

SA 3525. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2363, supra; which was ordered to lie on the table.

SA 3526. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2363, supra; which was ordered to lie on the table.

SA 3527. Mr. FLAKE (for himself, Mr. MCCAIN, Mr. VITTER, Mr. MORAN, Mr. INHOFE, Mr. KIRK, Mr. BOOZMAN, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 2363, supra; which was ordered to lie on the table.

SA 3528. Mr. REID (for Mr. COBURN) proposed an amendment to the bill S. 311, to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, and for other purposes.

SA 3529. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table.

SA 3530. Mr. REID submitted an amendment intended to be proposed to amendment SA 3529 submitted by Mr. REID and intended to be proposed to the bill S. 2363, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3480. Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mr. MURPHY, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . STRAW PURCHASERS AND TRAFFICKERS OF FIREARMS.

Section 924 of title 18, United States Code, is amended—

(1) in subsection (a)—
(A) in paragraph (1), by inserting before the period at the end the following: “, except that any person who commits a violation described in subparagraph (A) by making a false statement or representation with respect to a firearm or ammunition with knowledge or reasonable cause to believe that the firearm or ammunition is to be used to commit a crime of violence, as defined in subsection (c)(3), shall be fined under this title, imprisoned for not more than 15 years or both”; and
(B) in paragraph (2), by inserting before the period at the end the following: “, except that any person who knowingly violates section 922(a)(6) with knowledge or reasonable cause to believe that the firearm or ammunition is to be used to commit a crime of violence, as defined in subsection (c)(3), shall be fined under this title, imprisoned for not more than 15 years or both”; and

(2) by striking subsection (h) and inserting the following:
“(h) Whoever knowingly receives or transfers a firearm or ammunition, or attempts or conspires to do so, knowing or having reasonable cause to believe that such firearm or ammunition will be used to commit a crime of violence (as defined in subsection (c)(3)), a drug trafficking crime (as defined in subsection (c)(2)), or a crime under the Arms Export Control Act (22 U.S.C. 2751 et seq.), the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the Foreign Narcotics Kingpin Designation Act (21 U.S.C.

1901 et seq.), or section 212(a)(2)(C) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(C)) shall be fined under this title, imprisoned for not more than 15 years, or both.”.

SA 3481. Mr. COONS submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 157, line 24, strike “\$1,390,000,000” and insert “\$1,620,000,000”.

SA 3482. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:
SEC. 2 ____ . AVAILABILITY OF INTEREST IN WILDLIFE RESTORATION FUND.

Section 3(b)(2)(C) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669b(b)(2)(C)) is amended by striking “2016” and inserting “2026”.

SA 3483. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

On page 53, after line 11, add the following:
SEC. 2 ____ . STATE CONTROL OF HUNTING, FISHING, OUTDOOR RECREATION, AND ENERGY DEVELOPMENT AND PRODUCTION ON CERTAIN FEDERAL LAND.

(a) DEFINITIONS.—In this section:
(1) AVAILABLE FEDERAL LAND.—The term “available Federal land” means any Federal land that, as of May 31, 2013—
(A) is located within the boundaries of a State;
(B) is not held by the United States in trust for the benefit of a federally recognized Indian tribe;
(C) is not a unit of the National Park System;
(D) is not a unit of the National Wildlife Refuge System; and
(E) is not a Congressionally designated wilderness area.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(3) STATE.—The term “State” means—
(A) a State; and
(B) the District of Columbia.

(b) STATE PROGRAMS.—
(1) IN GENERAL.—A State—
(A) may establish a program covering the leasing and permitting processes, regulatory requirements, and any other provisions by which the State would exercise its rights to develop all forms of energy resources on available Federal land in the State;
(B) may establish a program covering the allowance of hunting, fishing, and any other outdoor recreation activities (as determined by the State) on available Federal land in the State; and

(C) as a condition of certification under subsection (c)(2) shall submit a declaration to the Departments of the Interior, Agriculture, and Energy that a program under subparagraph (A) or (B) has been established or amended.

(2) AMENDMENT OF PROGRAMS.—A State may amend a program developed and certified under this section at any time.

(3) CERTIFICATION OF AMENDED PROGRAMS.—Any program amended under paragraph (2) shall be certified under subsection (c)(2).

(c) LEASING, PERMITTING, AND REGULATORY PROGRAMS.—

(1) SATISFACTION OF FEDERAL REQUIREMENTS.—Each program certified under this section shall be considered to satisfy all applicable requirements of Federal law (including regulations), including—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(C) the National Historic Preservation Act (16 U.S.C. 470 et seq.).

(2) FEDERAL CERTIFICATION AND TRANSFER OF DEVELOPMENT RIGHTS.—Upon submission of a declaration by a State under subsection (b)(1)(C)—

(A) the program under subparagraph (A) or (B) of subsection (b)(1), as applicable, shall be certified; and

(B) the State shall receive all rights from the Federal Government to carry out the certified program.

(3) ISSUANCE OF PERMITS AND LEASES.—If a State elects to issue a permit or lease for the development of any form of energy resource on any available Federal land within the borders of the State in accordance with a program certified under paragraph (2), the permit or lease shall be considered to meet all applicable requirements of Federal law (including regulations).

(d) JUDICIAL REVIEW.—Activities carried out in accordance with this section shall not be subject to judicial review.

(e) ADMINISTRATIVE PROCEDURE ACT.—Activities carried out in accordance with this section shall not be subject to subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the “Administrative Procedure Act”).

SA 3484. Mr. BURR submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1 ____ . WILD HORSES IN AND AROUND THE CURRITUCK NATIONAL WILDLIFE REFUGE.

(a) AGREEMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of the Interior shall enter into an agreement with the Corolla Wild Horse Fund (a nonprofit corporation established under the laws of the State of North Carolina), the County of Currituck, North Carolina, and the State of North Carolina within 180 days after the date of enactment of this Act to provide for management of free-roaming wild horses in and around the Currituck National Wildlife Refuge.

(2) TERMS.—The agreement shall—
(A) allow a herd of not less than 110 and not more than 130 free-roaming wild horses in and around such refuge, with a target population of between 120 and 130 free-roaming wild horses;

(B) provide for cost-effective management of the horses while ensuring that natural resources within the refuge are not adversely impacted;

(C) provide for introduction of a small number of free-roaming wild horses from the herd at Cape Lookout National Seashore as is necessary to maintain the genetic viability of the herd in and around the Currituck National Wildlife Refuge; and

(D) specify that the Corolla Wild Horse Fund shall pay the costs associated with—

- (i) coordinating a periodic census and inspecting the health of the horses;
- (ii) maintaining records of the horses living in the wild and in confinement;
- (iii) coordinating the removal and placement of horses and monitoring of any horses removed from the Currituck County Outer Banks; and

(iv) administering a viable population control plan for the horses including auctions, adoptions, contraceptive fertility methods, and other viable options.

(b) REQUIREMENTS FOR INTRODUCTION OF HORSES FROM CAPE LOOKOUT NATIONAL SEASHORE.—During the effective period of the memorandum of understanding between the National Park Service and the Foundation for Shackleford Horses, Inc. (a non-profit corporation organized under the laws of and doing business in the State of North Carolina) signed in 2007, no horse may be removed from Cape Lookout National Seashore for introduction at Currituck National Wildlife Refuge except—

(1) with the approval of the Foundation; and

(2) consistent with the terms of such memorandum (or any successor agreement) and the Management Plan for the Shackleford Banks Horse Herd signed in January 2006 (or any successor management plan).

(c) NO LIABILITY CREATED.—Nothing in this section shall be construed as creating liability for the United States for any damages caused by the free-roaming wild horses to any person or property located inside or outside the boundaries of the refuge.

SA 3485. Mr. FLAKE (for himself, Mr. MCCAIN, and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1. REFUND OF FUNDS USED BY STATES TO OPERATE NATIONAL PARKS DURING SHUTDOWN.

(a) IN GENERAL.—The Director of the National Park Service shall refund to each State all funds of the State that were used to reopen and temporarily operate a unit of the National Park System during the period in October 2013 in which there was a lapse in appropriations for the unit.

(b) FUNDING.—Funds of the National Park Service that are appropriated after the date of enactment of this Act shall be used to carry out this section.

SA 3486. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

On page 53, after line 11, add the following:

SEC. 2. OFF-INSTALLATION DEPARTMENT OF DEFENSE NATURAL RESOURCES PROJECTS COMPLIANCE WITH INTEGRATED NATURAL RESOURCE MANAGEMENT PLANS.

Section 103a of the Sikes Act (16 U.S.C. 670c-1) is amended by adding at the end the following:

“(d) COMPLIANCE WITH INTEGRATED NATURAL RESOURCE MANAGEMENT PLAN.—In the case of a cooperative agreement or inter-agency agreement entered into under sub-

section (a) for the maintenance and improvement of natural resources located off of a military installation or State-owned National Guard installation, funds referred to in subsection (b) may be used only pursuant to an approved integrated natural resources management plan.”.

SA 3487. Mr. MORAN (for himself, Mr. ROBERTS, Mr. INHOFE, Mr. CORNYN, and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2. PROHIBITION ON LAND MANAGEMENT MODIFICATIONS RELATING TO LESSER PRAIRIE CHICKEN.

Notwithstanding any other provision of law (including regulations), the Secretary of Agriculture and the Secretary of the Interior shall not implement or limit any modification to a public or private land-related policy or subsurface mineral right-related policy or practice that is in effect on the date of enactment of this Act relating to the listing of the Lesser Prairie Chicken as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SA 3488. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2. WILDLIFE AND HUNTING HERITAGE CONSERVATION COUNCIL ADVISORY COMMITTEE.

The Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) is amended by adding at the end the following:

“SEC. 10. WILDLIFE AND HUNTING HERITAGE CONSERVATION COUNCIL ADVISORY COMMITTEE.

“(a) ESTABLISHMENT.—There is established the Wildlife and Hunting Heritage Conservation Council Advisory Committee (referred to in this section as the ‘Advisory Committee’) to advise the Secretaries of the Interior and Agriculture (referred to in this section as the ‘Secretaries’) on wildlife and habitat conservation, hunting, and recreational shooting.

“(b) DUTIES OF THE ADVISORY COMMITTEE.—The Advisory Committee shall advise the Secretaries with regard to—

“(1) implementation of Executive Order No. 13443 (72 Fed. Reg. 46537 (Aug. 16, 2007)) (relating to facilitation of hunting heritage and wildlife conservation), which directs Federal agencies ‘to facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat’;

“(2) policies and programs to conserve and restore wetland, agricultural land, grassland, and forest and rangeland habitats;

“(3) policies and programs to promote opportunities and access to hunting and shooting sports on Federal land;

“(4) policies and programs to recruit and retain new hunters and shooters;

“(5) policies and programs that increase public awareness of the importance of wildlife conservation and the social and economic benefits of recreational hunting and shooting; and

“(6) policies and programs that encourage coordination among the public, the hunting

and shooting sports community, wildlife conservation groups, and States, Indian tribes, and the Federal Government.

“(c) MEMBERSHIP.—

“(1) APPOINTMENT.—

“(A) IN GENERAL.—The Advisory Committee shall consist of not more than 16 discretionary members and 7 ex officio members.

“(B) EX OFFICIO MEMBERS.—The ex officio members of the Advisory Committee shall be—

“(i) the Director of the United States Fish and Wildlife Service or a designated representative of the Director;

“(ii) the Director of the Bureau of Land Management or a designated representative of the Director;

“(iii) the Director of the National Park Service or a designated representative of the Director;

“(iv) the Chief of the Forest Service or a designated representative of the Chief;

“(v) the Chief of the Natural Resources Conservation Service or a designated representative of the Chief;

“(vi) the Administrator of the Farm Service Agency or a designated representative of the Administrator; and

“(vii) the Executive Director of the Association of Fish and Wildlife Agencies.

“(C) DISCRETIONARY MEMBERS.—The discretionary members shall be appointed jointly by the Secretaries from at least 1 of each of the following:

“(i) State fish and wildlife agencies.

“(ii) Game bird hunting organizations.

“(iii) Wildlife conservation organizations.

“(iv) Big game hunting organizations.

“(v) Waterfowl hunting organizations.

“(vi) The tourism, outfitter, and guiding industry.

“(vii) The firearms and ammunition manufacturing industry.

“(viii) The hunting and shooting equipment retail industry.

“(ix) Tribal resource management organizations.

“(x) Women’s hunting and fishing advocacy, outreach, or education organizations.

“(xi) Minority hunting and fishing advocacy, outreach, or education organizations.

“(xii) Veterans service organizations.

“(D) ELIGIBILITY.—Prior to the appointment of the discretionary members, the Secretaries shall determine that each individual nominated for appointment to the Advisory Committee, and the organization each individual represents, actively supports and promotes sustainable-use hunting, wildlife conservation, and recreational shooting.

“(2) TERMS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), members of the Advisory Committee—

“(i) shall be appointed for a term of 4 years; and

“(ii) shall not be appointed for more than 3 terms, regardless of whether the terms are consecutive or nonconsecutive.

“(B) INITIAL APPOINTMENTS.—As designated by the Secretaries at the time of appointment, of the members first appointed—

“(i) 6 members shall be appointed for a term of 4 years;

“(ii) 5 members shall be appointed for a term of 3 years; and

“(iii) 5 members shall be appointed for a term of 2 years.

“(3) PRESERVATION OF PUBLIC ADVISORY STATUS.—No individual may be appointed as a discretionary member of the Advisory Committee while serving as an officer or employee of the Federal Government.

“(4) VACANCY AND REMOVAL.—

“(A) IN GENERAL.—Any vacancy on the Advisory Committee shall be filled in the manner in which the original appointment was made.

“(B) REMOVAL.—Advisory Committee members shall serve at the discretion of the Secretaries and may be removed at any time for good cause.

“(5) CONTINUATION OF SERVICE.—Each appointed member may continue to serve after the expiration of the term of office to which that member was appointed until a successor has been appointed.

“(6) CHAIRPERSON.—

“(A) IN GENERAL.—The Chairperson of the Advisory Committee shall be jointly appointed for a 3-year term by the Secretaries from among the members of the Advisory Committee.

“(B) TERM.—An individual may not be appointed as Chairperson for more than 2 terms, regardless of whether the terms are consecutive or nonconsecutive.

“(7) PAY AND EXPENSES.—Members of the Advisory Committee shall serve without pay for such service, but each member of the Advisory Committee may be reimbursed for travel and lodging incurred through attending meetings of the Advisory Committee-approved subgroup meetings in the same amounts and under the same conditions as Federal employees (in accordance with section 5703 of title 5, United States Code).

“(8) MEETINGS.—

“(A) IN GENERAL.—The Advisory Committee shall meet at the call of the Secretaries, the Chairperson, or a majority of the members, but not less frequently than twice annually.

“(B) OPEN MEETINGS.—Each meeting of the Advisory Committee shall be open to the public.

“(C) PRIOR NOTICE OF MEETINGS.—Timely notice of each meeting of the Advisory Committee shall be published in the Federal Register and be submitted to trade publications and publications of general circulation.

“(D) SUBGROUPS.—The Advisory Committee may establish such workgroups or subgroups as the Advisory Committee determines necessary for the purpose of compiling information or conducting research, subject to the conditions that any workgroup or subgroup of the Advisory Committee—

“(i) may not conduct business without the direction of the Advisory Committee; and

“(ii) shall report in full to the Advisory Committee.

“(9) QUORUM.—9 members of the Advisory Committee shall constitute a quorum.

“(d) EXPENSES.—The expenses of the Advisory Committee that the Secretaries determine to be reasonable and appropriate shall be paid by the Secretaries.

“(e) ADMINISTRATIVE SUPPORT, TECHNICAL SERVICES, AND ADVICE.—A designated Federal Officer shall be jointly appointed by the Secretaries to provide to the Advisory Committee the administrative support, technical services, and advice that the Secretaries determine to be reasonable and appropriate.

“(f) ANNUAL REPORT.—

“(1) REQUIRED.—

“(A) IN GENERAL.—Not later than September 30 of each year, the Advisory Committee shall submit a report to the Secretaries, the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives, and the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

“(B) EXTENSION.—If the Advisory Committee cannot meet the September 30 deadline in any year, the Secretaries shall advise the Chairpersons of each of the Committees described in subparagraph (A) of the reasons

for the delay and the date on which the submission of the report is anticipated.

“(2) CONTENTS.—The report under paragraph (1) shall include—

“(A) a description of the activities of the Advisory Committee during the preceding year;

“(B) a description of the reports and recommendations made by the Advisory Committee to the Secretaries during the preceding year; and

“(C) an accounting of actions taken by the Secretaries as a result of the recommendations.

“(g) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee.

“(h) ABOLISHMENT OF THE EXISTING WILDLIFE AND HUNTING HERITAGE CONSERVATION COUNCIL ADVISORY COMMITTEE.—On publication of the first notice of the Advisory Committee under subsection (c)(8), the Wildlife and Hunting Heritage Conservation Council formed in furtherance of section 441 of the Revised Statutes (43 U.S.C. 1457), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.), and other Acts applicable to specific bureaus of the Department of the Interior is abolished.”

SA 3489. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

On page 42, between lines 19 and 20, insert the following:

(c) REPORT ON PUBLIC ACCESS AND EGRESS TO FEDERAL PUBLIC LAND.—

(1) DEFINITIONS.—In this subsection:

(A) FEDERAL PUBLIC LAND MANAGEMENT AGENCY.—The term “Federal public land management agency” means any of the National Park Service, the United States Fish and Wildlife Service, the Forest Service, and the Bureau of Land Management.

(B) TRAVEL MANAGEMENT PLAN.—The term “travel management plan” means a plan for the management of travel—

(i) with respect to land under the jurisdiction of the National Park Service, on park roads and designated routes under section 4.10 of title 36, Code of Federal Regulations (or successor regulations);

(ii) with respect to land under the jurisdiction of the United States Fish and Wildlife Service, on the land under a comprehensive conservation plan prepared under section 4(e) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(e));

(iii) with respect to land under the jurisdiction of the Forest Service, on National Forest System land under part 212 of title 36, Code of Federal Regulations (or successor regulations); and

(iv) with respect to land under the jurisdiction of the Bureau of Land Management, under a resource management plan developed under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(2) REPORT ON PUBLIC ACCESS AND EGRESS TO FEDERAL PUBLIC LAND.—

(A) REPORT.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, each head of a Federal public land management agency shall make available to the public on the website of the Federal public land management agency a report that includes—

(i) a list of the location and acreage of land more than 640 acres in size under the jurisdiction of the Federal public land manage-

ment agency on which the public is allowed, under Federal or State law, to hunt, fish, or use the land for other recreational purposes—

(I) to which there is no public access or egress; or

(II) to which public access or egress to the legal boundaries of the land is significantly restricted (as determined by the head of the Federal public land management agency);

(i) with respect to land described in clause (i), a list of the locations and acreage on the land that the head of the Federal public land management agency determines have significant potential for use for hunting, fishing, and other recreational purposes; and

(iii) with respect to land described in clause (ii), a plan developed by the Federal public land management agency that—

(I) identifies how public access and egress could reasonably be provided to the legal boundaries of the land in a manner that minimizes the impact on wildlife habitat and water quality;

(II) specifies the actions recommended to secure the access and egress, including acquiring an easement, right-of-way, or fee title from a willing owner of any land that abuts the land or the need to coordinate with State land management agencies or other Federal or State governmental entities to allow for such access and egress; and

(III) is consistent with the travel management plan in effect on the land.

(B) LIST OF PUBLIC ACCESS ROUTES FOR CERTAIN LAND.—Not later than 1 year after the date of enactment of this Act, each head of a Federal public land management agency shall make available to the public on the website of the Federal public land management agency, and thereafter revise as the head of the Federal public land management agency determines appropriate, a list of roads or trails that provide the primary public access and egress to the legal boundaries of contiguous parcels of land equal to more than 640 acres in size under the jurisdiction of the Federal public land management agency on which the public is allowed, under Federal or State law, to hunt, fish, or use the land for other recreational purposes.

(C) MEANS OF PUBLIC ACCESS AND EGRESS INCLUDED.—In considering public access and egress under subparagraphs (A) and (B), the head of the applicable Federal public land management agency shall consider public access and egress to the legal boundaries of the land described in those subsections, including access and egress—

(i) by motorized or non-motorized vehicles; and

(ii) on foot or horseback.

(D) EFFECT.—

(i) IN GENERAL.—This subsection shall have no effect on whether a particular recreational use shall be allowed on the land described in clauses (i) and (ii) of subparagraph (A).

(ii) EFFECT OF ALLOWABLE USES ON AGENCY CONSIDERATION.—In preparing the plan under subparagraph (A)(iii), the head of the applicable Federal public land management agency shall only consider recreational uses that are allowed on the land at the time that the plan is prepared.

SA 3490. Mr. REID proposed an amendment to amendment SA 3469 proposed by Mr. UDALL of Colorado (for himself and Mr. RISCH) to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; as follows:

In the amendment, on line 1, strike the word “the”.

SA 3491. Mr. REID proposed an amendment to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 3492. Mr. REID proposed an amendment to amendment SA 3491 proposed by Mr. REID to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; as follows:

In the amendment, strike “3 days” and insert “4 days”.

SA 3493. Mr. REID proposed an amendment to amendment SA 3492 proposed by Mr. REID to the amendment SA 3491 proposed by Mr. REID to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; as follows:

In the amendment, strike “4” and insert “5”.

SA 3494. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2 . . . EMERGENCY FOREST REHABILITATION AND RESTORATION AND WILDFIRE CONTROL.

Title VI of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591) is amended by adding at the end the following:

“SEC. 602. EMERGENCY FOREST REHABILITATION AND RESTORATION AND WILDFIRE CONTROL.

“(a) DEFINITION.—In this section:

“(1) CATASTROPHIC EVENT.—

“(A) IN GENERAL.—The term ‘catastrophic event’ means any natural disaster or any fire, flood, or explosion, regardless of cause, that the Secretary determines has caused or has the potential to cause damage of significant severity and magnitude to Federal land.

“(B) NATURAL DISASTER.—For purposes of subparagraph (A), a natural disaster, as determined by the Secretary, may include a fire, hurricane, tornado, windstorm, snow or ice storm, rain storm, high water, wind-driven water, tidal wave, earthquake, volcanic eruption, landslide, mudslide, drought, or insect or disease outbreak.

“(2) SECRETARY.—The term ‘Secretary’ has the meaning given term in section 101.

“(b) MECHANICAL FOREST TREATMENT.—

“(1) IN GENERAL.—The Secretary shall implement such procedures as are necessary to ensure that not less than 400,000 acres of Federal land each fiscal year are treated with mechanical treatments intended to produce merchantable wood.

“(2) FUNDING.—The Secretary shall use to carry out paragraph (1)—

“(A) funds described in subsection (f)(3); and

“(B) any other funds made available for the purposes described in paragraph (1).

“(c) EMERGENCY CIRCUMSTANCES.—

“(1) IN GENERAL.—The Secretary shall—

“(A) declare that emergency circumstances exist for all Federal land subject to the effects of a catastrophic event, including on Federal land outside urban interface areas; and

“(B) as soon as practicable, take all actions necessary for the rehabilitation or restoration of the Federal land, with highest priority given to Federal land impacted by large-scale beetle infestations.

“(2) EMERGENCY ALTERNATIVE ARRANGEMENTS.—In accordance with section 220.4 of title 36, Code of Federal Regulations and section 1506.11 of title 40, Code of Federal Regulations (or successor regulations), for any Federal land for which the Secretary declares the existence of emergency circumstances under paragraph (1), the Secretary may use emergency alternative arrangements to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(3) LIMITATION ON ADMINISTRATIVE APPEALS.—Notwithstanding any other provision of law, no administrative appeal shall be allowed for any action classified as an emergency alternative arrangement under paragraph (2) or a categorical exclusion under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) due to emergency circumstances declared under paragraph (1).

“(d) CATASTROPHIC EVENTS.—

“(1) IN GENERAL.—As soon as practicable during but not later than 30 days after the conclusion of a catastrophic event, the Secretary shall initiate timely salvage activities on the Federal land affected by the catastrophic event so as to prevent significant deterioration of timber values, development of significant fire hazard, or other forest mortality that would prevent the Federal land from regenerating to forest within 5 years.

“(2) FUNDING.—The Secretary shall use to carry out paragraph (1)—

“(A) funds described in subsection (f)(3); and

“(B) any other funds made available for the purposes described in paragraph (1).

“(e) EXCLUSION OF CERTAIN FEDERAL LAND.—This section shall not apply to—

“(1) a component of the National Wilderness Preservation System;

“(2) Federal land on which the removal of vegetation is prohibited or restricted by Act of Congress, Presidential proclamation, or the applicable land management plan; or

“(3) a wilderness study area.

“(f) LIMITATION ON ACQUISITION.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, except as provided in paragraph (2), beginning on the date of enactment of this section and during each of the subsequent 5 full fiscal years, none of the funds made available to the Secretary under any law may be used—

“(A) to survey land for future acquisition as Federal land; or

“(B) to enter into discussions with non-Federal landowners to identify land for acquisition as Federal land.

“(2) EXCEPTION.—Paragraph (1) does not apply to the use of funds—

“(A) to complete land transactions underway on the date of enactment of this section;

“(B) to exchange Federal land for non-Federal land; or

“(C) to accept donations of non-Federal land as Federal land.

“(3) USE OF FUNDS.—Of the funds that would otherwise have been used for purchase of non-Federal land by the Forest Service—

“(A) ¼ shall be transferred to the Wildland Fire Management account of the Department of Agriculture; and

“(B) ¾ shall be used by Secretary to carry out—

“(i) mechanical forest treatments described in subsection (b); and

“(ii) salvage activities described in subsection (d).”.

SA 3495. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 30, strike line 21 and all that follows through page 31, line 21, and insert the following:

(4) BUREAU OF LAND MANAGEMENT, NATIONAL PARK SYSTEM, AND FOREST SERVICE LAND.—

(A) LAND OPEN.—

(i) BUREAU OF LAND MANAGEMENT LAND AND FOREST SERVICE LAND.—

(I) IN GENERAL.—Land under the jurisdiction of the Bureau of Land Management or the Forest Service (including a component of the National Wilderness Preservation System, land designated as a wilderness study area or administratively classified as wilderness eligible or suitable, and primitive or semiprimitive areas, but excluding land on the outer Continental Shelf) shall be open to recreational fishing, hunting, and recreational shooting unless the managing Federal public land agency acts to close the land to the activity.

(II) MOTORIZED ACCESS.—Nothing in subclause (I) authorizes or requires motorized access or the use of motorized vehicles for recreational fishing, hunting, or recreational shooting purposes within land designated as a wilderness study area or administratively classified as wilderness eligible or suitable.

(i) NATIONAL PARK SYSTEM LAND.—

(I) IN GENERAL.—Any unit of the National Park System described in subclause (II) shall be open to the recreational hunting of elk unless the Director of the National Park Service closes the unit to the recreational hunting of elk after a 60-day public comment period.

(II) DESCRIPTION OF LAND.—A unit of the National Park System referred to in subclause (I) is a unit—

(aa) comprised of more than 2,000 contiguous acres of land; and

(bb) that utilizes a management planning process to examine alternatives to translocation to maintain elk populations at a size at which vegetation, other ungulates and wildlife, neighbors of the unit of the National Park System, and other resources of the unit of the National Park System would not experience adverse effects.

(B) CLOSURE OR RESTRICTION.—Land described in subparagraph (A)(i)(I) may be subject

SA 3496. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1 . . . HAYING AND GRAZING.

(a) IN GENERAL.—Section 1233 of the Food Security Act of 1985 (16 U.S.C. 3833) is amended by adding at the end the following:

“(e) HAYING AND GRAZING.—

“(1) IN GENERAL.—Notwithstanding any other provision of this subchapter, the Secretary shall permit the owner or operator of eligible land subject to a contract under the conservation reserve program to make certain approved use of forage removed from the eligible land if the forage removal is a mid-contract management requirement of 1 or more conservation practices subject to the program contract for the eligible land.

“(2) REQUIREMENTS.—To be eligible to use removed forage in accordance with this subsection, the owner or operator of the eligible land shall agree—

“(A) to implement a haying or grazing plan established by the Natural Resources Conservation Service;

“(B) to limit the frequency of forage removal to the schedule established in the mid-contract management requirements; and

“(C) not to conduct forage removal during the primary nesting season.

“(3) APPROVED USES.—

“(A) PERSONAL OR COMMERCIAL USE.—An owner or operator described in paragraph (2) may elect to use removed forage under this subsection for personal or commercial haying or grazing use in exchange for agreeing—

“(i) to forgo the mid-contract cost-share payment for the eligible land; and

“(ii) to a 25-percent reduction in the annual rental rate for the eligible land.

“(B) DONATION.—An owner or operator described in paragraph (2) may elect to donate, to an entity approved by the State department of agriculture, removed forage under this subsection for haying or grazing, without any reduction in the mid-contract cost-share payment or the rental rate.”

(b) CONFORMING AMENDMENT.—Section 1232(a)(8) of the Food Security Act of 1985 (16 U.S.C. 3832(a)(8)) is amended by striking “or (c)” and inserting “, (c), or (e)”.

SA 3497. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

On page 44, lines 19 and 20, strike “each of fiscal years 2015 through 2024” and insert “each fiscal year beginning with fiscal year 2015”.

SA 3498. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1. AGREEMENT TO KEEP PUBLIC LAND OPEN DURING A GOVERNMENT SHUTDOWN.

(a) DEFINITIONS.—In this section:

(1) COVERED UNIT.—The term “covered unit” means—

(A) public land;

(B) units of the National Park System;

(C) units of the National Wildlife Refuge System; or

(D) units of the National Forest System.

(2) PUBLIC LAND.—The term “public land” has the meaning given the term “public lands” in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(3) SECRETARY.—The term “Secretary” means—

(A) the Secretary of the Interior, with respect to land under the jurisdiction of the Secretary of the Interior; or

(B) the Secretary of Agriculture, with respect to land under the jurisdiction of the Secretary of Agriculture.

(b) AUTHORITY TO ENTER INTO AGREEMENT.—Subject to subsection (c), if a State or political subdivision of the State offers, the Secretary shall enter into an agreement with the State or political subdivision of the

State under which the United States may accept funds from the State or political subdivision of the State to reopen, in whole or in part, any covered unit within the State or political subdivision of the State during any period in which there is a lapse in appropriations for the covered unit.

(c) APPLICABILITY.—The authority under subsection (b) shall only be in effect during any period in which the Secretary is unable to operate and manage covered units at normal levels, as determined in accordance with the terms of agreement entered into under subsection (b).

(d) REFUND.—The Secretary shall refund to the State or political subdivision of the State all amounts provided to the United States under an agreement entered into under subsection (b)—

(1) on the date of enactment of an Act retroactively appropriating amounts sufficient to maintain normal operating levels at the covered unit reopened under an agreement entered into under subsection (b); or

(2) on the date on which the State or political subdivision establishes, in accordance with the terms of the agreement, that, during the period in which the agreement was in effect, fees for entrance to, or use of, the covered units were collected by the Secretary.

(e) VOLUNTARY REIMBURSEMENT.—If the requirements for a refund under subsection (d) are not met, the Secretary may, subject to the availability of appropriations, reimburse the State and political subdivision of the State for any amounts provided to the United States by the State or political subdivision under an agreement entered into under subsection (b).

SA 3499. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1. RECREATIONAL SHOOTING PROTECTION.

(a) DEFINITIONS.—In this section:

(1) CHIEF.—The term “Chief” means the Chief of the Forest Service.

(2) DIRECTOR.—The term “Director” means the Director of the Bureau of Land Management.

(3) NATIONAL FOREST SYSTEM.—The term “National Forest System” has the meaning given the term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(4) NATIONAL MONUMENT LAND.—The term “National Monument land” has the meaning given that term in the Act of June 8, 1908 (commonly known as the “Antiquities Act of 1906”) (16 U.S.C. 431 et seq.).

(5) RECREATIONAL SHOOTING.—The term “recreational shooting” includes any form of sport, training, competition, or pastime, whether formal or informal, that involves the discharge of a rifle, handgun, or shotgun, or the use of a bow and arrow.

(b) RECREATIONAL SHOOTING.—

(1) IN GENERAL.—Subject to valid existing rights, National Monument land under the jurisdiction of the Bureau of Land Management and land of the National Forest System under the jurisdiction of the Forest Service shall be open to access and use for recreational shooting, except those closures and restrictions determined by the Director or Chief, as applicable, to be necessary and reasonable and supported by facts and evidence for 1 or more of the following:

(A) Reasons of national security.

(B) Reasons of public safety.

(C) To comply with an applicable Federal law (including regulations).

(2) NOTICE; REPORT.—

(A) REQUIREMENT.—Except as provided in subparagraph (B)(ii), before a restriction or closure under paragraph (1) is made effective, the Director or Chief, as applicable, shall—

(i) publish public notice of the closure or restriction in a newspaper of general circulation in the area where the closure or restriction will be carried out; and

(ii) submit to Congress a report detailing the location and extent of, and evidence justifying, the closure or restriction.

(B) TIMING.—The Director or Chief, as applicable, shall issue the notice and report required under subparagraph (A)—

(i) before the closure, if practicable without risking national security or public safety; and

(ii) in cases where such issuance is not practicable for reasons of national security or public safety, not later than 30 days after the closure.

(3) CESSATION OF CLOSURE OR RESTRICTION.—A closure or restriction under subparagraph (A) or (B) of paragraph (1) shall cease to be effective, as applicable—

(A) on the day after the last day of the 180-day period beginning on the date on which the Director or Chief, as applicable, submits the report to Congress under paragraph (2)(B) regarding the closure or restriction, unless the closure or restriction has been approved by Federal law; and

(B) on the date that is 30 days after the date of enactment of a Federal law disapproving the closure or restriction.

(4) MANAGEMENT.—Consistent with paragraph (1), the Director shall manage National Monument land under the jurisdiction of the Bureau of Land Management and the Chief shall manage land of the National Forest System under the jurisdiction of the Forest Service—

(A) in a manner that supports, promotes, and enhances recreational shooting opportunities;

(B) to the extent authorized under State law (including regulations); and

(C) in accordance with applicable Federal law (including regulations).

(5) LIMITATION ON DUPLICATIVE CLOSURES OR RESTRICTIONS.—The Director or Chief, as applicable, may not issue a closure or restriction under paragraph (1) that is substantially similar to a previously issued closure or restriction that was not approved by Federal law.

(6) EFFECTIVE DATE FOR PRIOR CLOSURES AND RESTRICTIONS.—On the date that is 180 days after the date of enactment of this Act, this section shall apply to closures and restrictions in place on the date of enactment of this Act that relate to access and use for recreational shooting on—

(A) National Monument land under the jurisdiction of the Bureau of Land Management; and

(B) land of the National Forest System under the jurisdiction of the Forest Service.

(7) ANNUAL REPORT.—Not later than October 1 of each year, the Director and Chief, as applicable, shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes any National Monument land under the jurisdiction of the Bureau of Land Management any land of the National Forest System under the jurisdiction of the Forest Service—

(A) that was closed to recreational shooting or on which recreational shooting was restricted at any time during the preceding year; and

(B) the reason for the closure.

(8) NO PRIORITY.—Nothing in this section requires the Director of Chief, as applicable,

to give preference to recreational shooting over other uses of Federal public land or over land or water management priorities established by Federal law.

(9) AUTHORITY OF THE STATES.—

(A) SAVINGS.—Nothing in this section affects the authority, jurisdiction, or responsibility of a State to manage, control, or regulate fish and wildlife under State law (including regulations) on land or water in the State, including Federal public land.

(B) FEDERAL LICENSES.—Nothing in this section authorizes the Director to require a license for recreational shooting on land or water in a State, including on Federal public land in the State.

(10) AUTHORITY OF DIRECTOR AND CHIEF.—Nothing in this section affects the ability of the Director or Chief, as applicable—

(A) to prohibit the use of tannerite, binary explosive targets, or other explosive devices pursuant to Federal law (including regulations); and

(B) temporarily close all or a portion of an area during periods of high fire danger.

SA 3500. Mrs. BOXER (for herself, Mrs. FEINSTEIN, Mr. BLUMENTHAL, and Mr. MURPHY) submitted an amendment intended to be proposed by her to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—PAUSE FOR SAFETY ACT

SECTION 301. SHORT TITLE.

This title may be cited as the “Pause for Safety Act of 2014”.

SEC. 302. DEFINITIONS.

In this title—

(1) the term “close associate” means, with respect to an individual—

(A) a dating partner, friend, co-worker, or neighbor of the individual; or

(B) any other person who has a relationship with the individual so as to be concerned about the safety and well-being of the individual, as determined by a State;

(2) the term “family member” means, with respect to an individual, a spouse, child, parent, sibling, grandchild, or grandparent of the individual;

(3) the term “firearm” has the meaning given the term in section 921 of title 18, United States Code;

(4) the term “gun violence prevention order” means a written order, issued by a State court or signed by a magistrate (or other comparable judicial officer), prohibiting a named individual from having under the custody or control of the individual, owning, purchasing, possessing, or receiving any firearms;

(5) the term “gun violence prevention warrant” means a written order, issued by a State court or signed by a magistrate (or other comparable judicial officer), regarding an individual who is subject to a gun violence prevention order and who is known to own or possess 1 or more firearms, that directs a law enforcement officer to temporarily seize and retain any firearm in the possession of the individual;

(6) the term “law enforcement officer” means a public servant authorized by State law or by a State government agency to engage in or supervise the prevention, detection, investigation, or prosecution of an offense; and

(7) the term “wellness check” means a visit conducted by a law enforcement officer to the residence of an individual for the purpose of assessing whether the individual poses a danger to the individual or others

due to a mental, behavioral, or physical condition.

SEC. 303. NATIONAL GUN VIOLENCE PREVENTION ORDER AND WARRANT LAW.

(a) ENACTMENT OF GUN VIOLENCE PREVENTION ORDER LAW.—In order to receive a grant under section 304, on the date that is 3 years after the date of enactment of this Act, each State shall have in effect legislation that—

(1) authorizes a gun violence prevention order and gun violence prevention warrant in accordance with subsection (b); and

(2) requires each law enforcement agency of the State to comply with subsection (c).

(b) REQUIREMENTS FOR GUN VIOLENCE PREVENTION ORDERS AND WARRANTS.—Legislation required under subsection (a) shall be subject to the following requirements:

(1) APPLICATION FOR GUN VIOLENCE PREVENTION ORDER.—A family member or close associate of an individual may submit an application to a State court, on a form designed by the court, that—

(A) describes the facts and circumstances necessitating that a gun violence prevention order be issued against the named individual;

(B) is signed by the applicant, under oath; and

(C) includes any additional information required by the State court or magistrate (or other comparable judicial officer) to demonstrate that possession of a firearm by the named individual poses a significant risk of personal injury to the named individual or others.

(2) EXAMINATION OF APPLICANT AND WITNESSES.—A State court or magistrate (or other comparable judicial officer) may, before issuing a gun violence prevention order—

(A) examine under oath, the individual who applied for the order under paragraph (1) and any witnesses the individual produces; and

(B)(i) require that the individual or any witness submit a signed affidavit, which describes the facts the applicant or witness believes establish the grounds of the application; or

(ii) take an oral statement from the individual or witness under oath.

(3) STANDARD FOR ISSUANCE OF ORDER.—

(A) IN GENERAL.—A State court or magistrate (or other comparable judicial officer) may issue a gun violence prevention order only upon a finding of probable cause that possession of a firearm by the named individual poses a significant risk of personal injury to the named individual or others.

(B) NOTIFICATION.—

(i) IN GENERAL.—The court shall notify the Department of Justice and comparable State agency of the gun violence prevention order not later than 2 court days after issuing the order. The court shall also notify the Department of Justice and comparable State agency of any order restoring the ability of the individual to own or possess firearms not later than 2 court days after issuing the order to restore the individual’s right to own or possess any type of firearms that may be lawfully owned and possessed. Such notice shall be submitted in an electronic format, in a manner prescribed by the Department of Justice and the comparable State agency.

(ii) UPDATE OF DATABASES.—As soon as practicable after receiving a notification under clause (i), the Department of Justice and comparable State agency shall update the background check databases of the Department and agency, respectively, to reflect the prohibitions articulated in the gun violence prevention order.

(4) ISSUANCE OF GUN VIOLENCE PREVENTION WARRANT.—

(A) IN GENERAL.—After issuing a gun violence prevention order, a State court or magistrate (or other comparable judicial officer) shall, upon a finding of probable cause to be-

lieve that the named individual subject to the order has a firearm in his custody or control, issue a gun violence prevention warrant ordering the temporary seizure of all firearms specified in the warrant.

(B) REQUIREMENT.—Subject to paragraph (6), a gun violence prevention warrant issued under subparagraph (A) shall require that any firearm described in the warrant be taken from any place, or from any individual in whose possession, the firearm may be.

(5) SERVICE OF GUN VIOLENCE PREVENTION ORDER.—When serving a gun violence prevention order, a law enforcement officer shall provide the individual with a form to request a hearing in accordance with paragraph (6)(F).

(6) TEMPORARY SEIZURE OF FIREARMS.—

(A) IN GENERAL.—When a law enforcement officer takes property under a gun violence prevention warrant, the law enforcement officer shall give a receipt for the property taken, specifying the property in detail, to the individual from whom it was taken. In the absence of a person, the law enforcement officer shall leave the receipt in the place where the law enforcement officer found the property.

(B) TEMPORARY CUSTODY OF SEIZED FIREARMS.—All firearms seized pursuant to a gun violence prevention warrant shall be retained by the law enforcement officer or the law enforcement agency in custody, subject to the order of the court that issued the warrant or to any other court in which an offense with respect to the firearm is triable.

(C) LIMITATION ON SEIZURE OF FIREARMS.—If the location to be searched during the execution of a gun violence prevention warrant is jointly occupied by multiple parties and a firearm is located during the execution of the seizure warrant, and it is determined that the firearm is owned by an individual other than the individual named in the gun violence prevention warrant, the firearm may not be seized if—

(i) the firearm is stored in a manner that the individual named in the gun violence prevention warrant does not have access to or control of the firearm; and

(ii) there is no evidence of unlawful possession of the firearm by the owner.

(D) GUN SAFE.—If the location to be searched during the execution of a gun violence prevention warrant is jointly occupied by multiple parties and a gun safe is located, and it is determined that the gun safe is owned by an individual other than the individual named in the gun violence prevention warrant, the contents of the gun safe shall not be searched except in the owner’s presence, or with the owner’s consent, or unless a valid search warrant has been obtained.

(E) RETURN OF FIREARM TO RIGHTFUL OWNER.—If any individual who is not a named individual in a gun violence prevention warrant claims title to a firearm seized pursuant to a gun violence prevention warrant, the firearm shall be returned to the lawful owner not later than 30 days after the date on which the title is claimed.

(F) RIGHT TO REQUEST A HEARING.—A named individual may submit 1 written request at any time during the effective period of a gun violence prevention order issued against the individual for a hearing for an order allowing the individual to own, possess, purchase, or receive a firearm.

(7) HEARING ON GUN VIOLENCE PREVENTION ORDER AND GUN VIOLENCE PREVENTION WARRANT.—

(A) IN GENERAL.—Except as provided in subparagraph (E), not later than 14 days after the date on which a gun violence prevention order and, when applicable, a gun violence prevention warrant, is issued, the court that issued the order and, when applicable, the warrant, or another court in that

same jurisdiction, shall hold a hearing to determine whether the individual who is the subject of the order may have under the custody or control of the individual, own, purchase, possess, or receive firearms and, when applicable, whether any seized firearms should be returned to the individual named in the warrant.

(B) NOTICE.—The individual named in a gun violence prevention order requested to be renewed under subparagraph (A) shall be given written notice and an opportunity to be heard on the matter.

(C) BURDEN OF PROOF.—

(i) IN GENERAL.—Except as provided in clause (ii), at any hearing conducted under subparagraph (A), the State or petitioner shall have the burden of establishing probable cause that the individual poses a significant risk of personal injury to the individual or others by owning or possessing the firearm.

(ii) HIGHER BURDEN OF PROOF.—A State may establish a burden of proof for hearings conducted under subparagraph (A) that is higher than the burden of proof required under clause (i).

(D) REQUIREMENTS UPON FINDING OF SIGNIFICANT RISK.—If the named individual is found at the hearing to pose a significant risk of personal injury to the named individual or others by owning or possessing a firearm, the following shall apply:

(i) The firearm or firearms seized pursuant to the warrant shall be retained by the law enforcement agency for a period not to exceed 1 year.

(ii) The named individual shall be prohibited from owning or possessing, purchasing or receiving, or attempting to purchase or receive a firearm for a period not to exceed 1 year, a violation of which shall be considered a misdemeanor offense.

(iii) The court shall notify the Department of Justice and comparable State agency of the gun violence prevention order not later than 2 court days after issuing the order. The court shall also notify the Department of Justice and comparable State agency of any order restoring the ability of the individual to own or possess firearms not later than 2 court days after issuing the order to restore the individual's right to own or possess any type of firearms that may be lawfully owned and possessed. Such notice shall be submitted in an electronic format, in a manner prescribed by the Department of Justice and the comparable State agency.

(iv) As soon as practicable after receiving a notification under clause (iii), the Department of Justice and comparable State agency shall update the background check databases of the Department and agency, respectively, to reflect—

(I) the prohibitions articulated in the gun violence prevention order; or

(II) an order issued to restore an individual's right to own or possess a firearm.

(E) RETURN OF FIREARMS.—If the court finds that the State has not met the required standard of proof, any firearm seized pursuant to the warrant shall be returned to the named individual not later than 30 days after the hearing.

(F) LIMITATION ON HEARING REQUIREMENT.—If an individual named in a gun violence prevention warrant is prohibited from owning or possessing a firearm for a period of 1 year or more by another provision of State or Federal law, a hearing pursuant to subparagraph (A) is not required and the court shall issue an order to hold the firearm until either the individual is no longer prohibited from owning a firearm or the individual sells or transfers ownership of the firearm to a licensed firearm dealer.

(8) RENEWING GUN VIOLENCE PREVENTION ORDER AND GUN VIOLENCE PREVENTION WARRANT.—

(A) IN GENERAL.—Except as provided in subparagraph (E), if a law enforcement agency has probable cause to believe that an individual who is subject to a gun violence prevention order continues to pose a significant risk of personal injury to the named individual or others by possessing a firearm, the agency may initiate a request for a renewal of the order, on a form designed by the court, describing the facts and circumstances necessitating the request.

(B) NOTICE.—The individual named in the gun violence prevention order requested to be renewed under subparagraph (A) shall be given written notice and an opportunity to be heard on the matter.

(C) HEARING.—After notice is given under subparagraph (B), a hearing shall be held to determine if a request for renewal of the order shall be issued.

(D) ISSUANCE OF RENEWAL.—Except as provided in subparagraph (E), a State court may issue a renewal of a gun violence prevention order if there is probable cause to believe that the individual who is subject to the order continues to pose a significant risk of personal injury to the named individual or others by possessing a firearm.

(E) HIGHER BURDEN OF PROOF.—A State may establish a burden of proof for initiating a request for or issuing a renewal of a gun violence prevention order that is higher than the burden of proof required under subparagraph (A) or (D).

(F) NOTIFICATION.—

(i) IN GENERAL.—The court shall notify the Department of Justice and comparable State agency of a renewal of the gun violence prevention order not later than 2 court days after renewing the order. The court shall also notify the Department of Justice and comparable State agency of any order restoring the ability of the individual to own or possess firearms not later than 2 court days after issuing the order to restore the individual's right to own or possess any type of firearms that may be lawfully owned and possessed. Such notice shall be submitted in an electronic format, in a manner prescribed by the Department of Justice and the comparable State agency.

(ii) UPDATE OF DATABASES.—As soon as practicable after receiving a notification under clause (i), the Department of Justice and comparable State agency shall update the background check databases of the Department and agency, respectively, to reflect—

(I) the prohibitions articulated in the renewal of the gun violence prevention order; or

(II) an order issued to restore an individual's right to own or possess a firearm.

(c) LAW ENFORCEMENT CHECK OF STATE FIREARM DATABASE.—Each law enforcement agency of the State shall establish a procedure that requires a law enforcement officer to, in conjunction with performing a wellness check on an individual, check whether the individual is listed on any of the firearm and ammunition databases of the State or jurisdiction in which the individual resides.

(d) CONFIDENTIALITY PROTECTIONS.—All information provided to the Department of Justice and comparable State agency pursuant to legislation required under subsection (a) shall be kept confidential, separate, and apart from all other records maintained by the Department of Justice and comparable State agency.

SEC. 304. PAUSE FOR SAFETY GRANT PROGRAM.

(a) IN GENERAL.—The Director of the Office of Community Oriented Policing Services of

the Department of Justice may make grants to an eligible State to assist the State in carrying out the provisions of the State legislation described in section 303.

(b) ELIGIBLE STATE.—A State shall be eligible to receive grants under this section on and after the date on which—

(1) the State enacts legislation described in section 303; and

(2) the Attorney General determines that the legislation of the State described in paragraph (1) complies with the requirements of section 303.

(c) USE OF FUNDS.—Funds awarded under this section may be used by a State to assist law enforcement agencies or the courts of the State in carrying out the provisions of the State legislation described in section 303.

(d) APPLICATION.—An eligible State desiring a grant under this section shall submit to the Director of the Office of Community Oriented Policing Services an application at such time, in such manner, and containing or accompanied by such information, as the Director may reasonably require.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 305. FEDERAL FIREARMS PROHIBITION.

Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (8)(B)(ii), by striking “or” at the end;

(B) in paragraph (9), by striking the period at the end and inserting “; or”; and

(C) by inserting after paragraph (9) the following:

“(10) is subject to a court order that prohibits such person from having under the custody or control of the person, owning, purchasing, possessing, or receiving any firearms.”; and

(2) in subsection (g)—

(A) in paragraph (8)(C)(ii), by striking “or” at the end;

(B) in paragraph (9), by striking the comma at the end and inserting “; or”; and

(C) by inserting after paragraph (9) the following:

“(10) who is subject to a court order that prohibits such person from having under the custody or control of the person, owning, purchasing, possessing, or receiving any firearms.”.

SEC. 306. FULL FAITH AND CREDIT.

Any gun violence prevention order issued under a State law enacted in accordance with this title shall have the same full faith and credit in every court within the United States as they have by law or usage in the courts of such State from which they are issued.

SEC. 307. SEVERABILITY.

If any provision of this title, or an amendment made by this title, or the application of such provision to any person or circumstance, is held to be invalid, the remainder of this title, or an amendment made by this title, or the application of such provision to other persons or circumstances, shall not be affected.

SA 3501. Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mrs. BOXER, Mr. DURBIN, Ms. WARREN, Mr. MARKEY, Mrs. FEINSTEIN, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—LORI JACKSON DOMESTIC VIOLENCE SURVIVOR PROTECTION ACT

SECTION 301. SHORT TITLE.

This title may be cited as the “Lori Jackson Domestic Violence Survivor Protection Act”.

SEC. 302. DEFINITIONS OF “INTIMATE PARTNER” AND “MISDEMEANOR CRIME OF DOMESTIC VIOLENCE” EXPANDED.

Section 921(a) of title 18, United States Code, is amended—

- (1) in paragraph (32)—
- (A) by striking “and an individual” and inserting “an individual”; and
- (B) by inserting “, or a dating partner (as defined in section 2266) or former dating partner” before the period at the end; and
- (2) in paragraph (33)(A)(i)—
- (A) by striking “or by” and inserting “by”; and
- (B) by inserting “, or by a dating partner (as defined in section 2266) or former dating partner of the victim” before the period at the end.

SEC. 303. UNLAWFUL SALE OF FIREARM TO A PERSON SUBJECT TO COURT ORDER.

Section 922(d)(8) of title 18, United States Code, is amended to read as follows:

“(8) is subject to a court order described in subsection (g)(8); or”.

SEC. 304. LIST OF PERSONS SUBJECT TO A RESTRAINING OR SIMILAR ORDER PROHIBITED FROM POSSESSING OR RECEIVING A FIREARM EXPANDED.

Section 922(g)(8) of title 18, United States Code, is amended—

- (1) in the matter preceding subparagraph (A), by striking “that”;
- (2) by striking subparagraphs (A) and (B) and inserting the following:
 - “(A)(i) that was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate; or
 - “(ii) in the case of an ex parte order, relating to which notice and opportunity to be heard are provided—
 - “(I) within the time required by State, tribal, or territorial law; and
 - “(II) in any event within a reasonable time after the order is issued, sufficient to protect the person’s right to due process;
 - “(B) that restrains such person from—
 - “(i) harassing, stalking, threatening, or engaging in other conduct that would put an individual in reasonable fear of bodily injury to such individual, including an order that was issued at the request of an employer on behalf of its employee or at the request of an institution of higher education on behalf of its student; or
 - “(ii) intimidating or dissuading a witness from testifying in court; and”;
- (3) in subparagraph (C)—
- (A) by striking “intimate partner or child” each place it appears and inserting “individual described in subparagraph (B)”;
- (B) in clause (i), by inserting “that” before “includes”; and
- (C) in clause (ii), by inserting “that” before “by its”.

SA 3502. Mr. MORAN (for himself, Mr. ROBERTS, Mr. COCHRAN, Mr. BOOZMAN, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . SENSE OF THE SENATE ON IMPLEMENTATION OF UNITED NATIONS ARMS TRADE TREATY.

It is the sense of the Senate—

(1) that the United Nations Arms Trade Treaty must be transmitted to, and receive the advice and consent of, the Senate, and the commitments in the Treaty must be embodied in implementing legislation properly enacted into law, before any changes are made to existing programs or activities in furtherance of, or pursuant to, or otherwise to implement the Treaty; and

(2) to condemn the public statement made by Assistant Secretary of State Thomas M. Countryman on April 23, 2014, that before any of these steps have been taken, the Department of State is at present implementing the Arms Trade Treaty.

SA 3503. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1 ____ . LIMITATION ON DESIGNATION OF NEW FEDERALLY PROTECTED LAND.

(a) DEFINITION OF FEDERALLY PROTECTED LAND.—In this section, the term “federally protected land” means—

- (1) any land managed by the National Park Service, Bureau of Land Management, United States Fish and Wildlife Service, or Forest Service; or
 - (2) any other area designated or acquired by the Federal Government for the purpose of conserving historic, cultural, environmental, scenic, recreational, developmental, or biological resources.
- (b) FINDINGS REQUIRED.—New federally protected land shall not be designated unless the Secretary, prior to the designation, publishes in the Federal Register—
- (1) a finding that the addition of the new federally protected land would not have a negative impact on the administration of existing federally protected land; and
 - (2) a finding that, as of the date of the finding, sufficient resources are available to effectively implement management plans for existing units of federally protected land.

SA 3504. Mr. TESTER (for himself, Mr. GRASSLEY, Mr. WALSH, Mr. ENZI, Mrs. FEINSTEIN, Mr. BARRASSO, Mr. FLAKE, Mr. CRAPO, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

TITLE III—CABIN USER FEES

SECTION 301. SHORT TITLE.

This title may be cited as the “Cabin Fee Act of 2014”.

SEC. 302. CABIN USER FEES.

(a) IN GENERAL.—The Secretary of Agriculture (referred to in this title as the “Secretary”) shall establish a fee in accordance with this section for the issuance of a special use permit for the use and occupancy of National Forest System land for recreational residence purposes.

(b) INTERIM FEE.—During the period beginning on January 1, 2014, and ending on the last day of the calendar year during which the current appraisal cycle is completed under subsection (c), the Secretary shall assess an interim annual fee for recreational residences on National Forest System land that is an amount equal to the lesser of—

- (1) the fee determined under the Cabin User Fees Fairness Act of 2000 (16 U.S.C. 6201 et

seq.), subject to the requirement that any increase over the fee assessed during the previous year shall be limited to not more than 25 percent; or

- (2) \$5,600.
- (c) COMPLETION OF CURRENT APPRAISAL CYCLE.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall complete the current appraisal cycle, including receipt of timely second appraisals, for recreational residences on National Forest System land in accordance with the Cabin User Fees Fairness Act of 2000 (16 U.S.C. 6201 et seq.) (referred to in this Act as the “current appraisal cycle”).
- (d) LOT VALUE.—
- (1) IN GENERAL.—To establish the base value assigned to a lot under this section, the Secretary shall use only appraisals conducted and approved by the Secretary in accordance with the Cabin User Fee Fairness Act of 2000 (16 U.S.C. 6201 et seq.) during the current appraisal cycle.
- (2) SECOND APPRAISAL.—If a second appraisal—

- (A) is approved by the Secretary, the value established by the second appraisal shall be the base value assigned to the lot; or
- (B) is not approved by the Secretary, the value established by the initial appraisal shall be the base value assigned to the lot.
- (e) ADJUSTMENT.—On the date of completion of the current appraisal cycle and before assessing a fee under subsection (f), the Secretary shall make a 1-time adjustment to the value of each appraised lot on which a recreational residence is located to reflect any change in value occurring after the date of the most recent appraisal for the lot, in accordance with the 4th quarter of 2012 National Association of Homebuilders/Wells Fargo Housing Opportunity Index.
- (f) ANNUAL FEE.—
- (1) BASE.—After the date on which appraised lot values have been adjusted in accordance with subsection (e), the annual fee assessed prospectively by the Secretary for recreational residences on National Forest System land shall be in accordance with the following tiered fee structure:

Fee Tier	Approximate Percent of Permits Nationally	Fee Amount
Tier 1	6 percent	\$600
Tier 2	16 percent	\$1,100
Tier 3	26 percent	\$1,600
Tier 4	22 percent	\$2,100
Tier 5	10 percent	\$2,600
Tier 6	5 percent	\$3,100
Tier 7	5 percent	\$3,600
Tier 8	3 percent	\$4,100
Tier 9	3 percent	\$4,600
Tier 10	3 percent	\$5,100
Tier 11	1 percent	\$5,600.

(2) INFLATION ADJUSTMENT.—The Secretary shall increase or decrease the annual fees set forth in the table under paragraph (1) to reflect changes in the Implicit Price Deflator for the Gross Domestic Product published by the Bureau of Economic Analysis of the Department of Commerce, applied on a 5-year rolling average.

(3) ACCESS AND OCCUPANCY ADJUSTMENT.—

(A) IN GENERAL.—The Secretary shall by regulation establish criteria pursuant to which the annual fee determined in accordance with this section may be suspended or reduced temporarily if access to, or the occupancy of, the recreational residence is significantly restricted.

(B) APPEAL.—The Secretary shall by regulation grant the cabin owner the right of an administrative appeal of the determination made in accordance with subparagraph (A) with respect to whether to suspend or reduce temporarily the annual fee.

(g) PERIODIC REVIEW.—

(1) IN GENERAL.—Beginning on the date that is 10 years after the date of the enactment of this Act, 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 that—

(A) analyzes the annual fees set forth in the table under subsection (f)(1) to ensure that the fees reflect fair value for the use of the land for recreational residence purposes, taking into account all use limitations and restrictions (including any limitations and restrictions imposed by the Secretary); and

(B) includes any recommendations of the Secretary with respect to modifying the fee system.

(2) LIMITATION.—The use of appraisals shall not be required for any modifications to the fee system based on the recommendations under paragraph (1)(B).

SEC. 303. CABIN TRANSFER FEES.

(a) IN GENERAL.—The Secretary shall establish a fee in the amount of \$1,200 for the issuance of a new recreational residence permit due to a change of ownership of the recreational residence.

(b) ADJUSTMENTS.—The Secretary shall annually increase or decrease the transfer fee established under subsection (a) to reflect changes in the Implicit Price Deflator for the Gross Domestic Product published by the Bureau of Economic Analysis of the Department of Commerce, applied on a 5-year rolling average.

SEC. 304. EFFECT.

(a) IN GENERAL.—Nothing in this title limits or restricts any right, title, or interest of the United States in or to any land or resource in the National Forest System.

(b) ALASKA.—The Secretary shall not establish or impose a fee or condition under this Act for permits in the State of Alaska that is inconsistent with section 1303(d) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3193(d)).

SEC. 305. RETENTION OF FEES.

(a) IN GENERAL.—Beginning 10 years after the date of the enactment of this Act, the Secretary may retain, and expend, for the purposes described in subsection (b), any fees collected under this title without further appropriation.

(b) USE.—Amounts made available under subsection (a) shall be used to administer the recreational residence program and other recreation programs carried out on National Forest System land.

SEC. 306. REPEAL OF CABIN USER FEES FAIRNESS ACT OF 2000.

Effective on the date of the assessment of annual permit fees in accordance with section 302(f) (as certified to Congress by the Secretary), the Cabin User Fees Fairness Act of 2000 (16 U.S.C. 6201 et seq.) is repealed.

SA 3505. Mr. HEINRICH 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 III, add the following:

SEC. 317. LEVERAGING OF THERMAL TECHNOLOGIES TO IMPROVE ENERGY EFFICIENCY OF AIR FORCE INSULATION SYSTEMS AND MEDIUM SHELTER SYSTEMS THROUGH BASIC EXPEDITIONARY AIRFIELD RESOURCES PROGRAM.

The Secretary of the Air Force shall leverage currently available thermal technologies

in order to pursue energy efficient insulation systems and more energy efficient medium shelter systems through the Basic Expeditionary Airfield Resources (BEAR) program.

SA 3506. Mr. HEINRICH 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. WHITE SANDS MISSILE RANGE AND FORT BLISS.

(a) WITHDRAWAL.—

(1) IN GENERAL.—Subject to valid existing rights and paragraph (3), the Federal land described in paragraph (2) is withdrawn from—

(A) entry, appropriation, and disposal under the public land laws, except for the issuance of oil and gas pipeline rights-of-way;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(2) DESCRIPTION OF FEDERAL LAND.—The Federal land referred to in paragraph (1) consists of—

(A) the approximately 6,500 acres of land depicted as “Parcel 1” on the map entitled “Fort Bliss/BLM Land Transfer and Withdrawal” and dated June 18, 2014 (referred to in this section as the “map”); and

(B) any land or interest in land that is acquired by the United States within the boundaries of “Parcel 1”, as depicted on the map.

(b) ADMINISTRATION.—Effective beginning on the date of enactment of this Act—

(1) Public Land Order 833, dated May 21, 1952 (17 Fed. Reg. 4822) shall not apply to the approximately 2,050 acres of land generally depicted as “Parcel 2” on the map; and

(2) the land described in paragraph (1) shall be—

(A) added to the Organ Mountains—Desert Peaks National Monument; and

(B) managed in accordance with—

(i) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(ii) any other applicable laws.

(c) LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall publish in the Federal Register a legal description of the Federal land withdrawn by subsection (a).

(2) FORCE OF LAW.—The legal description published under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct errors in the legal description.

(3) REIMBURSEMENT OF COSTS.—The Secretary of the Army shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior in implementing this subsection with regard to the Federal land described in subsection (a)(2)(A).

SA 3507. Mr. HEINRICH 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 De-

partment of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1526. INVESTIGATION OF TECHNICAL QUESTIONS RAISED DURING RECENT OPERATIONAL TESTING OF DIRECTED ENERGY TECHNOLOGIES.

The Joint Improvised Explosive Device Defeat Organization (JIEDDO) shall use existing resources (including funds) for operational evaluations on directed energy technologies of the Air Force Research Laboratory (AFRL) in order to investigate technical questions on directed energy technologies that arose during a recent operational evaluation of directed energy technology conducted by the 260th Engineer Company in Afghanistan.

SA 3508. Mr. HEINRICH 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 SUPPORT FOR DEVELOPMENT OF ADVANCED PHOTONICS INSTITUTE FOR MANUFACTURING INNOVATION.

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

(1) Many applications of light-based technologies are revolutionizing advanced manufacturing, communications, defense, energy, health, and other sectors.

(2) Further research and manufacturing will enable greater advances in defense technologies improving intelligence capabilities for the warfighter such as the capture of spectral signals from space which are vital for information gathering, the development of adaptive optics and optical communications for data transfer, and non-kinetic military solutions to minimize civilian casualties.

(3) The photonic technology developed for defense purposes will also serve a dual commercial purpose, enabling advances in image processing, non-invasive health screenings, robotics, and improved space situational awareness for both the defense and commercial sectors.

(4) Photonics is a key enabling technology, and further Federal and private investment in advanced photonics manufacturing has the potential to create high quality, long-term job growth while furthering national security objectives.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should support the development of an advanced photonics institute for manufacturing innovation to improve economic competitiveness and national security.

SA 3509. Mr. HEINRICH 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. DEPARTMENT OF VETERANS AFFAIRS NOTICE OF AVERAGE TIMES FOR PROCESSING BENEFITS CLAIMS.

(a) PUBLIC NOTICE.—The Secretary of Veterans Affairs shall, to the extent practicable, post the information described in subsection (b)—

(1) in physical locations, such as regional offices of the Department of Veterans Affairs or other claims in-take facilities of the Department, that the Secretary considers appropriate;

(2) on the Internet website of the Department; and

(3) through other mediums or using such other methods, including collaboration with veterans service organizations, as the Secretary considers appropriate.

(b) INFORMATION DESCRIBED.—

(1) IN GENERAL.—The information described in this subsection is the average processing time of the claims described in paragraph (2).

(2) CLAIMS DESCRIBED.—The claims described in this paragraph are each of the following types of claims for benefits under the laws administered by the Secretary of Veterans Affairs:

(A) A fully developed claim.

(B) A claim that is not fully developed.

(3) UPDATE OF INFORMATION.—The information described in this subsection shall be updated not less frequently than once each fiscal quarter.

(c) EXPIRATION OF REQUIREMENTS.—The requirements of subsection (a) shall expire on December 31, 2015.

(d) VETERANS SERVICE ORGANIZATION DEFINED.—In this section, the term “veterans service organization” means an organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

SA 3510. 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:

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

SEC. 1087. TECHNOLOGY COMMERCIALIZATION FUND.

Section 1001(e) of the Energy Policy Act of 2005 (42 U.S.C. 16391(e)) is amended by inserting “based on future planned activities and the amount of the appropriations for the fiscal year” after “fiscal year”.

SA 3511. Mrs. BOXER (for herself, Mr. CARDIN, Mr. MARKEY, Mr. BOOKER, Mr. MENENDEZ, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Ms. WARREN, and Mr. REED) submitted an amendment intended to be proposed by her to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 102.

SA 3512. Mr. HARKIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and

enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2 . USE OF FUNDS TO ACQUIRE WATERFOWL PRODUCTION AREAS IN PRAIRIE POTHOLE REGION.

Section 4(b)(3) of the Act of March 16, 1934 (48 Stat. 451, chapter 71; 16 U.S.C. 718d(b)(3)) is amended in the first sentence by inserting before the period at the end the following: “, except that not less than 6 percent, and not more than 40 percent, of funds made available to carry out this paragraph for each fiscal year shall be used to acquire Waterfowl Production Areas in each State of the Prairie Pothole Region (as defined in section 1467.3 of title 7, Code of Federal Regulations (as in effect on the date of enactment of the Waterfowl Protection Act of 2014))”.

SA 3513. Mr. WALSH (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2 . NORTH FORK WATERSHED PROTECTION.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE FEDERAL LAND.—The term “eligible Federal land” means—

(A) any federally owned land or interest in land depicted on the Map as within the North Fork Federal Lands Withdrawal Area; or

(B) any land or interest in land located within the North Fork Federal Lands Withdrawal Area that is acquired by the Federal Government after the date of enactment of this Act.

(2) MAP.—The term “Map” means the Bureau of Land Management map entitled “North Fork Federal Lands Withdrawal Area” and dated June 9, 2010.

(b) WITHDRAWAL.—

(1) WITHDRAWAL.—Subject to valid existing rights, the eligible Federal land is withdrawn from—

(A) all forms of location, entry, and patent under the mining laws; and

(B) disposition under all laws relating to mineral leasing and geothermal leasing.

(2) AVAILABILITY OF MAP.—Not later than 30 days after the date of enactment of this Act, the Map shall be made available to the public at each appropriate office of the Bureau of Land Management.

(3) EFFECT OF SECTION.—Nothing in this subsection prohibits the Secretary of the Interior from taking any action necessary to complete any requirement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) required for permitting surface-disturbing activity to occur on any lease issued before the date of enactment of this Act.

SA 3514. Mr. WALSH (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—ROCKY MOUNTAIN FRONT HERITAGE ACT OF 2014

SEC. 301. SHORT TITLE.

This title may be cited as the “Rocky Mountain Front Heritage Act of 2014”.

SEC. 302. DEFINITIONS.

In this title:

(1) CONSERVATION MANAGEMENT AREA.—The term “Conservation Management Area” means the Rocky Mountain Front Conservation Management Area established by section 303(a)(1).

(2) DECOMMISSION.—The term “decommission” means—

(A) to reestablish vegetation on a road; and

(B) to restore any natural drainage, watershed function, or other ecological processes that are disrupted or adversely impacted by the road by removing or hydrologically disconnecting the road prism.

(3) DISTRICT.—The term “district” means the Rocky Mountain Ranger District of the Lewis and Clark National Forest.

(4) MAP.—The term “map” means the map entitled “Rocky Mountain Front Heritage Act” and dated October 27, 2011.

(5) NONMOTORIZED RECREATION TRAIL.—The term “nonmotorized recreation trail” means a trail designed for hiking, bicycling, or equestrian use.

(6) SECRETARY.—The term “Secretary” means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(7) STATE.—The term “State” means the State of Montana.

SEC. 303. ROCKY MOUNTAIN FRONT CONSERVATION MANAGEMENT AREA.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established the Rocky Mountain Front Conservation Management Area in the State.

(2) AREA INCLUDED.—The Conservation Management Area shall consist of approximately 195,073 acres of Federal land managed by the Forest Service and 13,087 acres of Federal land managed by the Bureau of Land Management in the State, as generally depicted on the map.

(3) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land that is located in the Conservation Management Area and is acquired by the United States from a willing seller shall—

(A) become part of the Conservation Management Area; and

(B) be managed in accordance with—

(i) in the case of land managed by the Forest Service—

(I) the Act of March 1, 1911 (commonly known as the “Weeks Law”) (16 U.S.C. 552 et seq.); and

(II) any laws (including regulations) applicable to the National Forest System;

(ii) in the case of land managed, by the Bureau of Land Management, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(iii) this section; and

(iv) any other applicable law (including regulations).

(b) PURPOSES.—The purposes of the Conservation Management Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the recreational, scenic, historical, cultural, fish, wildlife, roadless, and ecological values of the Conservation Management Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Conservation Management Area—

(A) in a manner that conserves, protects, and enhances the resources of the Conservation Management Area; and

(B) in accordance with—

(i) the laws (including regulations) and rules applicable to the National Forest System for land managed by the Forest Service;

(ii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) for land managed by the Bureau of Land Management;

(iii) this section; and

(iv) any other applicable law (including regulations).

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Conservation Management Area that the Secretary determines would further the purposes described in subsection (b).

(B) MOTORIZED VEHICLES.—

(i) IN GENERAL.—The use of motorized vehicles in the Conservation Management Area shall be permitted only on existing roads, trails, and areas designated for use by such vehicles as of the date of enactment of this Act.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii), no new or temporary roads shall be constructed within the Conservation Management Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) rerouting or closing an existing road or trail to protect natural resources from degradation, as determined to be appropriate by the Secretary;

(II) constructing a temporary road on which motorized vehicles are permitted as part of a vegetation management project in any portion of the Conservation Management Area located not more than ¼ mile from the Teton Road, South Teton Road, Sun River Road, Beaver Willow Road, or Benchmark Road;

(III) authorizing the use of motorized vehicles for administrative purposes (including noxious weed eradication or grazing management); or

(IV) responding to an emergency.

(iv) DECOMMISSIONING OF TEMPORARY ROADS.—The Secretary shall decommission any temporary road constructed under clause (iii)(II) not later than 3 years after the date on which the applicable vegetation management project is completed.

(C) GRAZING.—The Secretary shall permit grazing within the Conservation Management Area, if established on the date of enactment of this Act—

(i) subject to—

(I) such reasonable regulations, policies, and practices as the Secretary determines appropriate; and

(II) all applicable laws; and

(ii) in a manner consistent with—

(I) the purposes described in subsection (b); and

(II) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96-617).

(D) VEGETATION MANAGEMENT.—Nothing in this title prevents the Secretary from conducting vegetation management projects within the Conservation Management Area—

(i) subject to—

(I) such reasonable regulations, policies, and practices as the Secretary determines appropriate; and

(II) all applicable laws (including regulations); and

(ii) in a manner consistent with the purposes described in subsection (b).

SEC. 304. DESIGNATION OF WILDERNESS ADDITIONS.

(a) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following Federal land in the State is designated as wilderness and as additions to ex-

isting components of the National Wilderness Preservation System:

(1) BOB MARSHALL WILDERNESS.—Certain land in the Lewis and Clark National Forest, comprising approximately 50,401 acres, as generally depicted on the map, which shall be added to and administered as part of the Bob Marshall Wilderness designated under section 3 of the Wilderness Act (16 U.S.C. 1132).

(2) SCAPEGOAT WILDERNESS.—Certain land in the Lewis and Clark National Forest, comprising approximately 16,711 acres, as generally depicted on the map, which shall be added to and administered as part of the Scapegoat Wilderness designated by the first section of Public Law 92-395 (16 U.S.C. 1132 note).

(b) MANAGEMENT OF WILDERNESS ADDITIONS.—Subject to valid existing rights, the land designated as wilderness additions by subsection (a) shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be deemed to be a reference to the date of the enactment of this Act.

(c) LIVESTOCK.—The grazing of livestock and the maintenance of existing facilities relating to grazing in the wilderness additions designated by this section, if established before the date of enactment of this Act, shall be permitted to continue in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96-617).

(d) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), within the wilderness additions designated by this section, the Secretary may take any measures that the Secretary determines to be necessary to control fire, insects, and diseases, including, as the Secretary determines appropriate, the coordination of those activities with a State or local agency.

(e) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—The designation of a wilderness addition by this section shall not create any protective perimeter or buffer zone around the wilderness area.

(2) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness addition designated by this section shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.

SEC. 305. MAPS AND LEGAL DESCRIPTIONS.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare maps and legal descriptions of the Conservation Management Area and the wilderness additions designated by sections 303 and 304, respectively.

(b) FORCE OF LAW.—The maps and legal descriptions prepared under subsection (a) shall have the same force and effect as if included in this title, except that the Secretary may correct typographical errors in the map and legal descriptions.

(c) PUBLIC AVAILABILITY.—The maps and legal descriptions prepared under subsection (a) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

SEC. 306. NOXIOUS WEED MANAGEMENT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture shall prepare a comprehensive management strategy for

preventing, controlling, and eradicating noxious weeds in the district.

(b) CONTENTS.—The management strategy shall—

(1) include recommendations to protect wildlife, forage, and other natural resources in the district from noxious weeds;

(2) identify opportunities to coordinate noxious weed prevention, control, and eradication efforts in the district with State and local agencies, Indian tribes, nonprofit organizations, and others;

(3) identify existing resources for preventing, controlling, and eradicating noxious weeds in the district;

(4) identify additional resources that are appropriate to effectively prevent, control, or eradicate noxious weeds in the district; and

(5) identify opportunities to coordinate with county weed districts in Glacier, Pondera, Teton, and Lewis and Clark Counties in the State to apply for grants and enter into agreements for noxious weed control and eradication projects under the Noxious Weed Control and Eradication Act of 2004 (7 U.S.C. 7781 et seq.).

(c) CONSULTATION.—In developing the management strategy required under subsection (a), the Secretary shall consult with—

(1) the Secretary of the Interior;

(2) appropriate State, tribal, and local governmental entities; and

(3) members of the public.

SEC. 307. NONMOTORIZED RECREATION OPPORTUNITIES.

Not later than 2 years after the date of enactment of this Act, the Secretary of Agriculture, in consultation with interested parties, shall conduct a study to improve nonmotorized recreation trail opportunities (including mountain bicycling) on land not designated as wilderness within the district.

SEC. 308. MANAGEMENT OF FISH AND WILDLIFE; HUNTING AND FISHING.

Nothing in this title affects the jurisdiction of the State with respect to fish and wildlife management (including the regulation of hunting and fishing) on public land in the State.

SEC. 309. OVERFLIGHTS.

(a) JURISDICTION OF THE FEDERAL AVIATION ADMINISTRATION.—Nothing in this title affects the jurisdiction of the Federal Aviation Administration with respect to the airspace above the wilderness or the Conservation Management Area.

(b) BENCHMARK AIRSTRIP.—Nothing in this title affects the continued use, maintenance, and repair of the Benchmark (3U7) airstrip.

SEC. 310. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this title.

SA 3515. Mr. WALSH (for himself, Mr. TESTER, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2 . SAGE-GROUSE CONSERVATION EFFORTS.

(a) FINDINGS.—Congress finds that—

(1) pursuant to the court-approved work schedule described in the Joint Motion for Approval of Settlement Agreement and Order of Dismissal of Guardians Claims entitled “In Re Endangered Species Act Section 4 Deadline Litigation” (D.D.C. 2011), not later than September 30, 2015, the Secretary is scheduled to issue a decision on whether

to proceed with listing the greater sage-grouse as a threatened or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(2) the Federal Government, through programs of the Department of Interior and the Department of Agriculture, has invested substantial funds on greater and Gunnison sage-grouse conservation efforts to avoid the greater and Gunnison sage-grouse being listed as threatened or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(3) State wildlife management agencies have prepared, and as of the date of enactment of this Act are in the process of implementing, greater and Gunnison sage-grouse conservation plans to complement the conservation efforts of the Federal Government;

(4) private investment in conservation efforts, independently and in conjunction with Federal cost-share conservation easement programs, has been significant;

(5) through a combination of Federal, State, and private efforts, significant conservation progress is being made, and further progress will be made following full implementation of State management plans and new Federal conservation programs; and

(6) farmers, ranchers, developers, and small businesses need certainty, and further clarity on the likelihood of a listing decision will provide that certainty.

(b) **DEFINITION OF SECRETARY.**—In this section, the term “Secretary” means the Secretary of the Interior.

(c) **GREATER SAGE-GROUSE REPORTING REQUIREMENT.**—

(1) **IN GENERAL.**—Not later than December 15, 2014, the Secretary shall submit to the appropriate committees of Congress a report on the status of greater sage-grouse conservation efforts.

(2) **CONTENTS.**—In the report required under paragraph (1), the Secretary shall include—

(A) a description of public and private programs and expenditures, including State and Federal Government agencies, relating to greater sage-grouse conservation;

(B) a description of State management plans, including plans that have been announced but not yet implemented;

(C) a description of Bureau of Land Management plans, or plans by any other land management agencies, relating to greater sage-grouse conservation;

(D) in accordance with paragraph (3), a description of the metrics that, at the discretion of the Secretary, will be used to make a determination of whether the greater sage-grouse should be listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(E) any outcome under the programs, expenditures, or plans referred to in subparagraphs (A) through (C) that can be measured by the metrics described in paragraph (3); and

(F) any recommendations to Congress for legislative actions that could provide certainty to farmers, ranchers, developers, and small businesses and could assist in the conservation of the greater sage-grouse.

(3) **REPORTED METRICS.**—The metrics described in paragraph (2)(D) may include—

(A) the quantity of acres enrolled in sagebrush and habitat protection in conservation programs established under title XII of the Food Security Act of 1985 (16 U.S.C. 3801 et seq.) or other conservation programs of the Department of Agriculture, including conservation easements, land purchases or swaps, vegetation management or habitat enhancement programs, and fuels management programs;

(B) data on nonfire related habitat restoration efforts, including native, nonnative, and mixed seeding efforts;

(C) data on mine reclamation and subsequent restoration efforts intended to restore greater sage-grouse habitat;

(D) data on conifer removal;

(E) data on presuppression fire efforts, including—

(i) the number of acres associated with fuels management programs; and

(ii) the number of miles associated with fire breaks;

(F) data on habitat restoration, including postfire restoration efforts involving native, nonnative, and mixed seeding;

(G) data on structure removal, power line burial, power line retrofitting or modification, fence modification, fence marking, and fence removal;

(H) for livestock and rangeland management, data on allotment closure and road closure;

(I) for travel management, data on road and trail closure and trail rerouting;

(J) data on greater sage-grouse translocation efforts, including the number of greater sage-grouse translocated, the age of each translocated greater sage-grouse, and the sex of each translocated greater sage-grouse; and

(K) any other data or metric the Secretary may examine in making the decision on whether to list the greater sage-grouse as a threatened or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.)

(d) **AGRICULTURAL LAND EASEMENTS.**—

(1) **IN GENERAL.**—Section 1265B(b)(2)(C)(i) of the Food Security Act of 1985 (16 U.S.C. 3865b(b)(2)(C)(i)) is amended—

(A) by striking “GRASSLANDS” and inserting “IN GENERAL”; and

(B) by inserting “and land with greater or Gunnison sage-grouse habitat of special environmental significance” after “significance”.

(2) **CONSIDERATIONS.**—Section 1265B(b)(3) (B) of the Food Security Act of 1985 (16 U.S.C. 3865b(b)(3)(B)) is amended—

(A) in clause (i), by striking “and” after the semicolon at the end;

(B) in clause (ii), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(iii) maximizing the protection of greater or Gunnison sage-grouse habitat.”.

SA 3516. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . . PROHIBITION ON FEDERAL FUNDING OF FIREARMS OWNERSHIP DATABASE.

No department or agency of the United States shall support, by funding or other means, the establishment or maintenance, by a State or political subdivision of a State, of any comprehensive or partial listing of firearms lawfully possessed or lawfully owned by private persons, or of persons who lawfully possess or own firearms, except in the case of firearms that have been reported to the State or political subdivision as lost or stolen.

SA 3517. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . . EXTENSION OF THE SEAWARD BOUNDARY OF MISSISSIPPI FOR RECREATIONAL FISHERY MANAGEMENT.

(a) **IN GENERAL.**—Section 4 of the Submerged Lands Act (43 U.S.C. 1312) is amended—

(1) by striking “The seaward boundary” and inserting the following:

“(a) The seaward boundary”; and

(2) by inserting at the end the following:

“(b) Notwithstanding any other provision of this Act, the State of Mississippi may extend its seaward boundary to a line nine geographical miles distant from its coast line into the Gulf of Mexico for the purpose of managing, administering, leasing, developing, and using the recreational fisheries found in such lands and waters.”.

(b) **CONFORMING AMENDMENTS.**—

(1) **SUBMERGED LANDS ACT.**—Section 2(b) of the Submerged Lands Act (43 U.S.C. 1301(b)) is amended by inserting “, except as provided in section 4(b),” after “in no event”.

(2) **MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT.**—

(A) **AUTHORITY OF THE GULF OF MEXICO FISHERY MANAGEMENT COUNCIL.**—Section 302(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)) is amended—

(i) in paragraph (1)(E), by striking “paragraph (3)” and inserting “paragraphs (3) and (4)”; and

(ii) by adding at the end the following:

“(4) The State of Mississippi shall have authority over the recreational fisheries in the land and waters to the line 9 geographical miles distant from the coast line of the State of Mississippi into the Gulf of Mexico.”.

(B) **STATE JURISDICTION.**—Section 306(a)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1856(a)(2)) is amended—

(i) in subparagraph (B), by striking “and” at the end;

(ii) in subparagraph (C)(ii), by striking the period at the end and inserting a semicolon and “and”; and

(iii) by adding at the end the following:

“(D) to the line 9 geographical miles distant from the coast line of the State of Mississippi into the Gulf of Mexico for the purpose of managing, administering, leasing, developing, and using recreational fishing found in such lands and waters.”.

SA 3518. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2 . . . MIGRATORY BIRD TREATY ACT.

(a) **IN GENERAL.**—Section 3 of the Migratory Bird Treaty Act (16 U.S.C. 704) is amended—

(1) by striking the section designation and all that follows through “That subject to the provisions and in order to carry out the purposes of the conventions, the Secretary of Agriculture” and inserting the following:

“SEC. 3. DETERMINATION REGARDING WHEN AND HOW MIGRATORY BIRDS MAY BE TAKEN, KILLED, OR POSSESSED.

“(a) **REGULATIONS.**—

“(1) **IN GENERAL.**—Subject to the requirements of the conventions, to carry out the purposes of the conventions, the Secretary of the Interior”; and

(2) in subsection (a) (as amended by paragraph (1)), by adding at the end the following:

“(2) ADDITIONAL HUNTING DAYS FOR MEMBERS AND VETERANS OF ARMED FORCES.—

“(A) IN GENERAL.—Notwithstanding any other provision of law (including regulations), the Secretary of the Interior may allow any State to promulgate and implement regulations under which members and veterans of the Armed Forces in the State may take migratory birds that are waterfowl during an additional 2-day period outside of the open season established at the Federal level for such migratory birds, subject to subparagraph (B).

“(B) REQUIREMENT.—The additional 2-day period allowed under subparagraph (A) may not occur more than 7 days before, or 7 days after, the open season established at the Federal level for the applicable migratory birds.”.

(b) TECHNICAL CORRECTION.—The Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) is amended by striking “Secretary of Agriculture” each place it appears and inserting “Secretary of the Interior”.

SA 3519. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.

(a) IN GENERAL.—Section 235(a) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)) is amended—

(1) in paragraph (2)—

(A) in the paragraph heading, by striking “CHILDREN FROM CONTIGUOUS COUNTRIES” and inserting “UNACCOMPANIED ALIEN CHILDREN”;

(B) in subparagraph (A), by striking “a country that is contiguous with the United States” and inserting “Belize, Canada, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, or Panama”; and

(C) in subparagraph (C)—

(i) by striking the subparagraph heading and inserting “AGREEMENTS WITH FOREIGN COUNTRIES”; and

(ii) by striking “countries contiguous to the United States” and inserting “Belize, Canada, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, and Panama”; and

(2) in paragraph (5)(D), by striking “from a contiguous country subject to the exceptions under subsection (a),” and inserting “from Belize, Canada, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, or Panama who meets the criteria set forth in clauses (i) through (iii) of paragraph (2)(A),”.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply to unaccompanied alien children who are in the custody of the Federal Government on or after the date of the enactment of this Act.

SEC. ____ . ORGANIZED HUMAN SMUGGLING.

(a) DEFINITIONS.—In this section:

(1) EFFORT OR SCHEME.—The term “effort or scheme to assist or cause 5 or more persons” does not require that the 5 or more persons enter, attempt to enter, prepare to enter, or travel at the same time if such acts are completed during a 1-year period.

(2) LAWFUL AUTHORITY.—The term “lawful authority”—

(A) means permission, authorization, or license that is expressly provided for under the immigration laws of the United States; and

(B) does not include—

(i) any authority described in subparagraph (A) that was secured by fraud or otherwise unlawfully obtained; or

(ii) any authority that was sought, but not approved.

(b) PROHIBITED ACTIVITIES.—It shall be unlawful for any person, while acting for profit or other financial gain, to knowingly direct or participate in an effort or scheme to assist or cause 5 or more persons (other than a parent, spouse, or child of the offender)—

(1) to enter, attempt to enter, or prepare to enter the United States—

(A) by fraud, falsehood, or other corrupt means;

(B) at any place other than a port or place of entry designated by the Secretary of Homeland Security; or

(C) in a manner not prescribed by the immigration laws and regulations of the United States;

(2) to travel by air, land, or sea toward the United States (whether directly or indirectly)—

(A) knowing that the persons seek to enter or attempt to enter the United States without lawful authority; and

(B) with the intent to aid or further such entry or attempted entry; or

(3) to be transported or moved outside of the United States—

(A) knowing that such persons are aliens in unlawful transit from 1 country to another or on the high seas; and

(B) under circumstances in which the persons are seeking to enter the United States without official permission or legal authority.

(c) CONSPIRACY AND ATTEMPT.—Any person who attempts or conspires to violate subsection (b) shall be punished in the same manner as a person who completes a violation of such subsection.

(d) BASE PENALTY.—Except as provided in subsection (e), any person who violates subsection (b) or (c) shall be fined under title 18, United States Code, imprisoned for not more than 20 years, or both.

(e) ENHANCED PENALTIES.—Any person who violates subsection (b) or (c)—

(1) in the case of a violation during and in relation to which a serious bodily injury (as defined in section 1365 of title 18, United States Code) occurs to any person, shall be fined under title 18, United States Code, imprisoned for not more than 30 years, or both;

(2) in the case of a violation during and in relation to which the life of any person is placed in jeopardy, shall be fined under title 18, United States Code, imprisoned for not more than 30 years, or both;

(3) in the case of a violation involving 10 or more persons, shall be fined under title 18, United States Code, imprisoned for not more than 30 years, or both;

(4) in the case of a violation involving the bribery or corruption of a United States or foreign government official, shall be fined under title 18, United States Code, imprisoned for not more than 30 years, or both;

(5) in the case of a violation involving robbery or extortion (as such terms are defined in paragraph (1) or (2), respectively, of section 1951(b) of title 18, United States Code), shall be fined under title 18, United States Code, imprisoned for not more than 30 years, or both;

(6) in the case of a violation during and in relation to which any person is subjected to an involuntary sexual act (as defined in section 2246(2) of title 18, United States Code), shall be fined under title 18, United States Code, imprisoned for not more than 30 years, or both;

(7) in the case of a violation resulting in the death of any person, shall be fined under title 18, United States Code, imprisoned for any term of years or for life, or both;

(8) in the case of a violation in which any alien is confined or restrained, including by the taking of clothing, goods, or personal identification documents, shall be fined under title 18, United States Code, imprisoned not fewer than 5 years and not more than 10 years, or both;

(9) in the case of smuggling an unaccompanied alien child (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))), shall be fined under title 18, United States Code, or imprisoned not more than 20 years.

SA 3520. Mr. ENZI (for himself, Mr. BARRASSO, Mr. RISCH, Mr. CRAPO, Ms. MURKOWSKI, Mr. LEE, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2 ____ . GREATER SAGE-GROUSE PROTECTION AND CONSERVATION MEASURES.

(a) DEFINITIONS.—In this section:

(1) COVERED WESTERN STATE.—The term “covered western State” means each of the States of California, Colorado, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming.

(2) NATIONAL FOREST SYSTEM LAND.—The term “National Forest System land” means the Federal land within the National Forest System, as described in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(3) PUBLIC LAND.—The term “public land” has the meaning given the term “public lands” in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(4) SAGE GROUSE SPECIES.—The term “sage grouse species” means the greater sage-grouse (*Centrocercus urophasianus*) and the Gunnison sage-grouse (*Centrocercus minimus*).

(5) SECRETARY.—The term “Secretary” means—

(A) the Secretary of Agriculture, with respect to National Forest System land; and

(B) the Secretary of the Interior, with respect to public land.

(6) STATEWIDE PLAN.—The term “statewide plan” means a statewide conservation and management plan for the protection and recovery of sage grouse species within a covered western State.

(b) SECRETARIAL PARTICIPATION IN STATE PLANNING PROCESS.—

(1) IN GENERAL.—Not later than 30 days after receipt of notice from a covered western State that the State is initiating or has initiated development of a statewide conservation and management plan for the protection and recovery of the sage grouse species within the State, the Secretary shall provide to the Governor of that covered western State—

(A) a commitment of the willingness of the Secretary to participate in the development;

(B) a list of designees from the Department of the Interior or Department of Agriculture, as applicable, who shall represent the Secretary as a participant in the development; and

(C) a list of other Federal departments that could be invited by the covered western State to participate.

(2) ACCESS TO INFORMATION.—Not later than 60 days after receipt of a notice described in paragraph (1) from the covered western State, the Secretary shall provide to the

State all relevant scientific data, research, or information regarding sage grouse species and habitat within the State to appropriate State personnel to assist the State in the development.

(3) **AVAILABILITY OF DEPARTMENT PERSONNEL.**—The Secretary shall make personnel from Department of the Interior agencies or Department of Agriculture agencies, respectively, available, on at least a monthly basis, to meet with officials of the State to develop or implement a statewide plan.

(c) **CONTENTS OF NOTICE.**—A notice under subsection (b) shall—

(1) be submitted by a Governor of any covered western State; and

(2) include—

(A) an invitation for the Secretary to participate in development of the statewide plan; and

(B) a commitment that, not later than 2 years after the submission of a notice under this section, the State shall present to the Secretary for review a 10-year (or longer) sage grouse species conservation and management plan for the entire State.

(d) **REVIEW OF STATE PLAN.**—If the Secretary receives a statewide plan from a covered western State not later than 2 years after receiving a notice under subsection (b) from the State, the Secretary shall—

(1) review the statewide plan using the best available science and data to determine if the statewide plan is likely—

(A) to conserve the sage grouse species to the point at which the measures provided pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) are no longer necessary in the State; and

(B) to conserve the habitat essential to conserve the sage grouse species within the State; and

(2) approve or endorse, or make comments regarding, the statewide plan not later than 120 days after the date of submission.

(e) **ACTIONS AFTER STATEWIDE PLAN IS SUBMITTED.**—

(1) **HOLD ON CERTAIN ACTIONS.**—Not later than 30 days after receipt of a statewide plan from a covered western State, the Secretary shall—

(A) take necessary steps to place on hold—
(i) for a period of not less than 10 years, all actions with respect to listing any sage grouse species in that State under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) enforcement of any current listing of sage grouse species within that State under that Act; and

(iii) designation of any critical habitat for any sage grouse species within that State under that Act; and

(B) withdraw any land use planning activities related to Federal management of sage grouse on Federal land within that State and take immediate steps to amend all Federal land use plans to comply with the statewide plan with respect to that State, if—

(i) the State presents to the Secretary the conservation and management plan of the State not later than 2 years after the State submits notice to the Secretary under subsection (b); and

(ii) the State is implementing the plan.

(2) **ACTIONS PURSUANT TO NEPA.**—Any proposed action pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) that occurs within a covered western State may not be denied or restricted solely on the basis of a sage grouse species if the action is consistent with a statewide plan that has been submitted by the State to the Secretary.

(f) **EXISTING STATE PLANS.**—The Secretary shall—

(1) except as provided in paragraph (2), give effect to a statewide plan that is submitted by a covered western State and approved or endorsed by the United States Fish and Wildlife Service before the date of the enactment of this Act, in accordance with the terms of approval or endorsement of the plan by the United States Fish and Wildlife Service; and

(2) for purposes of subsections (b)(3) and (e), treat a statewide plan described in paragraph (1) as a plan referred to in those subsections.

SA 3521. Mr. ENZI (for himself, Mr. LEE, and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1. INTERSTATE TRANSPORT OF KNIVES.

(a) **DEFINITION.**—In this section, the term “transport”—

(1) includes staying in temporary lodging overnight, common carrier misrouting or delays, stops for food, fuel, vehicle maintenance, emergencies, medical treatment, and any other activity related to the journey of an individual; and

(2) does not include transport of a knife with the intent to commit an offense punishable by imprisonment for a term exceeding 1 year involving the use or threatened use of force against another person, or with knowledge, or reasonable cause to believe, that such an offense is to be committed in the course of, or arising from, the journey.

(b) **TRANSPORT OF KNIVES.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, rule, or regulation of the United States, or of a State or political subdivision of a State, an individual who is not otherwise prohibited by Federal law from possessing, transporting, shipping, or receiving a knife may transport a knife from any State or place where the individual may lawfully possess, carry, or transport the knife to any other State or place where the individual may lawfully possess, carry, or transport the knife if—

(A) in the case of transport by motor vehicle, the knife is not directly accessible from the passenger compartment of the motor vehicle, or, in the case of a motor vehicle without a compartment separate from the passenger compartment, the knife is contained in a locked container, glove compartment, or console; or

(B) in the case of transport by means other than a motor vehicle, including any transport over land, on or through water, or through the air, the knife is contained in a locked container.

(2) **TEMPORARY LODGING.**—An individual transporting a knife in accordance with paragraph (1) may have a knife accessible while staying in any form of temporary lodging.

(c) **EMERGENCY KNIVES.**—

(1) **IN GENERAL.**—An individual—

(A) may carry in the passenger compartment of a motor vehicle a knife or tool designed for enabling escape in an emergency that incorporates a blunt tipped safety blade or a guarded blade or both for cutting safety belts; and

(B) shall not be required to secure a knife or tool described in subparagraph (A) in a locked container, glove compartment, or console.

(2) **LIMITATION.**—This subsection shall not apply to the transport of a knife or tool in the passenger cabin of an aircraft whose pas-

sengers are subject to airport screening procedures of the Transportation Security Administration.

(d) **NO ARREST OR DETENTION.**—An individual who is transporting a knife in compliance with this section may not be arrested or otherwise detained for violation of any law, rule, or regulation of a State or political subdivision of a State related to the possession, transport, or carrying of a knife, unless there is probable cause to believe that the individual is not in compliance with subsection (b).

(e) **CLAIM OR DEFENSE.**—An individual may assert this section as a claim or defense in any civil or criminal action or proceeding. When an individual asserts this section as a claim or defense in a criminal proceeding, the State or political subdivision has the burden of proving, beyond a reasonable doubt, that the individual was not in compliance with subsection (b).

(f) **RIGHT OF ACTION.**—

(1) **IN GENERAL.**—Any individual who, under color of any statute, ordinance, regulation, custom, or usage, of any State or political subdivision of a State, subjects, or causes to be subjected, any individual to the deprivation of the rights, privileges, or immunities provided for in this section, shall be liable to the individual so deprived in an action at law or equity, or other proper proceeding for redress.

(2) **ATTORNEY'S FEES.**—

(A) **IN GENERAL.**—If an individual asserts this section as a claim or defense, the court shall award to the prevailing party, as described in subparagraph (B), reasonable attorney's fees.

(B) **PREVAILING PARTY.**—A prevailing party described in this subparagraph—

(i) includes a party who receives a favorable resolution through a decision by a court, settlement of a claim, withdrawal of criminal charges, or change of a statute or regulation; and

(ii) does not include a State or political subdivision of a State, or an employee or representative of a State or political subdivision of a State.

(g) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to limit any right to possess, carry, or transport a knife under applicable State law.

SA 3522. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2. ALLOCATION OF LAND AND WATER CONSERVATION FUND FOR STATE AND FEDERAL PURPOSES.

Section 5 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-7) is amended by striking the second sentence and inserting the following: “Of the appropriations from the fund, not less than 40 percent shall be for State purposes and not less than 40 percent shall be for Federal purposes.”

SA 3523. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2. ENDANGERED SPECIES ACT OF 1973.

(a) **DEFINITIONS.**—Section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532) is amended—

(1) by redesignating paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (12), (13), (14), (15), (16), (17), (18), (19), (20), and (21) as paragraphs (2), (3), (4), (5), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), and (22), respectively;

(2) by inserting before paragraph (2) (as so redesignated) the following:

“(1) AFFECTED PARTY.—The term ‘affected party’ means any person, including a business entity, or any State, tribal government, or local subdivision the rights of which may be affected by a determination made under section 4(a) in a suit brought under section 11(g)(1)(C).”; and

(3) by inserting after paragraph (5) (as so redesignated) the following:

“(6) COVERED SETTLEMENT.—The term ‘covered settlement’ means a consent decree or a settlement agreement in an action brought under section 11(g)(1)(C).”.

(b) INTERVENTION; APPROVAL OF COVERED SETTLEMENT.—Section 11(g) of the Endangered Species Act of 1973 (16 U.S.C. 1540(g)) is amended—

(1) in paragraph (3), by adding at the end the following:

“(C) PUBLISHING COMPLAINT; INTERVENTION.—

“(i) PUBLISHING COMPLAINT.—

“(I) IN GENERAL.—Not later than 30 days after the date on which the plaintiff serves the defendant with the complaint in an action brought under paragraph (1)(C) in accordance with Rule 4 of the Federal Rules of Civil Procedure, the Secretary of the Interior shall publish the complaint in a readily accessible manner, including electronically.

“(II) FAILURE TO MEET DEADLINE.—The failure of the Secretary to meet the 30-day deadline described in subclause (I) shall not be the basis for an action under paragraph (1)(C).

“(ii) INTERVENTION.—

“(I) IN GENERAL.—After the end of the 30-day period described in clause (i), each affected party shall be given a reasonable opportunity to move to intervene in the action described in clause (i), until the end of which a party may not file a motion for a consent decree or to dismiss the case pursuant to a settlement agreement.

“(II) REBUTTABLE PRESUMPTION.—In considering a motion to intervene by any affected party, the court shall presume, subject to rebuttal, that the interests of that affected party would not be represented adequately by the parties to the action described in clause (i).

“(III) REFERRAL TO ALTERNATIVE DISPUTE RESOLUTION.—

“(aa) IN GENERAL.—If the court grants a motion to intervene in the action, the court shall refer the action to facilitate settlement discussions to—

“(AA) the mediation program of the court; or

“(BB) a magistrate judge.

“(bb) PARTIES INCLUDED IN SETTLEMENT DISCUSSIONS.—The settlement discussions described in item (aa) shall include each—

“(AA) plaintiff;

“(BB) defendant agency; and

“(CC) intervenor.”;

(2) by striking paragraph (4) and inserting the following:

“(4) LITIGATION COSTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the court, in issuing any final order in any suit brought under paragraph (1), may award costs of litigation (including reasonable attorney and expert witness fees) to any party, whenever the court determines such award is appropriate.

“(B) COVERED SETTLEMENT.—

“(i) CONSENT DECREES.—The court shall not award costs of litigation in any proposed covered settlement that is a consent decree.

“(ii) OTHER COVERED SETTLEMENTS.—

“(I) IN GENERAL.—For a proposed covered settlement other than a consent decree, the court shall ensure that the covered settlement does not include payment to any plaintiff for the costs of litigation.

“(II) MOTIONS.—The court shall not grant any motion, including a motion to dismiss, based on the proposed covered settlement described in subclause (I) if the covered settlement includes payment to any plaintiff for the costs of litigation.”; and

(3) by adding at the end the following:

“(6) APPROVAL OF COVERED SETTLEMENT.—

“(A) DEFINITION OF SPECIES.—In this paragraph, the term ‘species’ means a species that is the subject of an action brought under paragraph (1)(C).

“(B) APPROVAL.—

“(i) CONSENT DECREES.—The court shall not approve a proposed covered settlement that is a consent decree unless each State and county in which the Secretary of the Interior believes a species occurs approves the covered settlement.

“(ii) OTHER COVERED SETTLEMENTS.—

“(I) IN GENERAL.—For a proposed covered settlement other than a consent decree, the court shall ensure that the covered settlement is approved by each State and county in which the Secretary of the Interior believes a species occurs.

“(II) MOTIONS.—The court shall not grant any motion, including a motion to dismiss, based on the proposed covered settlement described in subclause (I) unless the covered settlement is approved by each State and county in which the Secretary of the Interior believes a species occurs.

“(C) NOTICE.—

“(i) IN GENERAL.—The Secretary of the Interior shall provide each State and county in which the Secretary of the Interior believes a species occurs notice of a proposed covered settlement.

“(ii) DETERMINATION OF RELEVANT STATES AND COUNTIES.—The defendant in a covered settlement shall consult with each State described in clause (i) to determine each county in which the Secretary of the Interior believes a species occurs.

“(D) FAILURE TO RESPOND.—The court may approve a covered settlement or grant a motion described in subparagraph (B)(ii)(II) if, not later than 45 days after the date on which a State or county is notified under subparagraph (C)—

“(i)(I) a State or county fails to respond; and

“(II) of the States or counties that respond, each State or county approves the covered settlement; or

“(ii) all of the States and counties fail to respond.

“(E) PROOF OF APPROVAL.—The defendant in a covered settlement shall prove any State or county approval described in this paragraph in a form—

“(i) acceptable to the State or county, as applicable; and

“(ii) signed by the State or county official authorized to approve the covered settlement.”.

SA 3524. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—MISCELLANEOUS

SEC. 301. CLARIFYING CERTAIN PROPERTY DESCRIPTIONS IN PROVO RIVER PROJECT TRANSFER ACT.

(a) PLEASANT GROVE PROPERTY.—Section 2(4)(A) of the Provo River Project Transfer Act (Public Law 108-382; 118 Stat. 2212) is amended by striking “of enactment of this Act” and inserting “on which the parcel is conveyed under section 3(a)(2)”.

(b) PROVO RESERVOIR CANAL.—Section 2(5) of the Provo River Project Transfer Act (Public Law 108-382; 118 Stat. 2212) is amended—

(1) by striking “canal, and any associated land, rights-of-way, and facilities” and inserting “water conveyance facility historically known as the Provo Reservoir Canal and all associated bridges, fixtures, structures, facilities, lands, interests in land, and rights-of-way held,”;

(2) by inserting “and forebay” after “Diversion Dam”;

(3) by inserting “near the Jordan Narrows to the point where water is discharged to the Welby-Jacob Canal and the Utah Lake Distributing Canal” after “Penstock”; and

(4) by striking “of enactment of this Act” and inserting “on which the Provo Reservoir Canal is conveyed under section 3(a)(1)”.

SA 3525. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—LAND CONVEYANCES

SEC. 301. LAND CONVEYANCE, UINTA-WASATCH-CACHE NATIONAL FOREST, UTAH.

(a) CONVEYANCE REQUIRED.—On the request of Brigham Young University submitted to the Secretary of Agriculture not later than one year after the date of the enactment of this Act, the Secretary shall convey, not later than one year after receiving the request, to Brigham Young University all right, title, and interest of the United States in and to an approximately 80-acre parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in the State of Utah, as generally depicted on the map entitled “Upper Y Mountain Trail and Y Conveyance Act” and dated June 6, 2013, subject to valid existing rights and by quitclaim deed.

(b) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—As consideration for the land conveyed under subsection (a), Brigham Young University shall pay to the Secretary an amount equal to the fair market value of the land, as determined by an appraisal approved by the Secretary and conducted in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions and section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(2) DEPOSIT.—The consideration received by the Secretary under paragraph (1) shall be deposited in the general fund of the Treasury to reduce the Federal deficit.

(c) PUBLIC ACCESS TO Y MOUNTAIN TRAIL.—After the conveyance under subsection (a), Brigham Young University will—

(1) continue to allow the same reasonable public access to the trailhead and portion of the Y Mountain Trail already owned by Brigham Young University as of the date of the enactment of this Act that Brigham Young University has historically allowed; and

(2) allow that same reasonable public access to the portion of the Y Mountain Trail

and the “Y” symbol located on the land described in subsection (a).

(d) SURVEY AND ADMINISTRATIVE COSTS.—The exact acreage and legal description of the land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. Brigham Young University shall pay the reasonable costs of survey, appraisal, and any administrative analyses required by law.

SA 3526. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—MINERAL LEASING

SEC. 301. RELINQUISHMENT OF CERTAIN LAND IN UTAH.

The Act entitled “An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes”, approved March 11, 1948 (62 Stat. 72), as amended by the Act entitled “An Act to amend the Act extending the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah so as to authorize such State to exchange certain mineral lands for other lands mineral in character” approved August 9, 1955, (69 Stat. 544), is further amended by adding at the end the following:

“SEC. 5. In order to further clarify authorizations under this Act, the State of Utah is hereby authorized to relinquish to the United States, for the benefit of the Ute Indian Tribe of the Uintah and Ouray Reservation, State school trust or other State-owned subsurface mineral lands located beneath the surface estate delineated in Public Law 440 (approved March 11, 1948) and south of the border between Grand County, Utah, and Uintah County, Utah, and select in lieu of such relinquished lands, on an acre-for-acre basis, any subsurface mineral lands of the United States located beneath the surface estate delineated in Public Law 440 (approved March 11, 1948) and north of the border between Grand County, Utah, and Uintah County, Utah, subject to the following conditions:

“(1) RESERVATION BY UNITED STATES.—The Secretary of the Interior shall reserve an overriding interest in that portion of the mineral estate comprised of minerals subject to leasing under the Mineral Leasing Act (30 U.S.C. 171 et seq.) in any mineral lands conveyed to the State.

“(2) EXTENT OF OVERRIDING INTEREST.—The overriding interest reserved by the United States under paragraph (1) shall consist of—

“(A) 50 percent of any bonus bid or other payment received by the State as consideration for securing any lease or authorization to develop such mineral resources;

“(B) 50 percent of any rental or other payments received by the State as consideration for the lease or authorization to develop such mineral resources;

“(C) a 6.25 percent overriding royalty on the gross proceeds of oil and gas production under any lease or authorization to develop such oil and gas resources; and

“(D) an overriding royalty on the gross proceeds of production of such minerals other than oil and gas, equal to 50 percent of the royalty rate established by the Secretary of the Interior by regulation as of October 1, 2011.

“(3) RESERVATION BY STATE OF UTAH.—The State of Utah shall reserve, for the benefit of its State school trust, an overriding interest in that portion of the mineral estate com-

prised of minerals subject to leasing under the Mineral Leasing Act (30 U.S.C. 181 et seq.) in any mineral lands relinquished by the State to the United States.

“(4) EXTENT OF OVERRIDING INTEREST.—The overriding interest reserved by the State under paragraph (3) shall consist of—

“(A) 50 percent of any bonus bid or other payment received by the United States as consideration for securing any lease or authorization to develop such mineral resources on the relinquished lands;

“(B) 50 percent of any rental or other payments received by the United States as consideration for the lease or authorization to develop such mineral resources;

“(C) a 6.25 percent overriding royalty on the gross proceeds of oil and gas production under any lease or authorization to develop such oil and gas resources; and

“(D) an overriding royalty on the gross proceeds of production of such minerals other than oil and gas, equal to 50 percent of the royalty rate established by the Secretary of the Interior by regulation as of October 1, 2011.

“(5) NO OBLIGATION TO LEASE.—Neither the United States nor the State shall be obligated to lease or otherwise develop oil and gas resources in which the other party retains an overriding interest under this section.

“(6) COOPERATIVE AGREEMENTS.—The Secretary of the Interior is authorized to enter into cooperative agreements with the State and the Ute Indian Tribe of the Uintah and Ouray Reservation to facilitate the relinquishment and selection of lands to be conveyed under this section, and the administration of the overriding interests reserved hereunder.”.

SA 3527. Mr. FLAKE (for himself, Mr. MCCAIN, Mr. VITTER, Mr. MORAN, Mr. INOFE, Mr. KIRK, Mr. BOOZMAN, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. ____ . REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.

(a) IN GENERAL.—Section 235(a) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)) is amended—

(1) in paragraph (2)—

(A) by striking the paragraph heading and inserting “RULES FOR UNACCOMPANIED ALIEN CHILDREN”;

(B) in subparagraph (A), by striking “a country that is contiguous with the United States” and inserting “Belize, Canada, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, or any other foreign country that the Secretary determines appropriate”; and

(C) in subparagraph (C)—

(i) by striking the subparagraph heading and inserting “AGREEMENTS WITH FOREIGN COUNTRIES”; and

(ii) by striking “countries contiguous to the United States” and inserting “Belize, Canada, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, and any other foreign country that the Secretary determines appropriate”; and

(2) in paragraph (5)(D), by striking “, except for an unaccompanied alien child from a contiguous country subject to the exceptions under subsection (a),” and inserting “who does not meet the criteria listed in paragraph (2)(A)”.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply to any unaccompanied alien child who was apprehended on or after October 1, 2013.

SA 3528. Mr. REID (for Mr. COBURN) proposed an amendment to the bill S. 311, to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, and for other purposes; as follows:

On page 3, strike lines 10 through 12 and insert the following:

SEC. 4. AGREEMENT; DONATIONS.

The study described in section 3 shall not be conducted until the date on which—

(1) the Secretary enters into an agreement with a State, unit of local government, or other entity to conduct the study using non-Federal funds; or

(2) the Secretary receives a donation of an amount of non-Federal funds sufficient to pay the cost of conducting the study.

SA 3529. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

SA 3530. Mr. REID submitted an amendment intended to be proposed to amendment SA 3529 submitted by Mr. REID and intended to be proposed to the bill S. 2363, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

In the amendment, strike “1 day” and insert “2 days”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 9, 2014, at 2:20 p.m. in room SR-253 of the Russell Senate Office Building to conduct a hearing entitled, “Promoting the Well-Being and Academic Success of College Athletes.”

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

COMMITTEE ON FOREIGN RELATIONS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 9, 2014, at 9:45 a.m., to hold a hearing entitled “Russia and Developments in Ukraine.”

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