

En Bloc Amendments to H.R. 4909

Thursday, April 27, 2016

Subcommittee on Readiness

En Bloc #1

Log #	Sponsor	Description
008	Mr. Castro	Requires DOD briefing on aqueous film-forming foam presence on military installations
009	Mr. Wilson	Modification of the defense laboratory modernization pilot program
021	Ms. Graham	Modification of authority to carry out an FY16 project at MacDill AFB, Florida
022	Ms. Graham	Requires the Defense Logistics Agency to brief the committee on all agriculture-related equipment disposals for the past five years
026R1	Mr. Bridenstine	Requires briefing on ways to improve the Defense Travel System
029R1	Mr. Bridenstine	Directs DOD to produce independent assessment of Space-A program
137	Mr. Wittman	Modifies section 1101 to include shipyards, arsenals and depots in the industrial base in the US
222R2	Mr. Conaway	Amends Section 526 of the Energy Independence and Security Act of 2007
237	Mr. Russell	Clarifies the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any federal agency
266	Mr. Walz	State TAG will be approval authority for Air National Guard and Army National Guard fly-overs in that state

**Amendment to H.R. 4909
National Defense Authorization Act for Fiscal Year 2017**

Offered by Joaquin Castro

In the appropriate place in the report to accompany H.R. 4909, insert the following

[Aqueous film-forming foam]

[The committee is aware that aqueous film-forming foam (AFFF), a synthetic foam to extinguish flammable liquid fuel fires, was developed in the mid-1960s. Since then, it has been used in both military and civilian firefighting operations. However, the committee is aware that AFFF contains polyfluoroalkyl (PFAS) substances and that the Federal regulatory agency issued in 2009 a Provisional Health Advisory covering perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) in drinking water. Furthermore, the committee is aware that the Department of Defense has sponsored a number of projects seeking to develop a better understanding of occurrences, potential remedial treatment, and toxicological effects of PFOA and PFOS. This includes two projects recently selected under the Department of Defense's Environmental Security Technology Certification Program (ESTCP) regarding PFOAs and PFOSs that occur at military sites as well as how they can be reliably measured in the environment. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services, no later than March 1, 2017, regarding the Department's efforts and initiatives in response to PFOAs and PFOSs. Specifically, the briefing should address:

- a. the Department's current policies regarding PFOA and PFAS;
- b. the programmatic approach being taken by the Department of Defense to identify, investigate, and respond to the presence of PFOA and PFAS at military installations;
- c. the programmatic approach to the removal and replacement of PFOAs and PFOSs in AFFF firefighting foam.]

Joe Wilson

Log 009

AMENDMENT TO H.R. 4909
OFFERED BY M. _____

At the end of subtitle A of title XXVIII, add the following new section:

1 SEC. 28. ADDITIONAL ENTITIES ELIGIBLE FOR PARTICI-
2 PATION IN DEFENSE LABORATORY MOD-
3 ERNIZATION PILOT PROGRAM.

4 Section 2803(a) of the National Defense Authoriza-
5 tion Act for Fiscal Year 2016 (Public Law 114-92; 129
6 Stat. 1169; 10 U.S.C. 2358 note) is amended by adding
7 by adding at the end the following:

8 “(4) A Department of Defense research, devel-
9 opment, test, and evaluation facility that is not des-
10 ignated as a Science and Technology Reinvention
11 Laboratory, but nonetheless is involved with develop-
12 mental test and evaluation.”.



AMENDMENT TO H.R. 4909
OFFERED BY MS. GRAHAM OF FLORIDA

In title XXVI, insert after section 2612 the following new section (and redesignate subsequent sections accordingly):

1 **SEC. 2613. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN FISCAL YEAR 2016 PROJECT.**

3 In the case of the authorization contained in the table
4 in section 2602 of the Military Construction Authorization
5 Act for Fiscal Year 2016 (division B of Public Law 114–
6 92; 129 Stat. 1163) for MacDill Air Force Base, Florida,
7 for construction of an Army Reserve Center/Aviation Support
8 Facility at that location, the Secretary of the Army
9 may relocate and construct replacement skeet and grenade
10 launcher ranges necessary to clear the site for the new
11 Army Reserve facilities.



**Amendment to H.R. 4909
National Defense Authorization Act for Fiscal Year 2017**

Offered by: Ms. Graham

In the appropriate place in the report to accompany H.R. 4909, insert the following new Directive Report Language:

Disposal of Excess Agriculture-Related Equipment

The committee is aware that the Department of Defense has a disposal process for its excess or unused equipment. Many individuals, including firefighters, state agencies, law enforcement, and private citizens, have access to equipment through this disposal process. The committee believes that some of this equipment might be appropriate for use in agricultural operations, and that veteran-owned farming operations could benefit from greater awareness of what is available. Therefore, the committee directs the Director of the Defense Logistics Agency to provide a briefing, not later than December 1, 2016, to the Committee on Armed Services of the House of Representatives on all agriculture-related equipment disposals for the last five years. The briefing shall include an itemized list of each item disposed, a brief description of each item, the monetary value of each item, and whether the item was transferred to another government entity or a private company or citizen.

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**Amendment to H.R. 4909
National Defense Authorization Act for Fiscal Year 2017**

Offered by: Mr. Bridenstine of Oklahoma

In the appropriate place in the report to accompany H.R. 4909, insert the following new Directive Report Language:

Defense Travel System

The committee is concerned that the Defense Travel System (DTS) is challenging for many servicemembers to use, particularly among the Reserve Component. The committee has received information that the DTS process for booking travel – such as to-and-from drill locations – is often cumbersome and time consuming. The committee believes that the Department of Defense should explore ways to reform DTS to make the system more user-friendly. The committee notes that the Defense Travel Management Office (DTMO) was established in 2006 as the single focal point for commercial travel within DOD. Not later than September 1, 2016, the Director of DTS shall provide a briefing to the House Committee on Armed Service on ways to improve DTS to ensure it better meets the needs of DOD travelers.

AMENDMENT TO H.R. 4909
OFFERED BY MR. BRIDENSTINE OF OKLAHOMA

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

1 **SEC. 3 . STUDY ON SPACE-AVAILABLE TRAVEL SYSTEM**
2 **OF THE DEPARTMENT OF DEFENSE.**

3 (a) **STUDY REQUIRED.**—Not later than 90 days after
4 the date of the enactment of this Act, the Secretary of
5 Defense shall seek to enter into a contract with a federally
6 funded research and development center to conduct an
7 independent study on the space-available travel system of
8 the Department of Defense.

9 (b) **REPORT REQUIRED.**—Not later than 180 days
10 after entering into a contract with a federally funded re-
11 search and development center under subsection (a), the
12 Secretary shall submit to the congressional defense com-
13 mittees a report summarizing the results of the study con-
14 ducted under such subsection.

15 (c) **ELEMENTS.**—The report under subsection (b)
16 shall include, with respect to the space-available travel sys-
17 tem, the following:

18 (1) A determination of—

1 (A) the capacity of the system as of the
2 date of the enactment of this Act;

3 (B) the projected capacity of the system
4 for the 10-year period following such date of
5 enactment; and

6 (C) the projected number of reserve retir-
7 ees, active duty retirees, and dependents of
8 such retirees that will exist by the end of such
9 10-year period.

10 (2) Estimates of system capacity based the pro-
11 jections described in paragraph (1).

12 (3) A discussion of the efficiency of the system
13 and data regarding the use of available space with
14 respect to each category of passengers eligible for
15 space-available travel under existing regulations.

16 (4) A description of the effect on system capac-
17 ity if eligibility for space-available travel is extended
18 to—

19 (A) drilling reserve component personnel
20 and dependents of such personnel on inter-
21 national flights;

22 (B) dependents of reserve component retir-
23 ees who are less than 60 years of age;

24 (C) retirees who are less than 60 years of
25 age on international flights; and

1 (D) drilling reserve component personnel
2 traveling to drilling locations.

3 (5) A discussion of logistical and management
4 problems, including congestion at terminals, waiting
5 times, lodging availability, and personal hardships
6 experienced by travelers.

7 (6) An evaluation of the cost of the system and
8 whether space-available travel is and can remain
9 cost-neutral.

10 (7) An evaluation of the feasibility of expanding
11 the categories of passengers eligible for space-avail-
12 able travel to include—

13 (A) in the case of overseas travel, retired
14 members of an active or reserve component, in-
15 cluding retired members of reserve components,
16 who, but for being under the eligibility age ap-
17 plicable to the member under section 12731 of
18 title 10, United States Code, would be eligible
19 for retired pay under chapter 1223 of such
20 title; and

21 (B) unremarried widows and widowers of
22 active or reserve component members of the
23 Armed Forces.

1 (8) Such other factors relating to the efficiency
2 and cost of the system as the Secretary determines
3 to be appropriate.

4 (d) ADDITIONAL RESPONSIBILITIES.—In addition to
5 carrying out subsections (a) through (c), the Secretary of
6 Defense shall—

7 (1) analyze the methods used to prioritize
8 among the categories of individuals eligible for
9 space-available travel and make recommendations
10 for—

11 (A) re-ordering the priority of such cat-
12 egories; and

13 (B) adding additional categories of eligible
14 individuals; and

15 (2) collect data on travelers who request but do
16 not obtain available travel spaces under the space-
17 available travel system.



AMENDMENT TO H.R. 4909**OFFERED BY MR. WITTMAN OF VIRGINIA**

In section 1101—

(1) in subsections (a) and (b), by striking “located in the United States” in each instance it appears; and

(2) by adding at the end the following:

1 (c) DEFINITION.—In this section, the term “defense
2 industrial base facility” means any Department of De-
3 fense depot, arsenal, or shipyard located within the United
4 States.

In section 1102—

(1) by striking “located in the United States”
in each instance it appears; and

(2) by adding at the end the following:

5 (e) DEFINITION.—In this section, the term “defense
6 industrial base facility” means any Department of De-
7 fense depot, arsenal, or shipyard located within the United
8 States.



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AMENDMENT TO H.R. 4909
OFFERED BY MR. CONAWAY OF TEXAS

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

1 **SEC. 3. RULE OF CONSTRUCTION REGARDING ALTER-**
2 **NATIVE FUEL PROCUREMENT REQUIRE-**
3 **MENT.**

4 Section 526 of the Energy Independence and Security
5 Act of 2007 (Public Law 110-140; 42 U.S.C. 17142) is
6 amended by adding at the end the following: "This provi-
7 sion shall not be construed as a constraint on any conven-
8 tional or unconventional fuel procurement necessary for
9 military operations, including for test and certification
10 purposes."



Log 237

AMENDMENT TO H.R. 4909 OFFERED BY MR. RUSSELL OF OKLAHOMA

At the end of title XI, add the following:

1 **SEC. ____ . ELIGIBILITY OF EMPLOYEES IN A TIME-LIMITED**
2 **APPOINTMENT TO COMPETE FOR A PERMA-**
3 **NENT APPOINTMENT AT ANY FEDERAL AGEN-**
4 **CY.**

5 Section 9602 of title 5, United States Code, is
6 amended—

7 (1) in subsection (a) by striking “any land
8 management agency or any other agency (as defined
9 in section 101 of title 31) under the internal merit
10 promotion procedures of the applicable agency” and
11 inserting “such land management agency when such
12 agency is accepting applications from individuals
13 within the agency’s workforce under merit promotion
14 procedures, or any agency, including a land manage-
15 ment agency, when the agency is accepting applica-
16 tions from individuals outside its own workforce
17 under the merit promotion procedures of the appli-
18 cable agency”; and

19 (2) in subsection (d) by inserting “of the agen-
20 cy from which the former employee was most re-

1 cently separated” after “deemed a time-limited em-
2 ployee”.



AMENDMENT TO H.R. 4909
OFFERED BY MR. WALZ

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

1 **SEC. 10 ____ . NATIONAL GUARD FLYOVERS OF PUBLIC**
2 **EVENTS.**

3 (a) STATEMENT OF POLICY.—It shall be the policy
4 of the Department of Defense that flyovers of public
5 events in support of community relations activities may
6 only be flown as part of an approved training mission at
7 no additional expense to the Federal Government.

8 (b) NATIONAL GUARD FLYOVER APPROVAL PROC-
9 ESS.—The Adjutant General of a State in which an Army
10 National Guard or Air National Guard unit is based will
11 be the approval authority for all Air National Guard and
12 Army National Guard flyovers in that State, including any
13 request for a flyover in any civilian domain at a nonavia-
14 tion related event.

15 (c) FLYOVER RECORD MAINTENANCE; REPORT.—

16 (1) RECORD MAINTENANCE.—The Secretary of
17 Defense shall keep and maintain records of flyover
18 requests and approvals in a publicly accessible data-
19 base that is updated annually.

1 (2) GAO REPORT.—Not later than one year
2 after the date of the enactment of this Act, the
3 Comptroller General of the United States shall sub-
4 mit to the Committee on Armed Services of the
5 House of Representatives and the Committee on
6 Armed Services of the Senate a report on flyovers
7 and the process whereby flyover requests are made
8 and evaluated, including—

9 (A) whether there is any cost to taxpayers
10 associated with flyovers;

11 (B) whether there is any appreciable public
12 relations or recruitment value that comes from
13 flyovers; and

14 (C) the impact flyovers have to aviator
15 training and readiness.

16 (d) FLYOVER DEFINED.—In this section, the term
17 “flyover” means aviation support—

18 (1) in which a straight and level flight limited
19 to one pass by a single military aircraft, or by a sin-
20 gle formation of four or fewer military aircraft of
21 the same type, from the same military department
22 over a predetermined point on the ground at a spe-
23 cific time;

24 (2) that does not involve aerobatics or dem-
25 onstrations; and

1 (3) uses bank angles of up to 90 degrees if re-
2 quired to improve the spectator visibility of the air-
3 craft.

