying, preventing, or recovering improper payments, which may include investigation or review of information from multiple Federal agencies or programs; and

''(2) the metrics used in determining whether the analytic and investigatory efforts have reduced, or contributed to the reduction of, improper payments or improper awards.''.

SA 3935. Mr. BURR (for Mr. PRYOR) proposed an amendment to the resolution S. Res. 479, recognizing Veterans Day 2014 as a special ''Welcome Home Commemoration'' for all who have served in the military since September 14, 2001; as follows:

In the 6th whereas clause of the preamble, strike ''marines'' and insert ''Marines''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 18, 2014, at 11 a.m., to conduct a hearing entitled ''Assessing and Enhancing Protections in Consumer Financial Services.''

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Environment and Public

Works be authorized to meet during the session of the Senate on September 18, 2014.

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

COMMITTEE ON FINANCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on September 18, 2014.

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 18, 2014, at 2:15 p.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, on September 18, 2014, at 9:30 a.m. in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Fulfilling the Promise: Overcoming Persistent Barriers to Economic Self-Sufficiency for People with Disabilities.''

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

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on September 18, 2014, at 11 a.m., in room SD–226 of the Dirksen Senate Office Building.

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

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Government Affairs be authorized to meet during the session of the Senate on September 18, 2014, at 2:30 p.m. to conduct a hearing entitled, ''Tax Audits of Large Partnerships.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 18, 2014, at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Ms. MIKULSKI. Mr. President, I ask unanimous consent that Jennifer Winkler, a member of my staff, be given floor privileges during the course of H. Res. 124.

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

NOTICE

Incomplete record of Senate proceedings. Except for concluding business which follows, today's Senate proceedings will be continued in the next issue of the Record.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

FRANCINE BERMAN, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2020, VICE GARY D. GLENN, TERM EXPIRED.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

VICTORIA ANN HUGHES, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2016, VICE JAMES PALMER, TERM EXPIRED.

ERIC P. LIU, OF WASHINGTON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING DECEMBER 27, 2017, VICE LAYSHAE WARD, TERM EXPIRED.

LEGAL SERVICES CORPORATION

JOSEPH PIUS PIETRZYK, OF OHIO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2017. (REAPPOINTMENT)

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

DEBORAH WILLIS, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2020, VICE CAROL M. SWAIN, TERM EXPIRED.

FARM CREDIT ADMINISTRATION

DALLAS P. TONSAGER, OF SOUTH DAKOTA, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION, FOR A TERM EXPIRING MAY 21, 2020, VICE JILL LONG THOMPSON, TERM EXPIRED.

FEDERAL MARITIME COMMISSION

MARIO CORDERO, OF CALIFORNIA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2019. (REAPPOINTMENT)

NATIONAL TRANSPORTATION SAFETY BOARD

THO DINH–ZARR, OF TEXAS, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 31, 2018, VICE DEBORAH HERSMAN, RESIGNED.

DEPARTMENT OF STATE

MARIA ECHAVESTE, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED MEXICAN STATES.

BRIAN JAMES EGAN, OF MARYLAND, TO BE LEGAL ADVISER OF THE DEPARTMENT OF STATE, VICE HAROLD HONGJU KOH, RESIGNED.

PAUL A. FOLMSBEE, OF OKLAHOMA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALI.

MARY CATHERINE PHEE, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SOUTH SUDAN.

RICHARD RAHUL VERMA, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF INDIA.

FEDERAL MEDIATION AND CONCILIATION SERVICES

ALLISON BECK, OF THE DISTRICT OF COLUMBIA, TO BE FEDERAL MEDIATION AND CONCILIATION DIRECTOR, VICE GEORGE H. COHEN, RESIGNED.

OFFICE OF PERSONNEL MANAGEMENT

EARL L. GAY, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT, VICE CHRISTINE M. GRIFFIN.

THE JUDICIARY

JOAN MARIE AZRACK, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK, VICE JOANNA SEYBERT, RETIRED.

ALFRED H. BENNETT, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, VICE KENNETH M. HOYT, RETIRED.

LORETTA COPELAND BIGGS, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF NORTH CAROLINA, VICE JAMES A. BEATY, JR., RETIRED.

ELIZABETH K. DILLON, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA, VICE SAMUEL GRAYSON WILSON, RETIRED.

GEORGE C. HANKS, JR., OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, VICE NANCY FRIEDMAN ATLAS, RETIRED.

JOSE ROLANDO OLVERA, JR., OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, VICE HILDA G. TAGLE, RETIRED.

JILL N. PARRISH, OF UTAH, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF UTAH, VICE DEE V. BENSON, RETIRED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. RONALD P. CLARK

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

ADM. HARRY B. HARRIS, JR.

CONFIRMATIONS

Executive nominations confirmed by the Senate, September 18, 2014:

DEPARTMENT OF STATE

ADAM M. SCHEINMAN, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE SPECIAL REPRESENTATIVE OF THE PRESIDENT FOR NUCLEAR NONPROLIFERATION, WITH THE RANK OF AMBASSADOR.

BATHSHEBA NELL CROCKER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE (INTERNATIONAL ORGANIZATION AFFAIRS).

DEPARTMENT OF DEFENSE

ERIC ROSENBACH, OF PENNSYLVANIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

DEPARTMENT OF STATE

MARK WILLIAM LIPPERT, OF OHIO, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KOREA.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

ALFONSO E. LENHARDT, OF NEW YORK, TO BE DEPUTY ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

DEPARTMENT OF STATE

KEVIN F. O'MALLEY, OF MISSOURI, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO IRELAND.

DEPARTMENT OF THE TREASURY

D. NATHAN SHEETS, OF MARYLAND, TO BE AN UNDER SECRETARY OF THE TREASURY.

EXECUTIVE OFFICE OF THE PRESIDENT

ROBERT W. HOLLEYMAN II, OF LOUISIANA, TO BE A DEPUTY UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR.

DEPARTMENT OF ENERGY

ELIZABETH SHERWOOD-RANDALL, OF CALIFORNIA, TO BE DEPUTY SECRETARY OF ENERGY.

DEPARTMENT OF HOMELAND SECURITY

CHARLES H. FULGHUM, OF NORTH CAROLINA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF HOMELAND SECURITY.

DEPARTMENT OF STATE

THOMAS FRIEDEN, OF NEW YORK, TO BE REPRESENTATIVE OF THE UNITED STATES ON THE EXECUTIVE BOARD OF THE WORLD HEALTH ORGANIZATION.

WITHDRAWALS

Executive Message transmitted by the President to the Senate on September 18, 2014 withdrawing from further Senate consideration the following nominations:

RHEA SUN SUH, OF COLORADO, TO BE ASSISTANT SECRETARY FOR FISH AND WILDLIFE, VICE THOMAS L. STRICKLAND, RESIGNED, WHICH WAS SENT TO THE SENATE ON JANUARY 6, 2014.

ALISON RENEE LEE, OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA, VICE CAMERON M. CURRIE, RETIRING, WHICH WAS SENT TO THE SENATE ON JANUARY 6, 2014.

Daily Digest

HIGHLIGHTS

House and Senate met in a Joint Meeting to receive His Excellency Petro Poroshenko, President of Ukraine.

Senate passed H.J. Res. 124, Continuing Appropriations Resolution.

Senate agreed to S. Con. Res. 44, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S5725–S5842

Measures Introduced: Sixty-two bills and sixteen resolutions were introduced, as follows: S. 2851–2912, S. Res. 561–575, and S. Con. Res. 44. **Pages S5781–84**

Measures Reported:

Special Report entitled ''Inquiry Into Cyber Intrusions Affecting U.S. Transportation Command Contractors''. (S. Rept. No. 113–258)

Report to accompany S. 1898, to require adequate information regarding the tax treatment of payments under settlement agreements entered into by Federal agencies. (S. Rept. No. 113–259)

Report to accompany S. 1474, to encourage the State of Alaska to enter into intergovernmental agreements with Indian tribes in the State relating to the enforcement of certain State laws by Indian tribes, to improve the quality of life in rural Alaska, to reduce alcohol and drug abuse. (S. Rept. No. 113–260)

Report to accompany S. 2651, to repeal certain mandates of the Department of Homeland Security Office of Inspector General. (S. Rept. No. 113–261)

H.R. 1232, to amend titles 40, 41, and 44, United States Code, to eliminate duplication and waste in information technology acquisition and management, with an amendment in the nature of a substitute. (S. Rept. No. 113–262)

H.R. 4007, to recodify and reauthorize the Chemical Facility Anti-Terrorism Standards Program, with an amendment in the nature of a substitute. (S. Rept. No. 113–263)

S. Res. 530, expressing the sense of the Senate on the current situation in Iraq and the urgent need to protect religious minorities from persecution from the terrorist group the Islamic State of Iraq and the Levant (ISIL), with an amendment in the nature of a substitute and with an amended preamble.

S. Res. 540, recognizing September 15, 2014, as the International Day of Democracy, affirming the role of civil society as a cornerstone of democracy, and encouraging all governments to stand with civil society in the face of mounting restrictions on civil society organizations.

S. Res. 541, recognizing the severe threat that the Ebola outbreak in West Africa poses to populations, governments, and economies across Africa and, if not properly contained, to regions across the globe, and expressing support for those affected by this epidemic, and with an amended preamble.

S. 1217, to provide secondary mortgage market reform, with an amendment in the nature of a substitute.

S. 2581, to require the Consumer Product Safety Commission to promulgate a rule to require child safety packaging for liquid nicotine containers.

S. 2778, to require the Secretary of State to offer rewards totaling up to $10,000,000 for information on the kidnapping and murder of James Foley and Steven Sotloff.

S. 2828, to impose sanctions with respect to the Russian Federation, to provide additional assistance to Ukraine, with amendments. **Page S5779**

Measures Passed:

Debbie Smith Reauthorization Act: Senate passed H.R. 4323, to reauthorize programs authorized under the Debbie Smith Act of 2004. **Page S5763**

Continuing Appropriations Resolution: By 78 yeas to 22 nays (Vote No. 270), Senate passed H.J.

Res. 124, making continuing appropriations for fiscal year 2015, after taking action on the following amendments and motions proposed thereto:

Pages S5737–64

Withdrawn:

Reid Amendment No. 3851, of a perfecting nature. **Page S5737**

Reid Amendment No. 3852 (to Amendment No. 3851), of a perfecting nature. (By 50 yeas to 50 nays (Vote No. 268), Senate earlier failed to table the amendment.) **Pages S5737, S5755, S5763–64**

During consideration of this measure today, Senate also took the following action:

By 73 yeas to 27 nays (Vote No. 269), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the joint resolution.

Page S5764

Reid motion to commit the joint resolution to the Committee on Appropriations, with instructions, Reid Amendment No. 3853, of a perfecting nature, fell when cloture was invoked on the joint resolution. **Page S5737**

Reid Amendment No. 3854 (to the instructions (Amendment No. 3853) of the motion to commit), of a perfecting nature, fell when Reid Amendment No. 3853 fell. **Page S5737**

Reid Amendment No. 3855 (to Amendment No. 3854), of a perfecting nature, fell when Reid Amendment No. 3854 fell. **Page S5737**

125th Anniversary of the State of South Dakota: Senate agreed to S. Res. 566, celebrating the 125th anniversary of the State of South Dakota.

Pages S5769–70

Indigenous Clean-Energy Resources: Senate passed H.R. 83, to require the Secretary of the Interior to assemble a team of technical, policy, and financial experts to address the energy needs of the insular areas of the United States and the Freely Associated States through the development of energy action plans aimed at promoting access to affordable, reliable energy, including increasing use of indigenous clean-energy resources, after agreeing to the following amendment proposed thereto: **(see next issue)**

Pryor (for Murkowski) Amendment No. 3928, in the nature of a substitute. **(see next issue)**

Paul D. Wellstone Muscular Dystrophy Community Assistance, Research and Education Amendments: Senate passed H.R. 594, to amend the Public Health Service Act relating to Federal research on muscular dystrophy. **(see next issue)**

Interstate Land Sales Full Disclosure Act: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 2600, to amend the Interstate Land Sales Full Disclosure Act to clarify how the Act applies to condominiums, and the bill was then passed. **(see next issue)**

Tribal General Welfare Exclusion Act: Senate passed H.R. 3043, to amend the Internal Revenue Code of 1986 to clarify the treatment of general welfare benefits provided by Indian tribes. **(see next issue)**

Pyramid Lake Paiute Tribe—Fish Springs Ranch Settlement Act: Senate passed H.R. 3716, to ratify a water settlement agreement affecting the Pyramid Lake Paiute Tribe. **(see next issue)**

IMPACT Act: Senate passed H.R. 4994, to amend title XVIII of the Social Security Act to provide for standardized post-acute care assessment data for quality, payment, and discharge planning. **(see next issue)**

Examination and Supervisory Privilege Parity Act: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 5062, to amend the Consumer Financial Protection Act of 2010 to specify that privilege and confidentiality are maintained when information is shared by certain nondepository covered persons with Federal and State financial regulators, and the bill was then passed. **(see next issue)**

Department of Veterans Affairs Expiring Authorities Act: Senate passed H.R. 5404, to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs. **(see next issue)**

Federal Data Center Consolidation Act: Senate passed S. 1611, to require certain agencies to conduct assessments of data centers and develop data center consolidation and optimization plans, after agreeing to the committee amendment in the nature of a substitute, and the following amendments proposed thereto: **(see next issue)**

Pryor (for Carper) Amendment No. 3929, to modify the provision relating to waiver of requirements. **(see next issue)**

Pryor (for Bennet) Amendment No. 3930, to clarify reporting requirements for the Department of Defense. **(see next issue)**

Border Patrol Agent Pay Reform Act: Senate passed S. 1691, to amend title 5, United States Code, to improve the security of the United States border and to provide for reforms and rates of pay for border patrol agents, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **(see next issue)**

Pryor (for Carper) Amendment No. 3931, to improve the bill. **(see next issue)**

Blackfoot River Land Exchange Act: Senate passed S. 2040, to exchange trust and fee land to resolve land disputes created by the realignment of the Blackfoot River along the boundary of the Fort Hall Indian Reservation, after agreeing to the following amendment proposed thereto: **(see next issue)**

Pryor (for Crapo) Amendment No. 3932, in the nature of a substitute. **(see next issue)**

Preventing Conflicts of Interest with Contractors Act: Senate passed S. 2061, to prevent conflicts of interest relating to contractors providing background investigation fieldwork services and investigative support services, after agreeing to the committee amendment in the nature of a substitute. **(see next issue)**

E–LABEL Act: Senate passed S. 2583, to promote the non-exclusive use of electronic labeling for devices licensed by the Federal Communications Commission. **(see next issue)**

United States-Israel Strategic Partnership Act: Senate passed S. 2673, to enhance the strategic partnership between the United States and Israel, after agreeing to the following amendment proposed thereto: **(see next issue)**

Pryor (for Boxer) Amendment No. 3933, to designate Israel as a program country under the Visa Waiver Program if Israel complies with the generally applicable requirements. **(see next issue)**

James Foley and Steven Sotloff: Senate passed S. 2778, to require the Secretary of State to offer rewards totaling up to $10,000,000 for information on the kidnapping and murder of James Foley and Steven Sotloff. **(see next issue)**

Medal of Honor to Henry Johnson: Committee on Armed Services was discharged from further consideration of S. 2793, to authorize the award of the Medal of Honor to Henry Johnson, and the bill was then passed. **(see next issue)**

Preventing Sex Trafficking and Strengthening Families Act: Senate passed H.R. 4980, to prevent and address sex trafficking of children in foster care, to extend and improve adoption incentives, and to improve international child support recovery. **(see next issue)**

Improper Payments Agency Cooperation Enhancement Act: Senate passed S. 1360, to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay initiative, for improved detection, prevention, and recovery of improper payments to deceased individuals, after agreeing to the following amendment proposed thereto: **(see next issue)**

Pryor (for Carper/Coburn) Amendment No. 3934, in the nature of a substitute. **(see next issue)**

Naturopathic Medicine Week: Committee on the Judiciary was discharged from further consideration of S. Res. 420, designating the week of October 6 through October 12, 2014, as ''Naturopathic Medicine Week'' to recognize the value of naturopathic medicine in providing safe, effective, and affordable health care, and the resolution was then agreed to. **(see next issue)**

Welcome Home Commemoration: Committee on Veterans' Affairs was discharged from further consideration of S. Res. 479, recognizing Veterans Day 2014 as a special ''Welcome Home Commemoration'' for all who have served in the military since September 14, 2001, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **(see next issue)**

Burr (for Pryor) Amendment No. 3935, of a perfecting nature. **(see next issue)**

100th Anniversary of the Veterans of Foreign Wars of the United States: Committee on the Judiciary was discharged from further consideration of S. Res. 529, recognizing the 100th anniversary of the Veterans of Foreign Wars of the United States and commending its members for their courage and sacrifice in service to the United States, and the resolution was then agreed to. **(see next issue)**

Protect Religious Minorities From Persecution: Senate agreed to S. Res. 530, expressing the sense of the Senate on the current situation in Iraq and the urgent need to protect religious minorities from persecution from the terrorist group the Islamic State of Iraq and the Levant (ISIL), after agreeing to the committee amendment in the nature of a substitute. **(see next issue)**

Ebola Outbreak in West Africa: Senate agreed to S. Res. 541, recognizing the severe threat that the Ebola outbreak in West Africa poses to populations, governments, and economies across Africa and, if not properly contained, to regions across the globe, and expressing support for those affected by this epidemic. **(see next issue)**

Compensation Received by Public Safety Officers: Senate passed S. 2912, to amend the Internal Revenue Code of 1986 to exclude certain compensation received by public safety officers and their dependents from gross income. **(see next issue)**

United States and India Partnership Day: Senate agreed to S. Res. 571, designating September 30, 2014, as ''United States and India Partnership Day''. **(see next issue)**

United States Submarine Force: Senate agreed to S. Res. 572, congratulating the Sailors of the United States Submarine Force upon the completion of

4,000 ballistic missile submarine (SSBN) deterrent patrols. (see next issue)

50th Anniversary of the Wilderness Act: Senate agreed to S. Res. 573, commemorating the 50th anniversary of the Wilderness Act. (see next issue)

National Estuaries Week: Senate agreed to S. Res. 574, designating the week of September 20 through September 27, 2014, as "National Estuaries Week". (see next issue)

National Prostate Cancer Awareness Month: Senate agreed to S. Res. 575, designating September 2014 as "National Prostate Cancer Awareness Month". (see next issue)

Adjournment Resolution: Senate agreed to S. Con. Res. 44, providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives. (see next issue)

House Messages:

Child Care and Development Block Grant Act—Cloture: Senate began consideration of the amendment of the House to S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, taking action on the following amendments and motions proposed thereto: Page S5772

Pending:

Reid motion to concur in the House amendment to the bill. Page S5772

Reid motion to concur in the House amendment to the bill, with Reid Amendment No. 3923 (to the motion to concur in the House amendment), to change the enactment date. Page S5772

Reid Amendment No. 3924 (to Amendment No. 3923), of a perfecting nature. Page S5772

Reid motion to refer the House Message on the bill to the Committee on Health, Education, Labor, and Pensions, with instructions, Reid Amendment No. 3925, to change the enactment date. Page S5772

Reid Amendment No. 3926 (to (the instructions) Amendment No. 3925), of a perfecting nature. Page S5772

Reid Amendment No. 3927 (to Amendment No. 3926), of a perfecting nature. Page S5772

A motion was entered to close further debate on the motion to concur in the House amendment to the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Leigh Martin May, of Georgia, to be United States District Judge for the Northern District of Georgia. (see next issue)

Measures Considered:

Federal Student Loans: Senate began consideration of the motion to proceed to consideration of S. 2432, to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans. Pages S5725–26, S5766–69, S5770–71

Authority for Committees—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the Senate's recess, committees be authorized to report legislative and executive matters on Wednesday, October 1, 2014 from 10 a.m. to 12 noon. (see next issue)

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. (see next issue)

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during the adjournment or recess of the Senate from Thursday, September 18, 2014 through Wednesday, November 12, 2014, the Majority Leader, and Senators Rockefeller, Reed, Carper, Coons, and Cardin be authorized to sign duly enrolled bills or joint resolutions. (see next issue)

Pro Forma—Agreement: A unanimous-consent agreement was reached providing that the Senate adjourn, and convene for pro forma sessions only, with no business conducted on the following dates and times, and that following each pro forma session, Senate adjourn until the next pro forma session, unless the Senate receives a message from the House of Representatives that it has adopted S. Con. Res. 44, providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives: Monday, September 22, 2014 at 4 p.m.; Thursday, September 25, 2014 at 12 noon; Monday, September 29, 2014 at 12 noon; Thursday, October 2, 2014 at 12 noon; Monday, October 6, 2014 at 2 p.m.; Thursday, October 9, 2014 at 12 noon; Monday, October 13, 2014 at 12 noon; Thursday, October 16, 2014 at 12 noon; Monday, October 20, 2014 at 10:15 a.m.; Thursday, October 23, 2014 at 12 noon; Monday, October 27, 2014 at 12 noon; Thursday, October 30, 2014 at 12 noon; Monday, November 3, 2014 at 12 noon; Thursday, November 6, 2014 at 12 noon; Monday, November 10, 2014 at 12 noon; and that when the Senate adjourns on November 10, 2014, it stand adjourned until 2 p.m., on Wednesday, November 12, 2014; and that if the Senate receives a message that the House of Representatives has adopted S. Con. Res. 44, Senate adjourn until 10 a.m., on Wednesday, October 15, 2014 for a pro forma session only, and that following the pro forma session, Senate adjourn until 2 p.m., on Wednesday, November 12, 2014. (see next issue)

Moss Nomination—Cloture: Senate began consideration of the nomination of Randolph D. Moss, of Maryland, to be United States District Judge for the District of Columbia. **Page S5771**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, September 18, 2014, a vote on cloture will occur at 5:30 p.m., on Wednesday, November 12, 2014. **Page S5772**

May Nomination—Cloture: Senate began consideration of the nomination of Leigh Martin May, of Georgia, to be United States District Judge for the Northern District of Georgia. **Pages S5771–72**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, September 18, 2014, a vote on cloture will occur at 5:30 p.m., on Wednesday, November 12, 2014. **Page S5772**

Moss and May Nominations—Agreement: A unanimous-consent-time agreement was reached providing that notwithstanding rule XXII, at 5:30 p.m., on Wednesday, November 12, 2014, Senate vote on the motions to invoke cloture on the nominations of Randolph D. Moss, of Maryland, to be United States District Judge for the District of Columbia, and Leigh Martin May, of Georgia, to be United States District Judge for the Northern District of Georgia; that if cloture is invoked on either of these nominations, that at 2:15 p.m., on Thursday, November 13, 2014, all post-cloture time be considered expired, and Senate vote on confirmation of the nominations in the order upon which cloture was invoked; and that there be two minutes for debate prior to each vote, and all roll call votes after the first vote in each sequence be 10 minutes in length. **Page S5772**

Nominations Confirmed: Senate confirmed the following nominations:

Mark William Lippert, of Ohio, to be Ambassador to the Republic of Korea. **Pages S5764, S5765**

Adam M. Scheinman, of Virginia, to be Special Representative of the President for Nuclear Nonproliferation, with the rank of Ambassador. **Pages S5764, S5765**

Kevin F. O'Malley, of Missouri, to be Ambassador to Ireland. **Pages S5764, S5765**

Bathsheba Nell Crocker, of the District of Columbia, to be an Assistant Secretary of State (International Organization Affairs). **Pages S5764, S5765**

Elizabeth Sherwood-Randall, of California, to be Deputy Secretary of Energy. **Pages S5764, S5765**

Robert W. Holleyman II, of Louisiana, to be a Deputy United States Trade Representative, with the rank of Ambassador. **Pages S5764, S5765**

Eric Rosenbach, of Pennsylvania, to be an Assistant Secretary of Defense. **Pages S5764, S5765**

D. Nathan Sheets, of Maryland, to be an Under Secretary of the Treasury. **Pages S5764, S5765**

Charles H. Fulghum, of North Carolina, to be Chief Financial Officer, Department of Homeland Security. **Pages S5764, S5765**

Alfonso E. Lenhardt, of New York, to be Deputy Administrator of the United States Agency for International Development. **Pages S5764, S5765**

Thomas Frieden, of New York, to be Representative of the United States on the Executive Board of the World Health Organization. **Page S5765**

Nominations Received: Senate received the following nominations:

Francine Berman, of New York, to be a Member of the National Council on the Humanities for a term expiring January 26, 2020.

Victoria Ann Hughes, of Virginia, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2016.

Eric P. Liu, of Washington, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring December 27, 2017.

Joseph Pius Pietrzyk, of Ohio, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2017.

Deborah Willis, of New York, to be a Member of the National Council on the Humanities for a term expiring January 26, 2020.

Dallas P. Tonsager, of South Dakota, to be a Member of the Farm Credit Administration Board, Farm Credit Administration, for a term expiring May 21, 2020.

Mario Cordero, of California, to be a Federal Maritime Commissioner for the term expiring June 30, 2019.

Tho Dinh-Zarr, of Texas, to be a Member of the National Transportation Safety Board for the remainder of the term expiring December 31, 2018.

Maria Echaveste, of California, to be Ambassador to the United Mexican States.

Brian James Egan, of Maryland, to be Legal Adviser of the Department of State.

Paul A. Folmsbee, of Oklahoma, to be Ambassador to the Republic of Mali.

Mary Catherine Phee, of Illinois, to be Ambassador to the Republic of South Sudan.

Richard Rahul Verma, of Maryland, to be Ambassador to the Republic of India.

Allison Beck, of the District of Columbia, to be Federal Mediation and Conciliation Director.

Earl L. Gay, of the District of Columbia, to be Deputy Director of the Office of Personnel Management.

Joan Marie Azrack, of New York, to be United States District Judge for the Eastern District of New York.

Alfred H. Bennett, of Texas, to be United States District Judge for the Southern District of Texas.

Loretta Copeland Biggs, of North Carolina, to be United States District Judge for the Middle District of North Carolina.

Elizabeth K. Dillon, of Virginia, to be United States District Judge for the Western District of Virginia.

George C. Hanks, Jr., of Texas, to be United States District Judge for the Southern District of Texas.

Jose Rolando Olvera, Jr., of Texas, to be United States District Judge for the Southern District of Texas.

Jill N. Parrish, of Utah, to be United States District Judge for the District of Utah.

1 Army nomination in the rank of general.

1 Navy nomination in the rank of admiral.

Page S5842

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Rhea Sun Suh, of Colorado, to be Assistant Secretary for Fish and Wildlife, which was sent to the Senate on January 6, 2014.

Alison Renee Lee, of South Carolina, to be United States District Judge for the District of South Carolina, which was sent to the Senate on January 6, 2014. **Page S5843**

Messages from the House: **Pages S5772–73**

Measures Referred: **Page S5773**

Enrolled Bills Presented: **Page S5773**

Executive Communications: **Pages S5773–79**

Petitions and Memorials: **Page S5779**

Executive Reports of Committees: **Page S5779–81**

Additional Cosponsors: **Page S5784–87**

Statements on Introduced Bills/Resolutions: **Pages S5787–S5801**

Additional Statements:

Amendments Submitted: **Pages S5801–41**

Authorities for Committees to Meet: **Pages S5841–42**

Privileges of the Floor: **Page S5842**

Record Votes: Three record votes were taken today. (Total—270) **Page S5764**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 10:31 p.m., until 4 p.m. on Monday, September 22, 2014. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5881.)

Committee Meetings

(Committees not listed did not meet)

CONSUMER FINANCIAL SERVICES

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine assessing and enhancing protections in consumer financial services, including S. 635, to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement, and H.R. 5130, to amend the Truth in Lending Act to establish a national usury rate for consumer credit transactions, after receiving testimony from Travis B. Plunkett, The Pew Charitable Trusts, Oliver I. Ireland, Morrison and Foerster, and Hilary O. Shelton, NAACP Washington Bureau, all of Washington, D.C.; and Sheri Ekdom, LSS Center for Financial Resources, Sioux Falls, South Dakota.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported 13 resolutions relating to General Services Administration.

Committee on Finance: Committee ordered favorably reported the nomination of Carolyn Watts Colvin, of Maryland, to be Commissioner of Social Security for the term expiring January 19, 2019.

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 2828, to impose sanctions with respect to the Russian Federation, to provide additional assistance to Ukraine, with amendments;

S. 2778, to require the Secretary of State to offer rewards totaling up to $10,000,000 for information on the kidnapping and murder of James Foley and Steven Sotloff;

S. Res. 530, expressing the sense of the Senate on the current situation in Iraq and the urgent need to protect religious minorities from persecution from the Sunni Islamist insurgent and terrorist group the Islamic State, formerly known as the Islamic State of Iraq and the Levant (ISIL), as it expands its control over areas in northwestern Iraq, with an amendment in the nature of a substitute, an amendment to the preamble, and an amendment to the title;

S. Res. 541, recognizing the severe threat that the Ebola outbreak in West Africa poses to populations,

governments, and economies across Africa and, if not properly contained, to regions across the globe, and expressing support for those affected by this epidemic, with an amendment to the preamble;

S. Res. 540, recognizing September 15, 2014, as the International Day of Democracy, affirming the role of civil society as a cornerstone of democracy, and encouraging all governments to stand with civil society in the face of mounting restrictions on civil society organizations; and

The nominations of Donald L. Heflin, of Virginia, to be Ambassador to the Republic of Cabo Verde, Craig B. Allen, of Virginia, to be Ambassador to Brunei Darussalam, Stafford Fitzgerald Haney, of New Jersey, to be Ambassador to the Republic of Costa Rica, Charles C. Adams, Jr., of Maryland, to be Ambassador to the Republic of Finland, Earl Robert Miller, of Michigan, to be Ambassador to the Republic of Botswana, William V. Roebuck, of North Carolina, to be Ambassador to the Kingdom of Bahrain, Judith Beth Cefkin, of Colorado, to be Ambassador to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador to the Republic of Kiribati, the Republic of Nauru, the Kingdom of Tonga, and Tuvalu, Barbara A. Leaf, of Virginia, to be Ambassador to the United Arab Emirates, Pamela Leora Spratlen, of California, to be Ambassador to the Republic of Uzbekistan, Benjamin L. Cardin, of Maryland, to be a Representative of the United States of America to the Sixty-ninth Session of the General Assembly of the United Nations, Ronald H. Johnson, of Wisconsin, to be a Representative of the United States of America to the Sixty-ninth Session of the General Assembly of the United Nations, James Peter Zumwalt, of California, to be Ambassador to the Republic of Senegal, and to serve concurrently and without additional compensation as Ambassador to the Republic of Guinea-Bissau, Robert T. Yamate, of California, to be Ambassador to the Republic of Madagascar, and to serve concurrently and without additional compensation as Ambassador to the Union of the Comoros, Virginia E. Palmer, of Virginia, to be Ambassador to the Republic of Malawi, David Nathan Saperstein, of the District of Columbia, to be Ambassador at Large for International Religious Freedom, Thomas Frieden, of New York, to be Representative of the United States on the Executive Board of the World Health Organization, and a list in the Foreign Service.

ECONOMIC SELF-SUFFICIENCY FOR PEOPLE WITH DISABILITIES

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine overcoming persistent barriers to economic self-sufficiency for people with disabilities, after receiving testimony from Tennessee State Senator Becky Massey, Sertoma Center, Knoxville; Geoffrey M. Lauer, Brain Injury Alliance of Iowa, Iowa City; Ann Wai-Yee Kwong, University of California Berkeley, El Monte; Alison M. Lozano, New Jersey Council on Developmental Disabilities, Trenton; and Justin Herbst, Western Springs, Illinois.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1690, to reauthorize the Second Chance Act of 2007, with amendments;

S. 2646, to reauthorize the Runaway and Homeless Youth Act, with an amendment in the nature of a substitute; and

The nominations of Madeline Cox Arleo, to be United States District Judge for the District of New Jersey, Wendy Beetlestone, Mark A. Kearney, Joseph F. Leeson, Jr., and Gerald J. Pappert, all to be a United States District Judge for the Eastern District of Pennsylvania, Victor Allen Bolden, to be United States District Judge for the District of Connecticut, Armando Ormar Bonilla, of the District of Columbia, to be a Judge of the United States Court of Federal Claims, Stephen R. Bough, to be United States District Judge for the Western District of Missouri, David J. Hale, and Gregory N. Stivers, both to be a United States District Judge for the Western District of Kentucky.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 147 public bills, 5525–5671; and 17 resolutions, H.J. Res. 126–127; H. Con. Res. 116–117; and H. Res. 734–746 were introduced. **Pages H7781–87**

Additional Cosponsors: **Pages H7892–94**

Reports Filed: A report was filed today as follows:

H.R. 5077, to amend the Federal Water Pollution Control Act to provide guidance and clarification regarding issuing new and renewal permits, and for other purposes, with an amendment (H. Rept. 113–604).

A report was filed on July 29, 2014 as follows:

H.R. 4709, to improve enforcement efforts related to prescription drug diversion and abuse, and for other purposes (H. Rept. 113–605, Pt. 1).

Page H7881

Speaker: Read a letter from the Speaker wherein he appointed Representative Collins (GA) to act as Speaker pro tempore for today. **Page H7679**

Chaplain: The prayer was offered by the guest chaplain, Reverend Seretta McKnight, Union Baptist Church, Hempstead, New York. **Page H7679**

Recess: The House recessed at 9:05 a.m. for the purpose of receiving His Excellency Petro Poroshenko, President of Ukraine. The House reconvened at 12:01 p.m., and agreed that the proceedings had during the Joint Meeting be printed in the Record. **Page H7680**

Joint Meeting To Receive His Excellency Petro Poroshenko, President of Ukraine: The House and Senate met in a Joint Meeting to receive His Excellency Petro Poroshenko, President of Ukraine. He was escorted into the Chamber by a committee comprised of Representatives McCarthy (CA), Scalise, McMorris Rodgers, Walden, Jenkins, McKeon, Royce, Frelinghuysen, Granger, Rogers (MI), Gerlach, Turner, Pelosi, Hoyer, Clyburn, Israel, Becerra, Slaughter, Quigley, Kaptur, Pascrell, Levin, Brown (FL), and DeLauro; and Senators Reid, Durbin, Murray, Stabenow, Menendez, Murphy, McConnell, Cornyn, Blunt, Barrasso, and Corker. **Pages H7680–83**

Committee on Transportation and Infrastructure—Communication: Read a letter from Chairman Shuster wherein he transmitted copies of resolutions to authorize 12 prospectuses, including two alteration projects, one construction project, and three leases, included in the General Services Administration's FY2014 and FY2015 Capital Investment and Leasing Programs. The resolutions were adopted by the Committee on Transportation and Infrastructure on September 17, 2014. **Pages H7691–H7772**

Recess: The House recessed at 1 p.m. and reconvened at 1:30 p.m. **Page H7772**

Jobs for America Act: The House passed H.R. 4, to make revisions to Federal law to improve the conditions necessary for economic growth and job creation, by a yea-and-nay vote of 253 yeas to 163 nays, Roll No. 513. **Pages H7684–91, H7772, H7854–58**

Rejected the Bishop (NY) motion to recommit the bill to the Committee on Ways and Means with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 191 yeas to 218 nays, Roll No. 512. **Pages H7854–57**

H. Res. 727, the rule providing for consideration of the bills (H.R. 2) and (H.R. 4), was agreed to by a recorded vote of 227 ayes to 193 noes, Roll No. 511, after the previous question was ordered by a yea-and-nay vote of 226 yeas to 195 nays, Roll No. 510. **Pages H7684–91, H7772–73**

American Energy Solutions for Lower Costs and More American Jobs Act: The House passed H.R. 2, to remove Federal Government obstacles to the production of more domestic energy; to ensure transport of that energy reliably to businesses, consumers, and other end users; to lower the cost of energy to consumers; and to enable manufacturers and other businesses to access domestically produced energy affordably and reliably in order to create and sustain more secure and well-paying American jobs, by a yea-and-nay vote of 226 yeas to 191 nays, Roll No. 515. **Pages H7684–91, H7819–60**

Rejected the Schneider motion to recommit the bill to the Committee on Natural Resources and the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 193 yeas to 222 nays, Roll No. 514. **Pages H7853–54, H7859**

Agreed by unanimous consent that the question of adopting a motion to recommit on H.R. 2 may be subject to postponement as though under clause 8 of rule 20. **Page H7819**

H. Res. 727, the rule providing for consideration of the bills (H.R. 2) and (H.R. 4), was agreed to by a recorded vote of 227 ayes to 193 noes, Roll No. 511, after the previous question was ordered by a yea-and-nay vote of 226 yeas to 195 nays, Roll No. 510. **Pages H7684–91, H7772–73**

Recess: The House recessed at 5:20 p.m. and reconvened at 6:01 p.m. **Page H7854**

Providing for the appointment of Michael Lynton as a citizen regent of the Board of Regents of the Smithsonian Institution: The House agreed to discharge from committee and agree to S.J. Res. 40, to provide for the appointment of Michael Lynton as a citizen regent of the Board of Regents of the Smithsonian Institution. **Page H7860**

Condemning all forms of anti-Semitism and rejecting attempts to justify anti-Jewish hatred or violent attacks: The House agreed to discharge from committee and agree to H. Res. 707, as amended by Representative Royce, to condemn all forms of anti-Semitism and rejecting attempts to justify anti-Jewish hatred or violent attacks as an acceptable expression of disapproval or frustration over political events in the Middle East or elsewhere. **Pages H7860–62**

Expressing the condolences of the House of Representatives to the families of James Foley and Steven Sotloff: The House agreed to discharge from committee and agree to H. Res. 734, to express the condolences of the House of Representatives to the families of James Foley and Steven Sotloff, and to condemn the terrorist acts of the Islamic State of Iraq and the Levant. **Page H7862**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12 noon tomorrow, September 19th. **Page H7862**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today and a message received from the Senate today appear on pages H7772, H7877.

Senate Referrals: S. 2651 was referred to the Committees on Transportation and Infrastructure and Homeland Security; S. 2141 was held at the desk. **Page H7772**

Discharge Petition: Representative Wilson (FL) presented to the clerk a motion to discharge the Committees on Ways and Means, Small Business, Education and the Workforce, the Judiciary, Transportation and Infrastructure, Financial Services, House Administration, Oversight and Government Reform, and the Budget from the consideration of H.R. 2821, a bill to provide tax relief for American workers and businesses, to put workers back on the job while rebuilding and modernizing America, and to provide pathways back to work for Americans looking for jobs (Discharge Petition No. 12).

Quorum Calls—Votes: Five yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H7772, H7773, H7857–58, H7858, H7859, H7859–60. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 9:30 p.m.

Committee Meetings

BENEFITS OF PROMOTING SOIL HEALTH IN AGRICULTURE AND RURAL AMERICA

Committee on Agriculture: Subcommittee on Conservation, Energy, and Forestry held a hearing on the benefits of promoting soil health in agriculture and rural America. Testimony was heard from Jason Weller, Chief, Natural Resources Conservation Service, Department of Agriculture; Shanon Phillips, Director, Water Quality, Oklahoma Conservation Commission; and public witnesses.

THE ADMINISTRATION'S STRATEGY FOR THE ISLAMIC STATE IN IRAQ AND THE LEVANT

Committee on Armed Services: Full Committee held a hearing entitled ''The Administration's Strategy for the Islamic State in Iraq and the Levant (ISIL)''. Testimony was heard from Chuck Hagel, Secretary of Defense, Department of Defense; and Lieutenant General William Mayville, USA, Director for Operations, J–3, Joint Chiefs of Staff.

SUICIDE PREVENTION AND TREATMENT: HELPING LOVED ONES IN MENTAL HEALTH CRISIS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Suicide Prevention and Treatment: Helping Loved Ones in Mental Health Crisis''. Testimony was heard from former Member Lincoln Diaz-Balart; Rear Admiral Boris D. Lushniak, Acting Surgeon General, Department of Health and Human Services; and public witnesses.

THE ISIS THREAT: WEIGHING THE OBAMA ADMINISTRATION'S RESPONSE

Committee on Foreign Affairs: Full Committee held a hearing entitled ''The ISIS Threat: Weighing the Obama Administration's Response''. Testimony was heard from John F. Kerry, Secretary of State, Department of State.

THE STRUGGLES OF RECOVERING ASSETS FOR HOLOCAUST SURVIVORS

Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa; and Subcommittee on Europe, Eurasia, and Emerging Threats held a joint hearing entitled ''The Struggles of Recovering Assets for Holocaust Survivors''. Testimony was heard from public witnesses.

SAFEGUARDING PRIVACY AND CIVIL LIBERTIES WHILE KEEPING OUR SKIES SAFE

Committee on Homeland Security: Subcommittee on Transportation Security held a hearing entitled "Safeguarding Privacy and Civil Liberties While Keeping Our Skies Safe". Testimony was heard from Stephen Sadler, Assistant Administrator, Office of Intelligence and Analysis, Transportation Security Administration, Department of Homeland Security; Christopher M. Piehota, Director, Terrorist Screening Center, Federal Bureau of Investigation, Department of Justice; and Jennifer A. Grover, Acting Director, Homeland Security and Justice, Government Accountability Office.

OVERSIGHT OF THE DRUG ENFORCEMENT ADMINISTRATION

Committee on the Judiciary: Subcommittee on Crime, Terrorism, Homeland Security, and Investigations held a hearing on oversight of the Drug Enforcement Administration. Testimony was heard from Michele M. Leonhart, Administrator, Drug Enforcement Administration.

OVERSIGHT OF THE U.S. COPYRIGHT OFFICE

Committee on the Judiciary: Subcommittee on Courts, Intellectual Property, and the Internet held a hearing on oversight of the U.S. Copyright Office. Testimony was heard from Maria A. Pallante, Register of Copyrights and Director, U.S. Copyright Office.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee held a markup on the following legislation: H.R. 69, the "Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2013"; H.R. 706, the "Blackstone River Valley National Historical Park Establishment Act"; H.R. 712, to extend the authorization of the Highlands Conservation Act through fiscal year 2024; H.R. 1363, the "Exploring for Geothermal Energy on Federal Lands Act"; H.R. 1839, the "Hermosa Creek Watershed Protection Act of 2013"; H.R. 3226, to remove from the John H. Chafee Coastal Barrier Resources System certain properties in South Carolina; H.R. 3227, to remove from the John H. Chafee Coastal Barrier Resources System certain properties in South Carolina; H.R. 3326, the "Trinity County Land Exchange Act of 2013"; H.R. 3608, the "Grand Portage Band Per Capita Adjustment Act"; H.R. 3980, the "Water Supply Permitting Coordination Act"; H.R. 3981, the "Accelerated Revenue, Repayment, and Surface Water Storage Enhancement Act"; H.R. 4166, the "Lake Berryessa Recreation Enhancement Act of 2014"; H.R. 4534, the "Native American Children's Safety Act"; H.R. 4846, the "Arapaho National Forest Boundary Adjustment Act of 2014"; H.R. 5003, the "Kennesaw Mountain National Battlefield Park Boundary Adjustment Act of 2014"; H.R. 5040, the "Idaho County Shooting Range Land Conveyance Act"; H.R. 5049, the "Blackfoot River Land Exchange Act of 2014"; H.R. 5050, the "May 31, 1918 Act Repeal Act"; H.R. 5139, to correct the boundaries of the John H. Chafee Coastal Barrier Resources System Unit P16; H.R. 5162, to amend the Act entitled "An Act to allow a certain parcel of land in Rockingham County, Virginia, to be used for a child care center" to remove the use restriction, and for other purposes; H.R. 5167, to direct the Administrator of General Services, on behalf of the Secretary of the Interior, to convey certain Federal property located in the National Petroleum Reserve in Alaska to the Olgoonik Corporation, an Alaska Native Corporation established under the Alaska Native Claims Settlement Act; H.R. 5412, the "Bureau of Reclamation Surface Water Storage Streamlining Act"; H.R. 5476, the "Cabin Fee Act of 2014"; S. 363, the "Geothermal Production Expansion Act of 2013"; and S. 609, the "San Juan County Federal Land Conveyance Act". The following bills were ordered reported, as amended: H.R. 69, H.R. 706, H.R. 712, H.R. 1839, H.R. 3226, H.R. 3227, H.R. 3326, H.R. 3980, H.R. 3981, H.R. 4166, H.R. 4534, H.R. 4846, H.R. 5003, H.R. 5139, H.R. 5167, H.R. 5412, H.R. 5476, and S. 609. The following bills were ordered reported, without amendment: H.R. 1363, H.R. 3608, H.R. 5040, H.R. 5049, H.R. 5050, H.R. 5162, and S. 363.

EXAMINING OBAMACARE'S FAILURES IN SECURITY, ACCOUNTABILITY AND TRANSPARENCY

Committee on Oversight and Government Reform: Full Committee held a hearing entitled "Examining ObamaCare's Failures in Security, Accountability and Transparency". Testimony was heard from Marilyn Tavenner, Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Greg Wilshusen, Director, Information Security Issues, Government Accountability Office; and Ann Barron-DiCamillo, Director, U.S. Computer Emergency Readiness Team, Department of Homeland Security.

PROTECTING INTERNATIONAL RELIGIOUS FREEDOM

Committee on Oversight and Government Reform: Subcommittee on National Security held a hearing entitled "Protecting International Religious Freedom". Testimony was heard from Sarah Sewall, Under Secretary for Civilian Security, Democracy, and Human Rights, Department of State; Katrina Lantos Swett,

Chair, U.S. Commission on International Religious Freedom; and public witnesses.

U.S. CENSUS BUREAU: ADDRESSING DATA COLLECTION VULNERABILITIES

Committee on Oversight and Government Reform: Subcommittee on Federal Workforce, U.S. Postal Service, and the Census held a hearing entitled "U.S. Census Bureau: Addressing Data Collection Vulnerabilities". Testimony was heard from John H. Thompson, Director, U.S. Census Bureau, Department of Commerce; and Todd Zinser, Inspector General, Department of Commerce.

THE SCIENCE OF DYSLEXIA

Committee on Science, Space, and Technology: Full Committee held a hearing entitled "The Science of Dyslexia". Testimony was heard from Representatives Cassidy and Brownley of California and public witnesses.

AN UPDATE ON THE SMALL BUSINESS HEALTH OPTIONS PROGRAM: IS IT WORKING FOR SMALL BUSINESSES?

Committee on Small Business: Subcommittee on Health and Technology held a hearing entitled "An Update on the Small Business Health Options Program: Is It Working for Small Businesses?". Testimony was heard from Mayra Alvarez, Director, State Exchange Group, Center for Consumer Information and Insurance Oversight, Centers for Medicare and Medicaid Services; and public witnesses.

THREAT POSED BY THE ISLAMIC STATE OF IRAQ AND THE LEVANT, AL-QA'IDA, AND OTHER ISLAMIC EXTREMISTS

Permanent Select Committee on Intelligence: Full Committee held a hearing entitled "Threat Posed by the Islamic State of Iraq and the Levant (ISIL), al-Qa'ida, and other Islamic Extremists". Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, SEPTEMBER 19, 2014

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled "21st Century Cures: Examining Ways to Combat Antibiotic Resistance and Foster New Drug Development", 9 a.m., 2123 Rayburn.

Committee on Foreign Affairs, Subcommittee on Europe, Eurasia, and Emerging Threats, hearing entitled "Islamist Foreign Fighters Returning Home and the Threat to Europe", 9:15 a.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Oversight and Management Efficiency, hearing entitled "Oversight of the DHS Headquarters Project at St. Elizabeths: Impact on the Taxpayer", 9:30 a.m., 311 Cannon.

Committee on Natural Resources, Subcommittee on Water and Power, hearing on H.R. 4924, the "Bill Williams River Water Rights Settlement Act of 2014", 10 a.m., 1324 Longworth.

Next Meeting of the **SENATE**

4 p.m., Monday, September 22

Senate Chamber

Program for Monday: Unless the Senate receives a message from the House of Representatives that it has agreed to S. Con. Res. 44, Adjournment Resolution, Senate will meet in a pro forma session.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

12 noon, Friday, September 19

House Chamber

Program for Friday: The House will meet in pro forma session at 12 noon.

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