

PROVIDING FOR FURTHER CONSIDERATION OF THE BILL (H.R. 4435) TO AUTHORIZE APPROPRIATIONS FOR FISCAL YEAR 2015 FOR MILITARY ACTIVITIES OF THE DEPARTMENT OF DEFENSE AND FOR MILITARY CONSTRUCTION, TO PRESCRIBE MILITARY PERSONNEL STRENGTHS FOR SUCH FISCAL YEAR, AND FOR OTHER PURPOSES; AND PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3361) TO REFORM THE AUTHORITIES OF THE FEDERAL GOVERNMENT TO REQUIRE THE PRODUCTION OF CERTAIN BUSINESS RECORDS, CONDUCT ELECTRONIC SURVEILLANCE, USE PEN REGISTERS AND TRAP AND TRACE DEVICES, AND USE OTHER FORMS OF INFORMATION GATHERING FOR FOREIGN INTELLIGENCE, COUNTERTERRORISM, AND CRIMINAL PURPOSES, AND FOR OTHER PURPOSES

May 21 (legislative day, May 20), 2014.—Referred to the House Calendar and ordered to be printed.

MR. NUGENT, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. __]

The Committee on Rules, having had under consideration House Resolution ____, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for further consideration of H.R. 4435, the National Defense Authorization Act for Fiscal Year 2015, under a structured rule. The resolution provides no additional general debate.

Section 2 of the resolution makes in order only those further amendments printed in part A of this report and amendments en bloc described in section 3 of the resolution. The resolution provides that the amendments printed in part A of this report may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified

in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or the Committee of the Whole. The resolution waives all points of order against the amendments printed in part A of this report or against amendments en bloc as described in section 3 of the resolution.

Section 3 of the resolution provides that it shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in part A of this report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or the Committee of the Whole. The resolution provides one motion to recommit with or without instructions.

Section 5 of the resolution provides for consideration of H.R. 3361, the USA Freedom Act, under a closed rule. The resolution provides one hour of debate with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment in the nature of a substitute printed in part B of this report shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides one motion to recommit with or without instructions.

Section 6 of the resolution provides that the Committee on Appropriations may, at any time before 5 p.m. on Tuesday, May 27, 2014, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2015.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against the amendments to H.R. 4435 printed in part A of this report or against amendments en bloc as described in Section 3 of the resolution, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of H.R. 3361, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in H.R. 3361, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Record Vote No. 138

Motion by Mr. McGovern to make in order to H.R. 4435 and provide the appropriate waivers for amendment #112, offered by Rep. McGovern (MA) and Rep. Garamendi (CA) and Rep. Lee (CA) and Rep. Smith (WA) and Rep. Jones (NC), which completes transition of US combat and military and security operations to Afghan government. Requirements to continue deployment of US troops in Afghanistan after Dec. 31, 2014, based on President's determination and Congressional vote on such a determination. Defeated: 2-7

Majority Members	Vote	Minority Members	Vote
Ms. Foxx.....	Nay	Ms. Slaughter.....	
Mr. Bishop of Utah.....	Nay	Mr. McGovern.....	Yea
Mr. Cole.....		Mr. Hastings of Florida.....	Yea
Mr. Woodall.....	Nay	Mr. Polis.....	
Mr. Nugent.....	Nay		
Mr. Webster.....	Nay		
Ms. Ros-Lehtinen.....			
Mr. Burgess.....	Nay		
Mr. Sessions, Chairman.....	Nay		

SUMMARY OF THE AMENDMENTS TO H.R. 4435 IN PART A MADE IN
ORDER

1. McKinley (WV): Prohibits funds for this Administration to conduct it's anti-fossil fuel climate change agenda, which includes the National Climate Assessment, the IPCC report, the UN's Agenda 21, and the Social Cost of Carbon. (10 minutes)
2. Gosar (AZ): Requires the Department to comply with Integrated Natural Resource Management Plans for 'off-installation' natural resources projects to ensure state involvement and consultation. (10 minutes)
3. Welch (VT), Gardner (CO): Encourages the Air Force to consider identified energy efficiency improvements in a timely and comprehensive manner. (10 minutes)
4. Westmoreland (GA): Strikes section 341, which requires the disclosure of proprietary information. (10 minutes)
5. Lamborn (CO), Forbes (VA), Fleming (LA): Requires the Department of Defense and the U.S. Air Force to revise their current regulations on religious freedom. (10 minutes)
6. Shimkus (IL): Delays relinquishment or agreeing to any proposal relating to the relinquishment of the responsibility of NTIA over Internet domain name system functions by the Assistant Secretary of Commerce for Communications and Information until GAO submits a report to Congress on the role of the NTIA with respect to the Internet domain name system. (10 minutes)
7. Walz (MN): Requires the Secretary of Defense to conduct an audit of the Defense Procurement and Acquisition Policy office of the Department of Defense by the end of 2016 and expresses the Sense of Congress that a full audit of the entire Department of Defense should be completed by the end of 2017. (10 minutes)
8. Polis (CO), Blumenauer (OR): Prohibits funds from being used for the Navy to carry out the refueling and complex overhaul of the U.S.S. George Washington and strikes \$483,600,00 in funding for that purpose; states that the amount reduced shall not be used for any purpose other than deficit reduction. (10 minutes)
9. Walorski (IN): Prohibits the Secretary of Defense from using any funds authorized to the department for the transfer or release of Guantanamo detainees to Yemen. (10 minutes)
10. Smith, Adam (WA), Moran, James (VA), Nadler (NY): Provides a framework for closure of the detention facility at Guantanamo Bay, Cuba, by December 31, 2016. (10 minutes)
11. Smith, Adam (WA), Broun (GA): Amends section 1021 of the FY 12 NDAA to eliminate indefinite military detention of any person detained under AUMF authority in the United States, it territories, or possessions, by providing for immediate transfer to trial and proceedings by a court established under Article III of the U.S. Constitution or by an appropriate state court. Strikes section 1022 of the same Act, which provides for mandatory military custody of covered parties. (10 minutes)

12. Cleaver (MO), Butterfield (NC), Clarke (NY), Clay (MO), Graves (MO), Hartzler (MO), Jackson Lee (TX), Moore, Gwen (WI), Norton (DC), Poe (TX), Yoder (KS): Redesignates Pershing Park in Washington, DC as the “National World War I Memorial” and will designate the Liberty Memorial at America's National World War I Museum in Kansas City, Missouri, as the “National World War I Museum and Memorial.” Amends the originating commission bill (PL 112-272) to include adding ex-officio members detailed from relevant agencies to provide in kind support for the commission and to allow the Commission that is wholly funded by privately raised dollars to pay their executive director a higher salary. (10 minutes)
13. Heck, Denny (WA): Creates a program that give military communities that suffer from significant traffic problems caused by base population increases to compete for \$200 million in grants to improve transportation infrastructure, from building new roads to upgrading public transportation systems. (10 minutes)
14. Kildee (MI): Allocates \$10 million to develop additional financial literacy training programs for incoming and transitioning service members, which would be funded by offsetting the \$15.1 billion shipbuilding account and a \$902.2 million nuclear weapons refurbishment account. (10 minutes)
15. Jenkins (KS): Creates a moratorium on the insourcing of previously contracted activities within DOD. Exceptions would be made (1) if the activity was “inherently governmental”, and thereby should never have been contracted out in the first place; and (2) if DOD would employ a “reverse A-76” to itemize specific costs saved to the taxpayer should the DOD be able to perform the commercial activity more efficiently for the taxpayer. (10 minutes)
16. Runyan (NJ): States that whenever 2 or more bases are formed into a DOD Joint Installation, if there are different locality pay areas, then all installation wage grade employees will be paid at the higher locality pay area rate. This amendment applies to any DOD Joint Installation created as a result of the 2005 Base Realignment and Closure Round. (10 minutes)
17. Lamborn (CO): Limits the use of funds for implementing the New START treaty until certification that the Russian Federation is respecting Ukrainian sovereignty and is no longer violating the INF or CFE treaties. (10 minutes)
18. Turner (OH), Lamborn (CO), Kinzinger (IL), Keating (MA), Engel (NY): Expresses a sense of Congress recognizing the importance of the North Atlantic Treaty Organization (NATO) as well as ongoing enlargement initiatives. Expresses the United States’ continued support for our European allies. (10 minutes)
19. Hunter (CA): Eexpresses the sense of Congress that the persons and organizations who carried out the attacks on the United States personnel in Benghazi, Libya on Sept 11 and 12, 2012 continue to pose a security threat to the United States and uncertainty regarding the authority of the President to use force to this end undermines his position as Commander-in-Chief. Further, it requires the President to submit a report including the identity and location of those who were involved in the attack, actions that have been taken to kill or capture

- them, and determination regarding whether the President has the authority to use force against the perpetrators. (10 minutes)
20. Rigell (VA): Reaffirms Congress' constitutional war powers by clearly stating that nothing in this Act shall be construed to authorize any use of military force. (10 minutes)
 21. Schiff (CA), Garamendi (CA): Sunsets the 2001 AUMF effective 12 months from date of enactment of the bill. (10 minutes)
 22. Jackson Lee (TX), Lee, Barbara (CA), Wilson (FL): Requires a report to Congress on crimes against humanity in Nigeria committed by Boko Haram. (10 minutes)
 23. Daines (MT), Cramer, Kevin (ND), Fleming (LA), Hartzler (MO), Lamborn (CO), Lummis (WY): Contains findings of the importance of the nuclear triad and a statement of policy reaffirming the value of nuclear capabilities in maintaining a strong national defense. (10 minutes)
 24. Blumenauer (OR): Requires CBO to update, on an annual basis, their report on the projected costs of U.S. nuclear forces. (10 minutes)
 25. Rogers, Mike (AL): Provides the Secretary of the Air Force the authority to enter into contracts for life-of-type procurements for commercial off-the-shelf parts for the intercontinental ballistic missile fuze. (10 minutes)
 26. Brooks (AL), Rogers, Mike (MI): Expresses the Sense of Congress that defense funding should be spent on defense purposes. Fences 50% of funding for National Ignition Facility until the Administrator for Nuclear Security certifies that none of the funds authorized by this Act will be used to subsidize, support, or otherwise contribute to clean fusion energy research and development. (10 minutes)
 27. Lujan (NM): Authorizes Directors of National Laboratories to waive indirect costs for research and development grants from Foundations or non-profit organizations up to a total not to exceed one half of one percent of the total budget of the National Laboratory for which the director is head. Requires that the director to determine that the research and development supported pursuant to this grant exercises capabilities that support the science, technology, energy, environmental, or national security mission of the Department of Energy or the National Nuclear Security Administration. (10 minutes)
 28. Hastings, Doc (WA): Restores \$20 million of the proposed cut to defense environmental cleanup. (10 minutes)
 29. Sánchez, Linda (CA): Facilitates the transfer of a portion of the U.S. Air Force Norwalk Defense Fuel Supply Point, also known as the Norwalk Tank Farm, to the City of Norwalk. If enacted, it would allow 15 acres of the 51 acre area to be designated for public purposes and transferred to the City of Norwalk. (10 minutes)
 30. Young, Don (AK): Expresses the Sense of Congress that the Secretary of the Air Force should place emphasis on strategically significant criteria when basing the OCONUS F-35A, which includes access to sufficient range capabilities and space for training, the ability to robustly train with our international partners, the presence of existing

facilities to support operations, limited encroachment, and the minimization of costs. (10 minutes)

31. McKinley (WV), Napolitano (CA): Increases the National Guard Youth Challenge Program under Civil Military Programs by \$55 million and decrease by the same amount the Office of the Secretary of Defense-Operations and Maintenance. (10 minutes)
32. Rigell (VA): Authorizes the DOD and NASA to execute an agreement for environmental cleanup attributable to the activities of DOD at the time the property was utilized by the Navy in the area constituting the former Naval Air Station Chincoteague, Virginia. (10 minutes)
33. Kilmer (WA), Cole (OK): Prohibits non-disciplinary furloughs of a DOD civilian employee whose performance is charged to a working capital fund, unless 1) there are inadequate working funds to support the workforce or 2) the Secretary certifies that none of the work that would have been performed by those furloughed would be shifted to other DOD civilian employees, contractors, or members of the Armed Forces. (10 minutes)
34. Bishop, Rob (UT): Provides authority to the military services in working with civic organizations to charge the public a nominal fee to attend a military-sponsored Air Show or Open House on military bases, to help off-set the O&M costs the base incurs during these times of defense sequester reductions (10 minutes)
35. Swalwell (CA), Meehan (PA): Requires the Department of Defense to allow military musical units to accept assistance from private entities for the benefit of said units. (10 minutes)
36. Conaway (TX): Allows general and flag officer chaplains to be eligible for retirement deferment. (10 minutes)
37. Griffith (VA), Ellison (MN): Requires DOD to fulfill former Sec. Gates' Efficiency Initiative relating to the number of general and flag officers by reducing approximately 33 positions through attrition by the end of 2015. (10 minutes)
38. McKinley (WV): Requires the Secretary of Defense to establish an electronic tour calculator so that reservists could keep track of aggregated active duty tours of 90 days or more served within a fiscal year. For each active duty tour totaling 90 days served 'inside' a FY, a reservist who subsequently qualifies for a reserve retirement (at age 60) may credit such tours towards early retirement - the language would require DoD to produce a tour calculator so that reservists can keep track of what 'counts' and what doesn't. (10 minutes)
39. Israel (NY), Hanna (NY): Requires a report on the progress made to establish Army National Guard Cyber Protection Teams. (10 minutes)
40. Coffman (CO), Walz (MN): Enhances the participation of mental health professionals in boards for the correction of military records and boards for the review of the discharge or dismissal of members of the Armed Forces. (10 minutes)
41. Duckworth (IL), Noem (SD), Coffman (CO), Tsongas (MA): Expands maternity leave for the active duty Service Members by an unpaid 6 weeks to be in line with the Family Medical Leave Act, while allowing commanders the discretion to call Service Members back to duty at any

given time to maintain unit readiness. (10 minutes)

42. Thompson, Glenn (PA), Ryan, Tim (OH): Requires a baseline mental health assessment before any individual joins the military, in order to bring mental health to parity with physical health during recruitment screenings. Ensures it cannot be used during promotion or assignment consideration, and requires a report with recommendations from NIMH and other relevant experts identifying best practices for the assessment. (10 minutes)
43. Grayson (FL): Reinserts section 1032 of the introduced version, which states: "personal property retained as evidence in connection with an incident of sexual assault involving a member of the Armed Forces may be returned to the rightful owner of such property after the conclusion of all legal, adverse action, and administrative proceedings related to such incident." (10 minutes)
44. Velázquez (NY): Requires each branch of the military to develop an anonymous phone tip-line for reporting incidents of hazing. (10 minutes)
45. McMorris Rodgers (WA), Bishop, Sanford (GA): Directs the Secretary of Defense to submit a report to Congress evaluating the progress of the Military Spouse Employment Program (MSEP) in reducing military spouse unemployment, reducing the wage gap between military spouses and their civilian counterparts, and addressing the underemployment of military spouses. (10 minutes)
46. McNerney (CA): Directs the DoD Secretary to consider how employment agencies will work with state and county VA offices and state National Guard offices when establishing requirements for a new employment pilot program for recently separated service members. (10 minutes)
47. Cook (CA), Takano (CA): Creates a blueprint for a direct hire jobs placement program benefitting the National Guard and Reserves. It allows states to implement a process that has already met success in achieving a 25% reduction in unemployment in the California National Guard. (10 minutes)
48. Lamborn (CO): Modifies some authorities for the Air Force Academy Athletic Cooperation to bring them in line with similar authorities previously provided to the Naval Academy Athletic Association. (10 minutes)
49. Bonamici (OR), Walden (OR): Requires the Secretary of the Army to evaluate potential cost savings and potential effects on the National Guard's recruitment efforts of the requirement, effective January 1, 2014, that all service members wait one year after training before becoming eligible for the Army's tuition assistance program. (10 minutes)
50. Maloney, Sean (NY): Increases the authorization for Impact Aid by one additional year. (10 minutes)
51. Gerlach (PA), Fattah (PA), Fudge (OH), Bachus (AL), Cotton (AR), Thompson, Bennie (MS): Recognizes the Wereth massacre of 11 African-American soldiers of the U.S. Army during the Battle of the Bulge, December 17, 1944. (10 minutes)

52. Bustos (IL): Asks the Secretary of the Army to review and provide a report on the Medal of Honor nomination of Captain William L. Albracht. (10 minutes)
53. Chu (CA): Requests updated reporting information from each branch of the military regarding their methods for tracking, reporting, and preventing hazing, as well as a detailed military hazing report from GAO. (10 minutes)
54. Langevin (RI), Davis, Susan (CA): Requires National Institute of Mental Health to study of risk and resiliency of United States Special Operations Forces and effectiveness of Preservation of the Force and Families Program. (10 minutes)
55. LaMalfa (CA), Huffman (CA), Garamendi (CA): Clarifies jurisdictional confusion between VA field offices when cases are brokered out from the office of origination, ensuring that VA offices may continue to update congressional staff on constituents' cases. (10 minutes)
56. Walberg (MI): Requires the Department to implement a pilot program to provide certain contact information for separating service members to state veterans affairs departments. (10 minutes)
57. Gingrey (GA): Expresses the Sense of Congress that active military personnel that are either live in or are stationed in Washington, DC would be exempt from existing District of Columbia firearms restrictions. (10 minutes)
58. Bishop, Tim (NY): Expresses the Sense of Congress that the remains of three crewmen of the Martin Mariner PBM-5 seaplane George One, ensign Maxwell Lopez, USN, Naval Aviator, Frederick Williams, Aviation Machinist's Mate 1st Class, Wendell Henderson, Aviation Radioman 1st Class, should be recovered from Thurston Island, Antarctica. (10 minutes)
59. Farr (CA): Designates the Department of Veterans Affairs and Department of Defense joint outpatient clinic to be constructed in Marina, California, as the "Major General William H. Gourley VA-DOD Outpatient Clinic". (10 minutes)
60. Smith, Adam (WA): Provides the Secretary of the Army the authority to move the remains of member of the armed forces who has no known next of kin and is buried in an Army National Military Cemetery to another Army National Cemetery, or, with the concurrence of the Secretary of Veterans Affairs, from the National Cemetery System to an Army National Military Cemetery (10 minutes)
61. Bilirakis (FL): Allows for the transportation on military aircraft on a space-available basis for disabled veterans with a service connected permanent disability rated as total. (10 minutes)
62. Ross (FL): Prohibits the Department of Defense from using funds to close commissary stores. (10 minutes)
63. Hanna (NY), Maloney, Sean (NY): Allows memorial headstone or grave markers to be made available for purchase by Guard or Reserve members who served for at least six years, at no cost to the government. Further clarifies that this does not allow for any new veteran benefits and does not authorize any new burial benefit or create any new authority for an individual to be buried in a national

cemetery. (10 minutes)

64. Capps (CA): Makes available breastfeeding support, supplies, and counseling under the TRICARE program. (10 minutes)
65. Larson, John (CT), Rooney (FL): Ensures access to behavioral health treatment, including applied behavior analysis, under TRICARE for children with developmental disabilities, when prescribed by a physician or psychologist. (10 minutes)
66. Ellmers (NC): Corrects the lack of timely and efficient notification of changes to TRICARE coverage by requiring the Secretary of Defense to notify all affected providers and beneficiaries of any significant change made by TRICARE via electronic means no less than 90 days before the change is to take place. (10 minutes)
67. Jones (NC): Expresses a sense of Congress on the use of Hyperbaric Oxygen Therapy to treat traumatic brain injury and post-traumatic stress disorder. (10 minutes)
68. Israel (NY), King, Peter (NY): Expresses the sense of Congress in support of public-private partnerships to enhance DOD efforts on mental health care for servicemembers. (10 minutes)
69. Murphy, Patrick (FL): Improves DOD mental health and suicide prevention programs by coordination with VA and integration of care through an annual evaluation by an independent third party. (10 minutes)
70. Pascrell (NJ): Directs the peer-reviewed Psychological Health and Traumatic Brain Injury Research Program to conduct a study on blast injury and its correlation to traumatic brain injury. (10 minutes)
71. Sanchez, Loretta (CA): Requires a report on what steps the Department is taking to ensure military personnel and their families have access to reproductive counseling and treatments for infertility, including in vitro fertilization. (10 minutes)
72. Speier (CA): Directs the Secretary of Defense to implement the recommendations of the Interagency Breast Cancer and Environmental Research Coordinating Committee to prioritize prevention and increase the study of chemical and physical factors in breast cancer. (10 minutes)
73. Mulvaney (SC): Maximizes competition in design-build contracts. (10 minutes)
74. Connolly (VA): Amends section 4202 of the Clinger-Cohen Act of 1996 to make the authority to use simplified acquisition procedures for certain commercial items permanent. (10 minutes)
75. Meng (NY), Walberg (MI): Requires GAO to conduct a study on the effects of the Federal Strategic Sourcing Initiative on small businesses. An agency's justification of a strategic sourcing solicitation shall be published prior to the issuance of a solicitation. (10 minutes)
76. Hanna (NY): Requires non-corporate sureties to pledge specific and secure assets as required from others providing collateral to the federal government, and requires those assets be held by a government entity to ensure payments can be made in the event they are needed. (10 minutes)

77. Graves (MO), Duckworth (IL): Encourages federal contracts be structured in a manner that permits small businesses to compete. Raises the small business prime contracting goal from 23% to 25% and by establishing a subcontracting goal of 40% rather than relying on the administrative goal of 35.9%. (10 minutes)
78. Cárdenas , Tony (CA): Establishes an outreach and education program to educate small businesses contracted by the Department of Defense on cyber threats and develop plans to protect intellectual property and their networks. (10 minutes)
79. Collins, Chris (NY), Kilmer (WA): Accelerates the commercialization of federally-funded research and technologies by establishing a grant program for participating STTR agencies to support proof-of-concept research and other innovative technology transfer activities at universities, research institutes, and federal laboratories. (10 minutes)
80. Poe (TX): Establish the Sense of Congress urging the Secretary of Defense to make a reasonable effort to make certain military equipment returning from abroad (that he determines to be excess) available to State, Federal, and local law enforcement agencies for the purpose of strengthening border security along the international border between the United States and Mexico. (10 minutes)
81. Grayson (FL): Prohibits DOD from contracting with persons convicted of fraudulent use of “Made in America” labels. Requires debarment of the offending entities (a national security waiver exception being made available to the Secretary). (10 minutes)
82. Speier (CA): Allows women-owned small businesses to receive sole-source contracts under the same terms as other small business contracting programs and accelerates the disparity study to assess industries in the women-owned small business procurement program. (10 minutes)
83. Thompson, Mike (CA): Adds American Flags to the list of items covered by the Berry Amendment. (10 minutes)
84. Fortenberry (NE): Requires report as to how the Department will manage its mission related to nuclear forces, deterrence, nonproliferation, and terrorism. (10 minutes)
85. Nugent (FL): Provides statutory authority to implement the Secretary of Defense’s recommendations to reorganize the personnel accounting community of the department. This amendment will reduce duplication of effort between the existing Defense Prisoner of War/Missing Personnel Office (DPMO) and the Joint Prisoner of War/Missing in Action Accounting Command (JPAC). (10 minutes)
86. Speier (CA): Requires the public release of any IG reports that find misconduct for senior executive service (SES) officials, political appointees, and general and flag officers that rank O-6 or higher level. (10 minutes)
87. Burgess (TX), Lee, Barbara (CA): Requires a report ranking all military departments and Defense Agencies in order of how advanced they are in achieving auditable financial statements as required by law. (10 minutes)
88. Takano (CA): Requires the Secretary of Defense to report to Congress,

no later than 30 days after enactment of this law, on the barriers to implementing audit reporting requirements and recommendations to ensure reporting deadlines are met. (10 minutes)

89. Miller, Jeff (FL): Prohibits the use of funds for the Navy's permitting activities under the Sunken Military Craft Act for one year. (10 minutes)
90. Ross (FL): Prohibits the Department of Defense from using taxpayer funds to provide additional or upgraded recreational facilities for detainees at U.S. Naval Station, Guantanamo Bay, Cuba. (10 minutes)
91. Bridenstine (OK): Amends Section 1045 to provide the Secretary of Defense more flexibility to meet the Aviation Foreign Internal Defense certification requirement. (10 minutes)
92. Nunes (CA): Continues the use of Lajes Field (Air Force Base) in the Azores, Portugal until the completion of the European Infrastructure Consolidation Assessment and adds additional study requirement to the Assessment that will consolidate forces and reduce the deficit. (10 minutes)
93. Sessions (TX): Allows the Secretary of the Army to implement previously approved engineering change proposals on OH-58D Kiowa Helicopters in a manner that ensures the safety and survivability of the crews. (10 minutes)
94. Broun (GA), Yoho (FL): Prohibits any officer, employee, detailee, or contractor of the Department of Defense from using a drone to kill a citizen of the United States, with the exception of an individual who is actively engaged in combat against the United States. (10 minutes)
95. Palazzo (MS): Expresses the concerns of congress as it relates to tactical airlift following the withdrawal of combat forces from Afghanistan and requires a report on the 5 year plan for tactical airlift laydown prior to any permanent force structure changes of tactical airlift. (10 minutes)
96. Schweikert (AZ): Directs the Director of TARDEC to provide a report back to the Congressional Defense Committees addressing thermal injury prevention needs to improve occupant centric survivability systems for combat and tactical vehicles against over matching ballistic threats. (10 minutes)
97. Young, Don (AK): Requires the U.S. Air Force to conduct a business case analysis for the creation of a personnel-only active-association the 168th Air Refueling Wing. (10 minutes)
98. Braley (IA): Directs the President to submit to Congress a report on the long-term costs of Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom in Iraq and Afghanistan. (10 minutes)
99. Cole (OK): Includes the DHS Robotic Aircraft for Public Safety (RAPS) program, or other activities of similar nature conducted by the Department of Homeland Security, as user of DoD airspace (in addition to MOU's the HASC has included for the 6 selected FAA sites). The RAPS project provides for the test and evaluation of Small Unmanned Aircraft Systems (SUAS) for potential use by the first responder community and DHS operational components. (10 minutes)
100. Turner (OH): clarifies that the memorandum of understanding extends

to those additional test ranges not initially selected by the Administration if such range enters into a partnership or agreement with a selected test range. (10 minutes)

101. Gibson (NY): Directs the Secretary of Defense to do a comprehensive search to determine which ships operated near Vietnam in the Vietnam Era. Requires the Secretary of Defense to report the information to the Secretary of Veterans Affairs, who would then provide publicly accessible information on such data. (10 minutes)
102. Latta (OH), Campbell (CA), Schiff (CA), Michaud (ME): Recognizes the 70th Anniversary of the D-Day landings on the beaches of Normandy, France. (10 minutes)
103. Posey (FL), Nugent (FL): Allows the Department of Defense, at the discretion of the Secretary, to transport goods supplied by nonprofit organizations to members of the Armed Forces serving overseas, as they have been authorized to do for foreign nationals since 1985. (10 minutes)
104. Posey (FL), Miller, Jeff (FL): Establishes the Sense of Congress that the Air Force should assess feasibility, costs, savings, and readiness implications of utilizing contractor-owned and operated very light jet aircraft for interim flight instruction until permanent replacement enters service. (10 minutes)
105. Rogers, Mike (AL): Requires the Secretary of Defense and the Director of National Intelligence to provide a notification if telecommunications companies with close ties to foreign governments are determined to have access to (or attempting to have access to) critical infrastructure of US military or intelligence facilities. (10 minutes)
106. Whitfield (KY), Polis (CO), Perlmutter (CO): Establishes the Sense of Congress that the President should establish and appoint an advisory board on toxic substances and worker health responsible for overseeing a portion of the original EEOICPA legislation known as "Part E." (10 minutes)
107. Butterfield (NC): Expands the types of documentation accepted by the federal government when a very small group of mariners that operated tugboats and barges domestically during World War II apply for veterans' status. Qualifying Merchant Mariners, who can prove service through expanded acceptable documentation, would receive only burial benefits and the honor of being recognized by their country for their sacrifice and service. (10 minutes)
108. Lewis, John (GA): Requires the Secretary of Defense -- in consultation with the Commissioner of the Internal Revenue Service and the Director of the Bureau of Economic Analysis -- to post to cost of the wars in Afghanistan and Iraq to each American taxpayer on the Department of Defense's website. (10 minutes)
109. Lynch (MA), Boustany (LA): Calls for the observation of two minutes of silence on Veterans Day in honor of the service and sacrifice of veterans throughout the history of the United States. (10 minutes)
110. Meng (NY): Requires a regional office to carry out certain steps if it doesn't meet the 125 day goal of backlog claims; and requires the Under Secretary for Benefits to explain how the failure of the regional office to meet the goal affected the performance evaluation of the director of the

regional office.
(10 minutes)

111. Schiff (CA): Establishes the Sense of Congress amendment endorsing the inclusion on the Vietnam Veterans Memorial of the 74 sailors lost aboard the USS Frank E. Evans in 1969. (10 minutes)
112. Connolly (VA): Extends part-time reemployment authority under both CSRS and FERS by 5 years. (10 minutes)
113. Kilmer (WA), Forbes (VA): Reauthorizes overtime for navy civilian employees who perform nuclear maintenance for the forward deployed aircraft carrier in Japan for one year. (10 minutes)
114. Rohrabacher (CA): Expands the certification requirement on reimbursements to Pakistan to include human rights concerns. (10 minutes)
115. Cicilline (RI): Asks that the “Plan for Sustaining the Afghanistan National Security Forces” through FY18 also include a description of efforts to engage United States manufacturers in procurement opportunities related to equipping the ANSF. (10 minutes)
116. Poe (TX): Requires the Secretary of Defense to provide for the conduct of an independent assessment of U.S. efforts to disrupt, dismantle, and defeat al-Qaeda, including its affiliates groups, associated groups, and adherents since May 2, 2011 (10 minutes)
117. Rohrabacher (CA): Expresses a sense of the Congress that Dr. Shakil Afridi is an international hero and is owed a debt of gratitude for helping to find Osama bin Laden. (10 minutes)
118. Davis, Susan (CA): Establishes the Sense of Congress on the importance of women in ensuring the future success of nation of Afghanistan. (10 minutes)
119. Johnson, Hank (GA): Prevents the establishment of permanent U.S. Military bases in Afghanistan. (10 minutes)
120. Nolan (MN): Provides auditing and inspecting guidelines for new construction projects in Afghanistan in excess of \$500,000 that cannot be physically inspected by authorized civilian personnel. (10 minutes)
121. Tsongas (MA), Keating (MA), Bustos (IL), Roby (AL): Establish the Sense of Congress that women should be included in conflict resolution and a statement of United States policy that the United States supports efforts promoting the security of Afghan women and girls during the transition process and requires a DoD report on efforts to support the security of Afghan women and girls. (10 minutes)
122. Rogers, Mike (AL): Establishes the Sense of Congress that Ukraine should close off its defense industries that currently provide critical capability to Russia for its nuclear forces. (10 minutes)
123. DeLauro (CT), Granger (TX), Ellison (MN), Connolly (VA), Huizenga (MI): Prohibits the Department of Defense from entering into a contract or subcontract with Russia’s state-arms dealer Rosoboronexport unless the Secretary of Defense, in consultation with the Secretary of State and Director of National Intelligence, certifies that the firm ceased transferring weapons to Syria, Russia pulled out of Crimea, Russian forces have withdrawn from the eastern boarder of Ukraine, and that Russia is not otherwise actively destabilizing Ukraine. Requires that

the certification would be reviewed by the Defense Department Inspector General. (10 minutes)

124. Engel (NY): Establishes a U.S. policy of opposing transfers of “defense articles and services” (defined in the Arms Export Control Act) to Russia by any NATO member country, during any period when Russia occupies the territory of Ukraine or a NATO member country. Provides that if a NATO member country transfers defense articles or services to Russia contrary to U.S. policy, the U.S. would impose a “presumption of denial” for applications for transfer of U.S.-origin defense articles and services to that NATO country. (10 minutes)
125. Connolly (VA), Diaz-Balart (FL), Sires (NJ), Carter (TX): Directs the President to sell F-16 C/D aircraft to Taiwan to modernize its air fleet, 70% of which is scheduled to be retired within the next decade. (10 minutes)
126. Ros-Lehtinen (FL): Authorizes the Secretary of Defense to deploy assets, personnel and resources to the Joint Interagency Task Force South, in coordination with SOUTHCOM, to combat transnational criminal organization and drug trafficking. (10 minutes)
127. Ros-Lehtinen (FL): Establishes that it shall be the policy of the United States to undertake a whole-of-government approach to bolster regional cooperation with countries throughout the Western Hemisphere to counter narcotics trafficking and illicit activities. (10 minutes)
128. Gibson (NY), Garamendi (CA): States that nothing in the FY15 NDAA shall be construed as authorizing the use of force against Syria or Iran. (10 minutes)
129. Gosar (AZ): Expresses Congress’ support for Israel’s right to self-defense against regional threats. (10 minutes)
130. Kelly (PA): Prohibits funds from being used to implement the UN Arms Trade Treaty unless the treaty has received the advice and consent of the Senate and has been the subject of implementing legislation by the Congress. (10 minutes)
131. Roskam (IL), Walorski (IN): Requires the President to submit to the appropriate committees every 180 days a report that identifies that the United States has taken all necessary steps to ensure that Israel possesses and maintains an independent capability to remove existential threats to its security and defend its vital national interests. (10 minutes)
132. Franks (AZ): Establishes the Sense of Congress that the United States work with regional partners and allies to develop an interagency strategy counter the vicious terror attacks perpetrated by Boko Haram. (10 minutes)
133. Kelly (PA): Expresses the Sense of Congress in opposition to France's impending sale of two Mistral class warships to Russia. (10 minutes)
134. Shimkus (IL): Honors the victims of the Russian Soviet and Nazi regimes and supports the designation of a "Black Ribbon Day". (10 minutes)
135. Bridenstine (OK): Requires Secretary of Defense to report on implications of Caspian Sea-based energy resources and distribution networks for U.S. and NATO energy security strategies. (10 minutes)

136. Engel (NY): Requires the Secretary of Defense to report on activities of the Department of Defense in regards to protecting cultural property abroad. (10 minutes)
137. Kelly, Robin (IL): Requires a report, not later than 90 days of the enactment, the Secretary of Defense in consultation with Secretary of State shall submit a report to Congress on the efforts to assist in the search and rescue of the young women who were abducted from the Government Secondary School in Chibok, Nigeria by Boko Haram. (10 minutes)
138. Mulvaney (SC), Murphy, Patrick (FL): Codifies criteria developed by OMB in 2010 to clarify when military spending should be designated as contingency operations and properly be part of the Overseas Contingency Operation budget. (10 minutes)
139. Walberg (MI), Cohen (TN): Prohibits any new funds for the Afghanistan Infrastructure Fund until previously appropriated funds have been fully expended. (10 minutes)
140. Grayson (FL): Updates the Space Protection Strategy required by the 2008 NDAA, to include the period of 2026 through 2030. (10 minutes)
141. Lamborn (CO): Limits funding for certain exchanges with Russia until the President certifies that all appropriate individuals have been listed under the Magnitsky Act. Requires an unclassified intelligence assessment of the corruption of senior Russian leaders. (10 minutes)
142. Pompeo (KS), Carney (DE): Requires the Director of National Intelligence to certify that the recommendations of the report required under Section 933 of the FY 2014 NDAA are consistent with the cyber operations capability needs of the United States before implementing any changes recommended by the study. (10 minutes)
143. Rogers, Mike (AL): Modifies an existing statutory reporting requirement to require certain officials to report on their ability to meet operational availability requirements for delivery platforms for nuclear weapons. (10 minutes)
144. Rogers, Mike (AL): Requires the Commander of U.S. Strategic Command to provide copied of the prior year's Strategic Advisory Group reports to the congressional defense committees 30 days after the budget has been submitted. (10 minutes)
145. Turner (OH): Limits availability of funds for removal or consolidation of dual-capable aircraft from Europe. (10 minutes)
146. Israel (NY), Hanna (NY): Expresses the sense of Congress in support of the National Guard's role in defending the US from cyber attacks. (10 minutes)
147. Polis (CO), Nadler (NY): Urges the Secretary of Defense to conduct successful operationally realistic tests before purchasing additional ground-based missile defense interceptors. (10 minutes)
148. Brooks (AL), Rogers, Mike (MI), Turner (OH): Requires a Plan to Counter Certain Ground-launched Ballistic Missiles and Cruise Missiles and for other purposes. (10 minutes)
149. Foster (IL): Requires the Institute for Defense Analyses to study the testing program of the ground based midcourse missile defense system. The Institute for Defense Analyses would be required to produce a

- report on the effectiveness of the testing program and recommendations for how it can be improved. (10 minutes)
150. Sablan (MP): Broadens the geographical scope of the existing authorization relating to Saipan for the construction of a maintenance facility, a hazardous cargo pad, or an airport storage facility so that funding would be immediately available for either of the alternative locations now under consideration. (10 minutes)
 151. Castor (FL), Nugent (FL): Directs the Secretary of Defense to conduct a report for Congress on the prevalence of black mold in buildings located on military bases. Provides that after the report is complete, buildings found to contain black mold should be added to the appropriate priority list at DoD to replace the building or conduct renovations. (10 minutes)
 152. Bordallo (GU): The amendment would allow the Secretary of the Navy and the Secretary of the Interior to enter into a cooperative agreement for the purposes of establishing a surface danger zone over the Ritidian Unit of the Guam National Wildlife Refuge to support training, operations and readiness needs for ground forces on Guam pursuant to the readiness requirements of U.S. Pacific Command. (10 minutes)
 153. Hastings, Doc (WA): Ensures public access at Rattlesnake Mountain in the Hanford Reach National Monument, which is land owned by the Department of Energy's Office of Environmental Management and managed by the U.S. Fish & Wildlife Service. (10 minutes)
 154. Hastings, Doc (WA): Prevents further studies that involve bringing plutonium into the State of Washington at a time when the federal government isn't meeting its existing legally enforceable defense nuclear waste cleanup commitments to the State. (10 minutes)
 155. Larsen, Rick (WA): Requires the creation of an interagency plan for verification and monitoring relating to the potential proliferation of nuclear weapons and fissile material. (10 minutes)
 156. Pierluisi (PR): Modifies a statutory prohibition on federally-funded environmental cleanup of certain property on the island of Culebra, Puerto Rico to enable DoD to remove unexploded ordnance resulting from former DoD training activities and posing a public safety risk. (10 minutes)
 157. Connolly (VA), Issa (CA): Amends titles 40, 41, and 44, United States Code, to eliminate duplication and waste in Federal information technology acquisition and management. (10 minutes)
 158. Graves (MO), Rahall (WV), Walz (MN), Meadows (NC), Miller, Candice (MI), Perry (PA), Barr, (KY): Establishes the National Commission on the Future of the Army to undertake a comprehensive study of the structure of the Total Army to determine: (1) the necessary size (2) the proper force mixture of the active component and reserve component (3) missions (4) force generation policies, including assumptions behind those policies (5) and how the structure should be modified to best fulfill mission requirements in a manner consistent with available resources. (10 minutes)
 159. Franks (AZ): Increases the amount authorized for Aegis Ballistic Missile Defense, line 30, by \$99,000,000 and decreases two other lines equaling \$99,000,000. (10 minutes)

160. Connolly (VA): Prohibits funds from being used to integrate missile defense systems of the Russian Federation into the missile defense systems of the U.S. if such integration undermines the security of the U.S. or NATO, mirroring a prohibition in Sec. 1250 of the base text relating to the integration of Chinese missile defense systems. (10 minutes)
161. Kildee (MI): Allocates \$20 million for a private study to identify challenges confronting the DoD's care of wounded warriors and offer recommendations to improve it, which would be funded by offsetting the \$15.1 billion shipbuilding account and a \$902.2 million nuclear weapons refurbishment account. (10 minutes)
162. Young (IN): Provides Section 330 indemnification to military installations, still under the jurisdiction of the Department of Defense, to facilities closed other than pursuant to base closure law. (10 minutes)

SUMMARY OF THE AMENDMENT TO H.R. 3361 IN PART B
CONSIDERED AS ADOPTED

1. Sensenbrenner (WI), Goodlatte (VA), Conyers (MI), Nadler (NY), Scott, Bobby (VA), Forbes (VA): Ends bulk collection on Americans' records while still protecting national security. Puts real, effective limits on what information the Government can gather. Creates more transparency and gives more information to the American people.

PART A—TEXT OF AMENDMENTS TO H.R. 4435 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKINLEY OF WEST VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

145

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. MCKINLEY OF WEST VIRGINIA**

At the end of subtitle B of title III, insert the following:

1 **SEC. 318. PROHIBITION ON USE OF FUNDS TO IMPLEMENT**
2 **CERTAIN CLIMATE CHANGE ASSESSMENTS**
3 **AND REPORTS.**

4 None of the funds authorized to be appropriated or
5 otherwise made available by this Act may be used to imple-
6 ment the U.S. Global Change Research Program National
7 Climate Assessment, the Intergovernmental Panel on Cli-
8 mate Change's Fifth Assessment Report, the United Na-
9 tion's Agenda 21 sustainable development plan, or the
10 May 2013 Technical Update of the Social Cost of Carbon
11 for Regulatory Impact Analysis Under Executive Order
12 12866.



2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GOSAR OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. GOSAR OF ARIZONA**

At the end of subtitle B of title III, add the following new section:

1 **SEC. 3__ . OFF-INSTALLATION DEPARTMENT OF DEFENSE**
2 **NATURAL RESOURCES PROJECTS COMPLI-**
3 **ANCE WITH INTEGRATED NATURAL RE-**
4 **SOURCE MANAGEMENT PLANS.**

5 Section 103A of the Sikes Act (16 U.S.C. 670c-1)
6 is amended by adding at the end the following new sub-
7 section:

8 “(d) COMPLIANCE WITH INTEGRATED NATURAL RE-
9 SOURCE MANAGEMENT PLAN.—In the case of a coopera-
10 tive agreement or interagency agreement under subsection
11 (a) for the maintenance and improvement of natural re-
12 sources located off of a military installation or State-
13 owned National Guard installation, funds referred to in
14 subsection (b) may be used only pursuant to an approved
15 integrated natural resources management plan.”.



3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WELCH OF VERMONT OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. WELCH OF VERMONT**

At the end of subtitle B of title III of division A,
add the following:

**1 SEC. 3 __. RECOMMENDATION ON AIR FORCE ENERGY
2 CONSERVATION MEASURES.**

3 Congress recommends that the Secretary of the Air
4 Force take action on identified energy conservation meas-
5 ures in a comprehensive and timely manner using an array
6 of available funding mechanisms.



4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WESTMORELAND OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE COMMITTEE PRINT FOR
H.R. 4435
OFFERED BY MR. WESTMORELAND OF GEORGIA**

Strike section 341 of subtitle E of title III of the
bill.



5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LAMBORN OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. LAMBORN OF COLORADO**

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

1 **SEC. 5___. REVISED REGULATIONS FOR RELIGIOUS FREE-**
2 **DOM.**

3 (a) REVISION OF DEPARTMENT OF DEFENSE IN-
4 STRUCTION 1300.17.—

5 (1) REVISION REQUIRED.—Not later than 90
6 days after the date of the enactment of this Act, the
7 Secretary of Defense shall issue a revised instruction
8 to replace Department of Defense Instruction
9 1300.17.

10 (2) PURPOSE.—The revision of Department of
11 Defense Instruction 1300.17 shall address the Con-
12 gressional intent and content of section 533 of the
13 National Defense Authorization Act for Fiscal Year
14 2013 (Public Law 112–239; 126 Stat. 1727; 10
15 U.S.C. prec. 1030 note), as amended by section 532
16 of the National Defense Authorization Act for Fiscal
17 Year 2014 (Public Law 113–66; 127 Stat. 759), to
18 ensure that verbal and written expressions of an in-

1 individual's religious beliefs are protected by the De-
2 partment of Defense as an essential part of a the
3 free exercise of religion by a member of the Armed
4 Forces.

5 (b) REVISION OF AIR FORCE INSTRUCTION 1-1.—

6 (1) REVISION REQUIRED.—Not later than 120
7 days after the date of the enactment of this Act, the
8 Secretary of the Air Force shall issue a revised in-
9 struction to replace Air Force Instruction 1-1.

10 (2) PURPOSE.—The revision of Air Force In-
11 struction 1-1 shall reflect the protections for reli-
12 gious expressions contained in—

13 (A) section 533 of the National Defense
14 Authorization Act for Fiscal Year 2013 (Public
15 Law 112-239; 126 Stat. 1727; 10 U.S.C. prec.
16 1030 note), as amended by section 532 of the
17 National Defense Authorization Act for Fiscal
18 Year 2014 (Public Law 113-66; 127 Stat.
19 759); and

20 (B) the revised Department of Defense in-
21 struction referenced in subsection (a) if revision
22 of that instruction is completed before the revi-
23 sion of Air Force Instruction 1-1.

24 (3) TERMINATION.—If, before the date of the
25 enactment of this Act, the Secretary of the Air

1 Force issues a revised instruction to replace Air
2 Force Instruction 1-1 and such revision is consistent
3 with the purpose specified in paragraph (2), the re-
4 quirement imposed by paragraph (1) shall no longer
5 apply.



6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SHIMKUS OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. SHIMKUS OF ILLINOIS**

Page 370, after line 23, insert the following:

1 **SEC. 1082. NTIA RETENTION OF DNS RESPONSIBILITIES**

2 **PENDING GAO REPORT.**

3 (a) **RETENTION OF RESPONSIBILITIES.**—Until the
4 Comptroller General of the United States submits the re-
5 port required by subsection (b), the Assistant Secretary
6 of Commerce for Communications and Information may
7 not relinquish or agree to any proposal relating to the re-
8 linquishment of the responsibility of the National Tele-
9 communications and Information Administration (in this
10 section referred to as the “NTIA”) over Internet domain
11 name system functions, including responsibility with re-
12 spect to the authoritative root zone file, the Internet As-
13 signed Numbers Authority functions, and related root
14 zone management functions.

15 (b) **REPORT.**—Not later than 1 year after the date
16 on which the NTIA receives a proposal relating to the re-
17 linquishment of the responsibility of the NTIA over Inter-
18 net domain name system functions that was developed in
19 a process convened by the Internet Corporation for As-

1 signed Names and Numbers at the request of the NTIA,
2 the Comptroller General of the United States shall submit
3 to Congress a report on the role of the NTIA with respect
4 to the Internet domain name system. Such report shall
5 include—

6 (1) a discussion and analysis of—

7 (A) the advantages and disadvantages of
8 relinquishment of the responsibility of the
9 NTIA over Internet domain name system func-
10 tions, including responsibility with respect to
11 the authoritative root zone file, the Internet As-
12 signed Numbers Authority functions, and re-
13 lated root zone management functions;

14 (B) any principles or criteria that the
15 NTIA sets for proposals for such relinquis-
16 hment;

17 (C) each proposal received by the NTIA
18 for such relinquishment;

19 (D) the processes used by the NTIA and
20 any other Federal agencies for evaluating such
21 proposals; and

22 (E) any national security concerns raised
23 by such relinquishment; and

24 (2) a definition of the term “multistakeholder
25 model”, as used by the NTIA with respect to Inter-

1 net policymaking and governance, and definitions of
2 any other terms necessary to understand the matters
3 covered by the report.



7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WALZ OF MINNESOTA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. WALZ OF MINNESOTA**

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

**1 SEC. 1005. AUDIT OF DEFENSE PROCUREMENT AND ACQUI-
2 SITION POLICY OFFICE.**

3 (a) AUDIT.—The Secretary of Defense shall conduct
4 an audit of the Defense Procurement and Acquisition Pol-
5 icy office of the Department of Defense by the end of
6 2016.

7 (b) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that a full audit of the entire Department of Defense
9 should be completed by the end of 2017.



8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POLIS OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. POLIS OF COLORADO**

Strike section 1024 and insert the following new section (and conform the table of contents accordingly):

1 **SEC. 1024. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
2 **REFUELING AND COMPLEX OVERHAUL OF**
3 **THE U.S.S. *GEORGE WASHINGTON*.**

4 (a) **PROHIBITION.**—None of the funds authorized to
5 be appropriated by this Act or otherwise made available
6 for fiscal year 2015 for the Navy may be used to carry
7 out the planning and long lead time material procurement
8 associated with the refueling and complex overhaul of the
9 U.S.S. *George Washington* (CVN-73).

10 (b) **FUNDING.**—Notwithstanding the amounts set
11 forth in the funding tables in division D, the amount au-
12 thorized to be appropriated in section 101 for shipbuilding
13 and conversion, Navy, as specified in the corresponding
14 funding table in section 4101, for CVN Refueling Over-
15 hauls, CVN 73 Refueling and Complex Overhaul (RCOH)
16 is hereby reduced by \$483,600,000. The amount of such

- 1 reduction shall not be available for any purpose other than
- 2 deficit reduction.



9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WALORSKI OF INDIANA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE COMMITTEE PRINT FOR
H.R. 4435
OFFERED BY MRS. WALORSKI OF INDIANA**

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

1 **SEC. 1034. PROHIBITION ON TRANSFER OR RELEASE OF IN-**
2 **DIVIDUALS DETAINED AT GUANTANAMO TO**
3 **YEMEN.**

4 None of the amounts authorized to be available to
5 the Department of Defense may be used to transfer, re-
6 lease, or assist in the transfer or release, during the period
7 beginning on the date of enactment of this Act and ending
8 on December 31, 2015, any individual detained at Guanta-
9 namo (as such term is defined in section 1032(c)) to the
10 custody or control of the Republic of Yemen or any entity
11 within Yemen.



10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SMITH OF WASHINGTON OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. SMITH OF WASHINGTON, MR.
MORAN OF VIRGINIA, AND MR. NADLER OF
NEW YORK**

Strike sections 1032 and 1033 and insert the following:

1 **SEC. 1032. GUANTANAMO BAY DETENTION FACILITY CLO-**
2 **SURE ACT OF 2014.**

3 (a) **SHORT TITLE.**—This section may be cited as the
4 “Guantanamo Bay Detention Facility Closure Act of
5 2014”.

6 (b) **USE OF FUNDS.**—Notwithstanding any other pro-
7 vision of law, amounts authorized to be appropriated by
8 this Act or otherwise made available to the Department
9 of Defense may be used to—

10 (1) construct or modify any facility in the
11 United States, its territories, or possessions to house
12 any individual detained at Guantanamo for the pur-
13 poses of detention or imprisonment; and

14 (2) transfer, or assist in the transfer, to or
15 within the United States, its territories, or posses-
16 sions of any individual detained at Guantanamo;

1 (c) NOTICE TO CONGRESS.—Not later than 30 days
2 before transferring any individual detained at Guanta-
3 namo to the United States, its territories, or possessions,
4 the President shall submit to Congress a report about such
5 individual that includes—

6 (1) notice of the proposed transfer; and

7 (2) the assessment of the Secretary of Defense
8 and the intelligence community (under the meaning
9 given such term section 3(4) of the National Secu-
10 rity 18 Act of 1947 (50 U.S.C. 3003(4)) of any
11 risks to public safety that could arise in connection
12 with the proposed transfer of the individual and a
13 description of any steps taken to address such risks.

14 (d) PROHIBITION ON USE OF FUNDS.—No amounts
15 authorized to be appropriated by this Act or otherwise
16 made available to the Department of Defense may be used
17 after December 31, 2016, for the detention facility or de-
18 tention operations at United States Naval Station, Guan-
19 tanamo Bay, Cuba.

20 (e) PERIODIC REVIEW BOARDS.—The Secretary of
21 Defense shall ensure that each periodic review board es-
22 tablished pursuant to Executive Order No. 13567 or sec-
23 tion 1023 of the National Defense Authorization Act for
24 Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1564;10

1 U.S.C. 801 note) is completed by not later than 60 days
2 after the date of the enactment of this Act.

3 (f) PRESIDENTIAL PLAN.—Not later than 60 days
4 after the date of the enactment of this Act, the President
5 shall submit to the congressional defense committees a
6 plan describing each of the following:

7 (1) The locations to which the President seeks
8 to transfer individuals detained at Guantanamo who
9 have been identified for continued detention or pros-
10 ecution.

11 (2) The individuals detained at Guantanamo
12 whom the President seeks to transfer to overseas lo-
13 cations, the overseas locations to which the Presi-
14 dent seeks to transfer such individuals, and the con-
15 ditions under which the President would transfer
16 such individuals to such locations.

17 (3) The proposal of the President for the deten-
18 tion and treatment of individuals captured overseas
19 in the future who are suspected of being terrorists.

20 (4) The proposal of the President regarding the
21 disposition of the individuals detained at the deten-
22 tion facility at Parwan, Afghanistan, who have been
23 identified as enduring security threats to the United
24 States.

1 (5) For any location in the United States to
2 which the President seeks to transfer such an indi-
3 vidual or an individual detained at Guantanamo, es-
4 timates of each of the following costs:

5 (A) The costs of constructing infrastruc-
6 ture to support detention operations or prosecu-
7 tion at such location.

8 (B) The costs of facility repair,
9 sustainment, maintenance, and operation of all
10 infrastructure supporting detention operations
11 or prosecution at such location.

12 (C) The costs of military personnel, civilian
13 personnel, and contractors associated with the
14 detention operations or prosecution at such lo-
15 cation, including any costs likely to be incurred
16 by other Federal departments or agencies or
17 State or local governments.

18 (D) Any other costs associated with sup-
19 porting the detention operations or prosecution
20 at such location.

21 (6) The estimated security costs associated with
22 trying such individuals in courts established under
23 Article III of the Constitution or in military commis-
24 sions conducted in the United States, including the
25 costs of military personnel, civilian personnel, and

1 contractors associated with the prosecution at such
2 location, including any costs likely to be incurred by
3 other Federal departments or agencies, or State or
4 local governments.

5 (7) A plan developed by the Attorney General,
6 in consultation with the Secretary of Defense, the
7 Secretary of State, the Director of National Intel-
8 ligence, and the heads of other relevant departments
9 and agencies, identifying a disposition, other than
10 continued detention at United States Naval Station,
11 Guantanamo Bay, Cuba, for each individual de-
12 tained at Guantanamo as of the date of the enact-
13 ment of this Act, who is designated for continued
14 detention or prosecution. Such a disposition may in-
15 clude transfer to the United States for trial or de-
16 tention pursuant to the law of war, transfer to a for-
17 eign country, or release.

18 (g) INDIVIDUAL DETAINED AT GUANTANAMO.—In
19 this section, the term “individual detained at Guanta-
20 namo” means any individual located at United States
21 Naval Station, Guantanamo Bay, Cuba, as of October 1,
22 2009, who—

23 (1) is not a citizen of the United States or a
24 member of the Armed Forces of the United States;
25 and

1 (2) is—

2 (A) in the custody or under the control of
3 the Department of Defense; or

4 (B) otherwise under detention at United
5 States Naval Station, Guantanamo Bay, Cuba.

6 (h) FUNDING.—

7 (1) REDUCTION.—Notwithstanding the
8 amounts set forth in the funding tables in division
9 D, the amount authorized to be appropriated in sec-
10 tion 4601 for military construction, Army, as speci-
11 fied in the corresponding funding table in section
12 4601, for a high value detainee facility at Guanta-
13 namo Bay is hereby reduced by \$69,000,000.

14 (2) INCREASE.—Notwithstanding the amounts
15 set forth in the funding tables in division D, the
16 amount authorized to be appropriated in section
17 4601 for military construction, Defense-wide, as
18 specified in the corresponding funding table in sec-
19 tion 4601, for planning and design for the Missile
20 Defense Agency is hereby increased by \$20,000,000.

21 (3) REDUCTION OF GENERAL REDUCTIONS.—
22 Notwithstanding the amounts set forth in the fund-
23 ing tables in division D, the amount specified in sec-
24 tion 4601 for General Reductions, as specified in the

1 corresponding funding table in section 4601, is here-
2 by reduced by \$49,000,000.

3 (4) REDUCTION IN AMOUNT FOR GUANTANAMO
4 BAY.—In the item relating to Guantanamo Bay in
5 the table in section 2101(b), strike “\$92,800,000”
6 and insert “\$23,800,000”.



11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SMITH OF WASHINGTON OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

89

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. SMITH OF WASHINGTON AND
MR. BROUN OF GEORGIA**

Page 294, after line 21, insert the following:

1 **SEC. 1034. DISPOSITION OF COVERED PERSONS DETAINED**
2 **IN THE UNITED STATES PURSUANT TO THE**
3 **AUTHORIZATION FOR USE OF MILITARY**
4 **FORCE.**

5 (a) **SHORT TITLE.**—This section may be cited as the
6 “Due Process and Military Detention Amendments Act”.

7 (b) **DISPOSITION.**—Section 1021 of the National De-
8 fense Authorization Act for Fiscal Year 2012 (Public Law
9 112–81; 125 Stat. 1562; 10 U.S.C. 801 note) is amend-
10 ed—

11 (1) in subsection (c), by striking “The disposi-
12 tion” and inserting “Except as provided in sub-
13 section (g), the disposition”; and

14 (2) by adding at the end the following new sub-
15 sections:

16 “(g) **DISPOSITION OF PERSONS DETAINED IN THE**
17 **UNITED STATES.**—

1 “(1) PERSONS DETAINED PURSUANT TO THE
2 AUTHORIZATION FOR USE OF MILITARY FORCE OR
3 THE FISCAL YEAR 2012 NATIONAL DEFENSE AU-
4 THORIZATION ACT.—In the case of a covered person
5 who is detained in the United States, or a territory
6 or possession of the United States, pursuant to the
7 Authorization for Use of Military Force or this Act,
8 disposition under the law of war shall occur imme-
9 diately upon the person coming into custody of the
10 Federal Government and shall only mean the imme-
11 diate transfer of the person for trial and proceedings
12 by a court established under Article III of the Con-
13 stitution of the United States or by an appropriate
14 State court. Such trial and proceedings shall have all
15 the due process as provided for under the Constitu-
16 tion of the United States.

17 “(2) PROHIBITION ON TRANSFER TO MILITARY
18 CUSTODY.—No person detained, captured, or ar-
19 rested in the United States, or a territory or posses-
20 sion of the United States, may be transferred to the
21 custody of the Armed Forces for detention under the
22 Authorization for Use of Military Force or this Act.

23 “(h) RULE OF CONSTRUCTION.—This section shall
24 not be construed to authorize the detention of a person
25 within the United States, or a territory or possession of

1 the United States, under the Authorization for Use of
2 Military Force or this Act.”.

3 (c) REPEAL OF REQUIREMENT FOR MILITARY CUS-
4 TODAY.—

5 (1) REPEAL.—Section 1022 of the National
6 Defense Authorization Act for Fiscal Year 2012 is
7 hereby repealed.

8 (2) CONFORMING AMENDMENT.—Section
9 1029(b) of such Act is amended by striking “applies
10 to” and all that follows through “any other person”
11 and inserting “applies to any person”.



12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CLEAVER OF MISSOURI OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

79R

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. CLEAVER OF MISSOURI**

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

1 **Subtitle H—World War I Memorials**

2 **SEC. 1091. SHORT TITLE.**

3 This subtitle may be cited as the “World War I Me-
4 morial Act of 2014”.

5 **SEC. 1092. DESIGNATION OF NATIONAL WORLD WAR I MU-
6 SEUM AND MEMORIAL IN KANSAS CITY, MIS-
7 SOURI.**

8 (a) DESIGNATION.—The Liberty Memorial of Kansas
9 City at America’s National World War I Museum in Kan-
10 sas City, Missouri, is hereby designated as the “National
11 World War I Museum and Memorial”.

12 (b) CEREMONIES.—The World War I Centennial
13 Commission (in this subtitle referred to as the “Commis-
14 sion”) may plan, develop, and execute ceremonies to recog-
15 nize the designation of the Liberty Memorial of Kansas
16 City as the National World War I Museum and Memorial.

1 **SEC. 1093. REDESIGNATION OF PERSHING PARK IN THE**
2 **DISTRICT OF COLUMBIA AS THE NATIONAL**
3 **WORLD WAR I MEMORIAL AND ENHANCE-**
4 **MENT OF COMMEMORATIVE WORK.**

5 (a) REDESIGNATION.—Pershing Park in the District
6 of Columbia is hereby redesignated as the “National
7 World War I Memorial”.

8 (b) CEREMONIES.—The Commission may plan, de-
9 velop, and execute ceremonies for the rededication of Per-
10 shing Park, as it approaches its 50th anniversary, as the
11 National World War I Memorial and for the enhancement
12 of the General Pershing Commemorative Work as author-
13 ized by subsection (c).

14 (c) AUTHORITY TO ENHANCE COMMEMORATIVE
15 WORK.—

16 (1) IN GENERAL.—The Commission may en-
17 hance the General Pershing Commemorative Work
18 by constructing on the land designated by subsection
19 (a) as the National World War I Memorial appro-
20 priate sculptural and other commemorative elements,
21 including landscaping, to further honor the service
22 of members of the United States Armed Forces in
23 World War I.

24 (2) GENERAL PERSHING COMMEMORATIVE
25 WORK DEFINED.—The term “General Pershing
26 Commemorative Work” means the memorial to the

1 late John J. Pershing, General of the Armies of the
2 United States, who commanded the American Expe-
3 ditionary Forces in World War I, and to the officers
4 and men under his command, as authorized by Pub-
5 lic Law 89–786 (80 Stat. 1377).

6 (d) COMPLIANCE WITH STANDARDS FOR COMMEMO-
7 RATIVE WORKS.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2), chapter 89 of title 40, United States
10 Code, applies to the enhancement of the General
11 Pershing Commemorative Work under subsection
12 (c).

13 (2) WAIVER OF CERTAIN REQUIREMENTS.—

14 (A) SITE SELECTION FOR MEMORIAL.—
15 Section 8905 of such title does not apply with
16 respect to the selection of the site for the Na-
17 tional World War I Memorial.

18 (B) CERTAIN CONDITIONS.—Section
19 8908(b) of such title does not apply to this sub-
20 title.

21 (e) NO INFRINGEMENT UPON EXISTING MEMO-
22 RIAL.—The National World War I Memorial may not
23 interfere with or encroach on the District of Columbia
24 War Memorial.

25 (f) DEPOSIT OF EXCESS FUNDS.—

1 (1) USE FOR OTHER WORLD WAR I COMMEMO-
2 RATIVE ACTIVITIES.—If, upon payment of all ex-
3 penses for the enhancement of the General Pershing
4 Commemorative Work under subsection (c) (includ-
5 ing the maintenance and preservation amount re-
6 quired by section 8906(b)(1) of title 40, United
7 States Code), there remains a balance of funds re-
8 ceived for such purpose, the Commission may use
9 the amount of the balance for other commemorative
10 activities authorized under the World War I Centen-
11 nial Commission Act (Public Law 112–272; 126
12 Stat. 2448).

13 (2) USE FOR OTHER COMMEMORATIVE
14 WORKS.—If the authority for enhancement of the
15 General Pershing Commemorative Work and the au-
16 thority of the Commission to plan and conduct com-
17 memorative activities under the World War I Cen-
18 tennial Commission Act have expired and there re-
19 mains a balance of funds received for the enhance-
20 ment of the General Pershing Commemorative
21 Work, the Commission shall transmit the amount of
22 the balance to a separate account with the National
23 Park Foundation, to be available to the Secretary of
24 the Interior following the process provided in section
25 8906(b)(4) of title 40, United States Code, for ac-

1 counts established under section 8906(b)(3) of such
2 title, except that funds in such account may only be
3 obligated subject to appropriation.

4 (g) AUTHORIZATION TO COMPLETE CONSTRUCTION
5 AFTER TERMINATION OF COMMISSION.—Section 8 of the
6 World War I Centennial Commission Act (Public Law
7 112–272) is amended—

8 (1) in subsection (a), by striking “The Centen-
9 nial Commission” and inserting “Except as provided
10 in subsection (c), the Centennial Commission”; and

11 (2) by adding at the end the following new sub-
12 section:

13 “(c) EXCEPTION FOR COMPLETION OF NATIONAL
14 WORLD WAR I MEMORIAL.—The Centennial Commission
15 may perform such work as is necessary to complete the
16 rededication of the National World War I Memorial and
17 enhancement of the General Pershing Commemorative
18 Work under section 1093 of the World War I Memorial
19 Act of 2014, subject to section 8903 of title 40, United
20 States Code.”.

21 **SEC. 1094. ADDITIONAL AMENDMENTS TO WORLD WAR I**
22 **CENTENNIAL COMMISSION ACT.**

23 (a) EX OFFICIO AND OTHER ADVISORY MEMBERS.—
24 Section 4 of the World War I Centennial Commission Act

1 (Public Law 112–272; 126 Stat. 2449) is amended by
2 adding at the end the following new subsection:

3 “(e) EX OFFICIO AND OTHER ADVISORY MEM-
4 BERS.—

5 “(1) POWERS.—The individuals listed in para-
6 graphs (2) and (3), or their designated representa-
7 tive, shall serve on the Centennial Commission solely
8 to provide advice and information to the members of
9 the Centennial Commission appointed pursuant to
10 subsection (b)(1), and shall not be considered mem-
11 bers for purposes of any other provision of this Act.

12 “(2) EX OFFICIO MEMBERS.—The following in-
13 dividuals shall serve as ex officio members:

14 “(A) The Archivist of the United States.

15 “(B) The Librarian of Congress.

16 “(C) The Secretary of the Smithsonian In-
17 stitution.

18 “(D) The Secretary of Education.

19 “(E) The Secretary of State.

20 “(F) The Secretary of Veterans Affairs.

21 “(G) The Administrator of General Serv-
22 ices.

23 “(3) OTHER ADVISORY MEMBERS.—The fol-
24 lowing individuals shall serve as other advisory mem-
25 bers:

1 “(A) Four members appointed by the Sec-
2 retary of Defense in the following manner: One
3 from the Navy, one from the Marine Corps, one
4 from the Army, and one from the Air Force.

5 “(B) Two members appointed by the Sec-
6 retary of Homeland Security in the following
7 manner: One from the Coast Guard and one
8 from the United States Secret Service.

9 “(C) Two members appointed by the Sec-
10 retary of the Interior, including one from the
11 National Parks Service.

12 “(4) VACANCIES.—A vacancy in a member posi-
13 tion under paragraph (3) shall be filled in the same
14 manner in which the original appointment was
15 made.”.

16 (b) PAYABLE RATE OF STAFF.—Section 7(c)(2) of
17 such Act (Public Law 112–272; 126 Stat. 2451) is amend-
18 ed—

19 (1) in subparagraph (A), by striking the period
20 at the end and inserting “, without regard to the
21 provisions of chapter 51 and subchapter III of chap-
22 ter 53 of title 5, United States Code, relating to
23 classification and General Schedule pay rates.”; and

24 (2) in subparagraph (B), by striking “level IV”
25 and inserting “level II”.

1 (c) LIMITATION ON OBLIGATION OF FEDERAL
2 FUNDS.—

3 (1) LIMITATION.—Section 9 of such Act (Public
4 Law 112–272; 126 Stat. 2453) is amended to read
5 as follows:

6 **“SEC. 9. LIMITATION ON OBLIGATION OF FEDERAL FUNDS.**

7 “No Federal funds may be obligated or expended for
8 the designation, establishment, or enhancement of a me-
9 morial or commemorative work by the World War I Cen-
10 tennial Commission.”.

11 (2) CONFORMING AMENDMENT.—Section 7(f)
12 of such Act (Public Law 112–272; 126 Stat. 2452)
13 is repealed.

14 (3) CLERICAL AMENDMENT.—The item relating
15 to section 9 in the table of contents of such Act
16 (Public Law 112–272; 126 Stat. 2448) is amended
17 to read as follows:

“Sec. 9. Limitation on obligation of Federal funds.”.



13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HECK OF WASHINGTON OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435, AS REPORTED
OFFERED BY MR. HECK OF WASHINGTON

At the end of title X, add the following:

1 SEC. 1011 . MILITARY COMMUNITY INFRASTRUCTURE PRO-
2 GRAM.

3 (a) INFRASTRUCTURE PROGRAM.—

4 (1) ESTABLISHMENT.—Not later than 6
5 months after the date of enactment of this section,
6 the Secretary shall establish a Military Community
7 Infrastructure Program under which the Secretary
8 may provide grants to eligible entities for transpor-
9 tation infrastructure improvement projects in mili-
10 tary communities.

11 (2) APPLICATION.—To be eligible for a grant
12 under the Program, an eligible entity shall submit to
13 the Secretary an application at such time, in such
14 form, and containing such information as the Sec-
15 retary may require.

16 (3) ELIGIBLE PROJECTS.—

17 (A) IN GENERAL.—Grants awarded under
18 the Program may be used for transportation in-
19 frastructure improvement projects, including—

- 1 (i) the construction of roads;
- 2 (ii) the construction of mass transit;
- 3 (iii) the construction of, or upgrades
- 4 to, pedestrian access and bicycle access;
- 5 and
- 6 (iv) upgrades to public transportation
- 7 systems.

8 (B) LOCATION.—To be eligible for a grant
9 under the Program, a project described in sub-
10 paragraph (A) shall be—

11 (i) related to improving access to a
12 military installation, as determined by the
13 Secretary; and

14 (ii) in a location that is—

15 (I) within or abutting an urban-
16 ized area (as designated by the Bu-
17 reau of the Census); and

18 (II) designated as a growth com-
19 munity by the Office of Economic Ad-
20 justment.

21 (4) CONSIDERATIONS.—In awarding grants
22 under the Program, the Secretary shall give consid-
23 eration to—

24 (A) the magnitude of the problem ad-
25 dressed by the project;

1 (B) the proportion of the problem ad-
2 dressed by the project that is caused by military
3 installation growth since the year 2000;

4 (C) the number of service members af-
5 fected by the problem addressed by the project;

6 (D) the size of the community affected by
7 the problem addressed by the project;

8 (E) the ability of the relevant eligible enti-
9 ty to execute the project; and

10 (F) the extent to which the project resolves
11 the transportation problem addressed.

12 (5) FEDERAL SHARE.—The Federal share of
13 the cost of a project carried out using grant
14 amounts made available under the Program may not
15 exceed 80 percent.

16 (b) TRAFFIC IMPACT STUDY.—

17 (1) IN GENERAL.—Not later than 1 year after
18 the date of enactment of this section, the Secretary
19 shall conduct a traffic impact study for any urban-
20 ized area (as designated by the Bureau of the Cen-
21 sus) that expects a significant increase in traffic re-
22 lated to a military installation within or abutting the
23 urbanized area.

24 (2) CONTENTS.—A traffic impact study under
25 paragraph (1) shall determine any transportation

1 improvements needed because of an increase in the
2 number of military personnel, including study of
3 commute sheds affected by installation-related traf-
4 fic.

5 (3) CONSULTATION.—In developing a traffic
6 impact study under paragraph (1), the Secretary
7 shall consult with—

8 (A) the metropolitan planning organization
9 or regional transportation planning organization
10 with jurisdiction over the urbanized area; and

11 (B) the commander of the appropriate
12 military installation.

13 (c) DEFINITIONS.—In this section:

14 (1) ELIGIBLE ENTITY.—The term “eligible enti-
15 ty” means—

16 (A) a State or political subdivision thereof;

17 (B) an owner or operator of public trans-
18 portation;

19 (C) a local governmental authority (as
20 such term is defined in section 5302 of title 49,
21 United States Code);

22 (D) a metropolitan planning organization;
23 or

24 (E) a regional transportation planning or-
25 ganization.

1 (2) METROPOLITAN PLANNING ORGANIZATION
2 AND REGIONAL TRANSPORTATION PLANNING ORGA-
3 NIZATION.—The terms “metropolitan planning orga-
4 nization” and “regional transportation planning or-
5 ganization” have the meanings given those terms in
6 section 134(b) of title 23, United States Code.

7 (3) SECRETARY.—The term “Secretary” means
8 the Secretary of Defense, acting through the Direc-
9 tor of the Office of Economic Adjustment.

10 (4) STATE.—The term “State” means each of
11 the several States, the District of Columbia, and any
12 territory or possession of the United States.

13 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated, to carry out this section,
15 \$200,000,000 for fiscal year 2015.

16 (e) FUNDING.—Notwithstanding the amounts set
17 forth in the funding tables in division D, to carry out this
18 section during fiscal year 2015—

19 (1) the amount authorized to be appropriated in
20 section 301 for operation and maintenance, as speci-
21 fied in the corresponding funding table in division D,
22 is hereby increased by \$200,000,000, with the
23 amount of the increase allocated to administrative
24 and servicewide activities, as set forth in the table
25 under section 4301, to carry out this section; and

1 (2) the amount authorized to be appropriated in
2 section 301 for operation and maintenance, Defense-
3 wide, as specified in the corresponding funding table
4 in section 4301, is hereby reduced by \$200,000,000.



14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
KILDEE OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. KILDEE OF MICHIGAN**

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

1 **SEC. 1082. IMPROVEMENT OF FINANCIAL LITERACY.**

2 (a) IN GENERAL.—The Secretary of Defense shall
3 develop and implement a training program to increase and
4 improve financial literacy training for incoming and out-
5 going military personnel.

6 (b) FUNDING.—

7 (1) INCREASE.—Notwithstanding the amounts
8 set forth in the funding tables in division D, the
9 amount authorized to be appropriated in section
10 4301 for operation and maintenance, as specified in
11 the corresponding funding table in section 4301, for
12 each military department (including the Marine
13 Corps) is hereby increased by \$2,500,000.

14 (2) OFFSET.—Notwithstanding the amounts set
15 forth in the funding tables in division D—

16 (A) the amounts authorized to be appro-
17 priated in section 101 for shipbuilding and con-
18 version, Navy, as specified in the corresponding

1 funding table in section 4101, is hereby reduced
2 by \$5,000,000; and

3 (B) the amounts authorized to be appro-
4 priated in division C for weapons activities, as
5 specified in the corresponding funding table in
6 section 4701, for the B61 life extension pro-
7 gram and the W76 life extension program are
8 each hereby reduced by \$2,500,000.



15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JENKINS OF KANSAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MS. JENKINS OF KANSAS**

At the end of title XI, add the following:

1 **SEC. 1107. PROHIBITION ON CONVERTING THE PERFORM-**
2 **ANCE OF CERTAIN FUNCTIONS FROM CON-**
3 **TRACTOR PERFORMANCE TO PERFORMANCE**
4 **BY FEDERAL EMPLOYEES.**

5 (a) PROHIBITION.—Notwithstanding any other provi-
6 sion of law, except as provided under subsection (b), no
7 Federal department or agency may implement or carry out
8 a guideline, regulation, circular, policy, or other instru-
9 ment to enable a Federal department or agency to convert
10 to performance by Federal employees any function that,
11 before the date of the enactment of this Act, was per-
12 formed by contractor employees.

13 (b) EXCEPTIONS.— The prohibition in this section
14 shall not apply to a function that is an inherently govern-
15 mental function as that term is defined in section 5 of
16 the Federal Activities Inventory Reform Act of 1998 (Pub-
17 lic Law 105–270; 31 U.S.C. 501 note).

18 (c) PUBLIC-PRIVATE COMPETITION REQUIRED.—Be-
19 fore any Federal department or agency may convert any

1 function from performance by a contractor to performance
2 by a civilian employee of the department or agency, the
3 department or agency shall conduct a public-private com-
4 petition similar to a public-private competition under Of-
5 fice of Management and Budget Circular A-76 that exam-
6 ines the cost of performance of the function by civilian
7 employees and the cost of performance of the function by
8 one or more contractors to demonstrate whether con-
9 verting to performance by civilian employees will result in
10 savings to the Government over the life of the contract.
11 Upon completion of the competition, the Federal depart-
12 ment or agency shall select the option that is determined
13 pursuant to the competition to result in the most savings
14 to the Government.



16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
RUNYAN OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

9

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. RUNYAN OF NEW JERSEY**

At the end of title XI, add the following:

1 **SEC. 1107. PAY PARITY FOR DEPARTMENT OF DEFENSE EM-**
2 **PLOYEES EMPLOYED AT JOINT BASES.**

3 (a) DEFINITIONS.—For purposes of this section—

4 (1) the term “joint military installation” means
5 2 or more military installations reorganized or other-
6 wise associated and operated as a single military in-
7 stallation;

8 (2) the term “locality” or “pay locality” has the
9 meaning given that term by section 5302(5) of title
10 5, United States Code; and

11 (3) the term “locality pay” refers to any
12 amount payable under section 5304 or 5304a of title
13 5, United States Code.

14 (b) PAY PARITY AT JOINT BASES.—Whenever 2 or
15 more military installations are reorganized or otherwise
16 associated as a single joint military installation, but the
17 constituent installations are not all located within the
18 same pay locality, all Department of Defense employees
19 of the respective installations constituting the joint instal-

1 lation (who are otherwise entitled to locality pay) shall re-
2 ceive locality pay at a uniform percentage equal to the per-
3 centage which is payable with respect to the locality which
4 includes the constituent installation then receiving the
5 highest locality pay (expressed as a percentage).

6 (c) REGULATIONS.—The Office of Personnel Man-
7 agement shall prescribe regulations to carry out this sec-
8 tion.

9 (d) EFFECTIVE DATE; APPLICABILITY.—

10 (1) EFFECTIVE DATE.—This section shall be ef-
11 fective with respect to pay periods beginning on or
12 after such date (not later than 1 year after the date
13 of enactment of this section) as the Secretary of De-
14 fense shall determine in consultation with the Office
15 of Personnel Management.

16 (2) APPLICABILITY.—This section shall apply
17 to any joint military installation created as a result
18 of the recommendations of the Defense Base Closure
19 and Realignment Commission in the 2005 base clo-
20 sure round.



17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LAMBORN OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

61

AMENDMENT TO H.R. 4435
OFFERED BY MR. LAMBORN OF COLORADO

At the appropriate place in subtitle C of title XII,
insert the following:

1 **SEC. . LIMITATION ON FUNDS FOR IMPLEMENTATION OF**
2 **THE NEW START TREATY.**

3 (a) **LIMITATION.**—None of the funds authorized to
4 be appropriated or otherwise made available for fiscal year
5 2015 for the Department of Defense may be used for im-
6 plementation of the New START Treaty until the Sec-
7 retary of Defense, in consultation with the Secretary of
8 State, certifies to the appropriate congressional commit-
9 tees that—

10 (1) the armed forces of the Russian Federation
11 are no longer illegally occupying Ukrainian territory;

12 (2) the Russian Federation is respecting the
13 sovereignty of all Ukrainian territory;

14 (3) the Russian Federation is no longer taking
15 actions that are inconsistent with the INF Treaty;

16 (4) the Russian Federation is in compliance
17 with the CFE Treaty and has lifted its suspension
18 of Russian observance of its treaty obligations; and

1 (5) there have been no inconsistencies by the
2 Russian Federation with New START Treaty re-
3 quirements.

4 (b) DEFINITIONS.—In this section:

5 (1) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term “appropriate congressional com-
7 mittees” means—

8 (A) the Committee on Armed Services and
9 the Committee on Foreign Relations of the Sen-
10 ate; and

11 (B) the Committee on Armed Services and
12 the Committee on Foreign Affairs of the House
13 of Representatives.

14 (2) CFE TREATY.—The term “CFE Treaty”
15 means the Treaty on Conventional Armed Forces in
16 Europe, signed at Paris November 19, 1990, and
17 entered into force July 17, 1992.

18 (3) INF TREATY.—The term “INF Treaty”
19 means the Treaty Between the United States of
20 America and the Union of Soviet Socialist Republics
21 on the Elimination of Their Intermediate-Range and
22 Shorter-Range Missiles, commonly referred to as the
23 Intermediate-Range Nuclear Forces (INF) Treaty,
24 signed at Washington December 8, 1987, and en-
25 tered into force June 1, 1988.

1 (4) NEW START TREATY.—The term “New
2 START Treaty” means the Treaty between the
3 United States of America and the Russian Federa-
4 tion on Measures for the Further Reduction and
5 Limitation of Strategic Offensive Arms, signed on
6 April 8, 2010, and entered into force on February
7 5, 2011

8 (c) EFFECTIVE DATE.—This section takes effect on
9 the date of the enactment of this Act and applies with
10 respect to funds described in subsection (a) that are unob-
11 ligated as of such date of enactment.



18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
TURNER OF OHIO OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

50

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. TURNER OF OHIO**

At the appropriate place in subtitle D of title XII,
insert the following:

1 **SEC. __. SENSE OF CONGRESS ON FUTURE OF NATO AND**
2 **ENLARGEMENT INITIATIVES.**

3 (a) **STATEMENT OF POLICY.**—Congress declares
4 that—

5 (1) the North Atlantic Treaty Organization
6 (NATO) has been the cornerstone of transatlantic
7 security cooperation and an enduring instrument for
8 promoting stability in Europe and around the world
9 for over 65 years;

10 (2) the incorporation of the Czech Republic, Po-
11 land, Hungary, Bulgaria, Estonia, Latvia, Lith-
12 uania, Romania, Slovakia, Slovenia, Albania, and
13 Croatia has been essential to the success of NATO
14 in this modern era;

15 (3) these countries have over time added to and
16 strengthened the list of key European allies of the
17 United States;

1 (4) since joining NATO, these member states
2 have remained committed to the collective defense of
3 the Alliance and have demonstrated their will and
4 ability to contribute to transatlantic solidarity and
5 assume increasingly more responsibility for inter-
6 national peace and security;

7 (5) since joining the alliance, these NATO
8 members states have contributed to numerous
9 NATO-led peace, security, and stability operations,
10 including participation in the International Security
11 Assistance Force's (ISAF) mission in Afghanistan;

12 (6) these NATO member states have become re-
13 liable partners and supporters of aspiring members
14 and the United States recognizes their continued ef-
15 forts to aid in further enlargement initiatives; and

16 (7) the commitment by these NATO member
17 states to Alliance principles and active participation
18 in Alliance initiatives shows the success of NATO's
19 Open-Door Policy.

20 (b) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that—

22 (1) at the September 2014 NATO Summit in
23 Wales and beyond, the United States should—

1 (A) continue to work with aspirant coun-
2 tries to prepare such countries for entry into
3 NATO;

4 (B) seek NATO membership for Mont-
5 negro;

6 (C) continue supporting a Membership Ac-
7 tion Plan (MAP) for Georgia;

8 (D) encourage the leaders of Macedonia
9 and Greece to find a mutually agreeable solu-
10 tion to the name dispute between the two coun-
11 tries;

12 (E) seek a Dayton II agreement to resolve
13 the constitutional issues of Bosnia and
14 Herzegovina;

15 (F) work with the Republic of Kosovo to
16 prepare the country for entrance into the Part-
17 nership for Peace (PfP) program;

18 (G) take a leading role in working with
19 NATO member states to identify, through con-
20 sensus, the current and future security threats
21 facing the Alliance; and

22 (H) take a leading role to work with
23 NATO allies to ensure the alliance maintains
24 the required capabilities, including the gains in
25 interoperability from combat in Afghanistan,

1 necessary to meet the security threats to the Al-
2 liance.

3 (2) NATO member states should review defense
4 spending to ensure sufficient funding is obligated to
5 meet NATO responsibilities; and

6 (3) the United States should remain committed
7 to maintaining a military presence in Europe as a
8 means of promoting allied interoperability and pro-
9 viding visible assurance to NATO allies in the re-
10 gion.



19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HUNTER OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

222

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. HUNTER OF CALIFORNIA**

At the end of subtitle E of title XII of division A,
insert the following:

1 **SEC. __. REPORT, DETERMINATION, AND STRATEGY RE-**
2 **GARDING THE TERRORISTS RESPONSIBLE**
3 **FOR THE ATTACK AGAINST UNITED STATES**
4 **PERSONNEL IN BENGHAZI, LIBYA, AND**
5 **OTHER REGIONAL THREATS.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) On September 11, 2012, United States fa-
8 cilities in Benghazi, Libya were attacked by an orga-
9 nized group of armed terrorists, killing United
10 States Ambassador Chris Stevens, Sean Smith, Glen
11 Doherty, and Tyrone Woods.

12 (2) On September 14, 2012, President Obama
13 stated that: “We will bring to justice those who took
14 them from us. . .making it clear that justice will
15 come to those who harm Americans.”.

16 (3) On May 1, 2014, White House spokesman
17 Jay Carney stated that: “I can assure you that the
18 President’s direction is that those who killed four

1 Americans will be pursued by the United States
2 until they are brought to justice. And if anyone
3 doubts that, they should ask...friends and family
4 members of Osama bin Laden.”.

5 (4) In testimony before Congress in October
6 2013, the Chairman of the Joint Chiefs of Staff,
7 General Martin Dempsey, asserted that the Presi-
8 dent lacks the authority to use military force to find
9 and kill the Benghazi attackers.

10 (5) Since the Benghazi attacks, the President
11 has not requested authority from Congress to use
12 military force against the Benghazi attackers.

13 (6) No terrorist responsible for the Benghazi
14 attacks has been brought to justice.

15 (b) SENSE OF CONGRESS.—It is the sense of the
16 Congress that—

17 (1) the persons and organizations who carried
18 out the attacks on United States personnel in
19 Benghazi, Libya on September 11 and 12, 2012,
20 pose a continuing threat to the national security of
21 the United States;

22 (2) the failure to hold any individual respon-
23 sible for these terrorist attacks is a travesty of jus-
24 tice, and undermines the national security of the
25 United States; and

1 (3) the uncertainty surrounding the authority
2 of the President to use force against the terrorists
3 responsible for the attack against United States per-
4 sonnel in Benghazi, Libya, undermines the President
5 as Commander-in-Chief of the Armed Forces of the
6 United States.

7 (c) REPORT AND DETERMINATION.—

8 (1) IN GENERAL.—Not later than 30 days after
9 the date of the enactment of this Act, the President
10 shall submit to Congress—

11 (A) a report that contains—

12 (i) the identity and location of those
13 persons and organizations that planned,
14 authorized, or committed the attacks
15 against the United States facilities in
16 Benghazi, Libya that occurred on Sep-
17 tember 11 and 12, 2012; and

18 (ii) a detailed and specific description
19 of all actions that have been taken to kill
20 or capture any of the persons described in
21 clause (i); and

22 (B) a determination regarding whether the
23 President currently possesses the authority to
24 use the Armed Forces of the United States

1 against all persons and organizations described
2 in subparagraph (A)(i).

3 (2) FORM.—The report and determination de-
4 scribed in this subsection shall be submitted in un-
5 classified form to the maximum extent possible, and
6 may contain a classified annex.

7 (d) STRATEGY TO COMBAT REGIONAL TERRORIST
8 THREATS.—

9 (1) TIMING AND CONTENT.—Not later than 90
10 days after the date of the enactment of this Act, the
11 President shall submit to the appropriate congress-
12 sional committees a comprehensive strategy to
13 counter the growing threat posed by radical Islamist
14 terrorist groups in North Africa, West Africa, and
15 the Sahel, which shall include, among other things—

16 (A) a strategy to bring to justice those per-
17 sons who planned, authorized, or committed the
18 terrorist attacks against the United States fa-
19 cilities in Benghazi, Libya that occurred on
20 September 11 and 12, 2012;

21 (B) a description of the radical Islamist
22 terrorist groups active in North Africa, West
23 Africa, and the Sahel, including an assessment
24 of their origins, strategic aims, tactical meth-
25 ods, funding sources, leadership, and relation-

1 ships with other terrorist groups or state ac-
2 tors;

3 (C) a description of the key military, diplo-
4 matic, intelligence, and public diplomacy re-
5 sources available to address these growing re-
6 gional terrorist threats; and

7 (D) a strategy to maximize the coordina-
8 tion between, and the effectiveness of, United
9 States military, diplomatic, intelligence, and
10 public diplomacy resources to counter these
11 growing regional terrorist threats.

12 (2) FORM.—The strategy described in this sub-
13 section shall be submitted in unclassified form to the
14 maximum extent possible, and may contain a classi-
15 fied annex.

16 (3) DEFINITION OF APPROPRIATE CONGRES-
17 SIONAL COMMITTEES.—In this subsection, the term
18 “appropriate congressional committees” means—

19 (A) the Committee on Armed Services, the
20 Committee on Foreign Relations, and the Select
21 Committee on Intelligence of the Senate; and

22 (B) the Committee on Armed Services, the
23 Committee on Foreign Affairs, and the Perma-

1 nent Select Committee on Intelligence of the
2 House of Representatives.



20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RIGELL
OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. RIGELL OF VIRGINIA**

At the end of subtitle E of title XII of division A,
add the following new section:

1 **SEC. 12_. WAR POWERS OF CONGRESS.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) In 1793, George Washington said, “The
4 constitution vests the power of declaring war in Con-
5 gress; therefore no offensive expedition of impor-
6 tance can be undertaken until after they shall have
7 deliberated upon the subject and authorized such a
8 measure.”.

9 (2) In a letter to Thomas Jefferson in 1798,
10 James Madison wrote: “The constitution supposes,
11 what the History of all Governments demonstrates,
12 that the Executive is the branch of power most in-
13 terested in war, and most prone to it. It has accord-
14 ingly with studied care vested the question of war to
15 the Legislature.”

16 (3) In 1973, Congress passed the War Powers
17 Resolution which states in section 2: “The constitu-
18 tional powers of the President as Commander-in-

1 Chief to introduce United States Armed Forces into
2 hostilities, or into situations where imminent involve-
3 ment in hostilities is clearly indicated by the cir-
4 cumstances, are exercised only pursuant to (1) a
5 declaration of war, (2) specific statutory authoriza-
6 tion, or (3) national emergency created by attack
7 upon the United States, its territories or posses-
8 sions, or its armed forces.”.

9 (4) With respect to United States military
10 intervention in Syria, President Obama said, “But
11 having made my decision as Commander-in-Chief
12 based on what I am convinced is our national secu-
13 rity interests, I’m also mindful that I’m the Presi-
14 dent of the world’s oldest constitutional democracy.
15 I’ve long believed that our power is rooted not just
16 in our military might, but in our example as a gov-
17 ernment of the people, by the people, and for the
18 people. And that’s why I’ve made a second decision:
19 I will seek authorization for the use of force from
20 the American people’s representatives in Congress.”.

21 (b) RULE OF CONSTRUCTION.—Nothing in this Act
22 shall be construed to authorize any use of military force.



21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCHIFF
OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY MR. SCHIFF OF CALIFORNIA**

At the appropriate place in subtitle E of title XII,
insert the following:

1 **SEC. __. SUNSET OF AUTHORIZATION FOR USE OF MILI-**
2 **TARY FORCE.**

3 (a) **IN GENERAL.**—The Authorization for Use of
4 Military Force (50 U.S.C. 1541 note; Public Law 107-
5 40) is hereby repealed.

6 (b) **EFFECTIVE DATE.**—This section shall take effect
7 on the date that is one year after the date of the enact-
8 ment of this Act.



22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

65R

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MS. JACKSON LEE OF TEXAS**

At the end of subtitle F of title XII insert the following new section:

1 **SEC. 1266. REPORT ON ACCOUNTABILITY FOR CRIMES**
2 **AGAINST HUMANITY IN NIGERIA.**

3 (a) SENSE OF CONGRESS.—Congress—

4 (1) strongly condemns the ongoing violence and
5 the systematic gross human rights violations against
6 the people of Nigeria carried out by the jihadist or-
7 ganization Boko Haram;

8 (2) expresses its support for the people of Nige-
9 ria who wish to live in a peaceful, economically pros-
10 perous, and democratic Nigeria; and

11 (3) calls on the President to support Nigerian
12 and International Community efforts to ensure ac-
13 countability for crimes against humanity committed
14 by Boko Haram against the people of Nigeria, par-
15 ticularly young girls kidnapped from educational in-
16 stitutions by Boko Haram.

17 (b) REPORT.—

1 (1) IN GENERAL.—Not later than 90 days after
2 the date of the enactment of this Act, the Secretary
3 of Defense shall submit to Congress a report on
4 crimes against humanity committed by Boko Haram
5 in Nigeria.

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

8 (A) A description of initiatives undertaken
9 by the Department of Defense to assist the
10 Government of Nigeria to develop its own ca-
11 pacity to deploy specialized police and army
12 units rapidly to bring Boko Haram leader
13 Abubakar Shekau to justice and to prevent and
14 combat sectarian violence in cities and areas in
15 Nigeria where there has been a history of sec-
16 tarian violence.

17 (B) A description of violations of inter-
18 nationally recognized human rights and crimes
19 against humanity perpetrated by Boko Haram
20 in Nigeria, including a description of the con-
21 ventional and unconventional weapons used for
22 such crimes and, where possible, the origins of
23 the weapons.

24 (C) A description of efforts by the Depart-
25 ment of Defense to ensure accountability for

1 violations of internationally recognized human
2 rights and crimes against humanity perpetrated
3 against the people of Nigeria by Boko Haram
4 and al-Qaeda affiliates and other jihadists in
5 Nigeria, including—

6 (i) a description of initiatives that the
7 United States has undertaken to train Ni-
8 gerian investigators on how to document,
9 investigate, and develop findings of crimes
10 against humanity; and

11 (ii) an assessment of the impact of
12 those initiatives.



23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
DAINES OF MONTANA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. DAINES OF MONTANA**

At the end of subtitle D of title XVI, add the following new section:

1 **SEC. 1636. FINDINGS AND STATEMENT OF POLICY ON THE**
2 **NUCLEAR TRIAD.**

3 (a) **FINDINGS.**—Congress finds the following:

4 (1) The April 2010 Nuclear Posture Review
5 stated—

6 (A) “After considering a wide range of
7 possible options for the U.S. strategic nuclear
8 posture, including some that involved elimi-
9 nating a leg of the Triad, the NPR concluded
10 that for planned reductions under New START,
11 the United States should retain a smaller Triad
12 of SLBMs [submarine launched ballistic mis-
13 siles], ICBMs [intercontinental ballistic mis-
14 siles], and heavy bombers. Retaining all three
15 Triad legs will best maintain strategic stability
16 at reasonable cost, while hedging against poten-
17 tial technical problems or vulnerabilities.”;

1 (B) “ICBMs provide significant advan-
2 tages to the U.S. nuclear force posture, includ-
3 ing extremely secure command and control,
4 high readiness rates, and relatively low oper-
5 ating costs.”;

6 (C) “a survivable U.S. response force re-
7 quires continuous at-sea deployments of SSBNs
8 [ballistic missile submarines] in both the Atlan-
9 tic and Pacific oceans, as well as the ability to
10 surge additional submarines in crisis.”; and

11 (D) nuclear-capable bombers—

12 (i) “[provide] a rapid and effective
13 hedge against technical challenges with an-
14 other leg of the Triad, as well as geo-
15 political uncertainties”; and

16 (ii) “are important to extended deter-
17 rence of potential attacks on U.S. allies
18 and partners.”.

19 (2) In a letter to the Senate on February 2,
20 2011, regarding the New START Treaty, President
21 Obama stated that “I intend to modernize or replace
22 the triad of strategic nuclear delivery systems: a
23 heavy bomber and air- launched cruise missile, an
24 ICBM, and a nuclear-powered ballistic missile sub-
25 marine (SSBN) and SLBM.”.

1 (3) In the Resolution Of Advice And Consent
2 To Ratification of the New START Treaty, the Sen-
3 ate stated that “it is the sense of the Senate that
4 United States deterrence and flexibility is assured by
5 a robust triad of strategic delivery vehicles. To this
6 end, the United States is committed to accom-
7 plishing the modernization and replacement of its
8 strategic nuclear delivery vehicles, and to ensuring
9 the continued flexibility of United States conven-
10 tional and nuclear delivery systems.”.

11 (4) On June 19, 2013, the Secretary of De-
12 fense, Chuck Hagel, stated, “First, the U.S. will
13 maintain a ready and credible deterrent. Second, we
14 will retain a triad of bombers, ICBMs, and ballistic
15 missile submarines. Third, we will make sure that
16 our nuclear weapons remain safe, secure, ready and
17 effective.”.

18 (5) Section 1062 of the National Defense Au-
19 thorization Act for Fiscal Year 2014 (Public Law
20 113–66; 10 U.S.C. 495 note) states that—

21 (A) “It is the policy of the United States
22 to modernize or replace the triad of strategic
23 nuclear delivery systems”; and

24 (B) “Congress supports the modernization
25 or replacement of the triad of strategic nuclear

1 delivery systems consisting of a heavy bomber
2 and air-launched cruise missile, an interconti-
3 nental ballistic missile, and a ballistic missile
4 submarine and submarine launched ballistic
5 missile”.

6 (6) On March 6, 2014, the Chairman of the
7 Joint Chiefs of Staff, General Martin Dempsey, tes-
8 tified to the Committee on Armed Services of the
9 House of Representatives that the Joint Chiefs of
10 Staff have determined that “our recommendation is
11 to remain firmly committed to the triad, the three-
12 legs of the nuclear capability, and that any further
13 reduction should be done only through negotiations,
14 not unilaterally, and that we should commit to mod-
15 ernizing the stockpile while we have it.”.

16 (7) On April 2, 2014, the Commander of
17 United States Strategic Command, Admiral Cecil
18 Haney, testified to the Committee on Armed Serv-
19 ices of the House of Representatives that “First and
20 foremost, I think it is important that we as a coun-
21 try realize just how important and foundational our
22 strategic deterrent is today for us and well into the
23 future. As you have mentioned, there is a need for
24 modernization in a variety of areas. When you look
25 at the credible strategic deterrent we have today,

1 that includes everything from the indications and
2 warning, to the command and control and commu-
3 nication structure that goes all the way from the
4 President down to the units, and to what frequently
5 we talk about as the triad involving the interconti-
6 nental ballistic missiles, the submarines, and the
7 bombers—each providing its unique aspect of deter-
8 rence.”.

9 (8) In the June 2013 Report on Nuclear Em-
10 ployment Strategy of the United States required by
11 section 491 of title 10, United States Code, the Sec-
12 retary of Defense, on behalf of the President, stated
13 that “the United States will maintain a nuclear
14 Triad, consisting of ICBMs, SLBMs, and nuclear-
15 capable heavy bombers. Retaining all three Triad
16 legs will best maintain strategic stability at reason-
17 able cost, while hedging against potential technical
18 problems or vulnerabilities. These forces should be
19 operated on a day-to-day basis in a manner that
20 maintains strategic stability with Russia and China,
21 deters potential regional adversaries, and assures
22 U.S. Allies and partners.”.

23 (b) STATEMENT OF POLICY.—It is the policy of the
24 United States—

1 (1) to operate, sustain, and modernize or re-
2 place the triad of strategic nuclear delivery systems
3 consisting of—

4 (A) heavy bombers equipped with nuclear
5 gravity bombs and air-launched nuclear cruise
6 missiles;

7 (B) land-based intercontinental ballistic
8 missiles equipped with nuclear warheads that
9 are capable of carrying multiple independently
10 targetable reentry vehicles; and

11 (C) ballistic missile submarines equipped
12 with submarine launched ballistic missiles and
13 multiple nuclear warheads.

14 (2) to operate, sustain, and modernize or re-
15 place a capability to forward-deploy nuclear weapons
16 and dual-capable fighter-bomber aircraft;

17 (3) to deter potential adversaries and assure al-
18 lies and partners of the United States through
19 strong and long-term commitment to the nuclear de-
20 terrent of the United States and the personnel, sys-
21 tems, and infrastructure that comprise such deter-
22 rent; and

23 (4) to ensure the members of the Armed Forces
24 that operate the nuclear deterrent of the United
25 States have the training, resources, and national

- 1 support required to execute the critical national se-
- 2 curity mission of the members.



24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BLUMENAUER OF OREGON OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. BLUMENAUER OF OREGON**

At the end of subtitle D of title XVI, add the following new section:

1 **SEC. 1636. ANNUAL CONGRESSIONAL BUDGET OFFICE RE-**
2 **VIEW OF COST ESTIMATES FOR NUCLEAR**
3 **WEAPONS.**

4 Section 1041(b) of the National Defense Authoriza-
5 tion Act for Fiscal Year 2013 (Public Law 112–239; 126
6 Stat. 1931) is amended—

7 (1) in the subsection heading, by inserting “AN-
8 NUAL” before “CBO”; and

9 (2) by inserting “and annually thereafter,”
10 after “this Act,”.



25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
ROGERS (AL) OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

213R

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. ROGERS OF ALABAMA**

Page 520, after line 2, insert the following:

1 **SEC. 1643. PROCUREMENT AUTHORITY FOR SPECIFIED**
2 **FUZES.**

3 (a) IN GENERAL.—The Secretary of the Air Force
4 may enter into contracts for the life-of-type procurement
5 of covered parts of the intercontinental ballistic missile
6 fuze.

7 (b) AVAILABILITY OF FUNDS.—Notwithstanding sec-
8 tion 1502(a) of title 31, United States Code, of the
9 amounts authorized to be appropriated for fiscal year
10 2015 by section 101 and available for Missile Procure-
11 ment, Air Force, as specified in the funding table in sec-
12 tion 4101, \$4,500,000 shall be available for the procure-
13 ment of covered parts pursuant to contracts entered into
14 under subsection (a).

15 (c) COVERED PARTS DEFINED.—In this section, the
16 term “covered parts” means commercial off-the-shelf
17 items as defined in section 104 of title 41, United States
18 Code.



26. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BROOKS OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

164

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. BROOKS OF ALABAMA**

At the end of subtitle B of title XXXI, add the following new section:

1 **SEC. 3122. PROHIBITION ON USE OF FUNDS AT NATIONAL**
2 **IGNITION FACILITY FOR CERTAIN NON-DE-**
3 **FENSE PURPOSES.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that—

6 (1) the limited defense funding of the United
7 States should be spent on defense purposes;

8 (2) funding for the nuclear weapons program
9 should be spent on activities that support, sustain,
10 and modernize the nuclear weapons stockpile; and

11 (3) clean fusion energy research and develop-
12 ment efforts should not be subsidized by defense
13 funding.

14 (b) PROHIBITION.—Of the funds authorized to be ap-
15 propriated by this Act or otherwise made available for fis-
16 cal year 2015 for the National Ignition Facility at Law-
17 rence Livermore National Laboratory, Livermore, Cali-
18 fornia, not more than 50 percent may be obligated or ex-

1 pended until the date on which the Administrator for Nu-
2 clear Security certifies to the congressional defense com-
3 mittees that none of the funds authorized to be appro-
4 priated by this Act will be used to subsidize, support, or
5 otherwise contribute to clean fusion energy research and
6 development efforts.



27. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LUJÁN
OF NEW MEXICO OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. BEN RAY LUJÁN OF NEW
MEXICO**

At the end of subtitle B of title XXXI, add the following new section:

1 **SEC. 3122. DEPARTMENT OF ENERGY RESEARCH AND DE-**
2 **VELOPMENT GRANTS.**

3 (a) RESEARCH AND DEVELOPMENT GRANTS.—

4 (1) IN GENERAL.—A director may accept
5 grants for research and development activities from
6 foundations and other nonprofit organizations.

7 (2) WAIVER OF INDIRECT COSTS.—

8 (A) IN GENERAL.—Subject to subpara-
9 graph (B), a director may waive the indirect
10 costs for the grants described in paragraph (1)
11 to the extent required by the operating charter
12 of the foundation or nonprofit organization.

13 (B) LIMITATION ON WAIVER.—

14 (i) TOTAL AMOUNT.—The total
15 amount waived under subparagraph (A)
16 may not be greater than one-half of one
17 percent of the total budget of the National

1 Laboratory for which the director is the
2 head.

3 (ii) LABORATORY MISSION SUP-
4 PORT.—The director may not make a waiv-
5 er under subparagraph (A) unless the di-
6 rector determines that the research and de-
7 velopment supported pursuant to the grant
8 accepted under paragraph (1) exercises ca-
9 pabilities that support the science, tech-
10 nology, energy, environmental, or national
11 security missions of the Department of En-
12 ergy or the National Nuclear Security Ad-
13 ministration.

14 (b) DEFINITIONS.—In this section:

15 (1) The term “director” means the director of
16 a National Laboratory.

17 (2) The term “National Laboratory” has the
18 meaning given the term in section 2 of the Energy
19 Policy Act of 2005 (42 U.S.C. 15801).



28. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
HASTINGS OF WASHINGTON OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. HASTINGS OF WASHINGTON**

At the end of subtitle D of title XXXI, add the following new section:

1 **SEC. 3143. BUDGET INCREASE FOR DEFENSE ENVIRON-**
2 **MENTAL CLEANUP.**

3 (a) INCREASE.—Notwithstanding the amounts set
4 forth in the funding tables in division D, the amount au-
5 thorized to be appropriated in section 3102 for defense
6 environmental cleanup, as specified in the corresponding
7 funding table in section 4701, is hereby increased by
8 \$20,000,000.

9 (b) OFFSET.—Notwithstanding the amounts set forth
10 in the funding tables in division D, the amounts author-
11 ized to be appropriated in this title for weapons activities,
12 as specified in the corresponding funding table in section
13 4701, for Inertial confinement fusion ignition and high
14 yield campaign is hereby reduced by \$20,000,000.



29. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
SÁNCHEZ OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

LSGR

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MS. LINDA T. SÁNCHEZ OF
CALIFORNIA**

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

1 **SEC. 28 ____ . LAND CONVEYANCE, FORMER AIR FORCE NOR-**
2 **WALK DEFENSE FUEL SUPPLY POINT, NOR-**
3 **WALK, CALIFORNIA.**

4 (a) CONVEYANCE AUTHORIZED.—The Secretary of
5 the Air Force may convey, without consideration, to the
6 City of Norwalk, California (in this section referred to as
7 the “City”), all right, title, and interest of the United
8 States in and to the real property, including any improve-
9 ments thereon, consisting of approximately 15 acres at the
10 former Norwalk Defense Fuel Supply Point for public pur-
11 poses.

12 (b) APPLICATION OF ENVIRONMENTAL LAWS.—
13 Nothing in this section shall affect the applicability of
14 Federal, State, or local environmental laws and regula-
15 tions, including the Comprehensive Environmental Re-
16 sponse, Compensation, and Liability Act of 1980 (42
17 U.S.C. 9601 et seq.), to the Department of the Air Force.

1 (c) PAYMENT OF COST OF CONVEYANCE—.

2 (1) PAYMENT REQUIRED.—The Secretary of
3 the Air Force shall require the City to cover costs
4 to be incurred by the Secretary, or to reimburse the
5 Secretary for such costs incurred by the Secretary,
6 to carry out the conveyance under subsection (a), in-
7 cluding survey costs, costs for environmental docu-
8 mentation related to the conveyance, and any other
9 administrative costs related to the conveyance. If
10 amounts are collected from the City in advance of
11 the Secretary incurring the actual costs, and the
12 amount collected exceeds the costs actually incurred
13 by the Secretary to carry out the conveyance, the
14 Secretary shall refund the excess amount to the
15 City.

16 (2) TREATMENT OF AMOUNTS RECEIVED.—

17 (A) Subject to subparagraph (B), amounts
18 received as reimbursement under paragraph (1)
19 shall be credited to the fund or account that
20 was used to cover those costs incurred by the
21 Secretary in carrying out the conveyance or, if
22 the period of availability for obligations for that
23 appropriation has expired, to the appropriations
24 or fund that is currently available to the Sec-
25 retary for the same purpose. Amounts so cred-

1 ited shall be merged with amounts in such fund
2 or account, and shall be available for the same
3 purposes, and subject to the same conditions
4 and limitations, as amounts in such fund or ac-
5 count.

6 (B) Amounts received as reimbursement
7 under paragraph (1) are subject to appropria-
8 tions.

9 (d) DESCRIPTION OF PROPERTY.—The exact acreage
10 and legal description of the property to be conveyed under
11 subsection (a) shall be determined by a survey satisfactory
12 to the Secretary of the Air Force.

13 (e) ADDITIONAL TERMS.—The Secretary of the Air
14 Force may require such additional terms and conditions
15 in connection with the conveyance as the Secretary con-
16 siders appropriate to protect the interests of the United
17 States.



30. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE YOUNG
OF ALASKA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

116

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. YOUNG OF ALASKA**

Add at the end of subtitle E of title I of division A
the following:

1 **SEC. 142. SENSE OF CONGRESS REGARDING THE OCONUS**
2 **BASING OF THE F-35A.**

3 (a) FINDINGS.—Congress makes the following find-
4 ings:

5 (1) The Department of Defense has begun its
6 process of permanently stationing the F-35 at instal-
7 lations in the Continental United States (in this sec-
8 tion referred to as “CONUS”) and forward-basing
9 Outside the Continental United States (in this sec-
10 tion referred to as “OCONUS”).

11 (2) The Secretary of the Air Force is assessing
12 operating bases for the F-35A to support Pacific Air
13 Forces, which includes two United States candidate
14 bases in Alaska and three foreign OCONUS can-
15 didate bases.

16 (b) SENSE OF CONGRESS.—It is the Sense of Con-
17 gress that the Secretary of the Air Force, in the strategic

1 basing process for the F-35A, should place emphasis on
2 the benefits derived from sites that—

3 (1) are capable of hosting fighter-based bilat-
4 eral and multilateral training opportunities with
5 international partners;

6 (2) have sufficient airspace and range capabili-
7 ties and capacity to meet the training requirements;

8 (3) have existing facilities to support personnel,
9 operations, and logistics associated with the flying
10 mission;

11 (4) have limited encroachment that would ad-
12 versely impact training or operations; and

13 (5) minimize the overall construction and oper-
14 ational costs.



31. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MCKINLEY OF WEST VIRGINIA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. MCKINLEY OF WEST VIRGINIA
AND MRS. NAPOLITANO OF CALIFORNIA**

Page 47, after line 22, insert the following::

1 **SEC. 302. INCREASE IN FUNDING FOR CIVIL MILITARY PRO-**
2 **GRAMS.**

3 (a) **FUNDING.**—Notwithstanding the amounts set
4 forth in the funding tables in division D, the amount au-
5 thorized to be appropriated in section 4301 for operation
6 and maintenance, Defense-wide, as specified in the cor-
7 responding funding table in section 4301, for Civil Mili-
8 tary Programs, is hereby increased by \$55,000,000.

9 (b) **OFFSET.**—Notwithstanding the amounts set forth
10 in the funding tables in division D, the amount authorized
11 to be appropriated in section 4301 for operation and main-
12 tenance, as specified in the corresponding funding table
13 in section 4301, for the Office of the Secretary of Defense
14 is hereby reduced by \$55,000,000.



32. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RIGELL
OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

172R

**AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY MR. RIGELL OF VIRGINIA**

Page 53, after line 9, insert the following:

1 **SEC. 318. ENVIRONMENTAL RESTORATION AT FORMER**
2 **NAVAL AIR STATION, CHINCOTEAGUE, VIR-**
3 **GINIA.**

4 (a) ENVIRONMENTAL RESTORATION PROJECT.—
5 Notwithstanding the administrative jurisdiction of the Ad-
6 ministrator of the National Aeronautics and Space Admin-
7 istration over the Wallops Flight Facility, Virginia, the
8 Secretary of Defense may undertake an environmental
9 restoration project in a manner consistent with chapter
10 160 of title 10, United States Code, at the property consti-
11 tuting that facility in order to provide necessary response
12 actions for contamination from a release of a hazardous
13 substance or a pollutant or contaminant that is attrib-
14 utable to the activities of the Department of Defense at
15 the time the property was under the administrative juris-
16 diction of the Secretary of the Navy or used by the Navy
17 pursuant to a permit or license issued by the National
18 Aeronautics and Space Administration in the area for-
19 merly known as the Naval Air Station Chincoteague, Vir-
20 ginia. Any such project may be undertaken jointly or in

1 conjunction with an environmental restoration project of
2 the Administrator.

3 (b) INTERAGENCY AGREEMENT.—The Secretary and
4 the Administrator may enter into an agreement or agree-
5 ments to provide for the effective and efficient perform-
6 ance of environmental restoration projects for purposes of
7 subsection (a). Notwithstanding section 2215 of title 10,
8 United States Code, any such agreement may provide for
9 environmental restoration projects conducted jointly or by
10 one agency on behalf of the other or both agencies and
11 for reimbursement of the agency conducting the project
12 by the other agency for that portion of the project for
13 which the reimbursing agency has authority to respond.

14 (c) SOURCE OF DEPARTMENT OF DEFENSE
15 FUNDS.—Pursuant to section 2703(e) of title 10, United
16 States Code , the Secretary may use funds available in
17 the Environmental Restoration, Formerly Used Defense
18 Sites, account of the Department of Defense for environ-
19 mental restoration projects conducted for or by the Sec-
20 retary under subsection (a) and for reimbursable agree-
21 ments entered into under subsection (b).



33. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
KILMER OF WASHINGTON OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY MR. KILMER OF WASHINGTON**

Page 66, after line 11, insert the following:

1 **SEC. 342. LIMITATION ON FURLOUGH OF CERTAIN WORK-**
2 **ING-CAPITAL FUND EMPLOYEES.**

3 Section 2208 of title 10, United States Code, is
4 amended by adding at the end the following new sub-
5 section:

6 “(s) The Secretary of Defense, or the Secretary of
7 the military department concerned, as appropriate, may
8 not carry out a non-disciplinary furlough (as defined in
9 section 7511(a)(5) of title 5) of a civilian employee of the
10 Department of Defense whose performance is charged to
11 a working-capital fund unless the Secretary—

12 “(1) determines that failure to furlough the em-
13 ployee will result in a violation of subsection (f); and

14 “(2) submits to Congress, by not later than 45
15 days before initiating a furlough, notice of the fur-
16 lough that includes a certification that, as a result
17 of the proposed furlough, none of the work per-
18 formed by any employee of the Government will be
19 shifted to any Department of Defense civilian em-

1 ployee, contractor, or member of the Armed
2 Forces.”



34. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BISHOP OF UTAH OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY MR. BISHOP OF UTAH**

At the end of title III, add the following new section:

1 **SEC. 3__ . AGREEMENTS WITH LOCAL CIVIC ORGANIZA-**
2 **TIONS TO SUPPORT CONDUCTING A MILI-**
3 **TARY AIR SHOW OR OPEN HOUSE.**

4 (a) **AGREEMENTS AUTHORIZED.**—Chapter 155 of
5 title 10, United States Code, is amended by adding at the
6 end the following new section:

7 **“§ 2616. Military air show or open house: agreements**
8 **with local civic organization; authority to**
9 **charge nominal admission fee**

10 “(a) **AGREEMENTS AUTHORIZED.**—The Secretary
11 concerned may enter into a contract or agreement with
12 a non-Federal civic organization to conduct or support an
13 air show or open house to feature any unit, aircraft, vessel,
14 equipment, or members of the armed forces under the ju-
15 risdiction of that Secretary.

16 “(b) **NOMINAL FEES AUTHORIZED.**—The Secretary
17 concerned may charge, or authorize a civic organization
18 with which the Secretary has entered into a contract or
19 agreement under subsection (a) to charge, the public a

1 nominal admission fee (to be determined by the Secretary)
2 to attend a military air show or open house.

3 “(c) TREATMENT OF FEES.—Amounts collected as
4 admission fees under subsection (b) for an air show or
5 open house may be retained to cover costs associated with
6 the air show or open house, including costs associated with
7 parking for the air show or open house or the provision
8 of temporary shuttle-bus service for air show or open
9 house visitors. If costs are incurred and covered in ad-
10 vance of the collection of the fees, amounts collected shall
11 be credited to the fund or account that was used to cover
12 those costs. Amounts so credited shall be merged with
13 amounts in such fund or account, and shall be available
14 for the same purposes, and subject to the same conditions
15 and limitations, as amounts in such fund or account. Any
16 amounts so credited under this subsection shall be subject
17 to the Appropriations process of the United States Con-
18 gress.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of such chapter is amended by adding
21 at the end the following new item:

“2616. Military air show or open house: agreements with local civic organiza-
tion; authority to charge nominal admission fee.”.



35. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
SWALWELL OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. SWALWELL OF CALIFORNIA**

Page 72, after line 21, insert the following:

1 **SEC. 354. GIFTS MADE FOR THE BENEFIT OF MILITARY MU-**
2 **SICAL UNITS.**

3 Section 974(d)(1) of title 10, United States Code, is
4 amended by striking “The Secretary concerned may” and
5 inserting “The Secretary concerned shall”.



36. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CONAWAY OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. CONAWAY OF TEXAS**

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

1 **SEC. 5 ___. DEFERRED RETIREMENT OF CHAPLAINS.**

2 Section 1253 of title 10, United States Code, is
3 amended by adding at the end the following new sub-
4 section:

5 “(c) DEFERRED RETIREMENT OF CHAPLAINS.—(1)
6 The Secretary of the military department concerned may,
7 subject to paragraphs (2) and (3), defer the retirement
8 under subsection (a) of an officer who is appointed or des-
9 igned as a chaplain if the Secretary determines that
10 such deferral is in the best interest of the military depart-
11 ment concerned.

12 “(2) Except as provided in paragraph (3), a
13 deferment under this subsection may not extend beyond
14 the first day of the month following the month in which
15 the officer becomes 68 years of age.

16 “(3) The Secretary of the military department con-
17 cerned may extend a deferment under this subsection be-
18 yond the day referred to in paragraph (2) if the Secretary

1 determines that extension of the deferment is necessary
2 for the needs of the military department concerned. Such
3 an extension shall be made on a case-by-case basis and
4 shall be for such period as the Secretary considers appro-
5 priate.”.



37. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GRIFFITH OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE COMMITTEE PRINT FOR
H.R. 4435
OFFERED BY MR. GRIFFITH OF VIRGINIA AND
MR. ELLISON OF MINNESOTA**

At the end of subtitle A of title V, insert the following:

1 SEC. 514. COMPLIANCE WITH EFFICIENCIES DIRECTIVE.

2 By not later than December 31, 2015, the Secretary
3 of Defense shall ensure that the number of flag officers
4 and generals are reduced to comply with the Department
5 of Defense efficiencies directive dated March 14, 2011.



38. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MCKINLEY OF WEST VIRGINIA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

59

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. MCKINLEY OF WEST VIRGINIA**

At the end of subtitle B of title V, add the following
new section:

1 **SEC. 5__ . ELECTRONIC TRACKING OF CERTAIN RESERVE**
2 **DUTY.**

3 The Secretary of Defense shall establish an electronic
4 means by which members of the Ready Reserve of the
5 Armed Forces can track their operational active-duty serv-
6 ice performed after January 28, 2008, under section
7 12301(a), 12301(d), 12301(g), 12302, or 12304 of title
8 10, United States Code. The tour calculator shall specify
9 early retirement credit authorized for each qualifying tour
10 of active duty, as well as cumulative early reserve retire-
11 ment credit authorized to date under section 12731(f) of
12 such title.



39. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ISRAEL
OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Israel - Hanna

160

F:\M13\ISRAEL\ISRAEL_174.XML

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. ISRAEL OF NEW YORK**

At the end of subtitle B of title V, add the following
new section:

1 **SEC. 5___ . NATIONAL GUARD CYBER PROTECTION TEAMS.**

2 (a) **PROGRESS REPORT.**—Not later than 90 days
3 after the date of the enactment of this Act, the Chief of
4 the National Guard Bureau shall submit to the congress-
5 sional defense committees a report on the progress made
6 by the Army National Guard to establish 10 Cyber Protec-
7 tion Teams composed of members of the National Guard
8 to perform duties relating to analysis and protection in
9 support of programs to prepare for and respond to emer-
10 gencies involving an attack or natural disaster impacting
11 a computer, electronic, or cyber network.

12 (b) **ELEMENTS.**—The report required by subsection
13 (a) shall include the following:

14 (1) A timeframe of when stationing of the
15 Cyber Protection Teams will be finalized.

16 (2) A timeframe of activation of the Cyber Pro-
17 tection Teams and whether the teams will be acti-
18 vated at the same time or staggered over time.

1 (3) A description of what manning and basing
2 requirements have been established.

3 (4) The number and location of nominations re-
4 ceived for a Cyber Protection Team and the activa-
5 tion date estimate provided in each nomination.

6 (5) An assessment of the range of stated cost
7 projections included in the nominations.

8 (6) An assessment of any identified patterns re-
9 garding ease or difficulty of staffing individuals with
10 required credentials within particular regions.

11 (7) Any additional information deemed relevant
12 by the Chief of the National Guard Bureau.

13 (c) FORM OF REPORT.—The report required by sub-
14 section (a) shall be submitted in unclassified form, but
15 may include a classified annex.



40. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
COFFMAN OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. COFFMAN OF COLORADO**

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

1 **SEC. 5** ___. **ENHANCEMENT OF PARTICIPATION OF MENTAL**
2 **HEALTH PROFESSIONALS IN BOARDS FOR**
3 **CORRECTION OF MILITARY RECORDS AND**
4 **BOARDS FOR REVIEW OF DISCHARGE OR DIS-**
5 **MISSAL OF MEMBERS OF THE ARMED**
6 **FORCES.**

7 (a) **BOARDS FOR CORRECTION OF MILITARY**
8 **RECORDS.**—Section 1552 of title 10, United States Code,
9 is amended—

10 (1) by redesignating subsection (g) as sub-
11 section (h); and

12 (2) by inserting after subsection (f) the fol-
13 lowing new subsection (g):

14 “(g) Any medical advisory opinion issued to a board
15 established under subsection (a)(1) with respect to a mem-
16 ber or former member of the armed forces who was diag-
17 nosed while serving in the armed forces as experiencing
18 a mental health disorder shall include the opinion of a clin-

1 ical psychologist or psychiatrist if the request for correc-
2 tion of records concerned relates to a mental health dis-
3 order.”.

4 (b) BOARDS FOR REVIEW OF DISCHARGE OR DIS-
5 MISSAL.—

6 (1) REVIEW FOR CERTAIN FORMER MEMBERS
7 WITH PTSD OR TBI.—Subsection (d)(1) of section
8 1553 of such title is amended by striking “physician,
9 clinical psychologist, or psychiatrist” the second
10 place it appears and inserting “clinical psychologist
11 or psychiatrist, or a physician with training on men-
12 tal health issues connected with post traumatic
13 stress disorder or traumatic brain injury (as applica-
14 ble)”.

15 (2) REVIEW FOR CERTAIN FORMER MEMBERS
16 WITH MENTAL HEALTH DIAGNOSES.—Such section
17 is further amended by adding at the end the fol-
18 lowing new subsection:

19 “(e) In the case of a former member of the armed
20 forces (other than a former member covered by subsection
21 (d)) who was diagnosed while serving in the armed forces
22 as experiencing a mental health disorder, a board estab-
23 lished under this section to review the former member’s
24 discharge or dismissal shall include a member who is a

- 1 clinical psychologist or psychiatrist, or a physician with
- 2 special training on mental health disorders.”.



41. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
DUCKWORTH OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY Ms. DUCKWORTH OF ILLINOIS**

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

1 **SEC. 5__ . AVAILABILITY OF ADDITIONAL LEAVE FOR MEM-**
2 **BERS OF THE ARMED FORCES IN CONNEC-**
3 **TION WITH THE BIRTH OF A CHILD.**

4 Section 701(j) of title 10, United States Code, is
5 amended—

6 (1) by redesignating paragraphs (1) and (2) as
7 paragraphs (2) and (3), respectively;

8 (2) by inserting after “(j)” the following new
9 paragraph (1):

10 “(1) Under regulations prescribed by the Secretary
11 concerned, a member of the armed forces who gives birth
12 to a child shall receive 42 days of convalescent leave to
13 be used in connection with the birth of the child. At the
14 discretion of the member, the member shall be allowed up
15 to 42 additional days in a leave of absence status in con-
16 nection with the birth of the child upon the expiration of
17 the convalescent leave, except that—

18 “(A) a member who uses this additional leave
19 is not entitled to basic pay for any day on which

1 such additional leave is used, but shall be considered
2 to be on active duty for all other purposes; and

3 “(B) the commanding officer of the member
4 may recall the member to duty from such leave of
5 absence status when necessary to maintain unit
6 readiness.”; and

7 (3) in paragraph (3), as redesignated, by strik-
8 ing “paragraph (1)” and inserting “paragraphs (1)
9 and (2)”.



42. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE THOMPSON OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. THOMPSON OF PENNSYLVANIA**

Page 108, after line 17, insert the following:

1 **SEC. 528. PRELIMINARY MENTAL HEALTH ASSESSMENTS.**

2 (a) IN GENERAL.—Chapter 31 of title 10, United
3 States Code, is amended by adding at the end the fol-
4 lowing new section:

5 **“§ 520d. Preliminary mental health assessments**

6 “(a) PROVISION OF MENTAL HEALTH ASSESS-
7 MENT.—Before any individual enlists in an armed force
8 or is commissioned as an officer in an armed force, the
9 Secretary concerned shall provide the individual with a
10 mental health assessment. The Secretary shall use such
11 results as a baseline for any subsequent mental health ex-
12 aminations, including such examinations provided under
13 sections 1074f and 1074m of this title.

14 “(b) USE OF ASSESSMENT.—The Secretary may not
15 consider the results of a mental health assessment con-
16 ducted under subsection (a) in determining the assign-
17 ment or promotion of a member of the Armed Forces.

18 “(c) APPLICATION OF PRIVACY LAWS.—With respect
19 to applicable laws and regulations relating to the privacy

1 of information, the Secretary shall treat a mental health
2 assessment conducted under subsection (a) in the same
3 manner as the medical records of a member of the armed
4 forces.”.

5 (b) CLERICAL AMENDMENT.—The table of sections
6 at the beginning of such chapter is amended by adding
7 after the item relating to section 520c the following new
8 item:

“520d. Preliminary mental health assessments.”.

9 (c) REPORT.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act, the Na-
12 tional Institute of Mental Health of the National In-
13 stitutes of Health shall submit to Congress and the
14 Secretary of Defense a report on preliminary mental
15 health assessments of members of the Armed
16 Forces.

17 (2) MATTERS INCLUDED.—The report under
18 paragraph (1) shall include the following:

19 (A) Recommendations with respect to es-
20 tablishing a preliminary mental health assess-
21 ment of members of the Armed Forces to bring
22 mental health screenings to parity with physical
23 screenings of members.

24 (B) Recommendations with respect to the
25 composition of the mental health assessment,

1 best practices, and how to track assessment
2 changes relating to traumatic brain injuries,
3 post-traumatic stress disorder, and other condi-
4 tions.

5 (3) COORDINATION.—The National Institute of
6 Mental Health shall carry out paragraph (1) in co-
7 ordination with the Secretary of Veterans Affairs,
8 the Director of the Centers for Disease Control and
9 Prevention, the surgeons general of the military de-
10 partments, and other relevant experts.



43. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GRAYSON OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. GRAYSON OF FLORIDA**

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

1 **SEC. 5___ . REVISION TO REQUIREMENTS RELATING TO DE-**
2 **PARTMENT OF DEFENSE POLICY ON RETEN-**
3 **TION OF EVIDENCE IN A SEXUAL ASSAULT**
4 **CASE TO ALLOW RETURN OF PERSONAL**
5 **PROPERTY UPON COMPLETION OF RELATED**
6 **PROCEEDINGS.**

7 Section 586 of the National Defense Authorization
8 Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat.
9 1435; 10 U.S.C. 1561 note) is amended by adding at the
10 end the following new subsection:

11 “(f) RETURN OF PERSONAL PROPERTY UPON COM-
12 PLETION OF RELATED PROCEEDINGS.—Notwithstanding
13 subsection (c)(4)(A), personal property retained as evi-
14 dence in connection with an incident of sexual assault in-
15 volving a member of the Armed Forces may be returned
16 to the rightful owner of such property after the conclusion

1 of all legal, adverse action, and administrative proceedings

2 related to such incident.”.



44. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
VELÁZQUEZ OF NEW YORK OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MS. VELÁZQUEZ OF NEW YORK**

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

1 **SEC. 5___.** ESTABLISHMENT OF PHONE SERVICE FOR
2 **PROMPT REPORTING OF HAZING INVOLVING**
3 **A MEMBER OF THE ARMED FORCES.**

4 (a) ESTABLISHMENT REQUIRED.—The Secretary
5 concerned (as defined in section 101(a)(9) of title 10,
6 United States Code) shall develop and implement a phone
7 service through which an individual can anonymously call
8 to report incidents of hazing in that branch of the Armed
9 Forces.

10 (b) HAZING DESCRIBED.—For purposes of carrying
11 out this section, the Secretary of Defense (and the Sec-
12 retary of the Department in which the Coast Guard oper-
13 ates) shall use the definition of hazing contained in the
14 August 28, 1997, Secretary of Defense Policy Memo-
15 randum, which defined hazing as any conduct whereby a
16 member of the Armed Forces, regardless of branch or
17 rank, without proper authority causes another member to
18 suffer, or be exposed to, any activity which is cruel, abu-

1 sive, humiliating, oppressive, demeaning, or harmful. So-
2 liciting or coercing another person to perpetrate any such
3 activity is also considered hazing. Hazing need not involve
4 physical contact among or between members of the Armed
5 Forces. Hazing can be verbal or psychological in nature.
6 Actual or implied consent to acts of hazing does not elimi-
7 nate the culpability of the perpetrator.



45. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MCMORRIS RODGERS OF WASHINGTON OR HER DESIGNEE,
DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MRS. MCMORRIS RODGERS OF
WASHINGTON**

At the end of subtitle E of title V, add the following
new section:

1 **SEC. 548. ROLE OF MILITARY SPOUSE EMPLOYMENT PRO-**
2 **GRAMS IN ADDRESSING UNEMPLOYMENT**
3 **AND UNDEREMPLOYMENT OF SPOUSES OF**
4 **MEMBERS OF THE ARMED FORCES AND**
5 **CLOSING THE WAGE GAP BETWEEN MILITARY**
6 **SPOUSES AND THEIR CIVILIAN COUNTER-**
7 **PARTS.**

8 (a) FINDINGS.—Congress makes the following find-
9 ings:

10 (1) Members of the Armed Forces and their
11 families make enormous sacrifices in defense of the
12 United States.

13 (2) Military spouses face a unique lifestyle
14 marked by frequent moves, increased family respon-
15 sibility during deployments, and limited career op-
16 portunities in certain geographic locations.

1 (3) These circumstances present significant
2 challenges to military spouses who desire to build a
3 portable career commensurate with their skills, in-
4 cluding education and experience.

5 (4) According to a recent Department of De-
6 fense survey, the unemployment rate for civilians
7 married to a military member is 25 percent, but the
8 unemployment rate is 33 percent for spouses of jun-
9 ior enlisted members. The same survey revealed that
10 85 percent of military spouses want or need to work.

11 (5) A recent Military Officers Association of
12 American (MOAA)/Institute for Veterans and Mili-
13 tary Families' (IVMF) Military Spouse Employment
14 Report revealed that an overwhelming ninety percent
15 of female military spouses are underemployed.

16 (6) The Department of Defense has dem-
17 onstrated its commitment to helping military
18 spouses obtain employment by creating the Military
19 Spouse Employment Partnership (MSEP), the Mili-
20 tary Spouse Career Center, and the Military Spouse
21 Career Advancement Accounts (MyCAA). More than
22 61,000 military spouses have been hired as part of
23 the Military Spouse Employment Partnership
24 (MSEP) since the MSEP launch in June 2011.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that—

3 (1) the Secretary of Defense should continue to
4 work to reduce the unemployment and underemploy-
5 ment of spouses of members of the Armed Forces
6 (in this section referred to as “military spouses”)
7 and support closing the wage gap between military
8 spouses and their civilian counterparts;

9 (2) in this process, the Secretary should
10 prioritize efforts that assist military spouses in pur-
11 suing portable careers that match their skill set, in-
12 cluding education and experience; and

13 (3) in evaluating the effectiveness of military
14 spouse employment programs, the Secretary should
15 collect information that provides a comprehensive as-
16 sessment of the program, including whether program
17 goals are being achieved.

18 (c) DATA COLLECTION RELATED TO EFFORTS TO
19 ADDRESS UNDEREMPLOYMENT OF MILITARY SPOUSES.—

20 (1) DATA COLLECTION REQUIRED.—In addition
21 to monitoring the number of military spouses who
22 obtain employment through military spouse employ-
23 ment programs, the Secretary of Defense shall col-
24 lect data to evaluate the effectiveness of military
25 spouse employment programs in addressing the

1 underemployment of military spouses and in closing
2 the wage gap between military spouses and their ci-
3 vilian counterparts. Information collected shall in-
4 clude whether positions obtained by military spouses
5 through military spouse employment programs
6 match their education and experience.

7 (2) REPORT REQUIRED.—Not later than one
8 year after the date of the enactment of this Act, the
9 Secretary of Defense shall submit to the congres-
10 sional defense committees a report evaluating the
11 progress of military spouse employment programs in
12 reducing military spouse unemployment, reducing
13 the wage gap between military spouses and their ci-
14 vilian counterparts, and addressing the under-
15 employment of military spouses.

16 (d) MILITARY SPOUSE EMPLOYMENT PROGRAMS DE-
17 FINED.—In this section, the term “military spouse em-
18 ployment programs” means the Military Spouse Employ-
19 ment Partnership (MSEP).



46. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MCNERNEY OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. MCNERNEY OF CALIFORNIA**

Page 127, line 10, insert after the period the following: “In establishing the eligibility requirements to be used by the program manager for the selection of the civilian employment staffing agencies, the Secretary of Defense shall also take into account civilian employment staffing agencies that are willing to work and consult with State and county Veterans Affairs offices and State National Guard offices, when appropriate.”.



47. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COOK
OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. COOK OF CALIFORNIA**

At the end of subtitle F of title V, add the following
new section:

1 **SEC. 553. DIRECT EMPLOYMENT PILOT PROGRAM FOR**
2 **MEMBERS OF THE NATIONAL GUARD AND RE-**
3 **SERVE.**

4 (a) **PROGRAM AUTHORITY.**—The Secretary of De-
5 fense may carry out a pilot program to enhance the efforts
6 of the Department of Defense to provide job placement
7 assistance and related employment services directly to
8 members in the National Guard and Reserves.

9 (b) **ADMINISTRATION.**—The pilot program shall be
10 offered to, and administered by, the adjutants general ap-
11 pointed under section 314 of title 32, United States Code.

12 (c) **COST-SHARING REQUIREMENT.**—As a condition
13 on the provision of funds under this section to a State
14 to support the operation of the pilot program in the State,
15 the State must agree to contribute an amount, derived
16 from non-Federal sources, equal to at least 30 percent of
17 the funds provided by the Secretary of Defense under this
18 section.

1 (d) DIRECT EMPLOYMENT PROGRAM MODEL.—The
2 pilot program should follow a job placement program
3 model that focuses on working one-on-one with a member
4 of a reserve component to cost-effectively provide job
5 placement services, including services such as identifying
6 unemployed and under employed members, job matching
7 services, resume editing, interview preparation, and post-
8 employment follow up. Development of the pilot program
9 should be informed by State direct employment programs
10 for members of the reserve components, such as the pro-
11 grams conducted in California and South Carolina.

12 (e) EVALUATION.—The Secretary of Defense shall
13 develop outcome measurements to evaluate the success of
14 the pilot program.

15 (f) REPORTING REQUIREMENTS.—

16 (1) REPORT REQUIRED.—Not later than March
17 1, 2019, the Secretary of Defense shall submit to
18 the congressional defense committees a report de-
19 scribing the results of the pilot program. The Sec-
20 retary shall prepare the report in coordination with
21 the Chief of the National Guard Bureau.

22 (2) ELEMENTS OF REPORT.—A report under
23 paragraph (1) shall include the following:

24 (A) A description and assessment of the ef-
25 fectiveness and achievements of the pilot pro-

1 gram, including the number of members of the
2 reserve components hired and the cost-per-
3 placement of participating members.

4 (B) An assessment of the impact of the
5 pilot program and increased reserve component
6 employment levels on the readiness of members
7 of the reserve components.

8 (C) A comparison of the pilot program to
9 other programs conducted by the Department
10 of Defense and Department of Veterans Affairs
11 to provide unemployment and underemployment
12 support to members of the reserve components.

13 (D) Any other matters considered appro-
14 priate by the Secretary.

15 (g) LIMITATION ON TOTAL FISCAL-YEAR OBLIGA-
16 TIONS.—The total amount obligated by the Secretary of
17 Defense to carry out the pilot program for any fiscal year
18 may not exceed \$20,000,000.

19 (h) DURATION OF AUTHORITY.—

20 (1) IN GENERAL.—The authority to carry out
21 the pilot program expires September 30, 2018.

22 (2) EXTENSION.—Upon the expiration of the
23 authority under paragraph (1), the Secretary of De-

- 1 fense may extend the pilot program for not more
- 2 than two additional fiscal years.



48. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
LAMBORN OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

62R

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. LAMBORN OF COLORADO**

At the end of subtitle F of title V, add the following
new section:

1 **SEC. 553. ENHANCEMENT OF AUTHORITY TO ACCEPT SUP-**
2 **PORT FOR UNITED STATES AIR FORCE ACAD-**
3 **EMY ATHLETIC PROGRAMS.**

4 Section 9362 of title 10, United States Code, is
5 amended by striking subsections (e), (f), and (g) and in-
6 serting the following new subsections:

7 “(e) ACCEPTANCE OF SUPPORT.—

8 “(1) SUPPORT RECEIVED FROM THE CORPORA-
9 TION.—Notwithstanding section 1342 of title 31, the
10 Secretary of the Air Force may accept from the cor-
11 poration funds, supplies, equipment, and services for
12 the support of the athletic programs of the Acad-
13 emy.

14 “(2) FUNDS RECEIVED FROM OTHER
15 SOURCES.—The Secretary may charge fees for the
16 support of the athletic programs of the Academy.
17 The Secretary may accept and retain fees for serv-
18 ices and other benefits provided incident to the oper-

1 ation of its athletic programs, including fees from
2 the National Collegiate Athletic Association, fees
3 from athletic conferences, game guarantees from
4 other educational institutions, fees for ticketing or li-
5 censing, and other consideration provided incidental
6 to the execution of the athletic programs of the
7 Academy.

8 “(3) LIMITATION.—The Secretary shall ensure
9 that contributions accepted under this subsection do
10 not reflect unfavorably on the ability of the Depart-
11 ment of the Air Force, any of its employees, or any
12 member of the armed forces to carry out any respon-
13 sibility or duty in a fair and objective manner, or
14 compromise the integrity or appearance of integrity
15 of any program of the Department of the Air Force,
16 or any individual involved in such a program.

17 “(f) LEASES AND LICENSES.—

18 “(1) SUPPORT RECEIVED FROM THE CORPORA-
19 TION.—In accordance with section 2667 of this title,
20 the Secretary of the Air Force may enter into leases
21 or licenses with the corporation for the purpose of
22 supporting the athletic programs of the Academy.
23 Consideration provided under such a lease or license
24 may be provided in the form of funds, supplies,

1 equipment, and services for the support of the ath-
2 letic programs of the Academy.

3 “(2) SUPPORT TO THE CORPORATION.—The
4 Secretary may provide support services to the cor-
5 poration without charge while the corporation con-
6 ducts its support activities at the Academy. In this
7 section, the term ‘support services’ includes the pro-
8 viding of utilities, office furnishings and equipment,
9 communications services, records staging and
10 archiving, audio and video support, and security sys-
11 tems in conjunction with the leasing or licensing of
12 property. Any such support services may only be
13 provided without any liability of the United States to
14 the corporation.

15 “(g) CONTRACTS AND COOPERATIVE AGREE-
16 MENTS.—The Secretary of the Air Force may enter into
17 contracts and cooperative agreements with the corporation
18 for the purpose of supporting the athletic programs of the
19 Academy. Notwithstanding section 2304(k) of this title,
20 the Secretary may enter such contracts or cooperative
21 agreements on a sole source basis pursuant to section
22 2304(c)(5) of this title. Notwithstanding chapter 63 of
23 title 31, a cooperative agreement under this section may
24 be used to acquire property, services, or travel for the di-
25 rect benefit or use of the Academy athletic programs.

1 “(h) TRADEMARKS AND SERVICE MARKS.—

2 “(1) LICENSING, MARKETING, AND SPONSOR-
3 SHIP AGREEMENTS.—Consistent with section 2260
4 (other than subsection (d)) of this title, an agree-
5 ment under subsection (g) may authorize the cor-
6 poration to enter into licensing, marketing, and
7 sponsorship agreements relating to trademarks and
8 service marks identifying the Academy, subject to
9 the approval of the Secretary of the Air Force.

10 “(2) LIMITATIONS.—No such licensing, mar-
11 keting, or sponsorship agreement may be entered
12 into if it would reflect unfavorably on the ability of
13 the Department of the Air Force, any of its employ-
14 ees, or any member of the armed forces to carry out
15 any responsibility or duty in a fair and objective
16 manner, or if the Secretary determines that the use
17 of the trademark or service mark would compromise
18 the integrity or appearance of integrity of any pro-
19 gram of the Department of the Air Force, or any in-
20 dividual involved in such a program.”.



49. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BONAMICI OF OREGON OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MS. BONAMICI OF OREGON**

Add at the end of subtitle F of title V the following
(and conform the table of contents accordingly):

1 SEC. 553. REPORT ON TUITION ASSISTANCE.

2 (a) IN GENERAL.—The Secretary of the Army shall,
3 not later than 90 days after the date of the enactment
4 of this Act, submit to the Committees on Armed Services
5 of the Senate and the House of Representatives a report
6 on the requirement of the Army, effective January 1,
7 2014, that members of the Army may become eligible for
8 the Army’s tuition assistance program only after serving
9 a period of 1 year after completing certain training
10 courses, such as advance individual training, officer can-
11 didate school, and the basic officer leader course.

12 (b) CONTENTS.—The report under subsection (a)
13 shall include the Secretary’s—

14 (1) evaluation of the potential savings in costs
15 resulting from requiring all service members to wait
16 a period of 1 year after training described in sub-
17 section (a) before becoming eligible for the Army’s
18 tuition assistance program;

1 (2) evaluation of the impact that the 1-year
2 waiting period described in subsection (a) will have
3 on recruitment for the National Guard; and

4 (3) explanation of the extent to which the quali-
5 ties of the National Guard, including the role of col-
6 lege students and college-bound students in the Na-
7 tional Guard, were considered before reaching the
8 decision to require all service members to wait a pe-
9 riod of 1 year before becoming eligible for the
10 Army's tuition assistance program.



50. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MALONEY OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. SEAN PATRICK MALONEY OF
NEW YORK**

Page 132, lines 18 and 19, strike "4-year" and insert "5-year".

Page 133, lines 9 and 10, strike "4-year" and insert "5-year".



51. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GERLACH OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO COMMITTEE PRINT 113-44
OFFERED BY MR. GERLACH OF PENNSYLVANIA**

At the end of subtitle H of title V, add the following
new section:

1 **SEC. 5. RECOGNITION OF WERETH MASSACRE OF 11 AFRI-**
2 **CAN-AMERICAN SOLDIERS OF THE UNITED**
3 **STATES ARMY DURING THE BATTLE OF THE**
4 **BULGE.**

5 Congress officially recognizes the dedicated service
6 and ultimate sacrifice on behalf of the United States of
7 the 11 African-American soldiers of the 333rd Field Artil-
8 lery Battalion of the United States Army who were mas-
9 sacred in Wereth, Belgium, during the Battle of the Bulge
10 on December 17, 1944.



52. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BUSTOS OF ILLINOIS OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MRS. BUSTOS OF ILLINOIS**

At the end of subtitle H of title V, add the following
new section:

1 **SEC. 574. REPORT ON ARMY REVIEW, FINDINGS, AND AC-**
2 **TIONS PERTAINING TO MEDAL OF HONOR**
3 **NOMINATION OF CAPTAIN WILLIAM L.**
4 **ALBRACHT.**

5 Not later than 30 days after the date of the enact-
6 ment of this Act, the Secretary of the Army shall—

7 (1) conduct a review of the initial review, find-
8 ings, and actions undertaken by the Army in connec-
9 tion with the Medal of Honor nomination of Captain
10 William L. Albracht; and

11 (2) submit to the Committees on Armed Serv-
12 ices of the Senate and the House of Representatives
13 a report describing the results of the review required
14 by this section, including an accounting of all evi-
15 dence submitted with regard to the nomination.



53. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CHU
OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY Ms. CHU OF CALIFORNIA**

At the end of subtitle I of title V, add the following
new section:

1 **SEC. 5__ . COMPTROLLER GENERAL AND MILITARY DE-**
2 **PARTMENT REPORTS ON HAZING IN THE**
3 **ARMED FORCES.**

4 (a) COMPTROLLER GENERAL REPORT.—

5 (1) REPORT REQUIRED.—Not later than one
6 year after the date of the enactment of this Act, the
7 Comptroller General of the United States shall sub-
8 mit to the designated congressional committees a re-
9 port on the policies to prevent hazing, and systems
10 initiated to track incidents of hazing, in each of the
11 Armed Forces, including reserve components, officer
12 candidate schools, military service academies, mili-
13 tary academy preparatory schools, and basic training
14 and professional schools for enlisted members.

15 (2) ELEMENTS.—The report required by para-
16 graph (1) shall include the following:

17 (A) An evaluation of the definition of haz-
18 ing by the Armed Forces.

1 (B) A description of the criteria used, and
2 the methods implemented, in the systems to
3 track incidents of hazing in the Armed Forces.

4 (C) An assessment of the following:

5 (i) The scope of hazing in each Armed
6 Force.

7 (ii) The policies in place and the
8 training on hazing provided to members
9 throughout the course of their careers for
10 each Armed Force.

11 (iii) The available outlets through
12 which victims or witnesses of hazing can
13 report hazing both within and outside their
14 chain of command, and whether or not
15 anonymous reporting is permitted.

16 (iv) The actions taken to mitigate
17 hazing incidents in each Armed Force.

18 (v) The effectiveness of the training
19 and policies in place regarding hazing.

20 (vi) The number of alleged and sub-
21 stantiated incidents of hazing over the last
22 five years for each Armed Force, the na-
23 ture of these cases and actions taken to
24 address such matters through non-judicial
25 and judicial action.

1 (D) An evaluation of the additional ac-
2 tions, if any, the Secretary of Defense and the
3 Secretary of Homeland Security propose to take
4 to further address the incidence of hazing in
5 the Armed Forces.

6 (E) Such recommendations as the Comp-
7 troller General considers appropriate for im-
8 proving hazing prevention programs, policies,
9 and other actions taken to address hazing with-
10 in the Armed Forces.

11 (3) DESIGNATED CONGRESSIONAL COMMITTEES
12 DEFINED.—In this subsection, the term “designated
13 congressional committees” means—

14 (A) the Committee on Armed Services, the
15 Committee on Oversight and Government Re-
16 form, and the Committee on Commerce, Science
17 and Transportation of the Senate; and

18 (B) the Committee on Armed Services, the
19 Committee on Oversight and Government Re-
20 form, and the Committee on Transportation
21 and Infrastructure of the House of Representa-
22 tives.

23 (b) MILITARY DEPARTMENT REPORTS.—

24 (1) REPORTS REQUIRED.—Not later than 180
25 days after the date of the enactment of this Act,

1 each Secretary of a military department, in consulta-
2 tion with the Chief of Staff of each Armed Force
3 under the jurisdiction of such Secretary, shall sub-
4 mit to the Committees on Armed Services of the
5 Senate and the House of Representatives a report
6 containing an update to the hazing reports required
7 by section 534 of the National Defense Authoriza-
8 tion Act for Fiscal Year 2013 (Public Law 112–239;
9 126 Stat. 1726).

10 (2) ELEMENTS.—Each report on an Armed
11 Force required by paragraph (1) shall include the
12 following:

13 (A) A discussion of the policies of the
14 Armed Force for preventing and responding to
15 incidents of hazing, including discussion of any
16 changes or newly implemented policies since the
17 submission of the reports required by section
18 534 of the National Defense Authorization Act
19 for Fiscal Year 2013.

20 (B) A description of the methods imple-
21 mented to track and report, including report
22 anonymously, incidents of hazing in the Armed
23 Force.

24 (C) An assessment by the Secretary sub-
25 mitting such report of the following:

1 (i) The scope of the problem of hazing
2 in the Armed Force.

3 (ii) The effectiveness of training on
4 recognizing, reporting and preventing haz-
5 ing provided members of the Armed Force.

6 (iii) The actions taken to prevent and
7 respond to hazing incidents in the Armed
8 Force since the submission of the reports
9 under such section.

10 (D) A description of the additional actions,
11 if any, the Secretary submitting such report
12 and the Chief of Staff of the Armed Force pro-
13 pose to take to further address the incidence of
14 hazing in the Armed Force.



54. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
LANGEVIN OF RHODE ISLAND OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MRS. DAVIS OF CALIFORNIA AND
MR. LANGEVIN OF RHODE ISLAND**

At the end of subtitle I of title V, add the following
new section:

1 **SEC. 5__ . NATIONAL INSTITUTE OF MENTAL HEALTH**
2 **STUDY OF RISK AND RESILIENCY OF UNITED**
3 **STATES SPECIAL OPERATIONS FORCES AND**
4 **EFFECTIVENESS OF PRESERVATION OF THE**
5 **FORCE AND FAMILIES PROGRAM.**

6 (a) **STUDY REQUIRED.**—The Director of the National
7 Institute of Mental Health shall conduct a study of the
8 risk and resiliency of the United States Special Operations
9 Forces and effectiveness of the United States Special Op-
10 erations Command’s Preservation of the Force and Fami-
11 lies Program on reducing risk and increasing resiliency.

12 (b) **ELEMENTS OF THE STUDY.**—The study con-
13 ducted under subsection (a) shall specifically include an
14 assessment of each of the following: —

15 (1) The mental, behavioral, and psychological
16 health of the United States Special Operations
17 Force, the United States Special Operations Com-

1 mand's Preservation of the Force and Families Pro-
2 gram's focus on physical development to address the
3 mental, behavioral, and psychological health of the
4 United States Special Operations Force, including
5 measurements of effectiveness on reducing suicide
6 and other mental, behavioral and psychological risks,
7 and increasing resiliency of the United States Spe-
8 cial Operations Forces.

9 (2) The United States Special Operations Com-
10 mand's Human Performance Program, including
11 measurements of effectiveness on reducing risk and
12 increasing resiliency of United States Special Oper-
13 ations Forces.

14 (3) Such other matters as the Director of the
15 National Institute of Mental Health considers appro-
16 priate.

17 (c) SUBMISSION OF REPORT.—Not later than 90
18 days after the date of the enactment of this Act, the Direc-
19 tor of the National Institute of Mental Health shall submit
20 to the congressional defense committees a report con-
21 taining the results of the study conducted under sub-
22 section (a).



55. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
LAMALFA OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. LAMALFA OF CALIFORNIA**

At the end of subtitle J of title V, insert the following:

1 **SEC. 594. ACCESS OF CONGRESSIONAL CASEWORKERS TO**
2 **INFORMATION ABOUT DEPARTMENT OF VET-**
3 **ERANS AFFAIRS CASEWORK BROKERED TO**
4 **OTHER OFFICES OF THE DEPARTMENT.**

5 If Department of Veterans Affairs casework is bro-
6 kered out to another office of the Department from its
7 original submission site, a caseworker in a congressional
8 office may contact the brokered office to receive an update
9 on the constituent's case, and that office of the Depart-
10 ment is required to update the congressional staffer re-
11 gardless of their thoughts on jurisdiction.



56. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
WALBERG OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. WALBERG OF MICHIGAN**

At the end of subtitle J of title V (page 162, after line 18) add the following:

1 **SEC. __. PILOT PROGRAM ON PROVISION OF CERTAIN IN-**
2 **FORMATION TO STATE VETERANS AGENCIES**
3 **TO FACILITATE THE TRANSITION OF MEM-**
4 **BERS OF THE ARMED FORCES FROM MILI-**
5 **TARY SERVICE TO CIVILIAN LIFE.**

6 (a) **PILOT PROGRAM REQUIRED.**—Commencing not
7 later than 90 days after the date of the enactment of this
8 Act, the Secretary of Defense shall carry out a pilot pro-
9 gram to assess the feasibility and advisability of providing
10 the information described in subsection (b) on members
11 of the Armed Forces who are separating from the Armed
12 Forces to State veterans agencies as a means of facili-
13 tating the transition of members of the Armed Forces
14 from military service to civilian life.

15 (b) **COVERED INFORMATION.**—The information de-
16 scribed in this subsection with respect to a member is as
17 follows:

18 (1) Department of Defense Form DD 214.

1 (2) A personal email address.

2 (3) A personal telephone number.

3 (4) A mailing address.

4 (c) VOLUNTARY PARTICIPATION.—The participation
5 of a member in the pilot program shall be at the election
6 of the member.

7 (d) FORM OF PROVISION OF INFORMATION.—Infor-
8 mation shall be provided to State veterans agencies under
9 the pilot program in digitized electronic form.

10 (e) USE OF INFORMATION.—Information provided to
11 State veterans agencies under the pilot program may be
12 shared by such agencies with appropriate county veterans
13 service offices in such manner and for such purposes as
14 the Secretary shall specify for purposes of the pilot pro-
15 gram.

16 (f) REPORT.—Not later than 15 months after the
17 date of the enactment of this Act, the Secretary shall sub-
18 mit to Congress a report on the pilot program. The report
19 shall include a description of the pilot program and such
20 recommendations, including recommendations for con-
21 tinuing or expanding the pilot program, as the Secretary
22 considers appropriate in light of the pilot program.



57. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GINGREY OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. GINGREY OF GEORGIA**

At the end of title V, add the following new section:

1 **SEC. 5** ___. **SENSE OF CONGRESS REGARDING PRESERVA-**
2 **TION OF SECOND AMENDMENT RIGHTS OF**
3 **ACTIVE DUTY MILITARY PERSONNEL STA-**
4 **TIONED OR RESIDING IN THE DISTRICT OF**
5 **COLUMBIA.**

6 (a) **FINDINGS.**—Congress finds the following:

7 (1) The Second Amendment to the United
8 States Constitution provides that the right of the
9 people to keep and bear arms shall not be infringed.

10 (2) Approximately 40,000 servicemen and
11 women across all branches of the Armed Forces ei-
12 ther live in or are stationed on active duty within the
13 Washington, D.C., metropolitan area. Unless these
14 individuals are granted a waiver as serving in a law
15 enforcement role, they are subject to the District of
16 Columbia’s onerous and highly restrictive laws on
17 the possession of firearms.

18 (3) Military personnel, despite being extensively
19 trained in the proper and safe use of firearms, are

1 therefore deprived by the laws of the District of Co-
2 lumbia of handguns, rifles, and shotguns that are
3 commonly kept by law-abiding persons throughout
4 the United States for sporting use and for lawful de-
5 fense of their persons, homes, businesses, and fami-
6 lies.

7 (4) The District of Columbia has one of the
8 highest per capita murder rates in the Nation, which
9 may be attributed in part to previous local laws pro-
10 hibiting possession of firearms by law-abiding per-
11 sons who would have otherwise been able to defend
12 themselves and their loved ones in their own homes
13 and businesses.

14 (5) The Gun Control Act of 1968 (as amended
15 by the Firearms Owners' Protection Act) and the
16 Brady Handgun Violence Prevention Act provide
17 comprehensive Federal regulations applicable in the
18 District of Columbia as elsewhere. In addition, exist-
19 ing District of Columbia criminal laws punish pos-
20 session and illegal use of firearms by violent crimi-
21 nals and felons. Consequently, there is no need for
22 local laws that only affect and disarm law-abiding
23 citizens.

24 (6) On June 26, 2008, the Supreme Court of
25 the United States in the case of *District of Columbia*

1 *v. Heller* held that the Second Amendment protects
2 an individual's right to possess a firearm for tradi-
3 tionally lawful purposes, and thus ruled that the
4 District of Columbia's handgun ban and require-
5 ments that rifles and shotguns in the home be kept
6 unloaded and disassembled or outfitted with a trig-
7 ger lock to be unconstitutional.

8 (7) On July 16, 2008, the District of Columbia
9 enacted the Firearms Control Emergency Amend-
10 ment Act of 2008 (D.C. Act 17-422; 55 DCR 8237),
11 which places onerous restrictions on the ability of
12 law-abiding citizens from possessing firearms, thus
13 violating the spirit by which the Supreme Court of
14 the United States ruled in *District of Columbia v.*
15 *Heller*.

16 (8) On February 26, 2009, the United States
17 Senate adopted an amendment on a bipartisan vote
18 of 62-36 by Senator John Ensign to S. 160, the
19 District of Columbia House Voting Rights Act of
20 2009, which would fully restore Second Amendment
21 rights to the citizens of the District of Columbia.

22 (b) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that active duty military personnel who are stationed
24 or residing in the District of Columbia should be permitted
25 to exercise fully their rights under the Second Amendment

1 to the Constitution of the United States and therefore
2 should be exempt from the District of Columbia's restric-
3 tions on the possession of firearms.



58. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BISHOP OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY MR. BISHOP OF NEW YORK**

Page 162, after line 18, insert the following:

1 **SEC. 594. SENSE OF CONGRESS REGARDING THE RECOV-**
2 **ERY OF THE REMAINS OF CERTAIN MEMBERS**
3 **OF THE ARMED FORCES KILLED IN THUR-**
4 **STON ISLAND, ANTARCTICA.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) Commencing August 26, 1946, though late
8 February 1947 the United States Navy Antarctic
9 Developments Program Task Force 68, codenamed
10 “Operation Highjump” initiated and undertook the
11 largest ever-to-this-date exploration of the Antarctic
12 continent.

13 (2) The primary mission of the Task Force 68
14 organized by Rear Admiral Richard E. Byrd Jr.
15 USN, (Ret) and led by Rear Admiral Richard H.
16 Cruzen, USN, was to do the following:

17 (A) Establish the Antarctic research base
18 Little America IV.

19 (B) In the defense of the United States of
20 America from possible hostile aggression from

1 abroad - to train personnel test equipment, de-
2 velop techniques for establishing, maintaining
3 and utilizing air bases on ice, with applicability
4 comparable to interior Greenland, where condi-
5 tions are similar to those of the Antarctic.

6 (C) Map and photograph a full two-thirds
7 of the Antarctic Continent during the classified,
8 hazardous duty/volunteer-only operation involv-
9 ing 4700 sailors, 23 aircraft and 13 ships in-
10 cluding the first submarine the U.S.S. *Sennet*,
11 and the aircraft carrier the U.S.S. *Philippine*
12 *Sea*, brought to the edge of the ice pack to
13 launch (6) Navy ski-equipped, rocket-assisted
14 R4Ds.

15 (D) Consolidate and extend United States
16 sovereignty over the largest practicable area of
17 the Antarctic continent.

18 (E) Determine the feasibility of estab-
19 lishing, maintaining and utilizing bases in the
20 Antarctic and investigating possible base sites.

21 (3) While on a hazardous duty/all volunteer
22 mission vital to the interests of National Security
23 and while over the eastern Antarctica coastline
24 known as the Phantom Coast, the PBM-5 Martin
25 Mariner "Flying Boat" "George 1" entered a

1 whiteout over Thurston Island. As the pilot at-
2 tempted to climb, the aircraft grazed the glacier's
3 ridgeline and exploded within 5 seconds instantly
4 killing Ensign Maxwell Lopez, Navigator and Wen-
5 dell "Bud" Hendersin, Aviation Machinists Mate 1st
6 Class while Frederick Williams, Aviation Radioman
7 1st Class died several hours later. Six other crewmen
8 survived including the Captain of the "George 1's"
9 seaplane tender U.S.S. *Pine Island*.

10 (4) The bodies of the dead were protected from
11 the desecration of Antarctic scavenging birds
12 (Skuas) by the surviving crew wrapping the bodies
13 and temporarily burying the men under the star-
14 board wing engine nacelle.

15 (5) Rescue requirements of the "George-1" sur-
16 vivors forced the abandonment of their crewmates'
17 bodies.

18 (6) Conditions prior to the departure of Task
19 Force 68 precluded a return to the area to the re-
20 cover the bodies.

21 (7) For nearly 60 years Navy promised the
22 families that they would recover the men: "If the
23 safety, logistical, and operational prerequisites allow
24 a mission in the future, every effort will be made to
25 bring our sailors home."

1 (8) The Joint POW/MIA Accounting Command
2 twice offered to recover the bodies of this crew for
3 Navy.

4 (9) A 2004 NASA ground penetrating radar
5 overflight commissioned by Navy relocated the crash
6 site three miles from its crash position.

7 (10) The Joint POW/MIA Accounting Com-
8 mand offered to underwrite the cost of an aerial
9 ground penetrating radar (GPR) survey of the crash
10 site area by NASA.

11 (11) The Joint POW/MIA Accounting Com-
12 mand studied the recovery with the recognized recov-
13 ery authorities and national scientists and deter-
14 mined that the recovery is only “medium risk”.

15 (12) National Science Foundation and sci-
16 entists from the University of Texas, Austin, regu-
17 larly visit the island.

18 (13) The crash site is classified as a “perishable
19 site”, meaning a glacier that will calve into the
20 Bellingshausen Sea.

21 (14) The National Science Foundation main-
22 tains a presence in area - of the Pine Island Glacier.

23 (15) The National Science Foundation Director
24 of Polar Operations will assist and provide assets for
25 the recovery upon the request of Congress.

1 (16) The United States Coast Guard is pres-
2 ently pursuing the recovery of 3 WWII air crewmen
3 from similar circumstances in Greenland.

4 (17) On Memorial Day, May 25, 2009, Presi-
5 dent Barak Obama declared: “. . .the support of
6 our veterans is a sacred trust. . .we need to serve
7 them as they have served us. . .that means bringing
8 home all our POWs and MIAs. . .”.

9 (18) The policies and laws of the United States
10 of America require that our armed service personnel
11 be repatriated.

12 (19) The fullest possible accounting of United
13 States fallen military personnel means repatriating
14 living American POWs and MIAs, accounting for,
15 identifying, and recovering the remains of military
16 personnel who were killed in the line of duty, or pro-
17 viding convincing evidence as to why such a repatri-
18 ation, accounting, identification, or recovery is not
19 possible.

20 (20) It is the responsibility of the Federal Gov-
21 ernment to return to the United States for proper
22 burial and respect all members of the Armed Forces
23 killed in the line of duty who lie in lost graves.

24 (b) SENSE OF CONGRESS.—In light of the findings
25 under subsection (a), Congress—

1 (1) reaffirms its support for the recovery and
2 return to the United States, the remains and bodies
3 of all members of the Armed Forces killed in the
4 line of duty, and for the efforts by the Joint POW-
5 MIA Accounting Command to recover the remains of
6 members of the Armed Forces from all wars, con-
7 flicts and missions;

8 (2) recognizes the courage and sacrifice of all
9 members of the Armed Forces who participated in
10 Operation Highjump and all missions vital to the
11 national security of the United States of America;

12 (3) acknowledges the dedicated research and ef-
13 forts by the US Geological Survey, the National
14 Science Foundation, the Joint POW/MIA Account-
15 ing Command, the Fallen American Veterans Foun-
16 dation and all persons and organizations to identify,
17 locate, and advocate for, from their temporary Ant-
18 arctic grave, the recovery of the well-preserved fro-
19 zen bodies of Ensign Maxwell Lopez, Naval Aviator,
20 Frederick Williams, Aviation Machinist's Mate 1ST
21 Class, Wendell Hendersin, Aviation Radioman 1ST
22 Class of the "George 1" explosion and crash; and

23 (4) encourages the Department of Defense to
24 review the facts, research and to pursue new efforts
25 to undertake all feasible efforts to recover, identify,

- 1 and return the well-preserved frozen bodies of the
- 2 “George 1” crew from Antarctica’s Thurston Island.



59. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FARR
OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

29

**AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY MR. FARR OF CALIFORNIA**

Page 162, after line 18, insert the following:

1 **SEC. 594. NAME OF THE DEPARTMENT OF VETERANS AF-**
2 **FAIRS AND DEPARTMENT OF DEFENSE JOINT**
3 **OUTPATIENT CLINIC, MARINA, CALIFORNIA.**

4 (a) DESIGNATION.—The Department of Veterans Af-
5 fairs and Department of Defense joint outpatient clinic
6 to be constructed at the intersection of the proposed Ninth
7 Street and the proposed First Avenue in Marina, Cali-
8 fornia, shall be known and designated as the “Major Gen-
9 eral William H. Gourley VA–DOD Outpatient Clinic”.

10 (b) REFERENCES.—Any reference in a law, regula-
11 tion, map, document, record, or other paper of the United
12 States to the Department of Veterans Affairs and Depart-
13 ment of Defense joint outpatient clinic referred to in sub-
14 section (a) shall be deemed to be a reference to the “Major
15 General William H. Gourley VA–DOD Outpatient Clinic”.



60. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SMITH
OF WASHINGTON OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. SMITH OF WASHINGTON**

Add at the end of title V the following new section:

1 **SEC. 5 ___. AUTHORITY FOR REMOVAL FROM NATIONAL**
2 **CEMETERIES OF REMAINS OF DECEASED**
3 **MEMBERS OF THE ARMED FORCES WHO**
4 **HAVE NO KNOWN NEXT OF KIN.**

5 (a) REMOVAL AUTHORITY.—Section 1488 of title 10,
6 United States Code, is amended by adding at the end the
7 following new subsection:

8 “(c) REMOVAL WHEN NO KNOWN NEXT OF KIN.—

9 (1) The Secretary of the Army may authorize the removal
10 of the remains of a member of the armed forces who has
11 no known next of kin and is buried in an Army National
12 Military Cemetery from the Army National Military Ceme-
13 tery for transfer to any other cemetery.

14 “(2) The Secretary of the Army, with the concurrence
15 of the Secretary of Veterans Affairs, may authorize the
16 removal of the remains of a member of the armed forces
17 who has no known next of kin and is buried in a cemetery
18 of the National Cemetery System from that cemetery for
19 transfer to any Army National Military Cemetery.

1 “(3) In this section, the term ‘Army National Mili-
2 tary Cemetery’ means a cemetery specified in section
3 4721(b) of this title.”.

4 (b) CONFORMING AMENDMENTS.—Such section is
5 further amended—

6 (1) by inserting before “If a cemetery” the fol-
7 lowing:

8 “(a) REMOVAL UPON DISCONTINUANCE OF INSTAL-
9 LATION CEMETERY.—”;

10 (2) by striking “his jurisdiction” and inserting
11 “the jurisdiction of the Secretary concerned”; and

12 (3) by inserting before “With respect to” the
13 following:

14 “(b) REMOVAL FROM TEMPORARY INTERMENT OR
15 ABANDONED GRAVE OR CEMETERY.—”.



61. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BILIRAKIS OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. BILIRAKIS OF FLORIDA**

At the end of subtitle C of title VI, add the following
new section:

1 **SEC. 6__.** **TRANSPORTATION ON MILITARY AIRCRAFT ON**
2 **A SPACE-AVAILABLE BASIS FOR DISABLED**
3 **VETERANS WITH A SERVICE-CONNECTED,**
4 **PERMANENT DISABILITY RATED AS TOTAL.**

5 (a) **AVAILABILITY OF TRANSPORTATION.**—Section
6 2641b of title 10, United States Code, is amended—

7 (1) by redesignating subsection (f) as sub-
8 section (g); and

9 (2) by inserting after subsection (e) the fol-
10 lowing new subsection (f):

11 “(f) **SPECIAL PRIORITY FOR CERTAIN DISABLED**
12 **VETERANS.**—(1) The Secretary of Defense shall provide,
13 at no additional cost to the Department of Defense and
14 with no aircraft modification, transportation on scheduled
15 and unscheduled military flights within the continental
16 United States and on scheduled overseas flights operated
17 by the Air Mobility Command on a space-available basis

1 for any veteran with a service-connected, permanent dis-
2 ability rated as total.

3 “(2) Notwithstanding subsection (d)(1), in estab-
4 lishing space-available transportation priorities under the
5 travel program, the Secretary shall provide transportation
6 under paragraph (1) on the same basis as such transpor-
7 tation is provided to members of the armed forces entitled
8 to retired or retainer pay.

9 “(3) The requirement to provide transportation on
10 Department of Defense aircraft on a space-available basis
11 on the priority basis described in paragraph (2) to vet-
12 erans covered by this subsection applies whether or not
13 the travel program is established under this section.

14 “(4) In this subsection, the terms ‘veteran’ and ‘serv-
15 ice-connected’ have the meanings given those terms in sec-
16 tion 101 of title 38.”.

17 (b) EFFECTIVE DATE.—Subsection (f) of section
18 2641b of title 10, United States Code, as added by sub-
19 section (a), shall take effect at the end of the 90-day pe-
20 riod beginning on the date of the enactment of this Act.



62. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROSS
OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE COMMITTEE PRINT FOR
H.R. 4435
OFFERED BY MR. ROSS OF FLORIDA**

At the end of subtitle D of title VI, insert the following:

**1 SEC. 634. PROHIBITION ON THE USE OF FUNDS TO CLOSE
2 COMMISSARY STORES.**

3 None of the funds authorized to be appropriated or
4 otherwise made available by this Act may be used to close
5 any commissary store.



63. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HANNA
OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. HANNA OF NEW YORK**

Page 175, after line 12, insert the following new section:

1 **SEC. 642. AVAILABILITY FOR PURCHASE OF DEPARTMENT**
2 **OF VETERANS AFFAIRS MEMORIAL**
3 **HEADSTONES AND MARKERS FOR MEMBERS**
4 **OF RESERVE COMPONENTS WHO PER-**
5 **FORMED CERTAIN TRAINING.**

6 Section 2306 of title 38, United States Code, is
7 amended by adding at the end the following new sub-
8 section:

9 “(i)(1) The Secretary shall make available for pur-
10 chase a memorial headstone or marker for the marked or
11 unmarked grave of an individual described in paragraph
12 (2) or for the purpose of commemorating such an indi-
13 vidual whose remains are unavailable.

14 “(2) An individual described in this paragraph is an
15 individual who—

16 “(A) as a member of a National Guard or Re-
17 serve component performed inactive duty training or

1 active duty for training for at least six years but did
2 not serve on active duty; and

3 “(B) is not otherwise ineligible for a memorial
4 headstone or marker on account of the nature of the
5 individual’s separation from the Armed Forces or
6 other cause.

7 “(3) A headstone or marker for the grave of an indi-
8 vidual may be purchased under this subsection by—

9 “(A) the individual;

10 “(B) the surviving spouse, child, sibling, or par-
11 ent of the individual; or

12 “(C) an individual other than the next of kin,
13 as determined by the Secretary of Veterans Affairs.

14 “(4) In establishing the prices of the headstones and
15 markers made available for purchase under this section,
16 the Secretary shall ensure the prices are sufficient to cover
17 the costs associated with the production and delivery of
18 such headstones and markers.

19 “(5) No person may receive any benefit under the
20 laws administered by the Secretary of Veterans Affairs
21 solely by reason of this subsection.

22 “(6) This subsection does not authorize any new bur-
23 ial benefit for any person or create any new authority for
24 any individual to be buried in a national cemetery.

1 “(7) The Secretary shall coordinate with the Sec-
2 retary of Defense in establishing procedures to determine
3 whether an individual is an individual described in para-
4 graph (2).”.



64. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CAPPS
OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MRS. CAPPS OF CALIFORNIA**

Page 177, after line 12, insert the following:

1 **SEC. 703. AVAILABILITY OF BREASTFEEDING SUPPORT,**
2 **SUPPLIES, AND COUNSELING UNDER THE**
3 **TRICARE PROGRAM.**

4 Section 1079(a) of title 10, United States Code, is
5 amended by adding at the end the following new para-
6 graph:

7 “(18) Breastfeeding support, supplies (includ-
8 ing breast pumps and associated equipment), and
9 counseling shall be provided as appropriate during
10 pregnancy and the postpartum period.”.



65. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
LARSON OF CONNECTICUT OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. LARSON OF CONNECTICUT**

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

1 **SEC. 703. BEHAVIORAL HEALTH TREATMENT OF DEVELOP-**
2 **MENTAL DISABILITIES UNDER THE TRICARE**
3 **PROGRAM.**

4 (a) BEHAVIORAL HEALTH TREATMENT OF DEVEL-
5 OPMENTAL DISABILITIES UNDER TRICARE.—Section
6 1077 of title 10, United States Code, is amended by add-
7 ing at the end the following new subsection:

8 “(g)(1) Subject to paragraph (4), in providing health
9 care under subsection (a), the treatment of developmental
10 disabilities (as defined by section 102(8) of the Develop-
11 mental Disabilities Assistance and Bill of Rights Act of
12 2000 (42 U.S.C. 15002(8))), including autism spectrum
13 disorder, shall include behavioral health treatment, includ-
14 ing applied behavior analysis, when prescribed by a physi-
15 cian or psychologist.

16 “(2) In carrying out this subsection, the Secretary
17 shall ensure that—

1 “(A) except as provided by subparagraph (B),
2 behavioral health treatment is provided pursuant to
3 this subsection—

4 “(i) in the case of such treatment provided
5 in a State that requires licensing or certifi-
6 cation of applied behavioral analysts by State
7 law, by an individual who is licensed or certified
8 to practice applied behavioral analysis in ac-
9 cordance with the laws of the State; or

10 “(ii) in the case of such treatment provided
11 in a State other than a State described in
12 clause (i), by an individual who is licensed or
13 certified by a State or an accredited national
14 certification board; and

15 “(B) applied behavior analysis or other behav-
16 ioral health treatment may be provided by an em-
17 ployee, contractor, or trainee of a person described
18 in subparagraph (A) if the employee, contractor, or
19 trainee meets minimum qualifications, training, and
20 supervision requirements as set forth in applicable
21 State law, by an appropriate accredited national cer-
22 tification board, or by the Secretary.

23 “(3)(A) This subsection shall not apply to a medicare
24 eligible beneficiary (as defined in section 1111(b) of this
25 title).

1 “(B) Nothing in this subsection shall be construed
2 as limiting or otherwise affecting the benefits provided to
3 a covered beneficiary under—

4 “(i) this chapter;

5 “(ii) title XVIII of the Social Security Act (42
6 U.S.C. 1395 et seq.); or

7 “(iii) any other law.

8 “(4) In addition to the requirement under section
9 1100(e)(1) of this title, with respect to retired members
10 of the Coast Guard, the Commissioned Corps of the Na-
11 tional Oceanic and Atmospheric Administration, or the
12 Commissioned Corps of the Public Health Service, or de-
13 pendants of any such retired members, treatment shall be
14 provided under this subsection in a fiscal year only to the
15 extent that amounts are specifically provided in advance
16 in appropriations Acts for the Defense Health Program
17 Account for the provision of such treatment for such fiscal
18 year.”.

19 (b) FUNDING MATTERS.—

20 (1) IN GENERAL.—Section 1100 of title 10,
21 United States Code, is amended—

22 (A) by redesignating subsection (c) as sub-
23 section (d); and

24 (B) by inserting after subsection (b) the
25 following new subsection (c):

1 “(c) BEHAVIORAL HEALTH TREATMENT OF DEVEL-
2 OPMENTAL DISABILITIES.—(1) Funds for treatment
3 under section 1077(g) of this title may be derived only
4 from the Defense Health Program Account. Notwith-
5 standing any other provision of law, such funds may not
6 be reimbursed from any account that would otherwise pro-
7 vide funds for the treatment of retired members of the
8 Coast Guard, the Commissioned Corps of the National
9 Oceanic and Atmospheric Administration, or the Commis-
10 sioned Corps of the Public Health Service, or dependents
11 of any such retired members.

12 “(2) As provided for in paragraph (4) of section
13 1077(g), with respect to retired members of the Coast
14 Guard, the Commissioned Corps of the National Oceanic
15 and Atmospheric Administration, or the Commissioned
16 Corps of the Public Health Service, or dependents of any
17 such retired members, treatment under such section shall
18 be provided in a fiscal year only to the extent that
19 amounts are specifically provided in advance in appropria-
20 tions Acts for the Defense Health Program Account for
21 the provision of such treatment for such fiscal year.”.

22 (2) INCREASE AND OFFSET.—

23 (A) INCREASE.—Notwithstanding the
24 amounts set forth in the funding tables in divi-
25 sion D, the amount authorized to be appro-

1 appropriated in section 1405 for the Defense Health
2 Program, as specified in the corresponding
3 funding table in section 4501, for Private Sec-
4 tor Care is hereby increased by \$20,000,000.

5 (B) OFFSET.—Notwithstanding the
6 amounts set forth in the funding tables in divi-
7 sion D, the amount authorized to be appro-
8 priated in section 4301 for operation and main-
9 tenance, as specified in the corresponding fund-
10 ing table in section 4301, for the Office of the
11 Secretary of Defense (Line 270) is hereby re-
12 duced by \$20,000,000.

13 (c) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that amounts should be appropriated for behavioral
15 health treatment of TRICARE beneficiaries, pursuant to
16 the amendments made by this section, in a manner to en-
17 sure the appropriate and equitable access to such treat-
18 ment by all such beneficiaries.



66. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
ELLMERS OF NORTH CAROLINA OR HER DESIGNEE,
DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MRS. ELLMERS OF NORTH
CAROLINA**

Page 184, after line 13, insert the following:

1 **SEC. 715. PROVISION OF WRITTEN NOTICE OF CHANGE TO**
2 **TRICARE BENEFITS.**

3 (a) IN GENERAL.—Chapter 55 of title 10, United
4 States Code, is amended by inserting after section 1097c
5 the following new section:

6 **“§ 1097d. TRICARE program: notice of change to ben-**
7 **efits**

8 “(a) PROVISION OF NOTICE.—(1) If the Secretary
9 makes a significant change to any benefits provided by the
10 TRICARE program to covered beneficiaries, the Secretary
11 shall provide individuals described in paragraph (2) with
12 written notice explaining such changes.

13 “(2) The individuals described by this paragraph are
14 covered beneficiaries and providers participating in the
15 TRICARE program who may be affected by a significant
16 change covered by a notification under paragraph (1).

17 “(3) The Secretary shall provide notice under para-
18 graph (1) through electronic means.

1 “(b) TIMING OF NOTICE.—The Secretary shall pro-
2 vide notice under paragraph (1) of subsection (a) by the
3 earlier of the following dates:

4 “(1) The date that the Secretary determines
5 would afford individuals described in paragraph (2)
6 of such subsection adequate time to understand the
7 change covered by the notification.

8 “(2) The date that is 90 days before the date
9 on which the change covered by the notification be-
10 comes effective.

11 “(3) The effective date of a significant change
12 that is required by law.

13 “(c) SIGNIFICANT CHANGE DEFINED.—In this sec-
14 tion, the term ‘significant change’ means a system-wide
15 change—

16 “(1) in policy regarding services provided under
17 the TRICARE program (not including the addition
18 of new services or benefits); or

19 “(2) in payment rates of more than 20 per-
20 cent.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 at the beginning of such chapter is amended by inserting

1 after the item relating to section 1097c the following new

2 item:

“1097d. TRICARE program: notice of change to benefits.”.



67. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JONES
OF NORTH CAROLINA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. JONES OF NORTH CAROLINA**

At the end of subtitle C of title VII, add the following new section:

1 **SEC. 729. SENSE OF CONGRESS ON USE OF HYPERBARIC**
2 **OXYGEN THERAPY TO TREAT TRAUMATIC**
3 **BRAIN INJURY AND POST-TRAUMATIC**
4 **STRESS DISORDER.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) Traumatic brain injury and post-traumatic
7 stress disorder are the signature injuries of the wars
8 in Iraq and Afghanistan.

9 (2) Post-traumatic stress disorder is prevalent
10 throughout the regular component of the Armed
11 Forces.

12 (3) For example, with respect to Camp
13 Lejeune, North Carolina, which has a base popu-
14 lation of 41,753 active duty personnel, including
15 38,020 marines and 3,533 sailors—

16 (A) 6,616 patients with a principal diag-
17 nosis of post-traumatic stress disorder had at

1 least one visit for post-traumatic stress disorder
2 between February 2013 and April 2014; and

3 (B) the Naval Hospital Camp Lejeune,
4 which had a total of approximately 600,000
5 outpatient visits during 2013, recorded 15,043
6 outpatient visits for which post-traumatic stress
7 disorder was the primary reason for the visit
8 between February 2013 and April 2014.

9 (b) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that—

11 (1) hyperbaric oxygen therapy is a medical
12 treatment that can be used to treat active duty
13 members of the Armed Forces for traumatic brain
14 injury and post-traumatic stress disorder if—

15 (A) such treatment is prescribed by a mili-
16 tary medical doctor; and

17 (B) a hyperbaric chamber that is owned by
18 the Department of Defense and cleared for clin-
19 ical use is locally available; and

20 (2) the Secretary of Defense should increase
21 awareness among members of the Armed Forces, in-
22 cluding military medical doctors, of hyperbaric oxy-
23 gen therapy to treat traumatic brain injury and
24 post-traumatic stress disorder.



68. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ISRAEL
OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Israel-King

162

F:\M13\ISRAEL\ISRAEL_176.XML

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. ISRAEL OF NEW YORK**

Page 195, after line 7, add the following new section:

1 **SEC. 729. SENSE OF CONGRESS REGARDING ACCESS TO**
2 **MENTAL HEALTH SERVICES BY MEMBERS OF**
3 **THE ARMED FORCES.**

4 It is the sense of Congress that—

5 (1) mental health and substance use disorders,
6 traumatic brain injury, and suicide are being experi-
7 enced at alarming levels among members of the
8 Armed Forces;

9 (2) members of the Armed Forces should have
10 adequate access to the support and care they need;

11 (3) public-private mental health partnerships
12 can provide the Department of Defense with an en-
13 hanced and unique capability to treat members of
14 the Armed Forces;

15 (4) the Department of Defense should fully im-
16 plement the pilot program authorized under section
17 706 of the National Defense Authorization Act for
18 Fiscal Year 2013 (10 U.S.C. 10101 note; Public

1 Law 112-239) for purposes of enhancing the efforts
2 of the Department of Defense in research, treat-
3 ment, education, and outreach on mental health and
4 substance use disorders and traumatic brain injury
5 in members of the National Guard and Reserves.



69. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MURPHY OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

85

**AMENDMENT TO THE COMMITTEE PRINT TO H.R.
4435
OFFERED BY MR. MURPHY OF FLORIDA**

At the end of subtitle C of title VII, insert the following:

1 **SEC. ____ . IMPROVEMENT OF MENTAL HEALTH CARE.**

2 (a) **EVALUATIONS OF MENTAL HEALTH CARE AND**
3 **SUICIDE PREVENTION PROGRAMS.—**

4 (1) **IN GENERAL.**—Not less than once each
5 year, the Secretary concerned (as defined in section
6 101(a)(9) of title 10, United States Code) shall con-
7 tract with a third party unaffiliated with the Depart-
8 ment of Veterans Affairs or the Department of De-
9 fense to conduct an evaluation of the mental health
10 care and suicide prevention programs carried out
11 under the laws administered by such Secretary.

12 (2) **ELEMENTS.**—Each evaluation conducted
13 under paragraph (1) shall—

14 (A) use metrics that are common among
15 and useful for practitioners in the field of men-
16 tal health care and suicide prevention;

1 (B) identify the most effective mental
2 health care and suicide prevention programs
3 conducted by the Secretary concerned;

4 (C) propose best practices for caring for
5 individuals who suffer from mental health dis-
6 orders or are at risk of suicide; and

7 (D) make recommendations to improve the
8 coordination and integration of mental health
9 and suicide prevention services between the De-
10 partment of Veterans Affairs and the Depart-
11 ment of Defense to improve the delivery and ef-
12 fectiveness of such services.



70. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
PASCRELL JR. OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

80

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435, AS REPORTED
OFFERED BY MR. PASCRELL OF NEW JERSEY**

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

1 SEC. 7__ . PRIMARY BLAST INJURY RESEARCH.

2 The peer-reviewed Psychological Health and Trau-
3 matic Brain Injury Research Program shall conduct a
4 study on blast injury mechanics covering a wide range of
5 primary blast injury conditions, including traumatic brain
6 injury, in order to accelerate solution development in this
7 critical area.



71. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
SANCHEZ OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MS. LORETTA SANCHEZ OF
CALIFORNIA**

At the end of subtitle C of title VII, add the following new section:

1 **SEC. 729. REPORT ON EFFORTS TO TREAT INFERTILITY OF**
2 **MILITARY FAMILIES.**

3 (a) **REPORT.**—Not later than 180 days after the date
4 of the enactment of this Act, the Secretary of Defense
5 shall submit to the congressional defense committees a re-
6 port on what steps the Secretary is taking to ensure that
7 members of the Armed Forces and the dependents of such
8 members have access to reproductive counseling and a full
9 spectrum of treatments for infertility, including in vitro
10 fertilization.

11 (b) **MATTERS INCLUDED.**—The report under sub-
12 section (a) shall include the following:

13 (1) An assessment of treatment options avail-
14 able at military medical treatment facilities through-
15 out the military health system.

16 (2) An identification of factors that might dis-
17 rupt treatment, including availability of options, lack

1 of timely access to treatment, change in duty sta-
2 tion, or overseas deployments.

3 (3) The number of members of the Armed
4 Forces who have used specific treatment options, in-
5 cluding in vitro fertilization.

6 (4) The number of dependents of members who
7 have used specific treatment options, including in
8 vitro fertilization.

9 (5) An identification of non-Department of De-
10 fense treatment options for infertility that could ben-
11 efit members and the dependents of members.

12 (6) Any other matters the Secretary determines
13 appropriate.



72. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SPEIER
OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

AMENDMENT TO H.R. 4435
OFFERED BY MS. SPEIER OF CALIFORNIA

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

1 **SEC. 7___ . RESEARCH REGARDING BREAST CANCER.**

2 In carrying out research, development, test, and eval-
3 uation activities with respect to breast cancer, the Sec-
4 retary of Defense shall implement the recommendations
5 of the Interagency Breast Cancer and Environmental Re-
6 search Coordinating Committee to prioritize prevention
7 and increase the study of chemical and physical factors
8 in breast cancer.



73. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MULVANEY OF SOUTH CAROLINA OR HIS DESIGNEE,
DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. MULVANEY OF SOUTH
CAROLINA**

Page 197, after line 16, insert the following new section (and amend the table of contents accordingly):

1 **SEC. 805. MAXIMIZING COMPETITION IN DESIGN-BUILD**
2 **CONTRACTS.**

3 (a) PUBLIC DESIGN-BUILD CONSTRUCTION PROCESS
4 IMPROVEMENT.—Section 3309 of title 41, United States
5 Code, is amended—

6 (1) in subsection (a), by inserting “and the con-
7 tract is in an amount of \$1,000,000 or greater”
8 after “appropriate for use”;

9 (2) by striking the second sentence of sub-
10 section (d) and inserting the following: “The max-
11 imum number specified in the solicitation shall not
12 exceed 5 unless the head of the agency approves the
13 contracting officer’s justification with respect to the
14 solicitation that a number greater than 5 is in the
15 Federal Government’s interest. The contracting offi-
16 cer shall provide written documentation of how a
17 maximum number exceeding 5 is consistent with the

1 purposes and objectives of the two-phase selection
2 procedures.”; and

3 (3) by adding at the end the following new sub-
4 section:

5 “(f) REPORT.—

6 “(1) IN GENERAL.—The Director of the Office
7 of Management and Budget shall require the head
8 of each agency to appoint an individual who shall
9 provide to the Director an annual compilation of
10 each instance the agency awarded a contract pursu-
11 ant to this section in which—

12 “(A) more than 5 offerors were selected to
13 submit competitive proposals pursuant to sub-
14 section (c)(4); or

15 “(B) the contract was awarded without
16 using the two-phase selection procedures de-
17 scribed in subsection (c).

18 “(2) PUBLICATION.—The Director shall pre-
19 pare an annual report containing the information
20 provided by each executive agency under subpara-
21 graph (A). The report shall be accessible to the pub-
22 lic through electronic means, and the Director shall
23 publish a notice of availability in the Federal Reg-
24 ister.

1 “(3) FISCAL YEARS COVERED; DEADLINE.—The
2 Director shall submit to Congress the report pre-
3 pared under subparagraph (B) for the fiscal year
4 during which this subsection is enacted, and each of
5 the next 4 fiscal years, not later than 60 days after
6 the end of each such fiscal year.”.

7 (b) DEFENSE DESIGN-BUILD CONSTRUCTION PROC-
8 ESS IMPROVEMENT.—Section 2305a of title 10, United
9 States Code, is amended—

10 (1) in subsection (a), by inserting “and the con-
11 tract is in an amount of \$1,000,000 or greater”
12 after “appropriate for use”;

13 (2) by striking the second sentence of sub-
14 section (d) and inserting the following: “The max-
15 imum number specified in the solicitation shall not
16 exceed 5 unless the head of the agency approves the
17 contracting officer’s justification with respect to an
18 individual solicitation that a number greater than 5
19 is in the Federal Government’s interest. The con-
20 tracting officer shall provide written documentation
21 of how a maximum number exceeding 5 is consistent
22 with the purposes and objectives of the two-phase se-
23 lection procedures.”; and

24 (3) by adding at the end the following new sub-
25 section:

1 “(g) REPORT.—(1) The Director of the Office of
2 Management and Budget shall require the head of each
3 agency to appoint an individual who shall provide to the
4 Director an annual compilation of each instance the agen-
5 cy awarded a contract pursuant to this section in which—

6 “(A) more than 5 offerors were selected to sub-
7 mit competitive proposals pursuant to subsection
8 (c)(4); or

9 “(B) the contract was awarded without using
10 the two-phase selection procedures described in sub-
11 section (c).

12 “(2) The Director shall prepare an annual report con-
13 taining the information provided by each executive agency
14 under subparagraph (A). The report shall be accessible to
15 the public through electronic means, and the Director
16 shall publish a notice of availability in the Federal Reg-
17 ister.

18 “(3) The Director shall submit to Congress the report
19 prepared under subparagraph (B) for the fiscal year dur-
20 ing which this subsection is enacted, and each of the next
21 4 fiscal years, not later than 60 days after the end of each
22 such fiscal year”.

23 (c) GAO REPORT.—Not later than the end of fiscal
24 year 2021, the Comptroller General of the United States
25 shall issue a report analyzing the extent to which Federal

1 agencies are in compliance with the reporting require-
2 ments in section 2305a(f) of title 10, United States Code,
3 and section 3309(g) of title 41, United States Code.



74. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CONNOLLY OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

264

**AMENDMENT TO RULES COMMITTEE PRINT FOR
H.R. 4435
OFFERED BY MR. CONNOLLY OF VIRGINIA**

At the end of subtitle A of title VIII (page 197,
after line 16), insert the following new section:

1 **SEC. 805. PERMANENT AUTHORITY FOR USE OF SIM-**
2 **PLIFIED ACQUISITION PROCEDURES FOR**
3 **CERTAIN COMMERCIAL ITEMS.**

4 Section 4202 of the Clinger-Cohen Act of 1996 (divi-
5 sion D of Public Law 104-106; 10 U.S.C. 2304 note) is
6 amended by striking subsection (e).



75. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MENG
OF NEW YORK OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO RULES COMMITTEE PRINT 113-4
OFFERED BY MS. MENG OF NEW YORK**

Page 214, line 9, insert after “terms.” the following:

1 “(C) DEFINITION.—For purposes of this
2 section, the term ‘a contract awarded as part of
3 the Federal Strategic Sourcing Initiative’ shall
4 mean a contract award pursuant to the process
5 established by the Interagency Strategic
6 Sourcing Leadership Council that was created
7 by the Office of Management and Budget pur-
8 suant to Memorandum M-13-02 issued on De-
9 cember 5, 2012.

10 “(8) STUDY OF STRATEGIC SOURCING.—

11 “(A) STUDY.—Not later than the last day
12 of fiscal year 2015, the Comptroller General of
13 the United States shall initiate a study on the
14 affect of contracts awarded as part of the Fed-
15 eral Strategic Sourcing Initiative on the small
16 business industrial base.

17 “(B) SCOPE.—For each North American
18 Classification System Code assigned to a con-
19 tract awarded as part of the Federal Strategic

1 Sourcing Initiative, the Comptroller General of
2 the United States shall examine the following:

3 “(i) The number of small business
4 concerns participating as prime contractors
5 in that North American Industrial Classi-
6 fication System code in the federal pro-
7 curement marketplace prior to the award
8 of a contract awarded as part of the Fed-
9 eral Strategic Sourcing Initiative.

10 “(ii) The number of small business
11 concerns participating as prime contractors
12 in that North American Industrial Classi-
13 fication System code in the federal pro-
14 curement marketplace after the award of a
15 contract awarded as part of the Federal
16 Strategic Sourcing Initiative.

17 “(iii) The number of small business
18 concerns anticipated to be participating as
19 prime contractors in that North American
20 Industrial Classification System code in
21 the federal procurement marketplace at the
22 time that the a contract awarded as part
23 of the Federal Strategic Sourcing Initiative
24 expires.

1 “(iv) The affect of any changes be-
2 tween subsection (a)(1), (a)(2), and (a)(3)
3 on the health of the small business indus-
4 trial base, and the sustainability of any
5 savings achieved by contract awarded as
6 part of the Federal Strategic Sourcing Ini-
7 tiative.

8 “(C) REPORT.—Not later than 12 months
9 after initiating the study required by subpara-
10 graph (A), the Comptroller General of the
11 United States shall report to the Committee on
12 Small Business of the House of Representatives
13 and the Committee on Small Business and En-
14 trepreneurship of the Senate on the results
15 from such study and, if warranted, any rec-
16 ommendations on how to mitigate any negative
17 affects ont eh small business industrial base or
18 the sustainability of savings.”.

Page 218, insert after line 20 the following (and
conform the table of contents accordingly):

19 **SEC. 817. PUBLICATION OF REQUIRED JUSTIFICATION**
20 **THAT CONSOLIDATION OF CONTRACT RE-**
21 **QUIREMENTS.**

22 Section 44(e)(2)(A) of the Small Business Act (15
23 U.S.C. 657q(e)(2)(A)) is amended by adding at the end

- 1 the following: "This justification shall be published prior
- 2 to the issuance of a solicitation."



76. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HANNA
OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

2R

AMENDMENT TO RULES COMMITTEE PRINT 113-

44

OFFERED BY MR. HANNA OF NEW YORK

Page 218, strike lines 17 through 20 and insert the following (and conform the table the contents accordingly):

1 SEC. 816. IMPROVING FEDERAL SURETY BONDS.

2 (a) SURETY BOND REQUIREMENTS.—Chapter 93 of
3 subtitle VI of title 31, United States Code, is amended—

4 (1) by adding at the end the following:

5 **“SEC. 9310. INDIVIDUAL SURETIES.**

6 “If another applicable law or regulation permits the
7 acceptance of a bond from a surety that is not subject
8 to sections 9305 and 9306 and is based on a pledge of
9 assets by the surety, the assets pledged by such surety
10 shall—

11 “(1) consist of eligible obligations described
12 under section 9303(a); and

13 “(2) be submitted to the official of the Govern-
14 ment required to approve or accept the bond, who
15 shall deposit the assets with a depository described
16 under section 9303(b).”; and

1 (2) in the table of contents for such chapter, by
2 adding at the end the following:

“9310. Individual sureties”.

3 (b) SBA SURETY BOND GUARANTEE.—Section
4 411(c)(1) of the Small Business Investment Act of 1958
5 (15 U.S.C. 694b(c)(1)) is amended by striking “70” and
6 inserting “90”.

7 (c) GAO STUDY.—

8 (1) STUDY.—The Comptroller General of the
9 United States shall carry out a study on the fol-
10 lowing:

11 (Λ) All instances during the 10-year period
12 prior to the date of enactment of the Act in
13 which a surety bond proposed or issued by a
14 surety in connection with a Federal project
15 was—

16 (i) rejected by a Federal contracting
17 officer; or

18 (ii) accepted by a Federal contracting
19 officer, but was later found to have been
20 backed by insufficient collateral or to be
21 otherwise deficient or with respect to which
22 the surety did not perform.

23 (B) The consequences to the Federal Gov-
24 ernment, subcontractors, and suppliers of the
25 instances described under paragraph (1).

1 (C) The percentages of all Federal con-
2 tracts that were awarded to new startup busi-
3 nesses (including new startup businesses that
4 are small disadvantaged businesses or disadvan-
5 taged business enterprises), small disadvan-
6 taged businesses, and disadvantaged business
7 enterprises as prime contractors in the 2-year
8 period prior to and the 2-year period following
9 the date of enactment of this Act, and an as-
10 sessment of the impact of this Act and the
11 amendments made by this Act upon such per-
12 centages.

13 (2) REPORT.—Not later than the end of the 3-
14 year period beginning on the date of the enactment
15 of this Act, the Comptroller General shall issue a re-
16 port to the Committee on the Judiciary of the House
17 of Representatives and the Committee on Homeland
18 Security and Government Affairs of the Senate con-
19 taining all findings and determinations made in car-
20 rying out the study required under subsection (a).

21 (3) DEFINITIONS.—For purposes of this sec-
22 tion:

23 (Λ) DISADVANTAGED BUSINESS ENTER-
24 PRISE.—The term “disadvantaged business en-
25 terprise” has the meaning given that term

1 under section 26.5 of title 49, Code of Federal
2 Regulations.

3 (B) **NEW STARTUP BUSINESS.**—The term
4 “new startup business” means a business that
5 was formed in the 2-year period ending on the
6 date on which the business bids on a Federal
7 contract that requires giving a surety bond.

8 (C) **SMALL DISADVANTAGED BUSINESS.**—
9 The term “small disadvantaged business” has
10 the meaning given that term under section
11 124.1002(b) of title 13, Code of Federal Regu-
12 lations.

77. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GRAVES OF MISSOURI OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

56 3/3

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. GRAVES OF MISSOURI AND MS.
DUCKWORTH OF ILLINOIS**

Page 218, after line 20, insert the following new section (and amend the table of contents accordingly):

1 **SEC. 817. SMALL BUSINESS PRIME AND SUBCONTRACT**
2 **PARTICIPATION GOALS RAISED; ACCOUNT-**
3 **ING OF SUBCONTRACTORS.**

4 (a) **PRIME CONTRACTING GOALS.**—Section
5 15(g)(1)(A) of the Small Business Act (15 U.S.C.
6 644(g)(1)(A)) is amended—

7 (1) in clause (i), by striking “23 percent” and
8 inserting “25 percent”; and

9 (2) by adding at the end the following new
10 clause:

11 “(vi) The Governmentwide goal for
12 participation by small business concerns in
13 subcontract awards shall be established at
14 not less than 40 percent of the total value
15 of all subcontract dollars awarded pursu-
16 ant to section 8(d) of this Act for each fis-
17 cal year.”.

1 (b) DELAYED EFFECTIVE DATE.—The amendment
2 made by subsection (a)(2) of this section shall take effect
3 only beginning on the date on which the Administrator
4 of the Small Business Administration has promulgated
5 any regulations necessary, and the Federal Acquisition
6 Regulation has been revised, to implement section 1614
7 of the National Defense Authorization Act for Fiscal Year
8 2014 and the amendments made by such section.

9 (c) REPEAL OF CERTAIN PROVISION PERTAINING TO
10 ACCOUNTING OF SUBCONTRACTORS.—Section 15(g) of
11 the Small Business Act (15 U.S.C. 644(g)) is amended
12 by striking paragraph (3).



78. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CÁRDENAS OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

271R

AMENDMENT TO RULES COMMITTEE PRINT 113-

44

OFFERED BY MR. CÁRDENAS OF CALIFORNIA

Page 218, insert after line 20 the following (and conform the table of contents accordingly):

1 SEC. 817. SMALL BUSINESS CYBER EDUCATION.

2 The Secretary of Defense, in consultation with the
3 Administrator of the Small Business Administration, may
4 make every reasonable effort to promote an outreach and
5 education program to assist small businesses (as defined
6 in section 3 of the Small Business Act (15 U.S.C. 632))
7 contracted by the Department of Defense to assist such
8 businesses to—

9 (1) understand the gravity and scope of cyber
10 threats;

11 (2) develop a plan to protect intellectual prop-
12 erty; and

13 (3) develop a plan to protect the networks of
14 such businesses.



79. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
COLLINS OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

69

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. COLLINS OF NEW YORK**

At the end of title VIII, add the following new section:

1 **SEC. 827. INNOVATIVE APPROACHES TO TECHNOLOGY**
2 **TRANSFER.**

3 Section 9(jj) of the Small Business Act (15 U.S.C.
4 638(jj)) is amended to read as follows:

5 “(jj) INNOVATIVE APPROACHES TO TECHNOLOGY
6 TRANSFER.—

7 “(1) GRANT PROGRAM.—

8 “(A) IN GENERAL.—Each Federal agency
9 required by subsection (n) to establish an
10 STTR program shall carry out a grant program
11 to support innovative approaches to technology
12 transfer at institutions of higher education (as
13 defined in section 101(a) of the Higher Edu-
14 cation Act of 1965 (20 U.S.C. 1001(a)), non-
15 profit research institutions and Federal labora-
16 tories in order to improve or accelerate the
17 commercialization of federally funded research

1 and technology by small business concerns, in-
2 cluding new businesses.

3 “(B) AWARDING OF GRANTS AND
4 AWARDS.—

5 “(i) IN GENERAL.—Each Federal
6 agency required by subparagraph (A) to
7 participate in this program, shall award,
8 through a competitive, merit-based process,
9 grants, in the amounts listed in subpara-
10 graph (C) to institutions of higher edu-
11 cation, technology transfer organizations
12 that facilitate the commercialization of
13 technologies developed by one or more such
14 institutions of higher education, Federal
15 laboratories, other public and private non-
16 profit entities, and consortia thereof, for
17 initiatives that help identify high-quality,
18 commercially viable federally funded re-
19 search and technologies and to facilitate
20 and accelerate their transfer into the mar-
21 ketplace.

22 “(ii) USE OF FUNDS.—Activities sup-
23 ported by grants under this subsection
24 may include—

1 “(I) providing early-stage proof
2 of concept funding for translational
3 research;

4 “(II) identifying research and
5 technologies at institutions that have
6 the potential for accelerated commer-
7 cialization;

8 “(III) technology maturation
9 funding to support activities such as
10 prototype construction, experiment
11 analysis, product comparison, and col-
12 lecting performance data;

13 “(IV) technical validations, mar-
14 ket research, clarifying intellectual
15 property rights position and strategy,
16 and investigating commercial and
17 business opportunities;

18 “(V) programs to provide advice,
19 mentoring, entrepreneurial education,
20 project management, and technology
21 and business development expertise to
22 innovators and recipients of tech-
23 nology transfer licenses to maximize
24 commercialization potential; and

1 “(VI) conducting outreach to
2 small business concerns as potential
3 licensees of federally funded research
4 and technology, and providing tech-
5 nology transfer services to such small
6 business concerns.

7 “(iii) SELECTION PROCESS AND AP-
8 PLICATIONS.—Qualifying institutions seek-
9 ing a grant under this subsection shall
10 submit an application to a Federal agency
11 required by subparagraph (A) to partici-
12 pate in this program at such time, in such
13 manner, and containing such information
14 as the agency may require. The application
15 shall include, at a minimum—

16 “(I) a description of innovative
17 approaches to technology transfer,
18 technology development, and commer-
19 cial readiness that have the potential
20 to increase or accelerate technology
21 transfer outcomes and can be adopted
22 by other qualifying institutions, or a
23 demonstration of proven technology
24 transfer and commercialization strate-
25 gies, or a plan to implement proven

1 technology transfer and commer-
2 cialization strategies, that can achieve
3 greater commercialization of federally
4 funded research and technologies with
5 program funding;

6 “(II) a description of how the
7 qualifying institution will contribute
8 to local and regional economic devel-
9 opment efforts; and

10 “(III) a plan for sustainability
11 beyond the duration of the funding
12 award.

13 “(iv) PROGRAM OVERSIGHT
14 BOARDS.—

15 “(I) IN GENERAL.—Successful
16 proposals shall include a plan to as-
17 semble a Program Oversight Board,
18 the members of which shall have tech-
19 nical, scientific, or business expertise
20 three-fifths of whom shall be drawn
21 from industry, start-up companies,
22 venture capital or other equity invest-
23 ment mechanism, technical enter-
24 prises, financial institutions, and busi-
25 ness development organizations with a

1 track record of success in commer-
2 cializing innovations. Proposals may
3 use oversight boards in existence on
4 the date of the enactment of the How-
5 ard P. ‘Buck’ McKeon National De-
6 fense Authorization Act for Fiscal
7 Year 2015 that meet the requirements
8 of this subclause.

9 “(II) PROGRAM OVERSIGHT
10 BOARDS RESPONSIBILITIES.—Pro-
11 gram Oversight Boards shall—

12 “(aa) establish award pro-
13 grams for individual projects;

14 “(bb) provide rigorous eval-
15 uation of project applications;

16 “(cc) determine which
17 projects should receive awards, in
18 accordance with guidelines estab-
19 lished under subparagraph
20 (C)(ii);

21 “(dd) establish milestones
22 and associated award amounts
23 for projects that reach mile-
24 stones;

1 “(ee) determine whether
2 awarded projects are reaching
3 milestones; and

4 “(ff) develop a process to re-
5 allocate outstanding award
6 amounts from projects that are
7 not reaching milestones to other
8 projects with more potential.

9 “(III) CONFLICT OF INTER-
10 EST.—Program Oversight Boards
11 shall be composed of members who do
12 not have a conflict of interest. Boards
13 shall adopt conflict of interest policies
14 to ensure relevant relationships are
15 disclosed and proper recusal proce-
16 dures are in place.

17 “(C) GRANT AND AWARD AMOUNTS.—

18 “(i) GRANT AMOUNTS.—Each Federal
19 agency required by subparagraph (A) to
20 carry out a grant program may make
21 grants up to \$3,000,000 to a qualifying in-
22 stitution.

23 “(ii) AWARD AMOUNTS.—Each quali-
24 fying institution that receives a grant
25 under subparagraph (B) shall provide

1 awards for individual projects of not more
2 than \$100,000, to be provided in phased
3 amounts, based on reaching the milestones
4 established by the qualifying institution's
5 Program Oversight Board.

6 “(D) AUTHORIZED EXPENDITURES FOR
7 INNOVATIVE APPROACHES TO TECHNOLOGY
8 TRANSFER GRANT PROGRAM.—

9 “(i) PERCENTAGE.—The percentage
10 of the extramural budget for research, or
11 research and development, each Federal
12 agency required by subsection (n) to estab-
13 lish an STTR program shall expend on the
14 Innovative Approaches to Technology
15 Transfer Grant Program shall be—

16 “(I) 0.05 percent for each of fis-
17 cal years 2014 and 2015; and

18 “(II) 0.1 percent for each of fis-
19 cal years 2016 and 2017.

20 “(ii) TREATMENT OF EXPENDI-
21 TURES.—Any portion of the extramural
22 budget expended by a Federal agency on
23 the Innovative Approaches to Technology
24 Transfer Grant Program shall apply to-

1 wards the agency's expenditure require-
2 ments under subsection (n).

3 “(2) PROGRAM EVALUATION AND DATA COL-
4 LECTION AND DISSEMINATION.—

5 “(A) EVALUATION PLAN AND DATA COL-
6 LECTION.—Each Federal agency required by
7 paragraph (1)(A) to establish an Innovative Ap-
8 proaches to Technology Transfer Grant Pro-
9 gram shall develop a program evaluation plan
10 and collect annually such information from
11 grantees as is necessary to assess the Program.
12 Program evaluation plans shall require the col-
13 lection of data aimed at identifying outcomes
14 resulting from the transfer of technology with
15 assistance from the Innovative Approaches to
16 Technology Transfer Grant Program. Such
17 data may include—

18 “(i) specific follow-on funding identi-
19 fied or obtained, including follow-on fund-
20 ing sources, such as Federal sources or
21 private sources, within 3 years of the com-
22 pletion of the award;

23 “(ii) number of projects which, within
24 5 years of receiving an award under para-
25 graph (1), result in a license to a start-up

1 company or an established company with
2 sufficient resources for effective commer-
3 cialization;

4 “(iii) the number of invention disclo-
5 sures received, United States patent appli-
6 cations filed, and United States patents
7 issued within 5 years of the award;

8 “(iv) number of projects receiving a
9 grant under paragraph (1) that secure
10 Phase I or Phase II SBIR or STTR
11 awards;

12 “(v) available information on revenue,
13 sales or other measures of products that
14 have been commercialized as a result of
15 projects awarded under paragraph (1),
16 within 5 years of the award;

17 “(vi) number and location of jobs cre-
18 ated resulting from projects awarded under
19 paragraph (1); and

20 “(vii) other data as deemed appro-
21 priate by a Federal agency required by this
22 subparagraph to develop a program evalua-
23 tion plan.

24 “(B) EVALUATIVE REPORT TO CON-
25 GRESS.—The head of each Federal agency that

1 participates in the Innovative Approaches to
2 Technology Transfer Grant Program shall sub-
3 mit to the Committee on Science, Space, and
4 Technology and the Committee on Small Busi-
5 ness of the House of Representatives and the
6 Committee on Small Business and Entrepre-
7 neurship of the Senate an evaluative report re-
8 garding the activities of the program. The re-
9 port shall include—

10 “(i) a detailed description of the in-
11 plementation of the program;

12 “(ii) a detailed description of the
13 grantee selection process;

14 “(iii) an accounting of the funds used
15 in the program; and

16 “(iv) a summary of the data collected
17 under subparagraph (A).

18 “(C) DATA DISSEMINATION.—For the pur-
19 poses of program transparency and dissemina-
20 tion of best practices, the Administrator shall
21 include on the public database under subsection
22 (k)(1) information on the Innovative Ap-
23 proaches to Technology Transfer Grant Pro-
24 gram, including—

1 “(i) the program evaluation plan re-
2 quired under subparagraph (A);

3 “(ii) a list of recipients by State of
4 awards under paragraph (1); and

5 “(iii) information on the use of grants
6 under paragraph (1) by recipient institu-
7 tions.”.



80. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POE OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY MR. POE OF TEXAS**

Page 370, after line 23, insert the following:

1 **SEC. 1082. SENSE OF CONGRESS REGARDING THE TRANS-**
2 **FER OF USED MILITARY EQUIPMENT TO FED-**
3 **ERAL, STATE, AND LOCAL AGENCIES.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the Secretary of Defense should make every
6 reasonable effort, by not later than one year after the date
7 on which a piece of eligible equipment returns to the
8 United States, to transfer such eligible equipment to a
9 Federal, State, or local agency in accordance with sub-
10 sections (b) and (c) of section 2576a of title 10, United
11 States Code.

12 (b) PREFERENCE.—In considering applications for
13 the transfer of eligible equipment under section 2576a of
14 title 10, United States Code, the Secretary of Defense may
15 give a preference to Federal, State, and local agencies that
16 plan to use such eligible equipment primarily for the pur-
17 pose of strengthening border security along the inter-
18 national border between the United States and Mexico.

1 (c) ELIGIBLE EQUIPMENT.—For purposes of this
2 section, the term “eligible equipment” means equipment
3 of the Department of Defense that—

4 (1) was used in Operation Enduring Freedom,
5 Operation Iraqi Freedom, or Operation New Dawn;

6 (2) the Secretary of Defense determines would
7 be suitable for use by a Federal, State, or local
8 agency in law enforcement activities, including—

9 (A) intelligence surveillance and reconnais-
10 sance equipment;

11 (B) night-vision goggles; and

12 (C) tactical wheeled vehicles; and

13 (3) the Secretary determines is excess to mili-
14 tary requirements.



81. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GRAYSON OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. GRAYSON OF FLORIDA**

At the end of title VIII, add the following new section:

1 **SEC. 827. DEBARMENT REQUIRED OF PERSONS CONVICTED**
2 **OF FRAUDULENT USE OF “MADE IN AMER-**
3 **ICA” LABELS.**

4 (a) DEBARMENT REQUIRED.—Subsection (a) of sec-
5 tion 2410f of title 10, United States Code, is amended
6 by striking “the Secretary shall” and all that follows
7 through the period and inserting “the person shall be
8 debarred from contracting with the Department of De-
9 fense unless the Secretary waives the debarment under
10 subsection (b).”.

11 (b) WAIVER AUTHORITY AND NOTIFICATION RE-
12 QUIREMENT.—Section 2410f of such title is further
13 amended—

14 (1) by redesignating subsection (b) as sub-
15 section (d); and

16 (2) by inserting after subsection (a) the fol-
17 lowing new subsections:

1 “(b) WAIVER FOR NATIONAL SECURITY.—The Sec-
2 retary may waive a debarment required by subsection (a)
3 if the Secretary determines that the exercise of such a
4 waiver would be in the national security interests of the
5 United States.

6 “(c) NOTIFICATION.—The Secretary shall notify the
7 congressional defense committees annually, not later than
8 March 1 of each year, of any exercise of the waiver author-
9 ity under subsection (b).”.

10 (c) TECHNICAL AMENDMENTS.—Section 2410f of
11 such title is further amended—

12 (1) in subsection (a), by inserting “‘DEBAR-
13 MENT REQUIRED.—” after “(a)” ; and

14 (2) in subsection (d), as redesignated by sub-
15 section (b), by inserting “DEFINITION.—” before
16 “In this section”.



82. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SPEIER
OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

AMENDMENT TO H.R. 4435
OFFERED BY MS. SPEIER OF CALIFORNIA

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

1 **SEC. 8 ____ . SOLE SOURCE CONTRACTS FOR SMALL BUSI-**
2 **NESS CONCERNS OWNED AND CONTROLLED**
3 **BY WOMEN.**

4 (a) IN GENERAL.—Subsection (m) of section 8 of the
5 Small Business Act (15 U.S.C. 637(m)) is amended by
6 adding at the end the following new paragraphs:

7 “(7) AUTHORITY FOR SOLE SOURCE CON-
8 TRACTS FOR ECONOMICALLY DISADVANTAGED
9 SMALL BUSINESS CONCERNS OWNED AND CON-
10 TROLLED BY WOMEN.—A contracting officer may
11 award a sole source contract under this subsection
12 to any small business concern owned and controlled
13 by women meeting the requirements of paragraph
14 (2)(A) if—

15 “(A) such concern is determined to be a
16 responsible contractor with respect to perform-
17 ance of the contract opportunity;

18 “(B) the anticipated award price of the
19 contract (including options) will not exceed—

1 “(i) \$6,500,000, in the case of a con-
2 tract opportunity assigned a standard in-
3 dustrial code for manufacturing; or

4 “(ii) \$4,000,000, in the case of any
5 other contract opportunity; and

6 “(C) in the estimation of the contracting
7 officer, the contract award can be made at a
8 fair and reasonable price.

9 “(8) AUTHORITY FOR SOLE SOURCE CON-
10 TRACTS FOR SMALL BUSINESS CONCERNS OWNED
11 AND CONTROLLED BY WOMEN IN SUBSTANTIALLY
12 UNDERREPRESENTED INDUSTRIES.—A contracting
13 officer may award a sole source contract under this
14 subsection to any small business concern owned and
15 controlled by women that meets the requirements of
16 paragraph (2)(E) and is in an industry in which
17 small business concerns owned and controlled by
18 women are substantially underrepresented (as deter-
19 mined by the Administrator) if—

20 “(A) such concern is determined to be a
21 responsible contractor with respect to perform-
22 ance of the contract opportunity;

23 “(B) the anticipated award price of the
24 contract (including options) will not exceed—

1 “(i) \$6,500,000, in the case of a con-
2 tract opportunity assigned a standard in-
3 dustrial code for manufacturing; or

4 “(ii) \$4,000,000, in the case of any
5 other contract opportunity; and

6 “(C) in the estimation of the contracting
7 officer, the contract award can be made at a
8 fair and reasonable price.”.

9 (b) REPORTING ON GOALS FOR SOLE SOURCE CON-
10 TRACTS FOR SMALL BUSINESS CONCERNS OWNED AND
11 CONTROLLED BY WOMEN.—Clause (viii) of subsection
12 15(h)(2)(E) of such Act is amended—

13 (1) in subclause (IV), by striking “and” after
14 the semicolon;

15 (2) by redesignating subclause (V) as subclause
16 (VIII); and

17 (3) by inserting after subclause (IV) the fol-
18 lowing new subclauses:

19 “(V) through sole source con-
20 tracts awarded using the authority
21 under subsection 8(m)(7);

22 “(VI) through sole source con-
23 tracts awarded using the authority
24 under section 8(m)(8);

1 “(VII) by industry for contracts
2 described in subclause (III), (IV), (V),
3 or (VI); and”.

4 (c) DEADLINE FOR REPORT ON SUBSTANTIALLY
5 UNDERREPRESENTED INDUSTRIES ACCELERATED.—

6 Paragraph (2) of section 29(o) of such Act is amended
7 by striking “5 years after the date of enactment” and in-
8 serting “2 years after the date of enactment”.



83. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
THOMPSON OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. THOMPSON OF CALIFORNIA**

At the end of title VIII, add the following new section:

1 **SEC. 827. REQUIREMENT TO BUY AMERICAN FLAGS FROM**
2 **DOMESTIC SOURCES.**

3 Section 2533a(b) of title 10, United States Code, is
4 amended by adding at the end the following new para-
5 graph:

6 “(3) A flag of the United States of America
7 (within the meaning of chapter 1 of title 4).”



84. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
FORTENBERRY OF NEBRASKA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. FORTENBERRY OF NEBRASKA

317LR

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

1 SEC. 910. REPORT RELATED TO NUCLEAR FORCES, DETER-
2 RENCE, NONPROLIFERATION, AND TER-
3 RORISM.

4 Not later than 90 days after the date of the enact-
5 ment of this Act, the Secretary of Defense shall submit
6 to the congressional defense committees a report dis-
7 cussing how the Department of Defense will manage its
8 mission with respect to issues related to nuclear forces,
9 deterrence, nonproliferation, and terrorism.

85. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
NUGENT OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. NUGENT OF FLORIDA**

At the end of title IX, add the following new section:

1 **SEC. 923. MODIFICATIONS TO REQUIREMENTS FOR AC-**
2 **COUNTING FOR MEMBERS OF THE ARMED**
3 **FORCES AND DEPARTMENT OF DEFENSE CI-**
4 **VILIAN EMPLOYEES LISTED AS MISSING.**

5 (a) DESIGNATION OF OFFICER.—Section 1501(a) of
6 title 10, United States Code, is amended—

7 (1) in the subsection heading, by striking
8 “PERSONNEL” and inserting “PERSONS”;

9 (2) by striking paragraph (2);

10 (3) by designating the second sentence of para-
11 graph (1) as paragraph (2); and

12 (4) by striking the first sentence of paragraph
13 (1) and inserting the following:

14 “(A) The Secretary of Defense shall designate
15 a single organization within the Department of De-
16 fense to have responsibility for Department of De-
17 fense matters relating to missing persons, including
18 accounting for missing persons and persons whose

1 remains have not been recovered from the conflict in
2 which they were lost.

3 “(B) The organization designated under this
4 paragraph shall be a Defense Agency or other entity
5 of the Department of Defense outside the military
6 departments and is referred to in this chapter as the
7 ‘designated Defense Agency’.

8 “(C) The head of the organization designated
9 under this paragraph is referred to in this chapter
10 as the ‘designated Agency Director’.”.

11 (b) RESPONSIBILITIES.—Paragraph (2) of such sec-
12 tion, as designated by subsection (a)(3), is amended—

13 (1) in the matter preceding subparagraph (A),
14 by striking “the official designated under this para-
15 graph shall include—” and inserting “the designated
16 Agency Director shall include the following:”

17 (2) by capitalizing the first letter of the first
18 word of each of subparagraphs (A), (B), (C), and
19 (D);

20 (3) by striking the semicolon at the end of sub-
21 paragraph (A) and inserting a period;

22 (4) in subparagraph (B)—

23 (A) by inserting “responsibility for” after
24 “as well as the”; and

1 (B) by striking “; and” at the end and in-
2 serting a period; and

3 (5) by adding at the end the following new sub-
4 paragraph:

5 “(E) The establishment of a means for commu-
6 nication between officials of the designated Defense
7 Agency and family members of missing persons, vet-
8 erans service organizations, concerned citizens, and
9 the public on the Department’s efforts to account
10 for missing persons, including a readily available
11 means for communication of their views and rec-
12 ommendations to the designated Agency Director.”.

13 (c) CONFORMING AMENDMENTS.—Such section is
14 further amended—

15 (1) in paragraph (3), by striking “the official
16 designated under paragraphs (1) and (2)” and in-
17 serting “the designated Agency Director”; and

18 (2) in paragraphs (4) and (5), by striking “The
19 designated official” and inserting “The designated
20 Agency Director”.

21 (d) RESOURCES.—Such section is further amended
22 by striking paragraph (6).

23 (e) PUBLIC-PRIVATE PARTNERSHIPS AND OTHER
24 FORMS OF SUPPORT.—Chapter 76 of such title is amend-

1 ed by inserting after section 1501 the following new sec-
2 tion:

3 **“§ 1501a. Public-private partnerships; other forms of**
4 **support**

5 “(a) PUBLIC-PRIVATE PARTNERSHIPS.—The Sec-
6 retary of Defense may enter into arrangements known as
7 public-private partnerships with appropriate entities out-
8 side the Government for the purposes of facilitating the
9 activities of the designated Defense Agency. The Secretary
10 may only partner with foreign governments or foreign en-
11 tities with the concurrence of the Secretary of State. Any
12 such arrangement shall be entered into in accordance with
13 authorities provided under this section or any other au-
14 thority otherwise available to the Secretary. Regulations
15 prescribed under subsection (e)(1) shall include provisions
16 for the establishment and implementation of such partner-
17 ships.

18 “(b) ACCEPTANCE OF VOLUNTARY PERSONAL SERV-
19 ICES.—The Secretary of Defense may accept voluntary
20 services to facilitate accounting for missing persons in the
21 same manner as the Secretary of a military department
22 may accept such services under section 1588(a)(9) of this
23 title.

24 “(c) SOLICITATION OF GIFTS.—Under regulations
25 prescribed under this chapter, the Secretary may solicit

1 from any person or public or private entity, for the use
2 and benefit of the activities of the designated Defense
3 Agency, a gift of information and data, books, manu-
4 scripts, other documents, and artifacts.

5 “(d) USE OF DEPARTMENT OF DEFENSE PERSONAL
6 PROPERTY.—The Secretary may allow a private entity to
7 use, at no cost, personal property of the Department of
8 Defense to assist the entity in supporting the activities
9 of the designated Defense Agency.

10 “(e) REGULATIONS.—

11 “(1) IN GENERAL.—The Secretary of Defense
12 shall prescribe regulations to implement this section.

13 “(2) LIMITATION.—Such regulations shall pro-
14 vide that solicitation of a gift, acceptance of a gift
15 (including a gift of services), or use of a gift under
16 this section may not occur if the nature or cir-
17 cumstances of the solicitation, acceptance, or use
18 would compromise the integrity, or the appearance
19 of integrity, of any program of the Department of
20 Defense or any individual involved in such pro-
21 gram.”.

22 (f) SECTION 1505 CONFORMING AMENDMENTS.—
23 Section 1505(c) of such title is amended—

1 (1) in paragraph (1), by striking “the office es-
2 tablished under section 1501 of this title” and in-
3 sserting “the designated Agency Director”; and

4 (2) in paragraphs (2) and (3), by striking
5 “head of the office established under section 1501 of
6 this title” and inserting “designated Agency Direc-
7 tor”.

8 (g) SECTION 1509 AMENDMENTS.—Section 1509 of
9 such title is amended—

10 (1) by striking “**PREENACTMENT**” in the sec-
11 tion heading;

12 (2) in subsection (b)—

13 (A) in the subsection heading, by striking
14 “PROCESS”;

15 (B) in paragraph (1), by striking “POW/
16 MIA accounting community” and inserting
17 “through the designated Agency Director”;

18 (C) by striking paragraph (2); and

19 (D) by adding at the end the following new
20 paragraph (2):

21 “(2)(A) The Secretary shall assign or detail to the
22 designated Defense Agency on a full-time basis a senior
23 medical examiner from the personnel of the Armed Forces
24 Medical Examiner System. The primary duties of the med-
25 ical examiner so assigned or detailed shall include the

1 identification of remains in support of the function of the
2 designated Agency Director to account for unaccounted
3 for persons covered by subsection (a).

4 “(B) In carrying out functions under this chapter,
5 the medical examiner so assigned or detailed shall report
6 to the designated Agency Director.

7 “(C) The medical examiner so assigned or detailed
8 shall—

9 “(i) exercise scientific identification authority;

10 “(ii) establish identification and laboratory pol-
11 icy consistent with the Armed Forces Medical Exam-
12 iner System; and

13 “(iii) advise the designated Agency Director on
14 forensic science disciplines.

15 “(D) Nothing in this chapter shall be interpreted as
16 affecting the authority of the Armed Forces Medical Ex-
17 aminer under section 1471 of this title.”.

18 (3) in subsection (d)—

19 (A) by inserting “; CENTRALIZED DATA-
20 BASE” in the subsection heading after “FILES”;
21 and

22 (B) by adding at the end the following new
23 paragraph:

24 “(4) The Secretary of Defense shall establish and
25 maintain a single centralized database and case manage-

1 ment system containing information on all missing per-
2 sons for whom a file has been established under this sub-
3 section. The database and case management system shall
4 be accessible to all elements of the Department of Defense
5 involved in the search, recovery, identification, and com-
6 munications phases of the program established by this sec-
7 tion.”; and

8 (4) in subsection (f)—

9 (A) in paragraph (1)—

10 (i) by striking “establishing and”; and

11 (ii) by striking “Secretary of Defense
12 shall coordinate” and inserting “designated
13 Agency Director shall ensure coordina-
14 tion”;

15 (B) in paragraph (2)—

16 (i) by inserting “staff” after “Na-
17 tional Security Council”; and

18 (ii) by striking “POW/MIA accounting
19 community”; and

20 (C) by adding at the end the following new
21 paragraph:

22 “(3) In carrying out the program, the des-
23 ignated Agency Director shall coordinate all external
24 communications and events associated with the pro-
25 gram.”.

1 (h) TECHNICAL AND CONFORMING AMENDMENTS.—

2 (1) CROSS-REFERENCE CORRECTION.—Section
3 1513(1) of such title is amended by striking “sub-
4 section (b)” in the last sentence and inserting “sub-
5 section (c)”.

6 (2) TABLE OF SECTIONS.—The table of sections
7 at the beginning of chapter 76 of such title is
8 amended—

9 (A) by inserting after the item relating to
10 section 1501 the following new item:

“1501a. Public-private partnerships; other forms of support.”; and

11 (B) in the item relating to section 1509, by
12 striking “preenactment”.



86. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SPEIER
OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

182R

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MS. SPEIER OF CALIFORNIA**

At the end of title IX, insert the following new section:

1 **SEC. 924. PUBLIC RELEASE BY INSPECTORS GENERAL OF**
2 **REPORTS OF MISCONDUCT.**

3 (a) RELEASE OF INSPECTOR GENERAL OF THE DE-
4 PARTMENT OF DEFENSE ADMINISTRATIVE MISCONDUCT
5 REPORTS.—Section 141 of title 10, United States Code,
6 is amended by adding at the end the following new sub-
7 section:

8 “(c)(1) Within 60 days after issuing a final report,
9 the Inspector General of the Department of Defense shall
10 publicly release any reports of administrative investiga-
11 tions that confirm misconduct, including violations of Fed-
12 eral law and violations of policies of the Department of
13 Defense, of any member of the Senior Executive Service,
14 political appointee, or commissioned officer in the Armed
15 Forces in pay grades O–6 or above. In releasing the re-
16 ports, the Inspector General shall ensure that information
17 that would be protected under section 552 of title 5 (com-
18 monly known as the ‘Freedom of Information Act’), sec-

1 tion 552a of title 5 (commonly known as the ‘Privacy Act
2 of 1974’), or section 6103 of the Internal Revenue Code
3 of 1986 is not disclosed.

4 “(2) In this subsection, the term ‘political appointee’
5 means any individual who is—

6 “(A) employed in a position described under
7 sections 5312 through 5316 of title 5, United States
8 Code, (relating to the Executive Schedule);

9 “(B) a limited term appointee, limited emer-
10 gency appointee, or noncareer appointee in the Sen-
11 ior Executive Service, as defined under paragraphs
12 (5), (6), and (7), respectively, of section 3132(a) of
13 title 5, United States Code; or

14 “(C) employed in a position of a confidential or
15 policy-determining character under schedule C of
16 subpart C of part 213 of title 5 of the Code of Fed-
17 eral Regulations.”.

18 (b) RELEASE OF INSPECTOR GENERAL OF THE ARMY
19 ADMINISTRATIVE MISCONDUCT REPORTS.—Section 3020
20 of such title is amended by adding at the end the following
21 new subsection:

22 “(f)(1) Within 60 days after issuing a final report,
23 the Inspector General of the Army shall publicly release
24 any reports of administrative investigations that confirm
25 misconduct, including violations of Federal law and viola-

1 tions of policies of the Department of Defense, of any
2 member of the Senior Executive Service, political ap-
3 pointee, or commissioned officer in the Armed Forces in
4 pay grades O-6 or above. In releasing the reports, the In-
5 spector General shall ensure that information that would
6 be protected under section 552 of title 5 (commonly known
7 as the 'Freedom of Information Act'), section 552a of title
8 5 (commonly known as the 'Privacy Act of 1974'), or sec-
9 tion 6103 of the Internal Revenue Code of 1986 is not
10 disclosed.

11 “(2) In this subsection, the term ‘political appointee’
12 means any individual who is—

13 “(A) employed in a position described under
14 sections 5312 through 5316 of title 5, United States
15 Code, (relating to the Executive Schedule);

16 “(B) a limited term appointee, limited emer-
17 gency appointee, or noncareer appointee in the Sen-
18 ior Executive Service, as defined under paragraphs
19 (5), (6), and (7), respectively, of section 3132(a) of
20 title 5, United States Code; or

21 “(C) employed in a position of a confidential or
22 policy-determining character under schedule C of
23 subpart C of part 213 of title 5 of the Code of Fed-
24 eral Regulations.”.

1 (c) RELEASE OF NAVAL INSPECTOR GENERAL AD-
2 MINISTRATIVE MISCONDUCT REPORTS.—Section 5020 of
3 such title is amended by adding at the end the following
4 new subsection:

5 “(e)(1) Within 60 days after issuing a final report,
6 the Naval Inspector General shall publicly release any re-
7 ports of administrative investigations that confirm mis-
8 conduct, including violations of Federal law and violations
9 of policies of the Department of Defense, of any member
10 of the Senior Executive Service, political appointee, or
11 commissioned officer in the Armed Forces in pay grades
12 O–6 or above. In releasing the reports, the Naval Inspec-
13 tor General shall ensure that information that would be
14 protected under section 552 of title 5 (commonly known
15 as the ‘Freedom of Information Act’), section 552a of title
16 5 (commonly known as the ‘Privacy Act of 1974’), or sec-
17 tion 6103 of the Internal Revenue Code of 1986 is not
18 disclosed.

19 “(2) In this subsection, the term ‘political appointee’
20 means any individual who is—

21 “(A) employed in a position described under
22 sections 5312 through 5316 of title 5, United States
23 Code, (relating to the Executive Schedule);

24 “(B) a limited term appointee, limited emer-
25 gency appointee, or noncareer appointee in the Sen-

1 ior Executive Service, as defined under paragraphs
2 (5), (6), and (7), respectively, of section 3132(a) of
3 title 5, United States Code; or

4 “(C) employed in a position of a confidential or
5 policy-determining character under schedule C of
6 subpart C of part 213 of title 5 of the Code of Fed-
7 eral Regulations.”.

8 (d) RELEASE OF INSPECTOR GENERAL OF THE AIR
9 FORCE ADMINISTRATIVE MISCONDUCT REPORTS.—Sec-
10 tion 8020 of such title is amended by adding at the end
11 the following new subsection:

12 “(f)(1) Within 60 days after issuing a final report,
13 the Inspector General of the Air Force shall publicly re-
14 lease any reports of administrative investigations that con-
15 firm misconduct, including violations of Federal law and
16 violations of policies of the Department of Defense, of any
17 member of the Senior Executive Service, political ap-
18 pointee, or commissioned officer in the Armed Forces in
19 pay grades O–6 or above. In releasing the reports, the In-
20 specter General shall ensure that information that would
21 be protected under section 552 of title 5 (commonly known
22 as the ‘Freedom of Information Act’), section 552a of title
23 5 (commonly known as the ‘Privacy Act of 1974’), or sec-
24 tion 6103 of the Internal Revenue Code of 1986 is not
25 disclosed.

1 “(2) In this subsection, the term ‘political appointee’
2 means any individual who is—

3 “(A) employed in a position described under
4 sections 5312 through 5316 of title 5, United States
5 Code, (relating to the Executive Schedule);

6 “(B) a limited term appointee, limited emer-
7 gency appointee, or noncareer appointee in the Sen-
8 ior Executive Service, as defined under paragraphs
9 (5), (6), and (7), respectively, of section 3132(a) of
10 title 5, United States Code; or

11 “(C) employed in a position of a confidential or
12 policy-determining character under schedule C of
13 subpart C of part 213 of title 5 of the Code of Fed-
14 eral Regulations.”.



87. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BURGESS OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

72

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. BURGESS OF TEXAS**

Add at the end of subtitle A of title X the following
new section:

**1 SEC. 1005. REPORT ON AUDITABLE FINANCIAL STATE-
2 MENTS.**

3 Not later than 30 days after the date of the enact-
4 ment of this Act, the Secretary of Defense shall submit
5 to the congressional defense committees a report ranking
6 all military departments and Defense Agencies in order
7 of how advanced they are in achieving auditable financial
8 statements as required by law. The report should not in-
9 clude information otherwise available in other reports to
10 Congress.



88. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
TAKANO OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE COMMITTEE PRINT FOR
H.R. 4435
OFFERED BY Rep. Mark Takano**

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

**1 SEC. 1005. REPORT ON IMPLEMENTING AUDIT REPORTING
2 REQUIREMENTS.**

3 Not later than 30 days after the date of the enact-
4 ment of this Act, the Secretary of Defense shall submit
5 to Congress a report on the barriers to implementing audit
6 reporting requirements contained in section 1003 of Pub-
7 lic Law 111-84 and recommendations to ensure reporting
8 deadlines are met.



89. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MILLER OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

29112

**AMENDMENT TO THE COMMITTEE PRINT FOR
H.R. 4435
OFFERED BY MR. MILLER OF FLORIDA**

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

1 **SEC. 1027. PROHIBITION ON USE OF FUNDS FOR CERTAIN**
2 **PERMITTING ACTIVITIES UNDER THE SUNK-**
3 **EN MILITARY CRAFT ACT.**

4 None of the funds authorized to be appropriated by
5 this Act may be used to issue a regulation for permitting
6 activities set forth in section 1403 of the Ronald W.
7 Reagan National Defense Authorization Act for Fiscal
8 Year 2005 (Public Law 108-375; 118 Stat. 2907; 10
9 U.S.C. 113 note).



90. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROSS
OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE COMMITTEE PRINT FOR
H.R. 4435
OFFERED BY MR. ROSS OF FLORIDA**

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

1 **SEC. 1034. PROHIBITION ON THE USE OF FUNDS FOR REC-**
2 **REATIONAL FACILITIES FOR INDIVIDUALS**
3 **DETAINED AT GUANTANAMO.**

4 None of the funds authorized to be appropriated or
5 otherwise available to the Department of Defense may be
6 used to provide additional or upgraded recreational facili-
7 ties for individuals detained at United States Naval Sta-
8 tion, Guantanamo Bay, Cuba.



91. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BRIDENSTINE OF OKLAHOMA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

87

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. BRIDENSTINE OF OKLAHOMA**

Page 300, line 12, strike “None of the” and insert
“Not more than 50 percent of the”.

Page 301, line 2, insert before the period the fol-
lowing: “until the date that is 30 days after the date on
which the Secretary delivers the certification required by
subsection (a) to the congressional defense committees”.



92. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NUNES
OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO RULES COMMITTEE PRINT FOR
H.R. 4435
OFFERED BY MR. NUNES OF CALIFORNIA**

Page 302, line 22, add the following after the period: “Such assessment shall address the efficacy of Lajes Air Force Base modifying its United States Air Force mission to support a permanent force structure for the United States Special Operations Command, the United States Africa Command, and other overseas United States forces in both the European and African regions, at a force structure at or above the force structure at such Air Force Base as of October 1, 2013.”

Page 302, strike line 23 and all that follows through page 303, line 7, and insert the following:

- 1 (2) The Secretary of Defense includes in the
- 2 Assessment under paragraph (1) an analysis of how,
- 3 with respect to the use and force structure of the
- 4 Lajes Air Force Base, the United States is honoring
- 5 the goals of the U.S.-Portugal Permanent Bilateral
- 6 Commission, particularly how the systematic reduc-
- 7 tion in force structure at such Air Force Base is
- 8 within the goals of the commission and the bilateral

1 cooperation between the 2 countries in the fight
2 against terrorism.

3 (3) The Secretary briefs the congressional de-
4 fense committees regarding the results of the As-
5 sessment under paragraph (1).



93. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
SESSIONS OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. SESSIONS OF TEXAS**

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

1 **SEC. 1051. MODIFICATIONS TO OH-58D KIOWA WARRIOR**
2 **HELICOPTERS.**

3 (a) IN GENERAL.—Notwithstanding section 2244A of
4 title 10, United States Code, the Secretary of the Army
5 may implement engineering change proposals on OH-58D
6 Kiowa Warrior helicopters.

7 (b) MANNER OF MODIFICATIONS.—The Secretary
8 shall carry out subsection (a) in a manner that ensures—

9 (1) the safety and survivability of the crews of
10 the OH-58D Kiowa Warrior helicopters by expedi-
11 tiously replacing or integrating, or both, the mast-
12 mounted sight engineering change proposals to the
13 current OH-58D fleet;

14 (2) the safety of flight; and

15 (3) that the minimum requirements of the com-
16 manders of the combatant commands are met.

17 (c) ENGINEERING CHANGE PROPOSALS DEFINED.—

18 In this section, the term “engineering change proposals”

1 means, with respect to OH-58D helicopters, engineering

2 changes relating to the following:

3 (1) Mast mounted sight laser pointer.

4 (2) Two-card system processor.

5 (3) Diode pump laser.



94. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROUN
OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY MR. BROUN OF GEORGIA**

At the appropriate place in subtitle E of title X, insert the following new section:

1 **SEC. ____ . PROHIBITION ON USE OF DRONES TO KILL**
2 **UNITED STATES CITIZENS.**

3 (a) **PROHIBITION.**—No officer or employee of, or
4 detailee or contractor to, the Department of Defense may
5 use a drone to kill a citizen of the United States.

6 (b) **EXCEPTION.**—The prohibition under subsection
7 (a) shall not apply to the use of a drone to kill an indi-
8 vidual who is actively engaged in combat against the
9 United States.

10 (c) **RULE OF CONSTRUCTION.**—Nothing in this sec-
11 tion shall be construed to create any authority, or expand
12 any existing authority, for the Federal Government to kill
13 any person.

14 (d) **DRONE DEFINED.**—In this section, the term
15 “drone” means an unmanned aircraft (as defined in sec-
16 tion 331 of the FAA Modernization and Reform Act of
17 2012 (49 U.S.C. 40101 note)).



95. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PALAZZO OF MISSISSIPPI OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. PALAZZO OF MISSISSIPPI**

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

1 **SEC. 1065. REPORT ON FORCE STRUCTURE LAYDOWN OF**
2 **TACTICAL AIRLIFT ASSETS.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the strategic laydown of tactical airlift forces
5 following the withdrawal of combat forces from Afghani-
6 stan is cause for concern.

7 (b) REPORT.—Not later than 60 days after the date
8 of the enactment of this Act, the Secretary of the Air
9 Force shall submit to the congressional defense commit-
10 tees a report on the five-year plan of the Secretary for
11 the force structure laydown of the tactical airlift.

12 (c) LIMITATION; REPORT.—The Secretary of the Air
13 Force shall brief the congressional defense committees
14 prior to implementing any movements.



96. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
SCHWEIKERT OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. SCHWEIKERT OF ARIZONA**

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

1 **SEC. 1065. REPORT ON THERMAL INJURY PREVENTION.**

2 The Director of the United States Army Tank Auto-
3 motive Research, Development, and Engineering Center
4 shall submit to the congressional defense committees a re-
5 port addressing thermal injury prevention needs to im-
6 prove occupant centric survivability systems for combat
7 and tactical vehicles against over matching ballistic threat.



97. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE YOUNG
OF ALASKA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. YOUNG OF ALASKA**

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

1 **SEC. 1065. BUSINESS CASE ANALYSIS OF THE CREATION OF**
2 **AN ACTIVE DUTY ASSOCIATION FOR THE**
3 **68TH AIR REFUELING WING.**

4 (a) BUSINESS CASE ANALYSIS.—The Secretary of
5 the Air Force shall conduct a business case analysis of
6 the creation of a 4-PAA (Personnel-Only) KC-135R active
7 association with the 168th Air Refueling Wing. Such anal-
8 ysis shall include consideration of—

9 (1) any efficiencies or cost savings achieved as-
10 suming the 168th Air Refueling Wing meets 100
11 percent of current air refueling requirements after
12 the active association is in place;

13 (2) improvements to the mission requirements
14 of the 168th Air Refueling Wing and Air Mobility
15 Command; and

16 (3) effects on the operations of Air Mobility
17 Command.

1 (b) REPORT.—Not later than 60 days after the date
2 of the enactment of this Act, the Secretary shall submit
3 to Congress a report on the business case analysis con-
4 ducted under subsection (a).



98. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BRALEY OF IOWA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

177

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. BRALEY OF IOWA**

Add at the end of subtitle F of title X the following:

1 **SEC. 1065. REPORT ON LONG-TERM COSTS OF OPERATION**
2 **IRAQI FREEDOM AND OPERATION ENDURING**
3 **FREEDOM.**

4 (a) **REPORT REQUIREMENT.**—Not later than 90 days
5 after the date of the enactment of this Act, the President,
6 with contributions from the Secretary of Defense, the Sec-
7 retary of State, and the Secretary of Veterans Affairs,
8 shall submit to Congress a report containing an estimate
9 of previous costs of Operation New Dawn (the successor
10 contingency operation to Operation Iraqi Freedom) and
11 the long-term costs of Operation Enduring Freedom for
12 a scenario, determined by the President and based on cur-
13 rent contingency operation and withdrawal plans, that
14 takes into account expected force levels and the expected
15 length of time that members of the Armed Forces will be
16 deployed in support of Operation Enduring Freedom.

17 (b) **ESTIMATES TO BE USED IN PREPARATION OF**
18 **REPORT.**—In preparing the report required by subsection
19 (a), the President shall make estimates and projections

1 through at least fiscal year 2024, adjust any dollar
2 amounts appropriately for inflation, and take into account
3 and specify each of the following:

4 (1) The total number of members of the Armed
5 Forces expected to be deployed in support of Oper-
6 ation Enduring Freedom, including—

7 (A) the number of members of the Armed
8 Forces actually deployed in Southwest Asia in
9 support of Operation Enduring Freedom;

10 (B) the number of members of reserve
11 components of the Armed Forces called or or-
12 dered to active duty in the United States for
13 the purpose of training for eventual deployment
14 in Southwest Asia, backfilling for deployed
15 troops, or supporting other Department of De-
16 fense missions directly or indirectly related to
17 Operation Enduring Freedom; and

18 (C) the break-down of deployments of
19 members of the regular and reserve components
20 and activation of members of the reserve com-
21 ponents.

22 (2) The number of members of the Armed
23 Forces, including members of the reserve compo-
24 nents, who have previously served in support of Op-
25 eration Iraqi Freedom, Operation New Dawn, or Op-

1 eration Enduring Freedom and who are expected to
2 serve multiple deployments.

3 (3) The number of contractors and private mili-
4 tary security firms that have been used and are ex-
5 pected to be used during the course of Operation
6 Iraqi Freedom, Operation New Dawn, and Oper-
7 ation Enduring Freedom.

8 (4) The number of veterans currently suffering
9 and expected to suffer from post-traumatic stress
10 disorder, traumatic brain injury, or other mental in-
11 juries.

12 (5) The number of veterans currently in need of
13 and expected to be in need of prosthetic care and
14 treatment because of amputations incurred during
15 service in support of Operation Iraqi Freedom, Op-
16 eration New Dawn, or Operation Enduring Free-
17 dom.

18 (6) The current number of pending Department
19 of Veterans Affairs claims from veterans of military
20 service in Iraq and Afghanistan, and the total num-
21 ber of such veterans expected to seek disability com-
22 pensation from the Department of Veterans Affairs.

23 (7) The total number of members of the Armed
24 Forces who have been killed or wounded in Iraq or
25 Afghanistan, including noncombat casualties, the

1 total number of members expected to suffer injuries
2 in Afghanistan, and the total number of members
3 expected to be killed in Afghanistan, including non-
4 combat casualties.

5 (8) The amount of funds previously appro-
6 priated for the Department of Defense, the Depart-
7 ment of State, and the Department of Veterans Af-
8 fairs for costs related to Operation Iraqi Freedom,
9 Operation New Dawn, and Operation Enduring
10 Freedom, including an account of the amount of
11 funding from regular Department of Defense, De-
12 partment of State, and Department of Veterans Af-
13 fairs budgets that has gone and will go to costs asso-
14 ciated with such operations.

15 (9) Previous, current, and future operational
16 expenditures associated with Operation Enduring
17 Freedom and, when applicable, Operation Iraqi
18 Freedom and Operation New Dawn, including—

- 19 (A) funding for combat operations;
- 20 (B) deploying, transporting, feeding, and
21 housing members of the Armed Forces (includ-
22 ing fuel costs);
- 23 (C) activation and deployment of members
24 of the reserve components of the Armed Forces;

1 (D) equipping and training of Iraqi and
2 Afghani forces;

3 (E) purchasing, upgrading, and repairing
4 weapons, munitions, and other equipment con-
5 sumed or used in Operation Iraqi Freedom, Op-
6 eration New Dawn, or Operation Enduring
7 Freedom; and

8 (F) payments to other countries for
9 logistical assistance in support of such oper-
10 ations.

11 (10) Past, current, and future costs of entering
12 into contracts with private military security firms
13 and other contractors for the provision of goods and
14 services associated with Operation Iraqi Freedom,
15 Operation New Dawn, and Operation Enduring
16 Freedom.

17 (11) Average annual cost for each member of
18 the Armed Forces deployed in support of Operation
19 Enduring Freedom, including room and board,
20 equipment and body armor, transportation of troops
21 and equipment (including fuel costs), and oper-
22 ational costs.

23 (12) Current and future cost of combat-related
24 special pays and benefits, including reenlistment bo-
25 nuses.

1 (13) Current and future cost of calling or or-
2 dering members of the reserve components to active
3 duty in support of Operation Enduring Freedom.

4 (14) Current and future cost for reconstruction,
5 embassy operations and construction, and foreign
6 aid programs for Iraq and Afghanistan.

7 (15) Current and future cost of bases and other
8 infrastructure to support members of the Armed
9 Forces serving in Afghanistan.

10 (16) Current and future cost of providing
11 health care for veterans who served in support of
12 Operation Iraqi Freedom, Operation New Dawn, or
13 Operation Enduring Freedom, including—

14 (A) the cost of mental health treatment for
15 veterans suffering from post-traumatic stress
16 disorder and traumatic brain injury, and other
17 mental problems as a result of such service; and

18 (B) the cost of lifetime prosthetics care
19 and treatment for veterans suffering from am-
20 putations as a result of such service.

21 (17) Current and future cost of providing De-
22 partment of Veterans Affairs disability benefits for
23 the lifetime of veterans who incur disabilities while
24 serving in support of Operation Iraqi Freedom, Op-

1 eration New Dawn, or Operation Enduring Free-
2 dom.

3 (18) Current and future cost of providing sur-
4 vivors' benefits to survivors of members of the
5 Armed Forces killed while serving in support of Op-
6 eration Iraqi Freedom, Operation New Dawn, or Op-
7 eration Enduring Freedom.

8 (19) Cost of bringing members of the Armed
9 Forces and equipment back to the United States
10 upon the conclusion of Operation Enduring Free-
11 dom, including the cost of demobilization, transpor-
12 tation costs (including fuel costs), providing transi-
13 tion services for members of the Armed Forces
14 transitioning from active duty to veteran status,
15 transporting equipment, weapons, and munitions
16 (including fuel costs), and an estimate of the value
17 of equipment that will be left behind.

18 (20) Cost to restore the military and military
19 equipment, including the equipment of the reserve
20 components, to full strength after the conclusion of
21 Operation Enduring Freedom.

22 (21) Amount of money borrowed to pay for Op-
23 eration Iraqi Freedom, Operation New Dawn, and
24 Operation Enduring Freedom, and the sources of
25 that money.

1 (22) Interest on money borrowed, including in-
2 terest for money already borrowed and anticipated
3 interest payments on future borrowing, for Oper-
4 ation Iraqi Freedom, Operation New Dawn, and Op-
5 eration Enduring Freedom.



99. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COLE
OF OKLAHOMA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. COLE OF OKLAHOMA**

Page 340, line 11, insert “either” after “is”.

Page 340, line 14, insert “, or participating in the Robotic Aircraft for Public Safety program or other activities of similar nature conducted by the Department of Homeland Security,” before “to allow”.

Page 340, beginning on line 16, strike “test range program” and insert in its place “a program”.

Page 341, beginning on line 5, strike “test range”.



100. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
TURNER OF OHIO OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE COMMITTEE PRINT TO H.R.
4435
OFFERED BY MR. TURNER OF OHIO**

Section 1075 is amended by adding at the end the following:

1 (d) UAS TEST RANGE CLARIFICATION.—For pur-
2 poses of this section, the test range program authorized
3 under section 332(c) of the FAA Modernization and Re-
4 form Act of 2012 (49 U.S.C. 40101 note) shall include
5 test ranges selected by the Administrator of the Federal
6 Aviation Administration and any additional test range not
7 initially selected by the Administration if such range en-
8 ters into a partnership or agreement with a selected test
9 range.



101. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GIBSON OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

85

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. GIBSON OF NEW YORK**

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

1 **SEC. 1082. REVIEW OF OPERATION OF CERTAIN SHIPS DUR-**
2 **ING THE VIETNAM ERA.**

3 (a) REVIEW REQUIRED.—By not later than one year
4 after the date of the enactment of this Act, the Secretary
5 of Defense shall review the logs of each ship under the
6 authority of the Secretary of the Navy that is known to
7 have operated in the waters near Vietnam during the Viet-
8 nam Era (as that term is defined in section 101(29) of
9 title 38, United States Code) to determine—

10 (1) whether each such ship operated in the ter-
11 ritorial waters of the Republic of Vietnam during the
12 period beginning on January 9, 1962, and ending on
13 May 7, 1975; and

14 (2) for each such ship that so operated—

15 (A) the date or dates when the ship so op-
16 erated; and

1 (B) the distance from the shore of the lo-
2 cation where the ship operated that was the
3 closest proximity to shore.

4 (b) PROVISION OF INFORMATION TO THE SECRETARY
5 OF VETERANS AFFAIRS.—Upon a determination that any
6 such ship so operated, the Secretary of Defense shall pro-
7 vide such determination, together with the information de-
8 scribed in subsection (a)(2) about the ship, to the Sec-
9 retary of Veterans Affairs.

10 (c) PUBLIC AVAILABILITY OF INFORMATION.—The
11 Secretary of Veterans Affairs shall make publicly available
12 all unclassified information provided to the Secretary
13 under subsection (b).



102. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LATTA
OF OHIO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435, AS REPORTED
OFFERED BY MR. LATTA OF OHIO**

At the end of title X, add the following:

1 **SEC. 10 __ . SENSE OF CONGRESS RECOGNIZING THE 70TH**
2 **ANNIVERSARY OF THE ALLIED AMPHIBIOUS**
3 **LANDING ON D-DAY, JUNE 6, 1944, AT NOR-**
4 **MANDY, FRANCE.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) June 6, 2014, marks the 70th anniversary
8 of the Allied assault at Normandy, France, by Amer-
9 ican, British, and Canadian troops, which was
10 known as Operation Overlord.

11 (2) Before Operation Overlord, the German
12 Army still occupied France and the Nazi government
13 still had access to the raw materials and industrial
14 capacity of Western Europe.

15 (3) The naval assault phase on Normandy was
16 code-named “Neptune”, and the June 6th assault
17 date is referred to as D-Day to denote the day on
18 which the combat attack was initiated.

1 (4) The D-Day landing was the largest single
2 amphibious assault in history, consisting of approxi-
3 mately 31,000 members of the United States Armed
4 Forces, 153,000 members of the Allied Expedi-
5 tionary Force, 5,000 naval vessels, and more than
6 11,000 sorties by Allied aircraft.

7 (5) Soldiers of 6 divisions (3 American, 2 Brit-
8 ish, and 1 Canadian) stormed ashore in 5 main
9 landing areas on beaches in Normandy, which were
10 code-named “Utah”, “Omaha”, “Gold”, “Juno”,
11 and “Sword”.

12 (6) Of the approximately 10,000 Allied casual-
13 ties incurred on the first day of the landing, more
14 than 6,000 casualties were members of the United
15 States Armed Forces.

16 (7) The age of the remaining World War II vet-
17 erans and the gradual disappearance of any living
18 memory of World War II and the Normandy land-
19 ings make it necessary to increase activities intended
20 to pass on the history of these events, particularly
21 to younger generations.

22 (8) The young people of Normandy and the
23 United States have displayed unprecedented commit-
24 ment to and involvement in celebrating the veterans

1 of the Normandy landings and the freedom that they
2 brought with them in 1944.

3 (9) The significant material remains of the
4 Normandy landing, such as shipwrecks and various
5 items of military equipment found both on the Nor-
6 mandy beaches and at the bottom of the sea in
7 French territorial waters, bear witness to the re-
8 markable material resources used by the Allied
9 Armed Forces to execute the Normandy landings.

10 (10) 5 Normandy beaches and a number of
11 sites on the Normandy coast, including Pointe du
12 Hoc, were the scene of the Normandy landings, and
13 constitute both now and for all time a unique piece
14 of humanity's world heritage, and a symbol of peace
15 and freedom, whose unspoilt nature, integrity, and
16 authenticity must be protected at all costs.

17 (11) The world owes a debt of gratitude to the
18 members of the "greatest generation" who assumed
19 the task of freeing the world from Nazi and Fascist
20 regimes and restoring liberty to Europe.

21 (b) SENSE OF CONGRESS.—Congress—

22 (1) recognizes the 70th anniversary of the Al-
23 lied amphibious landing on D-Day, June 6, 1944, at
24 Normandy, France, during World War II;

1 (2) expresses gratitude and appreciation to the
2 members of the United States Armed Forces who
3 participated in the D-Day operations;

4 (3) thanks the young people of Normandy and
5 the United States for their involvement in recog-
6 nizing and celebrating the 70th Anniversary of the
7 Normandy landings with the aim of making future
8 generations aware of the acts of heroism and sac-
9 rifice performed by the Allied forces;

10 (4) recognizes the efforts of the Government of
11 France and the people of Normandy to preserve, for
12 future generations, the unique world heritage rep-
13 resented by the Normandy beaches and the sunken
14 material remains of the Normandy landing, by in-
15 scribing them on the United Nations Educational,
16 Scientific, and Cultural Organization (UNESCO)
17 World Heritage List; and

18 (5) requests the President to issue a proclama-
19 tion calling on the people of the United States to ob-
20 serve the anniversary with appropriate ceremonies
21 and programs to honor the sacrifices of their fellow
22 countrymen to liberate Europe.



103. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POSEY
OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435, AS REPORTED
OFFERED BY MR. POSEY OF FLORIDA**

At the end of title X, add the following:

1 **SEC. 10 ___. TRANSPORTATION OF SUPPLIES TO MEMBERS**
2 **OF THE ARMED FORCES FROM NONPROFIT**
3 **ORGANIZATIONS.**

4 (a) **IN GENERAL.**—Chapter 20 of title 10, United
5 States Code, is amended by inserting after section 402 the
6 following new section:

7 **“§ 403. Transportation of supplies from nonprofit or-**
8 **ganizations**

9 “(a) **AUTHORIZATION OF TRANSPORTATION.**—Not-
10 withstanding any other provision of law, and subject to
11 subsection (b), the Secretary of Defense may transport to
12 any country, without charge, supplies that have been fur-
13 nished by a nonprofit organization and that are intended
14 for distribution to members of the armed forces. Such sup-
15 plies may be transported only on a space available basis.

16 “(b) **LIMITATIONS.**—(1) The Secretary may not
17 transport supplies under subsection (a) unless the Sec-
18 retary determines that—

1 “(A) the transportation of the supplies is con-
2 sistent with the policies of the United States;

3 “(B) the supplies are suitable for distribution to
4 members of the armed forces and are in usable con-
5 dition;

6 “(C) there is a legitimate need for the supplies
7 by the members of the armed forces for whom they
8 are intended; and

9 “(D) adequate arrangements have been made
10 for the distribution and use of the supplies.

11 “(2) PROCEDURES.—The Secretary shall establish
12 procedures for making the determinations required under
13 paragraph (1). Such procedures shall include inspection
14 of supplies before acceptance for transport.

15 “(3) PREPARATION.—It shall be the responsibility of
16 the nonprofit organization requesting the transport of sup-
17 plies under this section to ensure that the supplies are
18 suitable for transport.

19 “(c) DISTRIBUTION.—Supplies transported under
20 this section may be distributed by the United States Gov-
21 ernment or a nonprofit organization.

22 “(d) DEFINITION OF NONPROFIT ORGANIZATION.—
23 In this section, the term ‘nonprofit organization’ means
24 an organization described in section 501(c)(3) of the In-

1 ternal Revenue Code of 1986 and exempt from tax under
2 section 501(a) of such Code.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of chapter 20 of such title is amended
5 by inserting after the item relating to section 402 the fol-
6 lowing new item:

“403. Transportation of supplies from nonprofit organizations.”.



104. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POSEY
OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. POSEY OF FLORIDA**

At the end of subtitle G of title X insert the following new section:

1 **SEC. 1082. SENSE OF CONGRESS ON AIR FORCE FLIGHT**
2 **TRAINING AIRCRAFT.**

3 (a) **FINDINGS.**—Congress makes the following find-
4 ings:

5 (1) The Air Force uses the T-1A aircraft to
6 train Air Force pilots to operate tanker and trans-
7 port aircraft.

8 (2) The Air Force is seeking a replacement air-
9 craft for the T-1A which is experiencing obsoles-
10 cence issues and high costs.

11 (3) An effective way to mitigate the T-1A's
12 cost, obsolescence, and complexity issues until a per-
13 manent replacement aircraft enters service, is to uti-
14 lize contractor-owned, contractor-operated modern
15 aircraft in the very light jet category.

16 (4) Conducting very light jet training via a con-
17 tractor-owned, contractor-operated contract vehicle

1 could provide increased flexibility and reduce unnec-
2 essary ownership costs.

3 (b) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the Secretary of the Air Force should formally
5 assess the operational feasibility, costs, potential savings,
6 and readiness implications of utilizing contractor-owned,
7 contractor-operated, very light jet aircraft for interim
8 flight instruction until a permanent replacement for the
9 T-1A enters service.



105. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
ROGERS (AL) OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. Rogers (OL)**

At the appropriate place in title X, insert the following new section:

1 **SEC. ____ . REPORT ON CERTAIN INFORMATION TECH-**
2 **NOLOGY SYSTEMS AND TECHNOLOGY AND**
3 **CRITICAL NATIONAL SECURITY INFRASTRUC-**
4 **TURE.**

5 (a) NOTIFICATION REQUIRED.—The Secretary of
6 Defense and the Director of National Intelligence shall
7 each submit to the appropriate congressional committees
8 a notification of each instance in which the Secretary or
9 the Director determine through analysis or reporting that
10 an information technology or telecommunications compo-
11 nent from a company suspected of being influenced by a
12 foreign country, or a suspected affiliate of such a com-
13 pany, is competing for or has been awarded a contract
14 to include the technology of such company or such affiliate
15 into a covered network.

16 (b) TIME OF NOTIFICATION.—Each notification re-
17 quired under subsection (a) shall be submitted not later
18 than 30 days after the date on which the Secretary or

1 the Director makes a determination described in such sub-
2 section.

3 (c) ELEMENTS OF NOTIFICATION.—Each notification
4 submitted under subsection (a) shall include—

5 (1) a description of the instance described in
6 subsection (a), including an identification of the
7 company of interest and the covered network af-
8 fected;

9 (2) an analysis of the potential risks and the
10 actions that can be taken to mitigate such risks; and

11 (3) a description of any follow up or other re-
12 sponse actions to be taken.

13 (d) DEFINITIONS.—In this section:

14 (1) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES.—The term “appropriate congressional com-
16 mittees” means—

17 (A) the congressional defense committees;

18 (B) the Permanent Select Committee on
19 Intelligence of the House of Representatives;
20 and

21 (C) the Select Committee on Intelligence of
22 the Senate.

23 (2) COVERED NETWORK.—The term “covered
24 network” includes—

1 (A) information technology or tele-
2 communications networks of the Department of
3 Defense or the intelligence community; and

4 (B) information technology or tele-
5 communications networks of network operators
6 supporting systems in proximity to Department
7 of Defense or intelligence community facilities.

8 (3) INTELLIGENCE COMMUNITY.—The term
9 “intelligence community” has the meaning given the
10 term in section 3(4) of the National Security Act of
11 1947 (50 U.S.C. 3003(4)).



106. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
WHITFIELD OF KENTUCKY OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. WHITFIELD OF KENTUCKY, MR.
POLIS OF COLORADO, AND MR. PERLMUTTER
OF COLORADO**

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

**1 SEC. 1082. SENSE OF CONGRESS ON ESTABLISHMENT OF
2 AN ADVISORY BOARD ON TOXIC SUBSTANCES
3 AND WORKER HEALTH.**

4 It is the sense of Congress that the President should
5 establish an Advisory Board on Toxic Substances and
6 Worker Health, as described in the report of the Com-
7 troller General of the United States titled “Energy Em-
8 ployees Compensation: Additional Independent Oversight
9 and Transparency Would Improve Program’s Credibility”,
10 numbered GAO-10-302, to—

11 (1) advise the President concerning the review
12 and approval of the Department of Labor site expo-
13 sure matrix;

14 (2) conduct periodic peer reviews of, and ap-
15 prove, medical guidance for part E claims examiners

1 with respect to the weighing of a claimant's medical
2 evidence;

3 (3) obtain periodic expert review of evidentiary
4 requirements for part B claims related to lung dis-
5 ease regardless of approval;

6 (4) provide oversight over industrial hygienists,
7 Department of Labor staff physicians, and Depart-
8 ment of Labor's consulting physicians and their re-
9 ports to ensure quality, objectivity, and consistency;
10 and

11 (5) coordinate exchanges of data and findings
12 with the Advisory Board on Radiation and Worker
13 Health to the extent necessary (under section 3624
14 the Energy Employees Occupational Illness Com-
15 pensation Program Act of 2000 (42 U.S.C. 7384o).



107. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BUTTERFIELD OF NORTH CAROLINA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. BUTTERFIELD OF NORTH
CAROLINA**

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

1 **SEC. 1082. METHODS FOR VALIDATING CERTAIN SERVICE**
2 **CONSIDERED TO BE ACTIVE SERVICE BY THE**
3 **SECRETARY OF VETERANS AFFAIRS.**

4 (a) IN GENERAL.—For the purposes of verifying that
5 an individual performed service under honorable condi-
6 tions that satisfies the requirements of a coastwise mer-
7 chant seaman who is recognized pursuant to section 401
8 of the GI Bill Improvement Act of 1977 (Public Law 95-
9 202; 38 U.S.C. 106 note) as having performed active duty
10 service for the purposes described in subsection (c)(1), the
11 Secretary of Homeland Security shall accept the following:

12 (1) In the case of an individual who served on
13 a coastwise merchant vessel seeking such recognition
14 for whom no applicable Coast Guard shipping or dis-
15 charge form, ship logbook, merchant mariner's docu-
16 ment or Z-card, or other official employment record
17 is available, the Secretary shall provide such recogni-

1 tion on the basis of applicable Social Security Ad-
2 ministration records submitted for or by the indi-
3 vidual, together with validated testimony given by
4 the individual or the primary next of kin of the indi-
5 vidual that the individual performed such service
6 during the period beginning on December 7, 1941,
7 and ending on December 31, 1946.

8 (2) In the case of an individual who served on
9 a coastwise merchant vessel seeking such recognition
10 for whom the applicable Coast Guard shipping or
11 discharge form, ship logbook, merchant mariner's
12 document or Z-card, or other official employment
13 record has been destroyed or otherwise become un-
14 available by reason of any action committed by a
15 person responsible for the control and maintenance
16 of such form, logbook, or record, the Secretary shall
17 accept other official documentation demonstrating
18 that the individual performed such service during pe-
19 riod beginning on December 7, 1941, and ending on
20 December 31, 1946.

21 (3) For the purpose of determining whether to
22 recognize service allegedly performed during the pe-
23 riod beginning on December 7, 1941, and ending on
24 December 31, 1946, the Secretary shall recognize
25 masters of seagoing vessels or other officers in com-

1 mand of similarly organized groups as agents of the
2 United States who were authorized to document any
3 individual for purposes of hiring the individual to
4 perform service in the merchant marine or dis-
5 charging an individual from such service.

6 (b) TREATMENT OF OTHER DOCUMENTATION.—
7 Other documentation accepted by the Secretary of Home-
8 land Security pursuant to subsection (a)(2) shall satisfy
9 all requirements for eligibility of service during the period
10 beginning on December 7, 1941, and ending on December
11 31, 1946.

12 (c) BENEFITS ALLOWED.—

13 (1) BURIAL BENEFITS ELIGIBILITY.—Service of
14 an individual that is considered active duty pursuant
15 to subsection (a) shall be considered as active duty
16 service with respect to providing burial benefits
17 under chapters 23 and 24 of title 38, United States
18 Code, to the individual.

19 (2) MEDALS, RIBBONS, AND DECORATIONS.—
20 An individual whose service is recognized as active
21 duty pursuant to subsection (a) may be awarded an
22 appropriate medal, ribbon, or other military decora-
23 tion based on such service.

24 (3) STATUS OF VETERAN.—An individual whose
25 service is recognized as active duty pursuant to sub-

1 section (a) shall be honored as a veteran but shall
2 not be entitled by reason of such recognized service
3 to any benefit that is not described in this sub-
4 section.

5 (d) DETERMINATION OF COASTWISE MERCHANT
6 SEAMAN.—The Secretary of Homeland Security shall
7 verify that an individual performed service under honor-
8 able conditions that satisfies the requirements of a coast-
9 wise merchant seaman pursuant to this section without
10 regard to the sex, age, or disability of the individual dur-
11 ing the period in which the individual served as such a
12 coastwise merchant seaman.

13 (e) DEFINITIONS.—In this section:

14 (1) The term “coastwise merchant seaman”
15 means a mariner that served on a tug boat, towboat,
16 or seagoing barge that transported war materials to
17 and from ports located in the territorial seas of the
18 United States in support of the war effort during
19 the period beginning December 7, 1941, and ending
20 December 31, 1946.

21 (2) The term “primary next of kin” with re-
22 spect to an individual seeking recognition for service
23 under this section means the closest living relative of
24 the individual who was alive during the period of
25 such service.

- 1 (f) EFFECTIVE DATE.—This section shall take effect
- 2 90 days after the date of the enactment of this Act.



108. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEWIS
OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. LEWIS OF GEORGIA**

At the end of title X, add the following new section:

1 SEC. 10 __. COST OF WARS.

2 The Secretary of Defense, in consultation with the
3 Commissioner of the Internal Revenue Service and the Di-
4 rector of the Bureau of Economic Analysis, shall post on
5 the public Web site of the Department of Defense the
6 costs, including the relevant legacy costs, to each Amer-
7 ican taxpayer of each of the wars in Afghanistan and Iraq.



109. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
LYNCH OF MASSACHUSETTS OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY MR. LYNCH OF MASSACHUSETTS**

At the end of title X, insert the following:

1 **SEC. 1046. OBSERVANCE OF VETERANS DAY.**

2 (a) TWO MINUTES OF SILENCE.—Chapter 1 of title
3 36, United States Code, is amended by adding at the end
4 the following new section:

5 **“§ 145. Veterans Day**

6 “The President shall issue each year a proclamation
7 calling on the people of the United States to observe two
8 minutes of silence on Veterans Day in honor of the service
9 and sacrifice of veterans throughout the history of the Na-
10 tion, beginning at—

11 “(1) 3:11 pm Atlantic standard time;

12 “(2) 2:11 pm eastern standard time;

13 “(3) 1:11 pm central standard time;

14 “(4) 12:11 pm mountain standard time;

15 “(5) 11:11 am Pacific standard time;

16 “(6) 10:11 am Alaska standard time; and

17 “(7) 9:11 am Hawaii-Aleutian standard time.”.



1 (b) CLERICAL AMENDMENT.—The table of sections
2 for chapter 1 of title 36, United States Code, is amended
3 by adding at the end the following new item:

“145. Veterans Day.”



110. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MENG
OF NEW YORK OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

1 “(A) a signed statement prepared by the
2 individual serving as director of the regional of-
3 fice as of the date of the submittal of the report
4 containing—

5 “(i) an explanation for why the re-
6 gional office did not meet the goal;

7 “(ii) a description of the additional re-
8 sources needed to enable the regional office
9 to reach the goal; and

10 “(iii) a description of any additional
11 actions planned for the subsequent year
12 that are proposed to enable the regional of-
13 fice to meet the goal; and

14 “(B) a statement prepared by the Under
15 Secretary for Benefits explaining how the fail-
16 ure of the regional office to meet the goal af-
17 fected the performance evaluation of the direc-
18 tor of the regional office; and”.



111. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
SCHIFF OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. SCHIFF OF CALIFORNIA**

At the end of title X, add the following new section:

1 **SEC. 10_. FINDINGS; SENSE OF CONGRESS.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The Vietnam Veterans Memorial continues
4 to be a popular and important place of reflection
5 and healing for a generation.

6 (2) The simple inscriptions of the names of the
7 Nation's dead bear mute testimony to the sacrifice
8 of more than 58,000 Americans, serving as a deep
9 source of comfort and pride for the families of those
10 who were lost.

11 (3) 74 sailors were lost aboard the USS Frank
12 E. Evans, which sank after colliding with the HMAS
13 Melbourne on June 3, 1969, during a Southeast
14 Asia Treaty Organization exercise just outside the
15 designated combat zone.

16 (4) The Frank Evans had been providing sup-
17 port fire for combat operations in Vietnam before
18 the exercise that resulted in the accident and was
19 scheduled to return after the exercise.

1 (5) The families of the 74 men lost aboard the
2 USS Frank E. Evans have been fighting for decades
3 to have their loved ones added to the Memorial.

4 (6) Exceptions have been granted to inscribe
5 the names on the Vietnam Veterans Memorial for
6 other servicemembers who were killed outside of the
7 designated combat zone, including in 1983 when
8 President Ronald Reagan ordered that 68 Marines
9 who died on a flight outside the combat zone be
10 added to the wall.

11 (7) Secretary of the Navy Ray Mabus, in a let-
12 ter dated December 15, 2010, expressed support for
13 the addition of the 74 names of the men lost aboard
14 the USS Frank E. Evans to the Vietnam Veterans
15 Memorial.

16 (8) The heroism and sacrifice should never go
17 unrecognized because of an arbitrary line on a map.

18 (b) SENSE OF CONGRESS.—It is the sense of Con-
19 gress that the Secretary of Defense should order that the
20 names of the 74 military personnel lost aboard the USS
21 Frank E. Evans on June 3, 1969, be added to the Viet-
22 nam Veterans Memorial.



112. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CONNOLLY OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

Revised 206

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. CONNOLLY OF VIRGINIA**

At the end of title XI, add the following:

1 **SEC. 1107. EXTENSION OF PART-TIME REEMPLOYMENT AU-**
2 **THORITY.**

3 (a) CSRS.—Section 8344(l)(7) of title 5, United
4 States Code, is amended by strike “5 years” and inserting
5 “10 years”.

6 (b) FERS.—Section 8468(i)(7) of such title is
7 amended by striking “5 years” and inserting “10 years”.



113. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
KILMER OF WASHINGTON OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

202

**AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY MR. KILMER OF WASHINGTON**

At the end of title XI, add the following:

1 **SEC. 11 __ . RATE OF OVERTIME PAY FOR DEPARTMENT OF**
2 **THE NAVY EMPLOYEES PERFORMING WORK**
3 **ABOARD OR DOCKSIDE IN SUPPORT OF THE**
4 **NUCLEAR AIRCRAFT CARRIER FORWARD DE-**
5 **PLOYED IN JAPAN.**

6 Section 5542(a)(6)(B) of title 5, United States Code,
7 is amended by striking “2014” and inserting “2015”.



114. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
ROHRABACHER OF CALIFORNIA OR HIS DESIGNEE,
DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. ROHRABACHER OF CALIFORNIA**

Page 384, line 21, strike “and”.

Page 385, line 2, strike the period at the end and insert “; and”.

Page 385, after line 2, add the following:

1 (3) in paragraph (1), by adding at the end the
2 following:
3 “(C) That Pakistan is not using its mili-
4 tary or any funds or equipment provided by the
5 United States to persecute minority groups for
6 their legitimate and nonviolent political and re-
7 ligious beliefs, including the Balochi, Sindhi,
8 and Hazara ethnic groups and minority reli-
9 gious groups, including Christian, Hundu, and
10 Ahmadiyya Muslim.”.



115. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CICILLINE OF RHODE ISLAND OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

49

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. CICILLINE OF RHODE ISLAND**

In section 1216(b), add at the end the following:

- 1 (5) A description of efforts of the Secretary of
- 2 Defense and the Secretary of State to engage United
- 3 States manufacturers in procurement opportunities
- 4 related to equipping the ANSF.



116. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POE
OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

90

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. POE OF TEXAS**

At the appropriate place in subtitle B of title XII,
insert the following:

1 **SEC. __. INDEPENDENT ASSESSMENT OF UNITED STATES**
2 **EFFORTS TO DISRUPT, DISMANTLE, AND DE-**
3 **FEAT AL-QAEDA, ITS AFFILIATED GROUPS,**
4 **ASSOCIATED GROUPS, AND ADHERENTS.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that—

7 (1) al-Qaeda, its affiliated groups, associated
8 groups, and adherents continue to pose a significant
9 threat to United States national security interests;

10 (2) al-Qaeda continues to evolve and reorganize
11 to adapt to United States counterterrorism meas-
12 ures; and

13 (3) al-Qaeda has become more decentralized
14 and less hierarchical over the past decade.

15 (b) INDEPENDENT ASSESSMENT.—

16 (1) IN GENERAL.—The Secretary of Defense
17 shall provide for the conduct of an independent as-
18 sessment of the United States efforts to disrupt, dis-



1 mantle, and defeat al-Qaeda, including its affiliated
2 groups, associated groups, and adherents since May
3 2, 2011.

4 (2) ELEMENTS.—The assessment required by
5 paragraph (1) shall include the following:

6 (A) An assessment of al-Qaeda core’s rela-
7 tionship with any and all affiliated groups, as-
8 sociated groups, and adherents.

9 (B) An assessment of the aims, objectives,
10 and capabilities of al-Qaeda core and any and
11 all affiliated groups, associated groups, and ad-
12 herents.

13 (C) An assessment of the Administration’s
14 efforts to combat al-Qaeda core and any and all
15 affiliated groups, associated groups, and adher-
16 ents.

17 (D) An assessment of the Authorization
18 for Use of Military Force (Public Law 107–40)
19 and its relevance to the current structure and
20 objectives of al-Qaeda core, its affiliated groups,
21 associated groups, and adherents.

22 (E) A comprehensive order of battle for al-
23 Qaeda core, its affiliated groups, associated
24 groups, and adherents.

25 (3) REPORT.—

1 (A) IN GENERAL.—Not later than one year
2 after the date of the enactment of this Act, the
3 entity selected for the conduct of the assess-
4 ment required by paragraph (1) shall provide to
5 the Secretary and the appropriate committees
6 of Congress a report containing its findings as
7 a result of the assessment.

8 (B) FORM.—The report shall be submitted
9 in unclassified form, but may include a classi-
10 fied annex.

11 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
12 FINED.—In this section, the term “appropriate commit-
13 tees of Congress” means—

14 (1) the congressional defense committees;

15 (2) the Committee on Foreign Relations and
16 the Select Committee on Intelligence of the Senate,
17 and

18 (3) the Committee on Foreign Affairs and the
19 Permanent Select Committee on Intelligence of the
20 House of Representatives.



117. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
ROHRBACHER OF CALIFORNIA OR HIS DESIGNEE,
DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. ROHRABACHER OF CALIFORNIA**

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

1 **SEC. __. SENSE OF CONGRESS RELATING TO DR. SHAKIL**

2 **AFRIDI.**

3 (a) **FINDINGS.**—Congress finds the following:

4 (1) The attacks of September 11, 2001, killed
5 approximately 3,000 people, most of whom were
6 Americans, but also included hundreds of individuals
7 with foreign citizenships, nearly 350 New York Fire
8 Department personnel, and about 50 law enforce-
9 ment officers.

10 (2) Downed United Airlines flight 93 was re-
11 portedly intended, under the control of the al-Qaeda
12 high-jackers, to crash into the White House or the
13 Capitol in an attempt to kill the President of the
14 United States or Members of the United States Con-
15 gress.

16 (3) The September 11, 2001, attacks were
17 largely planned and carried out by the al-Qaeda ter-
18 rorist network led by Osama bin Laden and his dep-

1 uty Ayman al Zawahiri, after which Osama bin
2 Laden enjoyed safe haven in Pakistan from where he
3 continued to plot deadly attacks against the United
4 States and the world.

5 (4) The United States has obligated nearly \$30
6 billion between 2002 and 2014 in United States tax-
7 payer money for security and economic aid to Paki-
8 stan.

9 (5) The United States very generously and
10 swiftly responded to the 2005 Kashmir Earthquake
11 in Pakistan with more than \$200 million in emer-
12 gency aid and the support of several United States
13 military aircraft, approximately 1,000 United States
14 military personnel, including medical specialists,
15 thousands of tents, blankets, water containers and a
16 variety of other emergency equipment.

17 (6) The United States again generously and
18 swiftly contributed approximately \$150 million in
19 emergency aid to Pakistan following the 2010 Paki-
20 stan flood, in addition to the service of nearly twenty
21 United States military helicopters, their flight crews,
22 and other resources to assist the Pakistan Army's
23 relief efforts.

24 (7) The United States continues to work tire-
25 lessly to support Pakistan's economic development,

1 including millions of dollars allocated towards the
2 development of Pakistan's energy infrastructure,
3 health services and education system.

4 (8) The United States and Pakistan continue to
5 have many critical shared interests, both economic
6 and security related, which could be the foundation
7 for a positive and mutually beneficial partnership.

8 (9) Dr. Shakil Afridi, a Pakistani physician, is
9 a hero to whom the people of the United States,
10 Pakistan and the world owe a debt of gratitude for
11 his help in finally locating Osama bin Laden before
12 more innocent American, Pakistani and other lives
13 were lost to this terrorist leader.

14 (10) Pakistan, the United States and the inter-
15 national community had failed for nearly 10 years
16 following attacks of September 11, 2001, to locate
17 and bring Osama bin Laden, who continued to kill
18 innocent civilians in the Middle East, Asia, Europe,
19 Africa and the United States, to justice without the
20 help of Dr. Afridi.

21 (11) The Government of Pakistan's imprison-
22 ment of Dr. Afridi presents a serious and growing
23 impediment to the United States' bilateral relations
24 with Pakistan.

1 (12) The Government of Pakistan has leveled
2 and allowed baseless charges against Dr. Afridi in a
3 politically motivated, spurious legal process.

4 (13) Dr. Afridi is currently imprisoned by the
5 Government of Pakistan, a deplorable and uncon-
6 scionable situation which calls into question Paki-
7 stan's actual commitment to countering terrorism
8 and undermines the notion that Pakistan is a true
9 ally in the struggle against terrorism.

10 (b) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that Dr. Shakil Afridi is an international hero and
12 that the Government of Pakistan should release him im-
13 mediately from prison.



118. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DAVIS
OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

194R

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MRS. DAVIS OF CALIFORNIA**

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

1 **SEC. __. SENSE OF CONGRESS.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The people of Afghanistan have taken the
4 lead in providing for the security of their country
5 and the successful elections are a positive step in the
6 self-determination of the future of Afghanistan.

7 (2) However, no country can be successful in
8 the long-term if a majority of its population is not
9 included in the dialogue and decision-making of such
10 country.

11 (3) The women of Afghanistan have made his-
12 toric strides in the last several years and the elec-
13 tions prove that the women need and have a right
14 to have a voice in the future of Afghanistan.

15 (4) To that end, the women of Afghanistan are
16 vital to the development of Afghanistan and the na-
17 tional security of Afghanistan;

1 (5) Women are needed to serve Afghanistan in
2 the Afghan National Security Forces (ANSF), not
3 just for the future standing of women in society, but
4 for cultural reasons.

5 (6) Therefore, it is important that Afghanistan
6 move forward in increasing the number of women in
7 the ANSF with the current facilities and capacity to
8 meet the requirements Afghanistan has proposed to
9 achieve.

10 (b) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that—

12 (1) the allocation of \$25,000,000 for fiscal year
13 2014 for the ANSF should be prioritized for the re-
14 cruitment, retention, and training of women in the
15 ANSF;

16 (2) current facilities to support women in the
17 ANSF should be fully utilized before additional in-
18 frastructure is constructed;

19 (3) the Government of Afghanistan should en-
20 sure that the fund provided prioritize efforts to in-
21 crease the number of women serving in the ANSF,
22 as proposed in the Master Ministerial Development
23 Plan for Afghan National Army (ANA) Gender Inte-
24 gration;

1 (4) as part of such plan, the conversion of the
2 13,000 women that were trained to support the elec-
3 tions is an important step in increasing the number
4 of women in the ANSF;

5 (5) the United Nations Assistance Mission in
6 Afghanistan's report, "A Way to Go: An Update on
7 Implementation of the Law on Elimination of Vio-
8 lence Against Women in Afghanistan", should be in-
9 tegrated into efforts to enable women to serve in the
10 ANSF; and

11 (6) the United States should continue to advo-
12 cate for the rights and participation of women in Af-
13 ghanistan in all levels of government and society.



119. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
JOHNSON OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

52

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. JOHNSON OF GEORGIA**

At the end of subtitle B of title XII, add the following new section:

1 **SEC. 12 . LIMITATION ON FUNDS TO ESTABLISH PERMA-**
2 **NENT MILITARY INSTALLATIONS OR BASES**
3 **IN AFGHANISTAN.**

4 None of the funds authorized to be appropriated by
5 this Act may be obligated or expended by the United
6 States Government to establish any military installation
7 or base for the purpose of providing for the permanent
8 stationing of United States Armed Forces in Afghanistan.



120. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
NOLAN OF MINNESOTA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

3dLR

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. NOLAN OF MINNESOTA**

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

1 **SEC. __. REVIEW PROCESS FOR USE OF UNITED STATES**
2 **FUNDS FOR CONSTRUCTION PROJECTS IN**
3 **AFGHANISTAN THAT CANNOT BE PHYS-**
4 **ICALLY ACCESSED BY UNITED STATES GOV-**
5 **ERNMENT CIVILIAN PERSONNEL.**

6 (a) PROHIBITION.—

7 (1) IN GENERAL.—None of the funds author-
8 ized to be appropriated by this Act may be obligated
9 or expended for a construction project in Afghani-
10 stan in excess of \$500,000 that cannot be audited
11 and physically inspected by authorized United States
12 Government civilian personnel or their designated
13 representatives, in accordance generally-accepted au-
14 diting guidelines.

15 (2) APPLICABILITY.—Paragraph (1) shall apply
16 only with respect to a project that is initiated on or
17 after the date of the enactment of this Act.

1 (b) WAIVER.—The prohibition in subsection (a) may
2 be waived with respect to a project if not less than 15
3 days prior to the obligation of funds for the project, the
4 agency responsible for such funds submits to the relevant
5 authorizing committees a plan outlining how the agency
6 will monitor the use of the funds—

7 (1) to ensure the funds are used for the specific
8 purposes for which the funds are intended; and

9 (2) to mitigate waste, fraud, and abuse.



121. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
TSONGAS OF MASSACHUSETTS OR HER DESIGNEE,
DEBATABLE FOR 10 MINUTES

AMENDMENT TO H.R. 4435
OFFERED BY MS. TSONGAS OF MASSACHUSETTS

At the appropriate place in subtitle B of title XII,
insert the following:

1 **SEC. __. ACTIONS TO SUPPORT HUMAN RIGHTS, PARTICIPA-**
2 **TION, PREVENTION OF VIOLENCE, EXISTING**
3 **FRAMEWORKS, AND SECURITY AND MOBILITY**
4 **WITH RESPECT TO WOMEN AND GIRLS IN AF-**
5 **GHANISTAN.**

6 (a) **SENSE OF CONGRESS.**—It is the sense of Con-
7 gress that promoting women’s meaningful inclusion and
8 participation in conflict prevention, management, and res-
9 olution, as well as in post-conflict relief and recovery, ad-
10 vances core United States national interests of peace, na-
11 tional security, economic and social development, and
12 international cooperation.

13 (b) **STATEMENT OF POLICY.**—It is the policy of the
14 United States—

15 (1) to promote and support the security of
16 women and girls in conflict-affected and post-conflict
17 regions and ensure their protection from sexual and
18 gender-based violence;

1 (2) to promote and support the security of
2 women and girls in Afghanistan during the security
3 transition process and recognize that promoting se-
4 curity for Afghan women and girls must remain a
5 priority of United States foreign policy; and

6 (3) to maintain and improve the gains of
7 women and girls in Afghanistan made since 2002,
8 including in terms of their political participation and
9 integration in security forces.

10 (c) ACTIONS REQUIRED.—

11 (1) IN GENERAL.—The Secretary of Defense, in
12 coordination with the Secretary of State and the Ad-
13 ministrator of the United States Agency for Inter-
14 national Development, shall take such actions as
15 may be necessary to ensure the indicators of success
16 of the security transition process and establishment
17 of an independent Afghanistan as described in para-
18 graph (2) are achieved.

19 (2) INDICATORS OF SUCCESS.—The indicators
20 of success referred to in paragraph (1) are the fol-
21 lowing:

22 (A) Support for human rights of women
23 and girls in Afghanistan.

1 (B) Participation of women in Afghanistan
2 at all levels of decision-making and governance
3 in Afghanistan.

4 (C) Strategic integration of women in the
5 Afghan National Security Forces.

6 (D) Support for initiatives to prevent sex-
7 ual and gender-based violence, including imple-
8 mentation of Afghanistan's Elimination of Vio-
9 lence Against Women law and support for the
10 Ministry of Interior's Family Response Units in
11 the Afghan National Police.

12 (E) Support for existing frameworks, in-
13 cluding the National Action Plan for the
14 Women of Afghanistan, the Afghanistan Na-
15 tional Development Strategy, and the Tokyo
16 Mutual Accountability Framework.

17 (F) Recognition of the ability of women in
18 Afghanistan to move freely and securely
19 throughout Afghanistan.

20 (d) REPORT.—

21 (1) IN GENERAL.—Except as provided in para-
22 graph (2), not later than 180 days after the date of
23 the enactment of this Act, and annually thereafter,
24 the Secretary of Defense, the Secretary of State,
25 and the Administrator of the United States Agency

1 for International Development shall jointly submit to
2 the appropriate congressional committees a report
3 on efforts by the United States Government to sup-
4 port the human rights, participation, prevention of
5 violence, existing frameworks, and security and mo-
6 bility with respect to women and girls in Afghani-
7 stan.

8 (2) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES DEFINED.—In this subsection, the term “ap-
10 propriate congressional committees” means—

11 (A) the congressional defense committees;

12 and

13 (B) the Committee on Foreign Relations of
14 the Senate and the Committee on Foreign Af-
15 fairs of the House of Representatives.



122. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
ROGERS (AL) OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. ROGERS OF ALABAMA**

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

1 **SEC. __. PLAN TO REDUCE RUSSIAN FEDERATION NUCLEAR**
2 **FORCE DEPENDENCIES ON UKRAINE.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) The Russian Federation relies on the
5 Ukrainian defense industry for certain elements of
6 its land-based nuclear ballistic missile force, the
7 Russian Strategic Rocket Force.

8 (2) Press reports indicate that Ukraine's
9 Yuzhnoye Design Bureau played a prominent role
10 during the Soviet era in producing heavy silo-based
11 Intercontinental Ballistic Missiles.

12 (3) These land-based missiles include the RS-20
13 ICBM, known by the North Atlantic Treaty Organi-
14 zation Designator, SATAN.

15 (4) This missile has been reported to be de-
16 ployed with as many as 10 independently targetable
17 nuclear reentry vehicles.

1 (5) In a press conference on May 13, 2014,
2 Russian Federation Deputy Prime Minister Dmitry
3 Rogozin stated that his country would discontinue
4 the sale of Russia-made rocket engines to the United
5 States if they will be used for military purposes.

6 (b) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that the United States Government should promptly
8 enter into discussions with the Government of Ukraine to
9 ensure a halt to the activities of the Yuzhnoye Design Bu-
10 reau and any other Ukrainian industry that supports the
11 military or military industrial base of the Russian Federa-
12 tion while Russia is violating its commitments under the
13 Budapest Memorandum, illegally occupying Ukrainian ter-
14 ritory and supporting groups that are inciting violence and
15 fomenting secessionist movements in Ukraine.

16 (c) PLAN.—Not later than 30 days after the date of
17 the enactment of this Act, the Secretary of Defense, in
18 conjunction with the Secretary of State, shall submit to
19 the congressional defense committees a plan on how the
20 United States Government intends to work with the Gov-
21 ernment of Ukraine to accomplish the goals expressed in
22 subsection (b) and any recommendations it has for how
23 the United States and its allies could benefit from the ca-
24 pability of the Yuzhnoye Design Bureau.



123. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
DELAURO OF CONNECTICUT OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO RULES COMMITTEE PRINT FOR
H.R. 4435
OFFERED BY MS. DELAURO OF CONNECTICUT**

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

1 **SEC. 1228. PROHIBITION ON USE OF FUNDS TO ENTER INTO**
2 **CONTRACTS OR AGREEMENTS WITH**
3 **ROSOBORONEXPORT.**

4 (a) PROHIBITION.—None of the funds authorized to
5 be appropriated for the Department of Defense for fiscal
6 year 2015 may be used to enter into a contract (or sub-
7 contract at any tier under such a contract), memorandum
8 of understanding, or cooperative agreement with, to make
9 a grant to, or to provide a loan or loan guarantee to
10 Rosoboronexport.

11 (b) NATIONAL SECURITY WAIVER AUTHORITY.—The
12 Secretary of Defense may waive the applicability of sub-
13 section (a) if the Secretary, in consultation with the Sec-
14 retary of State and the Director of National Intelligence,
15 certifies in writing to the congressional defense commit-
16 tees, to the best of the Secretary's knowledge, the fol-
17 lowing:

1 (1) Rosoboronexport has ceased the transfer of
2 lethal military equipment to, and the maintenance of
3 existing lethal military equipment for, the Govern-
4 ment of the Syrian Arab Republic.

5 (2) The armed forces of the Russian Federation
6 have withdrawn from Crimea, other than armed
7 forces present on military bases subject to agree-
8 ments in force between the Government of the Rus-
9 sian Federation and the Government of Ukraine.

10 (3) The Government of the Russian Federation
11 has withdrawn substantially all of the armed forces
12 of the Russian Federation from the immediate vicin-
13 ity of the eastern border of Ukraine.

14 (4) Agents of the Russian Federation have
15 ceased taking active measures to destabilize the con-
16 trol of the Government of Ukraine over eastern
17 Ukraine.

18 (c) DEPARTMENT OF DEFENSE INSPECTOR GEN-
19 ERAL REVIEW.—

20 (1) IN GENERAL.—The Inspector General of
21 the Department of Defense shall conduct a review of
22 any action involving Rosoboronexport with respect to
23 which a waiver is issued by the Secretary of Defense
24 pursuant to subsection (b).

1 (2) ELEMENTS.—A review conducted under
2 paragraph (1) shall assess the accuracy of the fac-
3 tual and legal conclusions made by the Secretary of
4 Defense in the waiver covered by the review, includ-
5 ing—

6 (A) whether there is any viable alternative
7 to Rosoboronexport for carrying out the func-
8 tions for which funds will be obligated;

9 (B) whether the Secretary has previously
10 used an alternative vendor for carrying out the
11 same functions regarding the military equip-
12 ment in question, and what vendor was pre-
13 viously used;

14 (C) whether other explanations for the
15 issuance of the waiver are supportable; and

16 (D) any other matter with respect to the
17 waiver the Inspector General considers appro-
18 priate.

19 (3) REPORT.—Not later than 90 days after the
20 date on which a waiver is issued by the Secretary of
21 Defense pursuant to subsection (b), the Inspector
22 General shall submit to the congressional defense
23 committees a report containing the results of the re-

- 1 view conducted under paragraph (1) with respect to
- 2 such waiver.



124. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
ENGEL OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. ENGEL OF NEW YORK**

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

1 **SEC. __. REQUIREMENTS RELATING TO CERTAIN DEFENSE**

2 **TRANSFERS TO THE RUSSIAN FEDERATION.**

3 (a) STATEMENT OF POLICY.—It is the policy of the
4 United States to oppose the transfer of defense articles
5 or defense services (as defined in the Arms Export Control
6 Act) from any country that is a member of the North At-
7 lantic Treaty Organization (NATO) to, or on behalf of,
8 the Russian Federation, during any period in which the
9 Russian Federation forcibly occupies the territory of
10 Ukraine or of a NATO member country.

11 (b) NATO POLICY.—The President shall use the
12 voice and vote of the United States in NATO to seek the
13 adoption of a policy by NATO that is consistent with the
14 policy of the United States specified in subsection (a).

15 (c) IDENTIFICATION OF CERTAIN DEFENSE TRANS-
16 FERS.—

17 (1) IN GENERAL.—The President shall direct
18 the appropriate departments and agencies of the

1 United States to monitor all transfers of defense ar-
2 ticles or defense services from NATO member coun-
3 tries to the Russian Federation and identify those
4 transfers that are contrary to the policy of the
5 United States specified in subsection (a).

6 (2) REPORT.—

7 (A) IN GENERAL.—The President shall
8 submit a written report to the chairmen and
9 ranking members of the appropriate committees
10 of Congress within 5 days of the receipt of in-
11 formation indicating that a transfer described
12 in paragraph (1) has occurred.

13 (B) FORM.—The report required under
14 subparagraph (A) may be submitted in classi-
15 fied form.

16 (C) APPROPRIATE COMMITTEES OF CON-
17 GRESS DEFINED.—In this paragraph, the term
18 “appropriate committees of Congress” means—

19 (i) the Committee on Armed Services,
20 the Committee on Foreign Relations, and
21 the Select Committee on Intelligence of the
22 Senate; and

23 (ii) the Committee on Armed Services,
24 the Committee on Foreign Affairs, and the

1 Permanent Select Committee on Intel-
2 ligence of the House of Representatives..

3 (d) LICENSING POLICY FOR CERTAIN DEFENSE
4 TRANSFERS.—

5 (1) IN GENERAL.—If a NATO member country
6 transfers, or allows a transfer by a person subject to
7 its national jurisdiction of, a defense article or de-
8 fense service on or after the date of the enactment
9 of this Act that is contrary to the policy of the
10 United States specified in subsection (a) and is iden-
11 tified pursuant to subsection (c), an application for
12 a license or other authorization required under the
13 Arms Export Control Act for the transfer of any de-
14 fense article or service to, or on behalf of, that
15 NATO member country shall be subject to a pre-
16 sumption of denial.

17 (2) EFFECTIVE PERIOD.—A presumption of de-
18 nial shall apply to an application for a license or
19 other authorization under paragraph (1) only during
20 a period in which the Russian Federation forcibly
21 occupies the territory of Ukraine or of a NATO
22 member country.

23 (3) AMENDMENT TO ITAR.—Not later than 30
24 days after the date of the enactment of this Act, the
25 Secretary of State shall amend the International

- 1 Trafficking in Arms Regulations for purposes of im-
- 2 plementing this subsection.



125. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CONNOLLY OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435**

**OFFERED BY MR. CONNOLLY OF VIRGINIA
~~AND MR. DIAZ-BALART, MR. SILES, AND MR. CARTER~~**

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

- 1 **SEC. __. SALE OF F-16 AIRCRAFT TO TAIWAN.**
- 2 The President shall carry out the sale of no fewer
- 3 than 66 F-16C/D multirole fighter aircraft to Taiwan.



126. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROS-
LEHTINEN OF FLORIDA OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MS. ROS-LEHTINEN OF FLORIDA**

At the end of subtitle E of title XII, add the following new section:

1 **SEC. 1259. COMBATING CRIME THROUGH INTELLIGENCE**
2 **CAPABILITIES.**

3 The Secretary of Defense is authorized to deploy as-
4 sets, personnel, and resources to the Joint Interagency
5 Task Force South, in coordination with SOUTHCOM, to
6 combat the following by supplying sufficient intelligence
7 capabilities:

- 8 (1) Transnational criminal organizations.
- 9 (2) Drug trafficking.
- 10 (3) Bulk shipments of narcotics or currency.
- 11 (4) Narco-terrorism.
- 12 (5) Human trafficking.
- 13 (6) The Iranian presence in the Western Hemi-
14 sphere.



127. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROS-
LEHTINEN OF FLORIDA OR HER DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MS. ROS-LEHTINEN OF FLORIDA**

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

1 SEC. __. STATEMENT OF POLICY.

2 It shall be the policy of the United States to under-
3 take a whole-of-government approach to bolster regional
4 cooperation with countries throughout the Western Hemi-
5 sphere, with the exception of Cuba, to counter narcotics
6 trafficking and illicit activities in the Western Hemi-
7 sphere.



128. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GIBSON OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. GIBSON OF NEW YORK**

At the appropriate place in subtitle E of title XII of
division A, add the following:

- 1 **SEC. __. RULE OF CONSTRUCTION.**
- 2 Nothing in this Act shall be construed as authorizing
- 3 the use of force against Syria or Iran.



129. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GOSAR
OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY MR. GOSAR OF ARIZONA**

At the appropriate place in subtitle E of title XII,
insert the following:

1 **SEC. __. DECLARATION OF POLICY REGARDING ISRAEL'S**
2 **LAWFUL EXERCISE OF SELF-DEFENSE.**

3 Congress declares that it is the policy of the United
4 States to fully support Israel's lawful exercise of self-de-
5 fense, including actions to halt regional aggression.



130. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KELLY
OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY MR. KELLY OF PENNSYLVANIA**

At the appropriate place in subtitle E of title XII of division A, insert the following:

1 **SEC. __. LIMITATION ON AVAILABILITY OF FUNDS TO IM-**
2 **PLEMENT THE ARMS TRADE TREATY.**

3 (a) **IN GENERAL.**—None of the funds authorized to
4 be appropriated by this Act or otherwise made available
5 for fiscal year 2015 for the Department of Defense may
6 be obligated or expended to implement the Arms Trade
7 Treaty, or to make any change to existing programs,
8 projects, or activities as approved by Congress in further-
9 ance of, pursuant to, or otherwise to implement the Arms
10 Trade Treaty, unless the Arms Trade Treaty has received
11 the advice and consent of the Senate and has been the
12 subject of implementing legislation, as required, by the
13 Congress.

14 (b) **RULE OF CONSTRUCTION.**—Nothing in this sec-
15 tion shall be construed to preclude the Department of De-
16 fense from assisting foreign countries in bringing their
17 laws and regulations up to United States standards.



131. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
ROSKAM OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

SR

**AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY MR. ROSKAM OF ILLINOIS**

At the end of subtitle E of title XII of division A,
add the following new section:

1 **SEC. 12 . STATEMENT OF POLICY AND REPORT ON THE IN-**
2 **HERENT RIGHT OF ISRAEL TO SELF-DE-**
3 **FENSE.**

4 (a) FINDINGS.—Congress makes the following find-
5 ings:

6 (1) The United States-Israel Enhanced Security
7 Cooperation Act of 2012 (22 U.S.C. 8601 et seq.)
8 established the policy of the United States to sup-
9 port the inherent right of Israel to self-defense.

10 (2) The United States-Israel Enhanced Security
11 Cooperation Act of 2012 (22 U.S.C. 8601 et seq.)
12 expressed the sense of Congress that the Govern-
13 ment of the United States should transfer to the
14 Government of Israel defense articles and defense
15 services such as air refueling tankers, missile de-
16 fense capabilities, and specialized munitions.

17 (3) The inherent right of Israel to self-defense
18 necessarily includes the possession and maintenance
19 by Israel of an independent capability to remove ex-

1 existential threats to its security and defend its vital
2 national interests.

3 (b) POLICY OF THE UNITED STATES.—It is the pol-
4 icy of the United States to take all necessary steps to en-
5 sure that Israel possesses and maintains an independent
6 capability to remove existential threats to its security and
7 defend its vital national interests.

8 (c) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that air refueling tankers and advanced bunker-
10 buster munitions should immediately be transferred to
11 Israel to ensure our democratic ally has an independent
12 capability to remove any existential threat posed by the
13 Iranian nuclear program and defend its vital national in-
14 terests.

15 (d) REPORT.—Not later than 180 days after the date
16 of the enactment of this Act, and every 180 days there-
17 after for a period not to exceed four years, the President
18 shall submit to the House and Senate Armed Services
19 committees, the House Foreign Affairs Committee, the
20 Senate Foreign Relations Committee, and the House and
21 Senate Appropriations committees a report that—

22 (1) identifies all aerial refueling platforms,
23 bunker-buster munitions, and other capabilities and
24 platforms that would contribute significantly to the
25 maintenance by Israel of a robust independent capa-

1 bility to remove existential security threats, includ-
2 ing nuclear and ballistic missile facilities in Iran,
3 and defend its vital national interests;

4 (2) assesses the availability for sale or transfer
5 of items necessary to acquire the capabilities and
6 platforms described in paragraph (1) as well as the
7 legal authorities available for making such transfers;
8 and

9 (3) describes the steps the President is taking
10 to immediately transfer the items described in para-
11 graph (1) pursuant to the policy described in sub-
12 section (b).



132. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
FRANKS OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. FRANKS OF ARIZONA**

Add at the end of subtitle F of title XII of division

A the following:

1 **SEC. 1266. SENSE OF CONGRESS ON NIGERIA AND BOKO**

2 **HARAM.**

3 (a) FINDINGS.—Congress makes the following find-
4 ings:

5 (1) In recent years, Boko Haram has furthered
6 violence and instability in Nigeria and bordering
7 countries.

8 (2) The terrorist group known as “Boko
9 Haram,” which translates to “Western education is
10 forbidden,” perpetrates violent attacks in Nigeria
11 and has grown in strength and sophistication since
12 its founding in 2002.

13 (3) Boko Haram kidnapped over 200 female
14 students on April 14, 2014, killed over 50 male stu-
15 dents on February 25, 2014, and continues to vio-
16 lently attack innocent civilians throughout Nigeria.

17 (4) Boko Haram has previously attacked West-
18 ern interests, bombing the United Nations building

1 in Abuja on August 26, 2011, and was affiliated
2 with taking Western hostages in Bauchi on Feb-
3 ruary 16, 2013, and later killing seven hostages.

4 (5) As stated by United States Ambassador to
5 Nigeria Terrence P. McCulley in 2012, the threat of
6 Boko Haram is growing: “We’ve seen an increase in
7 sophistication, we’ve seen increased lethality. We
8 saw at least a part of the group has decided it’s in
9 their interest to attack the international commu-
10 nity.”.

11 (6) In June 2012, the Department of State
12 added three leaders of Boko Haram, Abubakar
13 Shekau, Abubakar Adam Kamar, and Khalid al-
14 Barnawi, to the Specially Designated Global Ter-
15 rorist list.

16 (7) In November 2013, the Department of
17 State designated Boko Haram and its splinter
18 group, Ansaru, as Foreign Terrorist Organizations.

19 (8) Boko Haram shares the ideological designs
20 of al Qaeda, and has made public pledges of support
21 to Osama bin Laden, al-Qaeda, and al-Shabaab.

22 (9) Boko Haram poses a broader threat to in-
23 terests in Nigeria, the Sahel, Europe, and the
24 United States.

1 (b) SENSE OF CONGRESS.—In light of the findings
2 specified in subsection (a), it is the sense of Congress that
3 the Secretary of Defense should—

4 (1) take appropriate action with allies and part-
5 ners of the United States to fight Boko Haram’s vi-
6 olence and ideology;

7 (2) partner with Nigeria’s regional neighbors to
8 counter Boko Haram’s cross-border activity and re-
9 spond to emerging threats; and

10 (3) develop a long-term, interagency strategy to
11 combat Boko Haram and Ansaru, reassess United
12 States assistance to Nigeria, and brief Congress on
13 this strategy.



133. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KELLY
OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. KELLY OF PENNSYLVANIA**

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

1 **SEC. __. SENSE OF CONGRESS REGARDING THE NAVAL CA-**
2 **PABILITIES OF THE RUSSIAN FEDERATION.**

3 It is the sense of Congress that—

4 (1) Mistral class amphibious assault warships,
5 each of which has the capacity to carry 16 heli-
6 copters, up to 700 soldiers, four landing craft, 60
7 armored vehicles, and 13 tanks, would significantly
8 increase the the naval capabilities of the Russian
9 navy;

10 (2) Mistral class warships would allow the Rus-
11 sian navy to expand its naval presence in the region,
12 thereby augmenting its capabilities against Ukraine,
13 Georgia, and Baltic member states of the North At-
14 lantic Treaty Organization;

15 (3) France should not proceed with its sale of
16 two Mistral class warships to the Russian Federa-
17 tion; and

1 (4) the President, the Secretary of State, and
2 the Secretary of Defense should use diplomatic
3 means to urge their counterparts in the Government
4 of France not to proceed with its sale of two Mistral
5 class warships to the Russian Federation.



134. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
SHIMKUS OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. SHIMKUS OF ILLINOIS**

At the end of subtitle F of title XII insert the following new section:

1 **SEC. 1266. RECOGNITION OF VICTIMS OF SOVIET COM-**
2 **MUNIST AND NAZI REGIMES.**

3 (a) FINDINGS.—Congress makes the following find-
4 ings:

5 (1) On August 13, 1941, President Franklin D.
6 Roosevelt and Prime Minister Winston Churchill
7 issued a joint declaration “of certain common prin-
8 ciples in the national policies of their respective
9 countries on which they based their hopes for a bet-
10 ter future for the world” and “the right of all peo-
11 ples to choose the form of government under which
12 they will live and self government restored to those
13 who have been forcibly deprived of them” and that
14 the people of countries may live in freedom.

15 (2) The United States Government has actively
16 advocated for and continues to support the prin-
17 ciples of the United Nations Universal Declaration

1 of Human Rights and the United Nations General
2 Assembly resolution 260 (III) of December 9, 1948.

3 (3) Captive Nations Week, signed into law by
4 President Dwight D. Eisenhower in 1959, raised
5 public awareness of the oppression of nations under
6 the control of Communist and other nondemocratic
7 governments.

8 (4) The European Parliament resolution on Eu-
9 ropean conscience and totalitarianism of April 2,
10 2009, and the “Black Ribbon Day” resolution
11 adopted by the Parliament of Canada on November
12 30, 2009, establish a day of remembrance for vic-
13 tims of Communist and Nazi regimes to remember
14 and commemorate their victims.

15 (5) The extreme forms of totalitarian rule prac-
16 ticed by the Soviet Communist and Nazi regimes led
17 to premeditated and vast crimes committed against
18 millions of human beings and their basic and in-
19 alienable rights on a scale unseen before in history.

20 (6) Fleeing the Nazi and Soviet Communist
21 crimes, hundreds of thousands of people sought and
22 found refuge in the United States.

23 (7) August 23 would be an appropriate date to
24 designate as “Black Ribbon Day” to remember and
25 never forget the terror millions of citizens in Central

1 and Eastern Europe experienced for more than 40
2 years by ruthless military, economic, and political re-
3 pression of the people through arbitrary executions,
4 mass arrests, deportations, the suppression of free
5 speech, confiscation of private property, and the de-
6 struction of cultural and moral identity and civil so-
7 ciety, all of which deprived the vast majority of the
8 peoples of Central and Eastern Europe of their basic
9 human rights and dignity, separating them from the
10 democratic world by means of the Iron Curtain and
11 the Berlin Wall.

12 (8) The memories of Europe's tragic past can-
13 not be forgotten in order to honor the victims, con-
14 demn the perpetrators, and lay the foundation for
15 reconciliation based on truth and remembrance.

16 (b) RECOGNITION.—Congress supports the designa-
17 tion of “Black Ribbon Day” to recognize the victims of
18 Soviet Communist and Nazi regimes.



135. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BRIDENSTINE OF OKLAHOMA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

88

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. BRIDENSTINE OF OKLAHOMA**

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

1 **SEC. 12 . REPORT ON COLLECTIVE AND NATIONAL SECURITY IMPLICATIONS OF CENTRAL ASIAN AND SOUTH CAUCASUS ENERGY DEVELOPMENT.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) Assured access to stable energy supplies is
6 an enduring concern of both the United States and
7 the North Atlantic Treaty Organization (NATO).

8 (2) Adopted in Lisbon in November 2010, the
9 new NATO Strategic Concept declares that “[s]ome
10 NATO countries will become more dependent on foreign
11 energy suppliers and in some cases, on foreign
12 energy supply and distribution networks for their energy
13 needs”.

14 (3) The report required by section 1233 of the
15 National Defense Authorization Act for Fiscal Year
16 2012 (Public Law 112–81) reaffirmed the Strategic
17 Concept’s assessment of growing energy dependence
18 of some members of the NATO alliance and also

1 noted there is value in the assured access, protec-
2 tion, and delivery of energy.

3 (4) Development of energy resources and tran-
4 sit routes in the areas surrounding the Caspian Sea
5 can diversify sources of supply for members of the
6 NATO alliance, particularly those in Eastern Eu-
7 rope.

8 (b) REPORT.—

9 (1) REPORT.—Not later than 270 days after
10 the date of the enactment of this Act, the Secretary
11 of Defense shall, in consultation with the Secretary
12 of State and the Secretary of Energy, submit to the
13 appropriate congressional committees a detailed re-
14 port on the implications of new energy resource de-
15 velopment and distribution networks, both planned
16 and under construction, in the areas surrounding the
17 Caspian Sea for energy security strategies of the
18 United States and NATO.

19 (2) ELEMENTS.—The report required by para-
20 graph (1) shall include the following:

21 (A) An assessment of the dependence of
22 NATO members on a single oil or natural gas
23 supplier or distribution network.

24 (B) An assessment of the potential of en-
25 ergy resources of the areas surrounding the

1 Caspian Sea to mitigate such dependence on a
2 single supplier or distribution network.

3 (C) Recommendations, if any, for ways in
4 which the United States can help support in-
5 creased energy security for NATO members.

6 (3) SUBMISSION OF CLASSIFIED INFORMA-
7 TION.—The report under this subsection shall be
8 submitted in unclassified form, but may contain a
9 classified annex.

10 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
11 FINED.—In this section, the term “appropriate congres-
12 sional committees” means—

13 (1) the Committee on Armed Services and the
14 Committee on Foreign Affairs of the House of Rep-
15 resentatives; and

16 (2) the Committee on Armed Services and the
17 Committee on Foreign Relations of the Senate.



136. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
ENGEL OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

86

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. ENGEL OF NEW YORK**

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

1 **SEC. 1266. FINDINGS AND SENSE OF CONGRESS.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) Protecting cultural property abroad is a
4 vital part of United States cultural diplomacy, show-
5 ing the respect of the United States for other cul-
6 tures and the common heritage of humanity.

7 (2) Cultural property abroad has been lost,
8 damaged, or destroyed due to political instability,
9 armed conflict, natural disasters, and other threats.

10 (3) In Egypt, political instability has led to the
11 ransacking of its museums, resulting in the destruc-
12 tion of countless ancient artifacts that will forever
13 leave gaps in humanity's knowledge of the ancient
14 Egyptian civilization.

15 (4) In Syria, the ongoing civil war has resulted
16 in the shelling of medieval cities, damage to World
17 Heritage Sites, and the looting of museums and ar-
18 chaeological sites. Archaeological and historic sites

1 and artifacts in Syria date back more than six mil-
2 lennia, and include some of the earliest examples of
3 writing.

4 (5) In Mali, the Al-Qaeda-affiliated terrorist
5 group Ansar Dine destroyed tombs and shrines in
6 the ancient city of Timbuktu, once a major center
7 for Islamic learning and scholarship in the 15th and
8 16th centuries, and threatened collections of ancient
9 manuscripts.

10 (6) In Afghanistan, the Taliban decreed that
11 the Bamiyan Buddhas, ancient statues carved into a
12 cliff side in central Afghanistan, were to be de-
13 stroyed. In 2001 the Taliban carried out their threat
14 and destroyed the statues, leading to worldwide con-
15 demnation.

16 (7) In Iraq, after the fall of Saddam Hussein,
17 thieves looted the Iraq Museum in Bagdad, resulting
18 in the loss of approximately 15,000 items. These in-
19 cluded ancient amulets, sculptures, ivories, and cyl-
20 nder seals. Many of these items remain unrecovered.

21 (8) The destruction of these and other cultural
22 properties represents an irreparable loss to human-
23 ity's common cultural heritage, and therefore to all
24 Americans.

1 (9) The Armed Forces have played important
2 roles in preserving and protecting cultural property.
3 On June 23, 1943, President Franklin D. Roosevelt
4 established the American Commission for the Pro-
5 tection and Salvage of Artistic and Historic Monu-
6 ments in War Areas to provide expert advice to the
7 military on the protection of cultural property. The
8 Commission formed Monuments, Fine Arts, and Ar-
9 chives (MFAA) teams which became part of the Civil
10 Affairs Division of Military Government Section of
11 the Allied armies. The individuals serving in the
12 MFAA were known as the “Monuments Men” and
13 have been credited with securing, cataloguing, and
14 returning hundreds of thousands works of art stolen
15 by the Nazis during World War II.

16 (10) The U.S. Committee of the Blue Shield
17 was founded in 2006 to support the implementation
18 of the 1954 Hague Convention for the Protection of
19 Cultural Property in the Event of Armed Conflict,
20 and to coordinate with the Armed Forces, other
21 branches of the United States Government, and
22 other cultural heritage nongovernmental organiza-
23 tions in preserving cultural property abroad threat-
24 ened by political instability, armed conflict, or nat-
25 ural or other disasters.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that—

3 (1) the Armed Forces play an important role in
4 preserving and protecting cultural property in coun-
5 tries at risk of destruction due to political insta-
6 bility, armed conflict, or natural or other disasters;
7 and

8 (2) the United States must protect cultural
9 property abroad pursuant to its obligations under
10 the 1954 Hague Convention for the Protection of
11 Cultural Property in the Event of Armed Conflict
12 and customary international law in all conflicts to
13 which the United States is a party.

14 (c) REPORT ON ACTIVITIES OF THE DEPARTMENT OF
15 DEFENSE IN REGARDS TO PROTECTING CULTURAL PROP-
16 erty ABROAD.—The Secretary of Defense shall submit
17 to the congressional defense committees and the Com-
18 mittee on Foreign Relations of the Senate and the Com-
19 mittee on Foreign Affairs of the House of Representatives
20 a report on efforts of the Department of Defense to pro-
21 tect cultural property abroad, including activities under-
22 taken pursuant to the 1954 Hague Convention for the
23 Protection of Cultural Property in the Event of Armed
24 Conflict, other cultural protection statutes, and inter-
25 national agreements, including—

1 (1) directives, policies, and regulations the De-
2 partment has instituted to protect cultural property
3 abroad at risk of destruction due to political insta-
4 bility, armed conflict, or natural or other disasters;

5 (2) actions the Armed Forces have taken to
6 protect cultural property abroad, including efforts
7 made to avoid damage, to the extent possible, to cul-
8 tural property through construction activities, train-
9 ing to ensure deploying military personnel are able
10 to identify, avoid, and protect cultural property
11 abroad, and other efforts made to inform military
12 personnel about the protection of cultural property
13 as part of the law of war; and

14 (3) the status and number of specialist per-
15 sonnel in the Armed Forces assigned to secure re-
16 spect for cultural property abroad and to cooperate
17 with civilian authorities responsible for safeguarding
18 cultural property abroad, as required by existing
19 treaty obligations under Article 7 of the 1954 Hague
20 Convention.



137. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KELLY
OF ILLINOIS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

27928

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MS. KELLY OF ILLINOIS**

At the end of title XII, insert the following:

1 **SEC. __. REPORT RELATING TO RESCUE EFFORTS IN NI-**
2 **GERIAN KIDNAPPING.**

3 Not later than 90 days after the date of enactment
4 of this Act, the Secretary of Defense, in consultation with
5 the Secretary of State, shall transmit to Congress a report
6 on the findings of U.S. military personnel assisting in the
7 search and rescue efforts of the more than 200 girls and
8 young women who were abducted from the Government
9 Secondary School in Chibok, Nigeria by Boko Haram.
10 Such report shall include—

11 (1) the location, health, and safety of the ab-
12 ducted girls, to the extent such information is ascer-
13 tainable;

14 (2) recommendations on what the Nigerian gov-
15 ernment can do to protect the girls and similarly sit-
16 uated girls moving forward;

17 (3) an assessment of the threat of Boko Haram
18 to Nigeria and other countries in the region;

1 (4) information regarding efforts by the De-
2 partment of Defense and Department of State to
3 build the capacity of the Nigerian security forces to
4 combat the threat of Boko Haram;

5 (5) information regarding efforts underway to
6 address poverty and governance in Nigeria to im-
7 prove the stability of that nation; and

8 (6) an assessment of the efforts of the govern-
9 ment of Nigeria to address security challenges and
10 the willingness of that government to cooperate with
11 the efforts of the United States, including efforts to
12 address human rights abuses by the security forces
13 of the government of Nigeria.



138. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MULVANEY OF SOUTH CAROLINA OR HIS DESIGNEE,
DEBATABLE FOR 10 MINUTES

AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY MR. MULVANEY OF SOUTH
CAROLINA

307R

Page 484, after line 12, insert the following:

1 **SEC. 1523. CODIFICATION OF OFFICE OF MANAGEMENT**
2 **AND BUDGET CRITERIA.**

3 The Secretary of Defense shall implement the fol-
4 lowing criteria in requests for overseas contingency oper-
5 ations:

6 (1) Geographic Area Covered – For theater of
7 operations for non-classified war overseas contin-
8 gency operations funding, the geographic areas in
9 which combat or direct combat support operations
10 occur are: Iraq, Afghanistan, Pakistan, Kazakhstan,
11 Tajikistan, Kyrhyzstan, the Horn of Africa, Persian
12 Gulf and Gulf nations, Arabian Sea, the Indian
13 Ocean, the Philippines, and other countries on a
14 case-by-case basis.

15 (2) Permitted Inclusions in the Overseas Con-
16 tingency Operation Budget

17 (A) Major Equipment

18 (i) Replacement of loses that have oc-
19 curred but only for items not already pro-

1 grammed for replacement in the Future
2 Years Defense Plan (FYDP), but not in-
3 cluding accelerations, which must be made
4 in the base budget.

5 (ii) Replacement or repair to original
6 capability (to upgraded capability if that is
7 currently available) of equipment returning
8 from theater. The replacement may be a
9 similar end item if the original item is no
10 longer in production. Incremental cost of
11 non-war related upgrades, if made, should
12 be included in the base.

13 (iii) Purchase of specialized, theater-
14 specific equipment.

15 (iv) Funding for major equipment
16 must be obligated within 12 months.

17 (B) Ground Equipment Replacement

18 (i) For combat losses and returning
19 equipment that is not economical to repair,
20 the replacement of equipment may be given
21 to coalition partners, if consistent with ap-
22 proved policy.

23 (ii) In-theater stocks above customary
24 equipping levels on a case-by-case basis.

25 (C) Equipment Modifications

1 (i) Operationally-required modifica-
2 tions to equipment used in theater or in di-
3 rect support of combat operations and that
4 is not already programmed in FYDP.

5 (ii) Funding for equipment modifica-
6 tions must be able be obligated in 12
7 months.

8 (D) Munitions

9 (i) Replenishment of munitions ex-
10 pended in combat operations in theater.

11 (ii) Training ammunition for theater-
12 unique training events.

13 (iii) While forecasted expenditures are
14 not permitted, a case-by-case assessment
15 for munitions where existing stocks are in-
16 sufficient to sustain theater combat oper-
17 ations.

18 (E) Aircraft Replacement

19 (i) Combat losses by accident that
20 occur in the theater of operations.

21 (ii) Combat losses by enemy action
22 that occur in the theater of operations.

23 (F) Military Construction

24 (i) Facilities and infrastructure in the
25 theater of operations in direct support of

1 combat operations. The level of construc-
2 tion should be the minimum to meet oper-
3 ational requirements.

4 (ii) At non-enduring locations, facili-
5 ties and infrastructure for temporary use.

6 (iii) At enduring locations, facilities
7 and infrastructure for temporary use.

8 (iv) At enduring locations, construc-
9 tion requirements must be tied to surge
10 operations or major changes in operational
11 requirements and will be considered on a
12 case-by-case basis.

13 (G) Research and development projects for
14 combat operations in these specific theaters
15 that can be delivered in 12 months.

16 (H) Operations

17 (i) Direct War costs:

18 (I) Transport of personnel,
19 equipment, and supplies to, from and
20 within the theater of operations.

21 (II) Deployment-specific training
22 and preparation for unites and per-
23 sonnel (military and civilian) to as-
24 sume their directed missions as de-

1 fined in the orders for deployment
2 into the theater of operations.

3 (ii) Within the theater, the incre-
4 mental costs above the funding pro-
5 grammed in the base budget to:

6 (I) Support commanders in the
7 conduct of their directed missions (to
8 include Emergency Response Pro-
9 grams).

10 (II) Build and maintain tem-
11 porary facilities.

12 (III) Provide food, fuel, supplies,
13 contracted services and other support.

14 (IV) Cover the operational costs
15 of coalition partners supporting US
16 military missions, as mutually agreed.

17 (iii) Indirect war costs incurred out-
18 side the theater of operations will be evalu-
19 ated on a case-by-case basis.

20 (I) Health

21 (i) Short-term care directly related to
22 combat.

23 (ii) Infrastructure that is only to be
24 used during the current conflict.

25 (J) Personnel

1 (i) Incremental special pays and al-
2 lowances for Service members and civilians
3 deployed to a combat zone.

4 (ii) Incremental pay, special pays and
5 allowances for Reserve Component per-
6 sonnel mobilized to support war missions.

7 (K) Special Operations Command

8 (i) Operations that meet the criteria
9 in this guidance.

10 (ii) Equipment that meets the criteria
11 in this guidance.

12 (L) Prepositioned Supplies and
13 equipment for resetting in-theater
14 stocks of supplies and equipment to
15 pre-war levels.

16 (M) Security force funding to train, equip,
17 and sustain Iraqi and Afghan military and po-
18 lice forces.

19 (N) Fuel

20 (i) War fuel costs and funding to en-
21 sure that logistical support to combat oper-
22 ations is not degraded due to cash losses
23 in the Department of Defense's baseline
24 fuel program.

1 (ii) Enough of any base fuel shortfall
2 attributable to fuel price increases to main-
3 tain sufficient on-hand cash for the De-
4 fense Working Capital Funds to cover
5 seven days disbursements.

6 (3) Excluded items from Overseas Contingency
7 Funding that must be funded from the base budget

8 (A) Training vehicles, aircraft, ammuni-
9 tion, and simulators, but not training base
10 stocks of specialized, theater-specific equipment
11 that is required to support combat operations in
12 the theater of operations, and support to de-
13 ployment-specific training described above.

14 (B) Acceleration of equipment service life
15 extension programs already in the Future Years
16 Defense Plan.

17 (C) Base Realignment and Closure
18 projects.

19 (D) Family support initiatives

20 (i) Construction of childcare facilities.

21 (ii) Funding for private-public par-
22 tnerships to expand military families' ac-
23 cess to childcare.

24 (iii) Support for service members'
25 spouses professional development.

1 (E) Programs to maintain industrial base
2 capacity including “war-stoppers.”

3 (F) Personnel

4 (i) Recruiting and retention bonuses
5 to maintain end-strength.

6 (ii) Basic Pay and the Basic allow-
7 ances for Housing and Subsistence for per-
8 manently authorized end strength.

9 (iii) Individual augmentees on a case-
10 by-case basis.

11 (G) Support for the personnel, operations,
12 or the construction or maintenance of facilities,
13 at U.S. Offices of Security Cooperation in the-
14 ater.

15 (H) Costs for reconfiguring prepositioned
16 supplies and equipment or for maintaining
17 them.

18 (4) Special Situations – Items proposed for in-
19 creases in reprogrammings or as payback for prior
20 reprogrammings must meet the criteria above.

139. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
WALBERG OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE COMMITTEE PRINT FOR
H.R. 4435
OFFERED BY MR. WALBERG OF MICHIGAN**

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

**1 SEC. 1523. LIMITATION ON USE OF FUNDS FOR THE AF-
2 GHANISTAN INFRASTRUCTURE FUND.**

3 None of the funds authorized to be appropriated or
4 otherwise made available by this Act may be used for the
5 Afghanistan Infrastructure Fund until all funds appro-
6 priated for the Afghanistan Infrastructure Fund before
7 the date of the enactment of this Act are obligated or ex-
8 pended.



140. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GRAYSON OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. GRAYSON OF FLORIDA**

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

1 **SEC. __. SPACE PROTECTION STRATEGY.**

2 Section 911(d) of the National Defense Authorization
3 Act for Fiscal Year 2008 (10 U.S.C. 2271 note) is amend-
4 ed by adding at the end the following new paragraph:

5 “(4) Fiscal years 2026 through 2030.”



141. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
LAMBORN OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

602

AMENDMENT TO H.R. 4435
OFFERED BY MR. LAMBORN OF COLORADO

At the appropriate place in subtitle B of title 16, insert the following new section:

1 **SEC. 16__ . REPORT ON GOVERNANCE AND CORRUPTION**
2 **IN THE RUSSIAN FEDERATION.**

3 (a) **REPORT.**—Not later than 180 days after the date
4 of the enactment of this Act, the Director of National In-
5 telligence shall submit to the Committee on Foreign Af-
6 fairs and the Committee on Armed Services of the House
7 of Representatives and the Committee on Foreign Rela-
8 tions and the Committee on Armed Services of the Senate
9 a report on the status of governance and democratization
10 in the Russian Federation.

11 (b) **CONTENTS.**—The report required under sub-
12 section (a) shall include—

13 (1) a description of the extent of political and
14 economic corruption among the senior leadership of
15 the Russian Federation; and

16 (2) an analysis of the assets of the senior lead-
17 ership of the Russian Federation, with a particular
18 focus on the illegal attainment and movement of

1 those assets, including the use of family or friends
2 to hide assets.

3 (c) FORM.—The report required under subsection (a)
4 shall be submitted in unclassified form, but may include
5 a classified annex.

6 (d) PUBLIC AVAILABILITY.—The Director of Na-
7 tional Intelligence shall make publicly available on the
8 Internet the unclassified portion of the report required
9 under subsection (a).



142. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
POMPEO OF KANSAS OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. POMPEO OF KANSAS**

At the end of subtitle C of title XVI, insert the following new section:

1 **SEC. 1622. DIRECTOR OF NATIONAL INTELLIGENCE CER-**
2 **TIFICATION WITH RESPECT TO THE MISSION**
3 **ANALYSIS FOR CYBER OPERATIONS OF DE-**
4 **PARTMENT OF DEFENSE.**

5 Section 933 of the National Defense Authorization
6 Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat.
7 830) is amended—

8 (1) in subsection (c)—

9 (A) in paragraph (1), by striking “before
10 the submittal of” and all that follows and in-
11 serting “or 2015 before the Secretary submits
12 the report required by subsection (d) and the
13 Director of National Intelligence submits a cer-
14 tification described in subsection (g).”; and

15 (B) in paragraph (2), by striking the pe-
16 riod at the end and inserting “and the Director
17 of National Intelligence submits a certification
18 described in subsection (g).”; and

1 (2) by adding at the end the following new sub-
2 section:

3 “(g) DIRECTOR OF NATIONAL INTELLIGENCE CER-
4 TIFICATION.—The Director of National Intelligence shall
5 submit to the congressional defense committees a certifi-
6 cation that the recommendations of the report required
7 under subsection (d) are consistent with the cyber oper-
8 ations capability needs of the United States.”.



143. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
ROGERS (AL) OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

214

F:\AJS\NDA15\AMD\FLOOR_ROPA.XML

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. ROGERS OF ALABAMA**

Page 516, after line 10, insert the following:

1 **SEC. 1636. IMPROVEMENT TO BIENNIAL ASSESSMENT ON**
2 **DELIVERY PLATFORMS FOR NUCLEAR WEAP-**
3 **ONS AND THE NUCLEAR COMMAND AND CON-**
4 **TROL SYSTEM.**

5 Section 492(a)(1) of title 10, United States Code, is
6 amended by inserting “, and the ability to meet oper-
7 ational availability requirements for,” after “military ef-
8 fectiveness of”.



144. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
ROGERS (AL) OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

2152

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. ROGERS OF ALABAMA**

At the end of subtitle D of title XVI, add the following new section:

**1 SEC. 1636. REPORTS AND BRIEFINGS OF STRATEGIC ADVI-
2 SORY GROUP.**

3 Not later than 30 days after the date on which the
4 President submits to Congress, under section 1105 of title
5 31, United States Code, a budget for a fiscal year after
6 fiscal year 2015, the Commander of the United States
7 Strategic Command shall submit to the congressional de-
8 fense committees each report and briefing provided by the
9 Strategic Advisory Group established pursuant to the Fed-
10 eral Advisory Committee Act (5 U.S.C. App.), including
11 any subgroup thereof and any successor advisory group,
12 to the Commander during the one-year period preceding
13 the date of such submission. The Commander may include
14 with each such submission any additional views the Com-
15 mander determines appropriate.



145. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
TURNER OF OHIO OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

HCR

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. TURNER OF OHIO**

At the end of subtitle D of title XVI, add the following new section:

1 **SEC. 1636. LIMITATION ON AVAILABILITY OF FUNDS FOR**
2 **REMOVAL OR CONSOLIDATION OF DUAL-CA-**
3 **PABLE AIRCRAFT FROM EUROPE.**

4 (a) LIMITATION.—

5 (1) IN GENERAL.—None of the funds author-
6 ized to be appropriated by this Act or otherwise
7 made available for fiscal year 2015 for the Depart-
8 ment of Defense may be used for the removal or
9 consolidation of dual-capable aircraft from the area
10 of responsibility of the United States European
11 Command until the Secretary of Defense, in con-
12 sultation with the Secretary of State, certifies to the
13 appropriate congressional committees that—

14 (A) the armed forces of the Russian Fed-
15 eration are no longer illegally occupying
16 Ukrainian territory;

17 (B) the Russian Federation is no longer
18 violating the INF Treaty; and

1 (C) the Russian Federation is in compli-
2 ance with the CFE Treaty and has lifted its
3 suspension of Russian observance of its treaty
4 obligations.

5 (2) EXCEPTION.—The limitation in paragraph
6 (1) shall not apply in instances where a dual-capable
7 aircraft is being replaced by an F-35 aircraft.

8 (b) WAIVER.—The Secretary of Defense may waive
9 the limitation in subsection (a)(1) if—

10 (1) the Secretary of Defense, in coordination
11 with the Secretary of State, submits to the appro-
12 priate congressional committees—

13 (A) a notification that such a waiver is in
14 the national security interest of the United
15 States and a description of the national security
16 interest covered by the waiver;

17 (B) certification that such consolidation is
18 consistent with the policy established in the
19 NATO Deterrence and Defense Posture Review
20 of 2012 concerning reciprocal non-strategic nu-
21 clear weapons reductions by the Russian Fed-
22 eration; and

23 (C) a report, in unclassified form, explain-
24 ing why the Secretary of Defense cannot make
25 the certification under subsection (a)(1); and

1 (2) a period of 30 days has elapsed following
2 the date on which the Secretary of Defense submits
3 the information in the report under paragraph
4 (1)(C).

5 (c) REPORT.—The Secretary of Defense shall provide
6 a report on the cost and burden sharing arrangements of
7 forward-deployed nuclear weapons in place with the North
8 Atlantic Treaty Organization and its members and any
9 recommendations for changes to these arrangements.

10 (d) DEFINITIONS.—In this section:

11 (1) The term “CFE Treaty” means the Treaty
12 on Conventional Armed Forces in Europe, signed at
13 Paris November 19, 1990, and entered into force
14 July 17, 1992.

15 (2) The “dual-capable aircraft” means tactical
16 fighter aircraft that can perform both conventional
17 and nuclear missions.

18 (3) The term “INF Treaty” means the Treaty
19 Between the United States of America and the
20 Union of Soviet Socialist Republics on the Elimination
21 of Their Intermediate-Range and Shorter-
22 Range Missiles, commonly referred to as the Inter-
23 mediate-Range Nuclear Forces (INF) Treaty, signed

1 at Washington December 8, 1987 and entered into
2 force June 1, 1988.



146. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
ISRAEL OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

H6TR

**MODIFICATION TO THE AMENDMENT
OFFERED BY MR. ISRAEL OF NEW YORK
(Amdt #161 of the Report of the Committee on Rules
(H.Rept.113-455))**

The amendment is modified as follows:

Page 508, after line 9, add the following new section:

1 **SEC. 1622. SENSE OF CONGRESS REGARDING ROLE OF NA-**
2 **TIONAL GUARD IN DEFENSE OF UNITED**
3 **STATES AGAINST CYBER ATTACKS.**

4 It is the sense of Congress that—

5 (1) members of the National Guard may pos-
6 sess knowledge of critical infrastructure in the
7 States in which the members serve that may be of
8 value for purposes of defending such infrastructure
9 against cyber threats;

10 (2) traditional members of the National Guard
11 and National Guard technicians may have experience
12 in both the private and public sector that could ben-
13 efit the readiness of the Department of Defense's
14 cyber force and the development of cyber capabili-
15 ties;

1 (3) the long-standing relationship the National
2 Guard has with local and civil authorities may be
3 beneficial for purposes of providing for a coordinated
4 response to a cyber attack and defending against
5 cyber threats;

6 (4) the States are already working to establish
7 cyber partnerships with the National Guard; and

8 (5) the National Guard has a role in the de-
9 fense of the United States against cyber threats and
10 consideration should be given to how the National
11 Guard might be integrated into a comprehensive na-
12 tional approach for cyber defense.



147. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POLIS
OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. POLIS OF COLORADO**

Page 519, line 23, insert “operationally realistic”
before “intercept flight test”.



148. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BROOKS OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

165R

AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. BROOKS OF ALABAMA

At the end of subtitle E of title XVI, add the following new section:

1 SEC. 1643. PLAN TO COUNTER CERTAIN GROUND-
2 LAUNCHED BALLISTIC MISSILES AND CRUISE
3 MISSILES.

4 (a) FINDINGS. Congress finds the following:

5 (1) On March 5, 2014, the Deputy Assistant
6 Secretary of Defense for Nuclear and Missile De-
7 fense Policy testified before the Committee on
8 Armed Services of the Senate that "[w]e are con-
9 cerned about Russian activity that appears to be in-
10 consistent with the Intermediate Range Nuclear
11 Forces Treaty. We've raised the issue with Russia.
12 They provided an answer that was not satisfactory
13 to us, and we will, we told them that the issue is not
14 closed, and we will continue to raise this." Congress
15 shares this concern regarding Russian behavior that
16 is "inconsistent with" or in violation or circumven-
17 tion of the INF Treaty.

1 (2) The Commander of the U.S. European
2 Command, and Supreme Allied Commander Europe,
3 stated on April 2, 2014, that "a weapon capability
4 that violates the INF, that is introduced into the
5 greater European land mass is absolutely a tool that
6 will have to be dealt with. . .I would not judge how
7 the alliance will choose to react, but I would say
8 they will have to consider what to do about it. . .It
9 can't go unanswered."

10 (3) The Director of the Missile Defense Agency
11 stated on March 25, 2014, that Aegis Ashore missile
12 defense sites, including those to be deployed in the
13 Republic of Poland and the Republic of Romania,
14 could be reconfigured to deal with the threat of in-
15 termediate-range ground launched cruise missiles
16 with modest changes to "the software, [and] with a
17 minor hardware addition."

18 (4) The "Report on Conventional Prompt Glob-
19 al Strike Options if Exempt from the Restrictions of
20 the Intermediate-Range Nuclear Forces Treaty Be-
21 tween the United States of America and the Union
22 of Soviet Socialist Republics" provided to the Com-
23 mittee on Armed Services of the House of Rep-
24 resentatives in September 2013 by the Chairman of
25 the Joint Chiefs of Staff stated, "[i]n the absence of

1 the INF Treaty, four types of weapons systems
2 could assist in closing the existing JROC-validated
3 capability gap: (1) Modifications to existing short
4 range or tactical weapon systems to extend range;
5 (2) Forward-based, ground-launched cruise missiles
6 (GLCMs); (3) Forward-based, ground-launched in-
7 termediate-range ballistic missiles (IRBMs); and (4)
8 Forward-based, ground-launched intermediate-range
9 missiles with trajectory shaping vehicles (TSVs)."

10 (5) The report further stated that, "[b]ecause
11 of INF restrictions, examination of prohibited con-
12 cepts has not been performed by industry or the
13 Services. Trade studies regarding capability, afford-
14 ability, and development timelines would have to be
15 completed prior to providing an accurate estimate of
16 cost, technology risk, and timeline advantages that
17 could be achieved with respect to these concepts. Ex-
18 tensive knowledge could be leveraged from past and
19 current land- and sea-based systems to assist in po-
20 tential development and deployment of these cur-
21 rently prohibited concepts."

22 (6) President Obama stated in Prague in April
23 2009 that "Rules must be binding. Violations must
24 be punished. Words must mean something."

1 (7) The Nuclear Posture Review of 2010 stat-
2 ed, "it is not enough to detect non-compliance; viola-
3 tors must know that they will face consequences
4 when they are caught."

5 (8) The July 2010 Verifiability Assessment re-
6 leased by the Department of State on the New
7 START Treaty, and as quoted in a hearing of the
8 Committee on Armed Services of the Senate, stated:
9 "[t]he costs and risks of Russian cheating or break-
10 out, on the other hand, would likely be very signifi-
11 cant" and that the Russian Federation would be un-
12 likely to cheat because of the "financial and inter-
13 national political costs of such an action."

14 (b) PLAN FOR TESTING OF AEGIS ASHORE.

15 (1) IN GENERAL. The Director of the Missile
16 Defense Agency shall develop a plan to test, by not
17 later than December 31, 2015, the capability of the
18 Aegis Ashore system, including pursuant to any ap-
19 propriate modifications to the hardware or software
20 of such system, to counter intermediate-range
21 ground launched cruise missiles.

22 (2) SUBMISSION. Not later than 120 days
23 after the date of the enactment of this Act, the Di-
24 rector shall submit to the congressional defense com-
25 mittees the plan under paragraph (1), including, if

1 determined appropriate by the Director, whether the
2 Director determines that such plan should be imple-
3 mented.

4 (c) PLAN TO DEVELOP CERTAIN GROUND-
5 LAUNCHED BALLISTIC MISSILES AND CRUISE MIS-
6 SILES. If, as of the date of the enactment of this Act,
7 the Russian Federation is not in complete and verifiable
8 compliance with its obligations under the INF Treaty, the
9 Secretary of Defense shall

10 (1) develop a plan for the research and develop-
11 ment of intermediate range ballistic and cruise mis-
12 siles, including through trade studies regarding ca-
13 pability, affordability, and development timelines, for
14 which there are validated military requirements; and

15 (2) by not later than 120 days after the date
16 of the enactment of this Act, submit to the congres-
17 sional defense committees the plan developed under
18 paragraph (1), including, if determined appropriate
19 by the Secretary, whether the Secretary determines
20 that such plan should be implemented.

21 (d) INF TREATY DEFINED. The term "INF Trea-
22 ty" means the Treaty Between the United States of Amer-
23 ica and the Union of Soviet Socialist Republics on the
24 Elimination of Their Intermediate-Range and Shorter-
25 Range Missiles, commonly referred to as the Intermediate-

1 Range Nuclear Forces (INF) Treaty, signed at Wash-
2 ington December 8, 1987, and entered into force June 1,
3 1988.

149. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
FOSTER OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

2521

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. FOSTER OF ILLINOIS**

At the end of subtitle E of title XVI, add the following new section:

1 **SEC. 1643. STUDY ON TESTING PROGRAM OF GROUND-**
2 **BASED MIDCOURSE MISSILE DEFENSE SYS-**
3 **TEM.**

4 (a) **STUDY.**—The Secretary of Defense shall enter
5 into an arrangement with the Institute for Defense Anal-
6 yses under which the Institute shall carry out a study on
7 the testing program of the ground based midcourse missile
8 defense system.

9 (b) **ELEMENTS.**—The study under subsection (a)
10 shall include the following:

11 (1) An assessment of whether the testing pro-
12 gram described in subsection (a) has established, as
13 of the date of the study, that the ground-based mid-
14 course missile defense system will perform reliably
15 and effectively under realistic operational conditions,
16 including an explanation of the degree of confidence
17 supporting such assessment.

1 (2) An assessment of whether the currently
2 planned testing program, if implemented, is suffi-
3 cient to establish that the ground-based midcourse
4 missile defense system will perform both reliably and
5 effectively against current and plausible near- and
6 medium-term ballistic missile threats under realistic
7 operational conditions, and if any gaps are identi-
8 fied, an evaluation of what improvements could be
9 made to the testing program to achieve reasonable
10 confidence that the system would be reliable and ef-
11 fective under realistic operational conditions.

12 (3) Any necessary recommendations to improve
13 the effectiveness and reliability of the ground-based
14 midcourse missile defense system.

15 (c) REPORT.—Not later than one year after the date
16 of the enactment of this Act, the Secretary shall submit
17 to the congressional defense committees a report con-
18 taining the study.



150. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
SABLAN OF NORTHERN MARIANA ISLANDS OR HIS DESIGNEE,
DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. SABLAN OF NORTHERN
MARIANA ISLANDS**

In title XXIII, insert after section 2303 the following new section (and redesignate subsequent sections accordingly):

**1 SEC. 2304. MODIFICATION OF AUTHORITY TO CARRY OUT
2 CERTAIN FISCAL YEAR 2014 PROJECT.**

3 In the case of the authorization contained in the table
4 in section 2301(a) of the Military Construction Authoriza-
5 tion Act for Fiscal Year 2014 (division B of Public Law
6 113-66; 127 Stat. 992) relating to Saipan for the con-
7 struction of a maintenance facility, a hazardous cargo pad,
8 or an airport storage facility in the Commonwealth of the
9 Northern Mariana Islands, the Secretary of the Air Force
10 may carry out such construction at any suitable location
11 in the Northern Mariana Islands.



151. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CASTOR OF FLORIDA OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 4435
OFFERED BY MS. CASTOR OF FLORIDA**

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

1 **SEC. 2805. REPORT ON PREVALENCE OF BLACK MOLD IN**
2 **BUILDINGS LOCATED ON MILITARY INSTAL-**
3 **LATIONS.**

4 (a) REPORT.—Not later than 180 days after the date
5 of enactment of this Act, the Secretary of Defense shall
6 report to Congress on the prevalence of black mold in
7 buildings located on military installations.

8 (b) ACTION REQUIRED.—Based on the report re-
9 quired under subsection (a), buildings identified in such
10 report as containing black mold shall be added to the ap-
11 propriate branch's construction priority list for building
12 replacement or renovation.



152. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BORDALLO OF GUAM OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MS. BORDALLO OF GUAM**

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

1 **SEC. 2832. ESTABLISHMENT OF SURFACE DANGER ZONE,**
2 **RITIDIAN UNIT, GUAM NATIONAL WILDLIFE**
3 **REFUGE.**

4 (a) **AGREEMENT TO ESTABLISH.**—In order to accom-
5 modate the operation of a live-fire training range complex
6 on Andersen Air Force Base-Northwest Field and the
7 management of the adjacent Ritidian Unit of the Guam
8 National Wildlife Refuge, the Secretary of the Navy and
9 the Secretary of the Interior, notwithstanding the Na-
10 tional Wildlife Refuge System Administration Act of 1966
11 (16 U.S.C. 668dd et seq.), may enter into an agreement
12 providing for the establishment and operation of a surface
13 danger zone which overlays the Ritidian Unit or such por-
14 tion thereof as the Secretaries consider necessary.

15 (b) **ELEMENTS OF AGREEMENT.**—The agreement to
16 establish a surface danger zone over all or a portion of
17 the Ritidian Unit of the Guam National Wildlife Refuge
18 shall include—

1 (1) measures to maintain the purposes of the
2 Refuge; and

3 (2) as appropriate, measures, funded by the
4 Secretary of the Navy from funds appropriated after
5 the date of enactment of this Act and otherwise
6 available to the Secretary, for the following pur-
7 poses:

8 (A) Relocation and reconstruction of struc-
9 tures and facilities of the Refuge in existence as
10 of the date of the enactment of this Act.

11 (B) Mitigation of impacts to wildlife spe-
12 cies present on the Refuge or to be reintroduced
13 in the future in accordance with applicable
14 laws.

15 (C) Use of Department of Defense per-
16 sonnel to undertake conservation activities with-
17 in the Ritidian Unit normally performed by De-
18 partment of the Interior personnel, including
19 habitat maintenance, maintaining the boundary
20 fence, and conducting the brown tree snake
21 eradication program.

22 (D) Openings and closures of the surface
23 danger zone to the public as may be necessary.



153. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
HASTINGS OF WASHINGTON OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. HASTINGS OF WASHINGTON**

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

1 **SEC. 2867. ENSURING PUBLIC ACCESS TO THE SUMMIT OF**
2 **RATTLESNAKE MOUNTAIN IN THE HANFORD**
3 **REACH NATIONAL MONUMENT.**

4 (a) IN GENERAL.—The Secretary of the Interior, act-
5 ing as the administrator of land owned by the Office of
6 Environmental Management of the Department of Energy
7 known as the “Hanford Reach National Monument”, shall
8 provide public access to the summit of Rattlesnake Moun-
9 tain in the Hanford Reach National Monument for edu-
10 cational, recreational, historical, scientific, cultural, and
11 other purposes, including—

12 (1) motor vehicle access; and

13 (2) pedestrian and other nonmotorized access.

14 (b) COOPERATIVE AGREEMENTS.—The Secretary of
15 the Interior may enter into cooperative agreements to fa-
16 cilitate access to the summit of Rattlesnake Mountain—

17 (1) with the Secretary of Energy, the State of
18 Washington, or any local government agency or

1 other interested persons, for guided tours, including
2 guided motorized tours to the summit of Rattlesnake
3 Mountain; and

4 (2) with the Secretary of Energy, and with the
5 State of Washington or any local government agency
6 or other interested persons, to maintain the access
7 road to the summit of Rattlesnake Mountain.



154. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
HASTINGS OF WASHINGTON OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

51

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. HASTINGS OF WASHINGTON**

Page 649, after line 10, insert the following new subsection (and redesignate the subsequent subsection accordingly):

1 (d) EXCLUSION OF CERTAIN OPTIONS.—

2 (1) IN GENERAL.—The study under subsection
3 (b)(1) and the report under subsection (c)(1) shall
4 not include any assessment or discussion of options
5 that involve moving plutonium to a State where the
6 Federal Government—

7 (A) is not meeting all legally binding dead-
8 lines and milestones required under the Tri-
9 Party Agreement and the Consent Decree;

10 (B) has provided notification that any ele-
11 ment of the Tri-Party Agreement or the Con-
12 sent Decree is at risk of being breached; or

13 (C) is in dispute resolution with the State
14 regarding the Tri-Party Agreement or the Con-
15 sent Decree.

16 (2) DEFINITIONS.—In this subsection:

- 1 (A) The term “Tri-Party Agreement”
2 means the comprehensive cleanup and compli-
3 ance agreement between the Secretary of En-
4 ergy, the Administrator of the Environmental
5 Protection Agency, and the State of Wash-
6 ington entered into on May 15, 1989.
- 7 (B) The term “Consent Decree” means the
8 legal agreement between the Secretary of En-
9 ergy and the State of Washington finalized in
10 2010.



155. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
LARSEN OF WASHINGTON OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

1912

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. LARSEN OF WASHINGTON**

At the end of subtitle C of title XXXI, add the following new section:

1 **SEC. 3134. PLAN FOR VERIFICATION AND MONITORING OF**
2 **PROLIFERATION OF NUCLEAR WEAPONS AND**
3 **FISSILE MATERIAL.**

4 (a) **PLAN.**—The President, in consultation with the
5 Secretary of State, the Secretary of Defense, the Secretary
6 of Energy, the Secretary of Homeland Security, and the
7 Director of National Intelligence, shall develop an inter-
8 agency plan for verification and monitoring relating to the
9 potential proliferation of nuclear weapons, components of
10 such weapons, and fissile material.

11 (b) **ELEMENTS.**—The plan developed under sub-
12 section (a) shall include the following:

13 (1) An interagency plan and road map for
14 verification and monitoring, with respect to policy,
15 operations, and research, development, testing, and
16 evaluation, including—

1 (A) identifying requirements (including
2 funding requirements) for such verification and
3 monitoring; and

4 (B) identifying and integrating roles, re-
5 sponsibilities, and planning for such verification
6 and monitoring.

7 (2) An engagement plan for building coopera-
8 tion and transparency to improve inspections and
9 monitoring.

10 (3) A research and development program to—

11 (A) improve monitoring, detection, and in-
12 field inspection and analysis capabilities, includ-
13 ing persistent surveillance, remote monitoring,
14 rapid analysis of large data sets, including
15 open-source data; and

16 (B) coordinate technical and operational
17 requirements early in the process.

18 (4) Engagement of relevant departments and
19 agencies of the Federal Government and the military
20 departments (including the Open Source Center and
21 the U.S. Atomic Energy Detection System), national
22 laboratories, industry, and academia.

23 (c) SUBMISSION.—

24 (1) IN GENERAL.—Not later than September 1,
25 2015, the President shall submit to the appropriate

1 congressional committees the plan developed under
2 subsection (a).

3 (2) APPROPRIATE CONGRESSIONAL COMMIT-
4 TEES DEFINED.—In this subsection, the term appro-
5 priate congressional committees means the following:

6 (A) The congressional defense committees.

7 (B) The Select Committee on Intelligence
8 of the Senate and the Permanent Select Com-
9 mittee on Intelligence of the House of Rep-
10 resentatives.

11 (C) The Committee on Foreign Relations
12 of the Senate and the Committee on Foreign
13 Affairs of the House of Representatives.

14 (D) The Committee on Homeland Security
15 and Governmental Affairs of the Senate and the
16 Committee on Homeland Security of the House
17 of Representatives.

18 (E) The Committee on Commerce, Science,
19 and Transportation of the Senate and the Com-
20 mittee on Energy and Commerce of the House
21 of Representatives.



156. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
PIERLUISI OF PUERTO RICO OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. PIERLUISI OF PUERTO RICO**

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

1 **SEC. 28 __ . USE OF FORMER BOMBARDMENT AREA ON IS-**
2 **LAND OF CULEBRA, PUERTO RICO.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the statutory prohibition restricting environ-
5 mental cleanup of the former bombardment area on the
6 island of Culebra, Puerto Rico, is a unique anomaly for
7 the Department of Defense and its formerly used defense
8 sites.

9 (b) MODIFICATION OF RESTRICTION ON FEDERAL
10 DECONTAMINATION AUTHORITY.—Section 204(c) of the
11 Military Construction Authorization Act, 1974 (Public
12 Law 93–166; 87 Stat. 668) is amended by adding at the
13 end the following new sentence: “The first sentence of this
14 subsection shall not apply to the portions of the former
15 bombardment area that were identified as having regular
16 public access in the Department of Defense study entitled
17 ‘Study Relating to the Presence of Unexploded Ordnance
18 in a Portion of the Former Naval Bombardment Area of

1 Culebra Island, Commonwealth of Puerto Rico' and dated
2 April 20, 2012, which was prepared in accordance with
3 section 2815 of the Ike Skelton National Defense Author-
4 ization Act for Fiscal Year 2011 (Public Law 111-383;
5 124 Stat. 4464).”.



157. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CONNOLLY OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. CONNOLLY OF VIRGINIA AND
MR. ISSA OF CALIFORNIA**

At the end of the bill, add the following new division:

1 **DIVISION E—FEDERAL INFOR-**
 2 **MATION TECHNOLOGY AC-**
 3 **QUISITION REFORM**

4 **SEC. 5001. SHORT TITLE.**

5 This division may be cited as the “Federal Informa-
 6 tion Technology Acquisition Reform Act”.

7 **SEC. 5002. TABLE OF CONTENTS.**

8 The table of contents for this division is as follows:

DIVISION E—FEDERAL INFORMATION TECHNOLOGY ACQUISITION
REFORM

- Sec. 5001. Short title.
- Sec. 5002. Table of contents.
- Sec. 5003. Definitions.

TITLE LI—MANAGEMENT OF INFORMATION TECHNOLOGY
WITHIN FEDERAL GOVERNMENT

- Sec. 5101. Increased authority of agency Chief Information Officers over information technology.
- Sec. 5102. Lead coordination role of Chief Information Officers Council.
- Sec. 5103. Reports by Government Accountability Office.

TITLE LII—DATA CENTER OPTIMIZATION

- Sec. 5201. Purpose.
- Sec. 5202. Definitions.
- Sec. 5203. Federal data center optimization initiative.
- Sec. 5204. Performance requirements related to data center consolidation.
- Sec. 5205. Cost savings related to data center optimization.

Sec. 5206. Reporting requirements to Congress and the Federal Chief Information Officer.

TITLE LIII—ELIMINATION OF DUPLICATION AND WASTE IN INFORMATION TECHNOLOGY ACQUISITION

- Sec. 5301. Inventory of information technology software assets.
Sec. 5302. Website consolidation and transparency.
Sec. 5303. Transition to the cloud.
Sec. 5304. Elimination of unnecessary duplication of contracts by requiring business case analysis.

TITLE LIV—STRENGTHENING IT ACQUISITION WORKFORCE

- Sec. 5411. Expansion of training and use of information technology acquisition cadres.
Sec. 5412. Plan on strengthening program and project management performance.
Sec. 5413. Personnel awards for excellence in the acquisition of information systems and information technology.

TITLE LV—ADDITIONAL REFORMS

- Sec. 5501. Maximizing the benefit of the Federal strategic sourcing initiative.
Sec. 5502. Governmentwide software purchasing program.
Sec. 5503. Promoting transparency of blanket purchase agreements.
Sec. 5504. Additional source selection technique in solicitations.
Sec. 5505. Enhanced transparency in information technology investments.
Sec. 5506. Enhanced communication between government and industry.
Sec. 5507. Clarification of current law with respect to technology neutrality in acquisition of software.
Sec. 5508. No additional funds authorized.

1 SEC. 5003. DEFINITIONS.

2 In this division:

3 (1) CHIEF ACQUISITION OFFICERS COUNCIL.—

4 The term “Chief Acquisition Officers Council”
5 means the Chief Acquisition Officers Council estab-
6 lished by section 1311(a) of title 41, United States
7 Code.

8 (2) CHIEF INFORMATION OFFICER.—The term
9 “Chief Information Officer” means a Chief Informa-
10 tion Officer (as designated under section 3506(a)(2))

1 of title 44, United States Code) of an agency listed
2 in section 901(b) of title 31, United States Code.

3 (3) CHIEF INFORMATION OFFICERS COUNCIL.—
4 The term “Chief Information Officers Council” or
5 “CIO Council” means the Chief Information Officers
6 Council established by section 3603(a) of title 44,
7 United States Code.

8 (4) DIRECTOR.—The term “Director” means
9 the Director of the Office of Management and Budg-
10 et.

11 (5) FEDERAL AGENCY.—The term “Federal
12 agency” means each agency listed in section 901(b)
13 of title 31, United States Code.

14 (6) FEDERAL CHIEF INFORMATION OFFICER.—
15 The term “Federal Chief Information Officer”
16 means the Administrator of the Office of Electronic
17 Government established under section 3602 of title
18 44, United States Code.

19 (7) INFORMATION TECHNOLOGY OR IT.—The
20 term “information technology” or “IT” has the
21 meaning provided in section 11101(6) of title 40,
22 United States Code.

23 (8) RELEVANT CONGRESSIONAL COMMIT-
24 TEES.—The term “relevant congressional commit-
25 tees” means each of the following:

1 (A) The Committee on Oversight and Gov-
2 ernment Reform and the Committee on Armed
3 Services of the House of Representatives.

4 (B) The Committee on Homeland Security
5 and Governmental Affairs and the Committee
6 on Armed Services of the Senate.

7 **TITLE LI—MANAGEMENT OF IN-**
8 **FORMATION TECHNOLOGY**
9 **WITHIN FEDERAL GOVERN-**
10 **MENT**

11 **SEC. 5101. INCREASED AUTHORITY OF AGENCY CHIEF IN-**
12 **FORMATION OFFICERS OVER INFORMATION**
13 **TECHNOLOGY.**

14 (a) PRESIDENTIAL APPOINTMENT OF CIOs OF CER-
15 TAIN AGENCIES.—

16 (1) IN GENERAL.—Section 11315 of title 40,
17 United States Code, is amended—

18 (A) by redesignating subsection (a) as sub-
19 section (e) and moving such subsection to the
20 end of the section; and

21 (B) by inserting before subsection (b) the
22 following new subsection (a):

23 “(a) PRESIDENTIAL APPOINTMENT OR DESIGNATION
24 OF CERTAIN CHIEF INFORMATION OFFICERS.—

1 “(1) IN GENERAL.—There shall be within each
2 agency listed in section 901(b)(1) of title 31 an
3 agency Chief Information Officer. Each agency Chief
4 Information Officer shall—

5 “(A)(i) be appointed by the President; or

6 “(ii) be designated by the President, in
7 consultation with the head of the agency; and

8 “(B) be appointed or designated, as appli-
9 cable, from among individuals who possess dem-
10 onstrated ability in general management of, and
11 knowledge of and extensive practical experience
12 in, information technology management prac-
13 tices in large governmental or business entities.

14 “(2) RESPONSIBILITIES.—An agency Chief In-
15 formation Officer appointed or designated under this
16 section shall report directly to the head of the agen-
17 cy and carry out, on a full-time basis, responsibilities
18 as set forth in this section and in section 3506(a)
19 of title 44 for Chief Information Officers designated
20 under paragraph (2) of such section.”.

21 (2) CONFORMING AMENDMENTS.—Section
22 3506(a)(2) of title 44, United States Code, is
23 amended—

24 (A) by striking “(A) Except as provided
25 under subparagraph (B), the head of each

1 agency” and inserting “The head of each agen-
2 cy, other than an agency with a Presidentially
3 appointed or designated Chief Information Offi-
4 cer as provided in section 11315(a)(1) of title
5 40,”; and

6 (B) by striking subparagraph (B).

7 (b) AUTHORITY RELATING TO BUDGET AND PER-
8 SONNEL.—Section 11315 of title 40, United States Code,
9 is further amended by inserting after subsection (c) the
10 following new subsection:

11 “(d) ADDITIONAL AUTHORITIES FOR CERTAIN
12 CIOs.—

13 “(1) BUDGET-RELATED AUTHORITY.—

14 “(A) PLANNING.—Notwithstanding any
15 other provision of law, the head of each agency
16 listed in section 901(b)(1) or 901(b)(2) of title
17 31 and in section 102 of title 5 shall ensure
18 that the Chief Information Officer of the agen-
19 cy has the authority to participate in decisions
20 regarding the budget planning process related
21 to information technology or programs that in-
22 clude significant information technology compo-
23 nents.

24 “(B) ALLOCATION.—Notwithstanding any
25 other provision of law, amounts appropriated

1 for any agency listed in section 901(b)(1) or
2 901(b)(2) of title 31 and in section 102 of title
3 5 for any fiscal year that are available for infor-
4 mation technology shall be allocated within the
5 agency, consistent with the provisions of appro-
6 priations Acts and budget guidelines and rec-
7 ommendations from the Director of the Office
8 of Management and Budget, in such manner as
9 specified by, or approved by, the Chief Informa-
10 tion Officer of the agency in consultation with
11 the Chief Financial Officer of the agency and
12 budget officials.

13 “(2) PERSONNEL-RELATED AUTHORITY.—Not-
14 withstanding any other provision of law, the head of
15 each agency listed in section 901(b)(1) or 901(b)(2)
16 of title 31 shall ensure that the Chief Information
17 Officer of the agency has the authority necessary to
18 approve the hiring of personnel who will have infor-
19 mation technology responsibilities within the agency
20 and to require that such personnel have the obliga-
21 tion to report to the Chief Information Officer in a
22 manner considered sufficient by the Chief Informa-
23 tion Officer.”.

24 (c) SINGLE CHIEF INFORMATION OFFICER IN EACH
25 AGENCY.—

1 (1) REQUIREMENT.—Section 3506(a)(3) of title
2 44, United States Code, is amended—

3 (A) by inserting “(A)” after “(3)”; and

4 (B) by adding at the end the following new
5 subparagraph:

6 “(B) Each agency shall have only one indi-
7 vidual with the title and designation of ‘Chief
8 Information Officer’. Any bureau, office, or sub-
9 ordinate organization within the agency may
10 designate one individual with the title ‘Deputy
11 Chief Information Officer’, ‘Associate Chief In-
12 formation Officer’, or ‘Assistant Chief Informa-
13 tion Officer’.”.

14 (2) EFFECTIVE DATE.—Section 3506(a)(3)(B)
15 of title 44, United States Code, as added by para-
16 graph (1), shall take effect as of October 1, 2014.
17 Any individual serving in a position affected by such
18 section before such date may continue in that posi-
19 tion if the requirements of such section are fulfilled
20 with respect to that individual.

21 **SEC. 5102. LEAD COORDINATION ROLE OF CHIEF INFORMA-**
22 **TION OFFICERS COUNCIL.**

23 (a) LEAD COORDINATION ROLE.—Subsection (d) of
24 section 3603 of title 44, United States Code, is amended
25 to read as follows:

1 “(d) LEAD INTERAGENCY FORUM.—

2 “(1) IN GENERAL.—The Council is designated
3 the lead interagency forum for improving agency co-
4 ordination of practices related to the design, develop-
5 ment, modernization, use, operation, sharing, per-
6 formance, and review of Federal Government infor-
7 mation resources investment. As the lead inter-
8 agency forum, the Council shall develop cross-agency
9 portfolio management practices to allow and encour-
10 age the development of cross-agency shared services
11 and shared platforms. The Council shall also issue
12 guidelines and practices for infrastructure and com-
13 mon information technology applications, including
14 expansion of the Federal Enterprise Architecture
15 process if appropriate. The guidelines and practices
16 may address broader transparency, common inputs,
17 common outputs, and outcomes achieved. The guide-
18 lines and practices shall be used as a basis for com-
19 paring performance across diverse missions and op-
20 erations in various agencies.

21 “(2) REPORT.—Not later than December 1 in
22 each of the 6 years following the date of the enact-
23 ment of this paragraph, the Council shall submit to
24 the relevant congressional committees a report (to be
25 known as the ‘CIO Council Report’) summarizing

1 the Council's activities in the preceding fiscal year
2 and containing such recommendations for further
3 congressional action to fulfill its mission as the
4 Council considers appropriate.

5 “(3) RELEVANT CONGRESSIONAL COMMIT-
6 TEES.—For purposes of the report required by para-
7 graph (2), the relevant congressional committees are
8 each of the following:

9 “(A) The Committee on Oversight and
10 Government Reform and the Committee on
11 Armed Services of the House of Representa-
12 tives.

13 “(B) The Committee on Homeland Secu-
14 rity and Governmental Affairs and the Com-
15 mittee on Armed Services of the Senate.”.

16 (b) REFERENCES TO ADMINISTRATOR OF E-GOVERN-
17 MENT AS FEDERAL CHIEF INFORMATION OFFICER.—

18 (1) REFERENCES.—Section 3602(b) of title 44,
19 United States Code, is amended by adding at the
20 end the following: “The Administrator may also be
21 referred to as the Federal Chief Information Offi-
22 cer.”.

23 (2) DEFINITION.—Section 3601(1) of such title
24 is amended by inserting “or Federal Chief Informa-
25 tion Officer” before “means”.

1 **SEC. 5103. REPORTS BY GOVERNMENT ACCOUNTABILITY**
2 **OFFICE.**

3 (a) **REQUIREMENT TO EXAMINE EFFECTIVENESS.—**

4 The Comptroller General of the United States shall exam-
5 ine the effectiveness of the Chief Information Officers
6 Council in meeting its responsibilities under section
7 3603(d) of title 44, United States Code, as added by sec-
8 tion 5102, with particular focus on whether agencies are
9 actively participating in the Council and heeding the
10 Council's advice and guidance.

11 (b) **REPORTS.—**Not later than 1 year, 3 years, and
12 5 years after the date of the enactment of this Act, the
13 Comptroller General shall submit to the relevant congres-
14 sional committees a report containing the findings and
15 recommendations of the Comptroller General from the ex-
16 amination required by subsection (a).

17 **TITLE LII—DATA CENTER**
18 **OPTIMIZATION**

19 **SEC. 5201. PURPOSE.**

20 The purpose of this title is to optimize Federal data
21 center usage and efficiency.

22 **SEC. 5202. DEFINITIONS.**

23 In this title:

24 (1) **FEDERAL DATA CENTER OPTIMIZATION INI-**
25 **TIATIVE.—**The term “Federal Data Center Optimi-
26 zation Initiative” or the “Initiative” means the ini-

1 initiative developed and implemented by the Director,
2 through the Federal Chief Information Officer, as
3 required under section 5203.

4 (2) COVERED AGENCY.—The term “covered
5 agency” means any agency included in the Federal
6 Data Center Optimization Initiative.

7 (3) DATA CENTER.—The term “data center”
8 means a closet, room, floor, or building for the stor-
9 age, management, and dissemination of data and in-
10 information, as defined by the Federal Chief Informa-
11 tion Officer under guidance issued pursuant to this
12 section.

13 (4) FEDERAL DATA CENTER.—The term “Fed-
14 eral data center” means any data center of a cov-
15 ered agency used or operated by a covered agency,
16 by a contractor of a covered agency, or by another
17 organization on behalf of a covered agency.

18 (5) SERVER UTILIZATION.—The term “server
19 utilization” refers to the activity level of a server rel-
20 ative to its maximum activity level, expressed as a
21 percentage.

22 (6) POWER USAGE EFFECTIVENESS.—The term
23 “power usage effectiveness” means the ratio ob-
24 tained by dividing the total amount of electricity and
25 other power consumed in running a data center by

1 the power consumed by the information and commu-
2 nications technology in the data center.

3 **SEC. 5203. FEDERAL DATA CENTER OPTIMIZATION INITIA-**
4 **TIVE.**

5 (a) **REQUIREMENT FOR INITIATIVE.**—The Federal
6 Chief Information Officer, in consultation with the chief
7 information officers of covered agencies, shall develop and
8 implement an initiative, to be known as the Federal Data
9 Center Optimization Initiative, to optimize the usage and
10 efficiency of Federal data centers by meeting the require-
11 ments of this division and taking additional measures, as
12 appropriate.

13 (b) **REQUIREMENT FOR PLAN.**—Within 6 months
14 after the date of the enactment of this Act, the Federal
15 Chief Information Officer, in consultation with the chief
16 information officers of covered agencies, shall develop and
17 submit to Congress a plan for implementation of the Ini-
18 tiative required by subsection (a) by each covered agency.
19 In developing the plan, the Federal Chief Information Of-
20 ficer shall take into account the findings and recommenda-
21 tions of the Comptroller General review required by sec-
22 tion 5205(e).

23 (c) **MATTERS COVERED.**—The plan shall include—
24 (1) descriptions of how covered agencies will
25 use reductions in floor space, energy use, infrastruc-

1 ture, equipment, applications, personnel, increases in
2 multiorganizational use, server virtualization, cloud
3 computing, and other appropriate methods to meet
4 the requirements of the initiative; and

5 (2) appropriate consideration of shifting Feder-
6 ally owned data center workload to commercially
7 owned data centers.

8 **SEC. 5204. PERFORMANCE REQUIREMENTS RELATED TO**
9 **DATA CENTER CONSOLIDATION.**

10 (a) **SERVER UTILIZATION.**—Each covered agency
11 may use the following methods to achieve the maximum
12 server utilization possible as determined by the Federal
13 Chief Information Officer:

14 (1) The closing of existing data centers that
15 lack adequate server utilization, as determined by
16 the Federal Chief Information Officer. If the agency
17 fails to close such data centers, the agency shall pro-
18 vide a detailed explanation as to why this data cen-
19 ter should remain in use as part of the submitted
20 plan. The Federal Chief Information Officer shall in-
21 clude an assessment of the agency explanation in the
22 annual report to Congress.

23 (2) The consolidation of services within existing
24 data centers to increase server utilization rates.

1 (3) Any other method that the Federal Chief
2 Information Officer, in consultation with the chief
3 information officers of covered agencies, determines
4 necessary to optimize server utilization.

5 (b) POWER USAGE EFFECTIVENESS.—Each covered
6 agency may use the following methods to achieve the max-
7 imum energy efficiency possible as determined by the Fed-
8 eral Chief Information Officer:

9 (1) The use of the measurement of power usage
10 effectiveness to calculate data center energy effi-
11 ciency.

12 (2) The use of power meters in facilities dedi-
13 cated to data center operations to frequently meas-
14 ure power consumption over time.

15 (3) The establishment of power usage effective-
16 ness goals for each data center.

17 (4) The adoption of best practices for man-
18 aging—

19 (A) temperature and airflow in facilities
20 dedicated to data center operations; and

21 (B) power supply efficiency.

22 (5) The implementation of any other method
23 that the Federal Chief Information Officer, in con-
24 sultation with the Chief Information Officers of cov-

1 ered agencies, determines necessary to optimize data
2 center energy efficiency.

3 **SEC. 5205. COST SAVINGS RELATED TO DATA CENTER OPTI-**
4 **MIZATION.**

5 (a) **REQUIREMENT TO TRACK COSTS.—**

6 (1) **IN GENERAL.—**Each covered agency shall
7 track costs resulting from implementation of the
8 Federal Data Center Optimization Initiative within
9 the agency and submit a report on those costs annu-
10 ally to the Federal Chief Information Officer. Cov-
11 ered agencies shall determine the net costs from
12 data consolidation on an annual basis.

13 (2) **FACTORS.—**In calculating net costs each
14 year under paragraph (1), a covered agency shall
15 use the following factors:

16 (A) Energy costs.

17 (B) Personnel costs.

18 (C) Real estate costs.

19 (D) Capital expense costs.

20 (E) Maintenance and support costs such as
21 operating subsystem, database, hardware, and
22 software license expense costs.

23 (F) Other appropriate costs, as determined
24 by the agency in consultation with the Federal
25 Chief Information Officer.

1 (b) REQUIREMENT TO TRACK SAVINGS.—

2 (1) IN GENERAL.—Each covered agency shall
3 track realized and projected savings resulting from
4 implementation of the Federal Data Center Optimi-
5 zation Initiative within the agency and submit a re-
6 port on those savings annually to the Federal Chief
7 Information Officer. Covered agencies shall deter-
8 mine the net savings from data consolidation on an
9 annual basis.

10 (2) FACTORS.—In calculating net savings each
11 year under paragraph (1), a covered agency shall
12 use the following factors:

13 (A) Energy savings.

14 (B) Personnel savings.

15 (C) Real estate savings.

16 (D) Capital expense savings.

17 (E) Maintenance and support savings such
18 as operating subsystem, database, hardware,
19 and software license expense savings.

20 (F) Other appropriate savings, as deter-
21 mined by the agency in consultation with the
22 Federal Chief Information Officer.

23 (3) PUBLIC AVAILABILITY.—The Federal Chief
24 Information Officer shall make publicly available a
25 summary of realized and projected savings for each

1 covered agency. The Federal Chief Information Offi-
2 cer shall identify any covered agency that failed to
3 provide the annual report required under paragraph
4 (1).

5 (c) **REQUIREMENT TO USE COST-EFFECTIVE MEAS-**
6 **URES.**—Covered agencies shall use the most cost-effective
7 measures to implement the Federal Data Center Optimi-
8 zation Initiative, such as using estimation to measure or
9 track costs and savings using a methodology approved by
10 the Federal Chief Information Officer.

11 (d) **GOVERNMENT ACCOUNTABILITY OFFICE RE-**
12 **VIEW.**—Not later than 6 months after the date of the en-
13 actment of this Act, the Comptroller General of the United
14 States shall examine methods for calculating savings from
15 the Initiative and using them for the purposes identified
16 in subsection (d), including establishment and use of a
17 special revolving fund that supports data centers and serv-
18 er optimization, and shall submit to the Federal Chief In-
19 formation Officer and Congress a report on the Comp-
20 troller General’s findings and recommendations.

21 **SEC. 5206. REPORTING REQUIREMENTS TO CONGRESS AND**
22 **THE FEDERAL CHIEF INFORMATION OFFI-**
23 **CER.**

24 (a) **AGENCY REQUIREMENT TO REPORT TO CIO.**—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), each covered agency each year shall sub-
3 mit to the Federal Chief Information Officer a re-
4 port on the implementation of the Federal Data
5 Center Optimization Initiative, including savings re-
6 sulting from such implementation. The report shall
7 include an update of the agency’s plan for imple-
8 menting the Initiative.

9 (2) DEPARTMENT OF DEFENSE.—The Sec-
10 retary of Defense shall comply with paragraph (1)
11 each year by submitting to the Federal Chief Infor-
12 mation Officer a report with relevant information
13 collected under section 2867 of Public Law 112–81
14 (10 U.S.C. 2223a note) or a copy of the report re-
15 quired under section 2867(d) of such law.

16 (b) FEDERAL CHIEF INFORMATION OFFICER RE-
17 QUIREMENT TO REPORT TO CONGRESS.—Each year, the
18 Federal Chief Information Officer shall submit to the rel-
19 evant congressional committees a report that assesses
20 agency progress in carrying out the Federal Data Center
21 Optimization Initiative and updates the plan under section
22 5203. The report may be included as part of the annual
23 report required under section 3606 of title 44, United
24 States Code.

1 **TITLE LIII—ELIMINATION OF**
2 **DUPLICATION AND WASTE IN**
3 **INFORMATION TECHNOLOGY**
4 **ACQUISITION**

5 **SEC. 5301. INVENTORY OF INFORMATION TECHNOLOGY**
6 **SOFTWARE ASSETS.**

7 (a) **PLAN.**—The Director shall develop a plan for con-
8 ducting a Governmentwide inventory of information tech-
9 nology software assets.

10 (b) **MATTERS COVERED.**—The plan required by sub-
11 section (a) shall cover the following:

12 (1) The manner in which Federal agencies can
13 achieve the greatest possible economies of scale and
14 cost savings in the procurement of information tech-
15 nology software assets, through measures such as re-
16 ducing the procurement of new software licenses
17 until such time as agency needs exceed the number
18 of existing and unused licenses.

19 (2) The capability to conduct ongoing Govern-
20 mentwide inventories of all existing software licenses
21 on an application-by-application basis, including du-
22 plicative, unused, overused, and underused licenses,
23 and to assess the need of agencies for software li-
24 censes.

1 (3) A Governmentwide spending analysis to
2 provide knowledge about how much is being spent
3 for software products or services to support deci-
4 sions for strategic sourcing under the Federal stra-
5 tegic sourcing program managed by the Office of
6 Federal Procurement Policy.

7 (c) AVAILABILITY.—The inventory of information
8 technology software assets shall be available to Chief In-
9 formation Officers and such other Federal officials as the
10 Chief Information Officers may, in consultation with the
11 Chief Information Officers Council, designate.

12 (d) DEADLINE AND SUBMISSION TO CONGRESS.—
13 Not later than 180 days after the date of the enactment
14 of this Act, the Director shall complete and submit to Con-
15 gress the plan required by subsection (a).

16 (e) IMPLEMENTATION.—Not later than two years
17 after the date of the enactment of this Act, the Director
18 shall complete implementation of the plan required by sub-
19 section (a).

20 (f) REVIEW BY COMPTROLLER GENERAL.—Not later
21 than two years after the date of the enactment of this Act,
22 the Comptroller General of the United States shall review
23 the plan required by subsection (a) and submit to the rel-
24 evant congressional committees a report on the review.

1 **SEC. 5302. WEBSITE CONSOLIDATION AND TRANSPARENCY.**

2 (a) WEBSITE CONSOLIDATION.—The Director
3 shall—

4 (1) in consultation with Federal agencies, and
5 after reviewing the directory of public Federal Gov-
6 ernment websites of each agency (as required to be
7 established and updated under section 207(f)(3) of
8 the E-Government Act of 2002 (Public Law 107-
9 347; 44 U.S.C. 3501 note)), assess all the publicly
10 available websites of Federal agencies to determine
11 whether there are duplicative or overlapping
12 websites; and

13 (2) require Federal agencies to eliminate or
14 consolidate those websites that are duplicative or
15 overlapping.

16 (b) WEBSITE TRANSPARENCY.—The Director shall
17 issue guidance to Federal agencies to ensure that the data
18 on publicly available websites of the agencies are open and
19 accessible to the public.

20 (c) MATTERS COVERED.—In preparing the guidance
21 required by subsection (b), the Director shall—

22 (1) develop guidelines, standards, and best
23 practices for interoperability and transparency;

24 (2) identify interfaces that provide for shared,
25 open solutions on the publicly available websites of
26 the agencies; and

1 (3) ensure that Federal agency Internet home
2 pages, web-based forms, and web-based applications
3 are accessible to individuals with disabilities in con-
4 formance with section 508 of the Rehabilitation Act
5 of 1973 (29 U.S.C. 794d).

6 (d) **DEADLINE FOR GUIDANCE.**—The guidance re-
7 quired by subsection (b) shall be issued not later than 180
8 days after the date of the enactment of this Act.

9 **SEC. 5303. TRANSITION TO THE CLOUD.**

10 (a) **SENSE OF CONGRESS.**—It is the sense of Con-
11 gress that transition to cloud computing offers significant
12 potential benefits for the implementation of Federal infor-
13 mation technology projects in terms of flexibility, cost, and
14 operational benefits.

15 (b) **GOVERNMENTWIDE APPLICATION.**—In assessing
16 cloud computing opportunities, the Chief Information Of-
17 ficers Council shall define policies and guidelines for the
18 adoption of Governmentwide programs providing for a
19 standardized approach to security assessment and oper-
20 ational authorization for cloud products and services.

21 (c) **ADDITIONAL BUDGET AUTHORITIES FOR TRANSI-**
22 **TION.**—In transitioning to the cloud, a Chief Information
23 Officer of an agency listed in section 901(b) of title 31,
24 United States Code, may establish such cloud service
25 Working Capital Funds, in consultation with the Chief Fi-

1 nancial Officer of the agency, as may be necessary to tran-
2 sition to cloud-based solutions. Any establishment of a new
3 Working Capital Fund under this subsection shall be re-
4 ported to the Committees on Appropriations of the House
5 of Representatives and the Senate and relevant Congres-
6 sional committees.

7 **SEC. 5304. ELIMINATION OF UNNECESSARY DUPLICATION**
8 **OF CONTRACTS BY REQUIRING BUSINESS**
9 **CASE ANALYSIS.**

10 (a) **PURPOSE.**—The purpose of this section is to le-
11 verage the Government’s buying power and achieve admin-
12 istrative efficiencies and cost savings by eliminating un-
13 necessary duplication of contracts.

14 (b) **REQUIREMENT FOR BUSINESS CASE AP-**
15 **PROVAL.**—

16 (1) **IN GENERAL.**—Chapter 33 of title 41,
17 United States Code, is amended by adding at the
18 end the following new section:

19 **“§ 3312. Requirement for business case approval for**
20 **new Governmentwide contracts**

21 **“(a) IN GENERAL.**—An executive agency may not
22 issue a solicitation for a covered Governmentwide contract
23 unless the agency performs a business case analysis for
24 the contract and obtains an approval of the business case

1 analysis from the Administrator for Federal Procurement
2 Policy.

3 “(b) REVIEW OF BUSINESS CASE ANALYSIS.—

4 “(1) IN GENERAL.—With respect to any cov-
5 ered Governmentwide contract, the Administrator
6 for Federal Procurement Policy shall review the
7 business case analysis submitted for the contract
8 and provide an approval or disapproval within 60
9 days after the date of submission. Any business case
10 analysis not disapproved within such 60-day period
11 is deemed to be approved.

12 “(2) BASIS FOR APPROVAL OF BUSINESS
13 CASE.—The Administrator for Federal Procurement
14 Policy shall approve or disapprove a business case
15 analysis based on the adequacy of the analysis sub-
16 mitted. The Administrator shall give primary consid-
17 eration to whether an agency has demonstrated a
18 compelling need that cannot be satisfied by existing
19 Governmentwide contract in a timely and cost-effec-
20 tive manner.

21 “(c) CONTENT OF BUSINESS CASE ANALYSIS.—The
22 Administrator for Federal Procurement Policy shall issue
23 guidance specifying the content for a business case anal-
24 ysis submitted pursuant to this section. At a minimum,
25 the business case analysis shall include details on the ad-

1 ministrative resources needed for such contract, including
2 an analysis of all direct and indirect costs to the Federal
3 Government of awarding and administering such contract
4 and the impact such contract will have on the ability of
5 the Federal Government to leverage its purchasing power.

6 “(b) DEFINITIONS.—In this section:

7 “(1) COVERED GOVERNMENTWIDE CON-
8 TRACT.—The term ‘covered Governmentwide con-
9 tract’ means any contract, blanket purchase agree-
10 ment, or other contractual instrument for acquisition
11 of information technology or other goods or services
12 that allows for an indefinite number of orders to be
13 placed under the contract, agreement, or instrument,
14 and that is established by one executive agency for
15 use by multiple executive agencies to obtain goods or
16 services. The term does not include—

17 “(A) a multiple award schedule contract
18 awarded by the General Services Administra-
19 tion;

20 “(B) a Governmentwide acquisition con-
21 tract for information technology awarded pursu-
22 ant to sections 11302(e) and 11314(a)(2) of
23 title 40;

1 “(C) orders under Governmentwide con-
2 tracts in existence before the effective date of
3 this section; or

4 “(D) any contract in an amount less than
5 \$10,000,000, determined on an average annual
6 basis.

7 “(2) EXECUTIVE AGENCY.—The term ‘executive
8 agency’ has the meaning provided that term by sec-
9 tion 105 of title 5.”.

10 (2) CLERICAL AMENDMENT.—The table of sec-
11 tions for chapter 33 of title 41, United States Code,
12 is amended by adding after the item relating to sec-
13 tion 3311 the following new item:

 “3312. Requirement for business case approval for new Governmentwide con-
 tracts.”.

14 (c) REPORT.—Not later than June 1 in each of the
15 next 6 years following the date of the enactment of this
16 Act, the Administrator for Federal Procurement Policy
17 shall submit to the relevant congressional committees a
18 report on the implementation of section 3312 of title 41,
19 United States Code, as added by subsection (b), including
20 a summary of the submissions, reviews, approvals, and
21 disapprovals of business case analyses pursuant to such
22 section.

1 (d) GUIDANCE.—The Administrator for Federal Pro-
2 curement Policy shall issue guidance for implementing sec-
3 tion 3312 of such title.

4 (e) REVISION OF FAR.—Not later than 180 days
5 after the date of the enactment of this Act, the Federal
6 Acquisition Regulation shall be amended to implement sec-
7 tion 3312 of such title.

8 (g) EFFECTIVE DATE.—Section 3312 of such title is
9 effective on and after 180 days after the date of the enact-
10 ment of this Act.

11 **TITLE LIV—STRENGTHENING IT**
12 **ACQUISITION WORKFORCE**

13 **SEC. 5411. EXPANSION OF TRAINING AND USE OF INFORMA-**
14 **TION TECHNOLOGY ACQUISITION CADRES.**

15 (a) PURPOSE.—The purpose of this section is to en-
16 sure timely progress by Federal agencies toward devel-
17 oping, strengthening, and deploying personnel with highly
18 specialized skills in information technology acquisition, in-
19 cluding program and project managers, to be known as
20 information technology acquisition cadres.

21 (b) REPORT TO CONGRESS.—Section 1704 of title
22 41, United States Code, is amended by adding at the end
23 the following new subsection:

24 “(j) STRATEGIC PLAN ON INFORMATION TECH-
25 NOLOGY ACQUISITION CADRES.—

1 “(1) FIVE-YEAR STRATEGIC PLAN TO CON-
2 GRESS.—Not later than June 1 following the date of
3 the enactment of this subsection, the Director shall
4 submit to the relevant congressional committees a 5-
5 year strategic plan (to be known as the ‘IT Acquisi-
6 tion Cadres Strategic Plan’) to develop, strengthen,
7 and solidify information technology acquisition cad-
8 res. The plan shall include a timeline for implemen-
9 tation of the plan and identification of individuals
10 responsible for specific elements of the plan during
11 the 5-year period covered by the plan.

12 “(2) MATTERS COVERED.—The plan shall ad-
13 dress, at a minimum, the following matters:

14 “(A) Current information technology ac-
15 quisition staffing challenges in Federal agen-
16 cies, by previous year’s information technology
17 acquisition value, and by the Federal Govern-
18 ment as a whole.

19 “(B) The variety and complexity of infor-
20 mation technology acquisitions conducted by
21 each Federal agency covered by the plan, and
22 the specialized information technology acquisi-
23 tion workforce needed to effectively carry out
24 such acquisitions.

1 “(C) The development of a sustainable
2 funding model to support efforts to hire, retain,
3 and train an information technology acquisition
4 cadre of appropriate size and skill to effectively
5 carry out the acquisition programs of the Fed-
6 eral agencies covered by the plan, including an
7 examination of interagency funding methods
8 and a discussion of how the model of the De-
9 fense Acquisition Workforce Development Fund
10 could be applied to civilian agencies.

11 “(D) Any strategic human capital planning
12 necessary to hire, retain, and train an informa-
13 tion acquisition cadre of appropriate size and
14 skill at each Federal agency covered by the
15 plan.

16 “(E) Governmentwide training standards
17 and certification requirements necessary to en-
18 hance the mobility and career opportunities of
19 the Federal information technology acquisition
20 cadre within the Federal agencies covered by
21 the plan.

22 “(F) New and innovative approaches to
23 workforce development and training, including
24 cross-functional training, rotational develop-

1 ment, and assignments both within and outside
2 the Government.

3 “(G) Appropriate consideration and align-
4 ment with the needs and priorities of the acqui-
5 sition intern programs.

6 “(H) Assessment of the current workforce
7 competency and usage trends in evaluation
8 technique to obtain best value, including proper
9 handling of tradeoffs between price and
10 nonprice factors.

11 “(I) Assessment of the current workforce
12 competency in designing and aligning perform-
13 ance goals, life cycle costs, and contract incen-
14 tives.

15 “(J) Assessment of the current workforce
16 competency in avoiding brand-name preference
17 and using industry-neutral functional specifica-
18 tions to leverage open industry standards and
19 competition.

20 “(K) Use of integrated program teams, in-
21 cluding fully dedicated program managers, for
22 each complex information technology invest-
23 ment.

24 “(L) Proper assignment of recognition or
25 accountability to the members of an integrated

1 program team for both individual functional
2 goals and overall program success or failure.

3 “(M) The development of a technology fel-
4 lows program that includes provisions for re-
5 cruiting, for rotation of assignments, and for
6 partnering directly with universities with well-
7 recognized information technology programs.

8 “(N) The capability to properly manage
9 other transaction authority (where such author-
10 ity is granted), including ensuring that the use
11 of the authority is warranted due to unique
12 technical challenges, rapid adoption of innova-
13 tive or emerging commercial or noncommercial
14 technologies, or other circumstances that can-
15 not readily be satisfied using a contract, grant,
16 or cooperative agreement in accordance with ap-
17 plicable law and the Federal Acquisition Regu-
18 lation.

19 “(O) The use of student internship and
20 scholarship programs as a talent pool for per-
21 manent hires and the use and impact of special
22 hiring authorities and flexibilities to recruit di-
23 verse candidates.

24 “(P) The assessment of hiring manager
25 satisfaction with the hiring process and hiring

1 outcomes, including satisfaction with the quality
2 of applicants interviewed and hires made.

3 “(Q) The assessment of applicant satisfac-
4 tion with the hiring process, including the clar-
5 ity of the hiring announcement, the user-friend-
6 liness of the application process, communication
7 from the hiring manager or agency regarding
8 application status, and timeliness of the hiring
9 decision.

10 “(R) The assessment of new hire satisfac-
11 tion with the onboarding process, including the
12 orientation process, and investment in training
13 and development for employees during their
14 first year of employment.

15 “(S) Any other matters the Director con-
16 siders appropriate.

17 “(3) ANNUAL REPORT.—Not later than June 1
18 in each of the 5 years following the year of submis-
19 sion of the plan required by paragraph (1), the Di-
20 rector shall submit to the relevant congressional
21 committees an annual report outlining the progress
22 made pursuant to the plan.

23 “(4) GOVERNMENT ACCOUNTABILITY OFFICE
24 REVIEW OF THE PLAN AND ANNUAL REPORT.—

1 “(A) Not later than 1 year after the sub-
2 mission of the plan required by paragraph (1),
3 the Comptroller General of the United States
4 shall review the plan and submit to the relevant
5 congressional committees a report on the re-
6 view.

7 “(B) Not later than 6 months after the
8 submission of the first, third, and fifth annual
9 report required under paragraph (3), the Comp-
10 troller General shall independently assess the
11 findings of the annual report and brief the rel-
12 evant congressional committees on the Comp-
13 troller General’s findings and recommendations
14 to ensure the objectives of the plan are accom-
15 plished.

16 “(5) DEFINITIONS.—In this subsection:

17 “(A) The term ‘Federal agency’ means
18 each agency listed in section 901(b) of title 31.

19 “(B) The term ‘relevant congressional
20 committees’ means each of the following:

21 “(i) The Committee on Oversight and
22 Government Reform and the Committee on
23 Armed Services of the House of Represent-
24 atives.

1 “(ii) The Committee on Homeland Se-
2 curity and Governmental Affairs and the
3 Committee on Armed Services of the Sen-
4 ate.”.

5 **SEC. 5412. PLAN ON STRENGTHENING PROGRAM AND**
6 **PROJECT MANAGEMENT PERFORMANCE.**

7 (a) PLAN ON STRENGTHENING PROGRAM AND
8 PROJECT MANAGEMENT PERFORMANCE.—Not later than
9 June 1 following the date of the enactment of this Act,
10 the Director, in consultation with the Director of the Of-
11 fice of Personnel Management, shall submit to the relevant
12 congressional committees a plan for improving manage-
13 ment of IT programs and projects.

14 (b) MATTERS COVERED.—The plan required by sub-
15 section (a) shall include, at a minimum, the following:

16 (1) Creation of a specialized career path for
17 program management.

18 (2) The development of a competency model for
19 program management consistent with the IT project
20 manager model.

21 (3) A career advancement model that requires
22 appropriate expertise and experience for advance-
23 ment.

24 (4) A career advancement model that is more
25 competitive with the private sector and that recog-

1 nizes both Government and private sector experi-
2 ence.

3 (c) COMBINATION WITH OTHER CADRES PLAN.—

4 The Director may combine the plan required by subsection
5 (a) with the IT Acquisition Cadres Strategic Plan required
6 under section 1704(j) of title 41, United States Code, as
7 added by section 5411.

8 **SEC. 5413. PERSONNEL AWARDS FOR EXCELLENCE IN THE**
9 **ACQUISITION OF INFORMATION SYSTEMS**
10 **AND INFORMATION TECHNOLOGY.**

11 (a) IN GENERAL.—Not later than 180 days after the
12 date of the enactment of this Act, the Director of the Of-
13 fice of Personnel Management shall develop policy and
14 guidance for agencies to develop a program to recognize
15 excellent performance by Federal Government employees
16 and teams of such employees in the acquisition of informa-
17 tion systems and information technology for the agency.

18 (b) ELEMENTS.—The program referred to in sub-
19 section (a) shall, to the extent practicable—

20 (1) obtain objective outcome measures; and

21 (2) include procedures for—

22 (A) the nomination of Federal Government
23 employees and teams of such employees for eli-
24 gibility for recognition under the program; and

1 (B) the evaluation of nominations for rec-
2 ognition under the program by 1 or more agen-
3 cy panels of individuals from Government, aca-
4 demia, and the private sector who have such ex-
5 pertise, and are appointed in such a manner, as
6 the Director of the Office of Personal Manage-
7 ment shall establish for purposes of the pro-
8 gram.

9 (c) AWARD OF CASH BONUSES AND OTHER INCEN-
10 TIVES.—In carrying out the program referred to in sub-
11 section (a), the Director of the Office of Personnel Man-
12 agement, in consultation with the Director of the Office
13 of Management and Budget, shall establish policies and
14 guidance for agencies to reward any Federal Government
15 employee or teams of such employees recognized pursuant
16 to the program—

17 (1) with a cash bonus, to the extent that the
18 performance of such individual or team warrants the
19 award of such bonus and is authorized by any provi-
20 sion of law;

21 (2) through promotions and other nonmonetary
22 awards;

23 (3) by publicizing—

24 (A) acquisition accomplishments by indi-
25 vidual employees; and

1 (B) the tangible end benefits that resulted
2 from such accomplishments, as appropriate;
3 and

4 (4) through other awards, incentives, or bo-
5 nuses that the head of the agency considers appro-
6 priate.

7 **TITLE LV—ADDITIONAL** 8 **REFORMS**

9 **SEC. 5501. MAXIMIZING THE BENEFIT OF THE FEDERAL** 10 **STRATEGIC SOURCING INITIATIVE.**

11 Not later than 180 days after the date of the enact-
12 ment of this Act, the Administrator for Federal Procure-
13 ment Policy shall prescribe regulations providing that
14 when the Federal Government makes a purchase of serv-
15 ices and supplies offered under the Federal Strategic
16 Sourcing Initiative (managed by the Office of Federal Pro-
17 curement Policy) but such Initiative is not used, the con-
18 tract file for the purchase shall include a brief analysis
19 of the comparative value, including price and nonprice fac-
20 tors, between the services and supplies offered under such
21 Initiative and services and supplies offered under the
22 source or sources used for the purchase.

1 **SEC. 5502. GOVERNMENTWIDE SOFTWARE PURCHASING**
2 **PROGRAM.**

3 (a) **IN GENERAL.**—The Administrator of General
4 Services, in collaboration with the Department of Defense,
5 shall identify and develop a strategic sourcing initiative
6 to enhance Governmentwide acquisition, shared use, and
7 dissemination of software, as well as compliance with end
8 user license agreements.

9 (b) **EXAMINATION OF METHODS.**—In developing the
10 initiative under subsection (a), the Administrator shall ex-
11 amine the use of realistic and effective demand aggrega-
12 tion models supported by actual agency commitment to
13 use the models, and supplier relationship management
14 practices, to more effectively govern the Government's ac-
15 quisition of information technology.

16 (c) **GOVERNMENTWIDE USER LICENSE AGREE-**
17 **MENT.**—The Administrator, in developing the initiative
18 under subsection (a), shall allow for the purchase of a li-
19 cense agreement that is available for use by all executive
20 agencies as one user to the maximum extent practicable
21 and as appropriate.

22 **SEC. 5503. PROMOTING TRANSPARENCY OF BLANKET PUR-**
23 **CHASE AGREEMENTS.**

24 (a) **PRICE INFORMATION TO BE TREATED AS PUB-**
25 **LIC INFORMATION.**—The final negotiated price offered by

1 an awardee of a blanket purchase agreement shall be
2 treated as public information.

3 (b) PUBLICATION OF BLANKET PURCHASE AGREE-
4 MENT INFORMATION.—Not later than 180 days after the
5 date of the enactment of this Act, the Administrator of
6 General Services shall make available to the public a list
7 of all blanket purchase agreements entered into by Federal
8 agencies under its Federal Supply Schedules contracts and
9 the prices associated with those blanket purchase agree-
10 ments. The list and price information shall be updated at
11 least once every 6 months.

12 **SEC. 5504. ADDITIONAL SOURCE SELECTION TECHNIQUE IN**
13 **SOLICITATIONS.**

14 Section 3306(d) of title 41, United States Code, is
15 amended—

16 (1) by striking “or” at the end of paragraph
17 (1);

18 (2) by striking the period and inserting “; or”
19 at the end of paragraph (2); and

20 (3) by adding at the end the following new
21 paragraph:

22 “(3) stating in the solicitation that the award
23 will be made using a fixed price technical competi-
24 tion, under which all offerors compete solely on

1 nonprice factors and the fixed award price is pre-an-
2 nounced in the solicitation.”.

3 **SEC. 5505. ENHANCED TRANSPARENCY IN INFORMATION**
4 **TECHNOLOGY INVESTMENTS.**

5 (a) PUBLIC AVAILABILITY OF INFORMATION ABOUT
6 IT INVESTMENTS.—Section 11302(c) of title 40, United
7 States Code, is amended—

8 (1) by redesignating paragraph (2) as para-
9 graph (3); and

10 (2) by inserting after paragraph (1) the fol-
11 lowing new paragraph:

12 “(2) PUBLIC AVAILABILITY.—

13 “(A) IN GENERAL.—The Director shall
14 make available to the public the cost, schedule,
15 and performance data for all of the IT invest-
16 ments listed in subparagraph (B), notwith-
17 standing whether the investments are for new
18 IT acquisitions or for operations and mainte-
19 nance of existing IT.

20 “(B) INVESTMENTS LISTED.—The invest-
21 ments listed in this subparagraph are the fol-
22 lowing:

23 “(i) At least 80 percent (by dollar
24 value) of all information technology invest-
25 ments Governmentwide.

1 “(ii) At least 60 percent (by dollar
2 value) of all information technology invest-
3 ments in each Federal agency listed in sec-
4 tion 901(b) of title 31.

5 “(iii) Every major information tech-
6 nology investment (as defined by the Office
7 of Management and Budget) in each Fed-
8 eral agency listed in section 901(b) of title
9 31.

10 “(C) QUARTERLY REVIEW AND CERTIFI-
11 CATION.—For each investment listed in sub-
12 paragraph (B), the agency Chief Information
13 Officer and the program manager of the invest-
14 ment within the agency shall certify, at least
15 once every quarter, that the information is cur-
16 rent, accurate, and reflects the risks associated
17 with each listed investment. The Director shall
18 conduct quarterly reviews and publicly identify
19 agencies with an incomplete certification or
20 with significant data quality issues.

21 “(D) CONTINUOUS AVAILABILITY.—The
22 information required under subparagraph (A),
23 in its most updated form, shall be publicly
24 available at all times.

1 “(E) WAIVER OR LIMITATION AUTHOR-
2 ITY.—The applicability of subparagraph (A)
3 may be waived or the extent of the information
4 may be limited—

5 “(i) by the Director, with respect to
6 IT investments Governmentwide; and

7 “(ii) by the Chief Information Officer
8 of a Federal agency, with respect to IT in-
9 vestments in that agency;

10 if the Director or the Chief Information Officer,
11 as the case may be, determines that such a
12 waiver or limitation is in the national security
13 interests of the United States.”.

14 (b) **ADDITIONAL REPORT REQUIREMENTS.**—Para-
15 graph (3) of section 11302(c) of such title, as redesignated
16 by subsection (a), is amended by adding at the end the
17 following: “The report shall include an analysis of agency
18 trends reflected in the performance risk information re-
19 quired in paragraph (2).”.

20 **SEC. 5506. ENHANCED COMMUNICATION BETWEEN GOV-**
21 **ERNMENT AND INDUSTRY.**

22 Not later than 180 days after the date of the enact-
23 ment of this Act, the Federal Acquisition Regulatory
24 Council shall prescribe a regulation making clear that
25 agency acquisition personnel are permitted and encour-

1 aged to engage in responsible and constructive exchanges
2 with industry, so long as those exchanges are consistent
3 with existing law and regulation and do not promote an
4 unfair competitive advantage to particular firms.

5 **SEC. 5507. CLARIFICATION OF CURRENT LAW WITH RE-**
6 **SPECT TO TECHNOLOGY NEUTRALITY IN AC-**
7 **QUISITION OF SOFTWARE.**

8 (a) **PURPOSE.**—The purpose of this section is to es-
9 tablish guidance and processes to clarify that software ac-
10 quisitions by the Federal Government are to be made
11 using merit-based requirements development and evalua-
12 tion processes that promote procurement choices—

13 (1) based on performance and value, including
14 the long-term value proposition to the Federal Gov-
15 ernment;

16 (2) free of preconceived preferences based on
17 how technology is developed, licensed, or distributed;
18 and

19 (3) generally including the consideration of pro-
20 prietary, open source, and mixed source software
21 technologies.

22 (b) **TECHNOLOGY NEUTRALITY.**—Nothing in this
23 section shall be construed to modify the Federal Govern-
24 ment's long-standing policy of following technology-neu-
25 tral principles and practices when selecting and acquiring

1 information technology that best fits the needs of the Fed-
2 eral Government.

3 (c) GUIDANCE.—Not later than 180 days after the
4 date of the enactment of this Act, the Director, in con-
5 sultation with the Chief Information Officers Council,
6 shall issue guidance concerning the technology-neutral
7 procurement and use of software within the Federal Gov-
8 ernment.

9 (d) MATTERS COVERED.—In issuing guidance under
10 subsection (c), the Director shall include, at a minimum,
11 the following:

12 (1) Guidance to clarify that the preference for
13 commercial items in section 3307 of title 41, United
14 States Code, includes proprietary, open source, and
15 mixed source software that meets the definition of
16 the term “commercial item” in section 103 of title
17 41, United States Code, including all such software
18 that is used for non-Government purposes and is li-
19 censed to the public.

20 (2) Guidance regarding the conduct of market
21 research to ensure the inclusion of proprietary, open
22 source, and mixed source software options.

23 (3) Guidance to define Governmentwide stand-
24 ards for security, redistribution, indemnity, and
25 copyright in the acquisition, use, release, and col-

1 laborative development of proprietary, open source,
2 and mixed source software.

3 (4) Guidance for the adoption of available com-
4 mercial practices to acquire proprietary, open source,
5 and mixed source software for widespread Govern-
6 ment use, including issues such as security and re-
7 distribution rights.

8 (5) Guidance to establish standard service level
9 agreements for maintenance and support for propri-
10 etary, open source, and mixed source software prod-
11 ucts widely adopted by the Government, as well as
12 the development of Governmentwide agreements that
13 contain standard and widely applicable contract pro-
14 visions for ongoing maintenance and development of
15 software.

16 (e) REPORT TO CONGRESS.—Not later than 2 years
17 after the issuance of the guidance required by subsection
18 (b), the Comptroller General of the United States shall
19 submit to the relevant congressional committees a report
20 containing—

21 (1) an assessment of the effectiveness of the
22 guidance;

23 (2) an identification of barriers to widespread
24 use by the Federal Government of specific software
25 technologies; and

1 (3) such legislative recommendations as the
2 Comptroller General considers appropriate to further
3 the purposes of this section.

4 **SEC. 5508. NO ADDITIONAL FUNDS AUTHORIZED.**

5 No additional funds are authorized to carry out the
6 requirements of this division and the amendments made
7 by this division. Such requirements shall be carried out
8 using amounts otherwise authorized or appropriated.



158. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GRAVES OF MISSOURI OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. GRAVES OF MISSOURI**

At the end of title X, add the following:

1 **Subtitle H—National Commission**
2 **on the Future of the Army**

3 **SEC. 1091. NATIONAL COMMISSION ON THE FUTURE OF**
4 **THE ARMY.**

5 (a) **ESTABLISHMENT.**—There is established the Na-
6 tional Commission on the Future of the Army (in this sub-
7 title referred to as the “Commission”).

8 (b) **MEMBERSHIP.**—

9 (1) **COMPOSITION.**—The Commission shall be
10 composed of eight members, of whom—

11 (A) four shall be appointed by the Presi-
12 dent;

13 (B) one shall be appointed by the Chair-
14 man of the Committee on Armed Services of
15 the Senate;

16 (C) one shall be appointed by the Ranking
17 Member of the Committee on Armed Services of
18 the Senate;

1 (D) one shall be appointed by the Chair-
2 man of the Committee on Armed Services of
3 the House of Representatives; and

4 (E) one shall be appointed by the Ranking
5 Member of the Committee on Armed Services of
6 the House of Representatives.

7 (2) APPOINTMENT DATE.—The appointments of
8 the members of the Commission shall be made not
9 later than 90 days after the date of the enactment
10 of this Act.

11 (3) EFFECT OF LACK OF APPOINTMENT BY AP-
12 POINTMENT DATE.—If one or more appointments
13 under subparagraph (A) of paragraph (1) is not
14 made by the appointment date specified in para-
15 graph (2), the authority to make such appointment
16 or appointments shall expire, and the number of
17 members of the Commission shall be reduced by the
18 number equal to the number of appointments so not
19 made. If an appointment under subparagraph (B),
20 (C), (D), or (E) of paragraph (1) is not made by the
21 appointment date specified in paragraph (2), the au-
22 thority to make an appointment under such subpara-
23 graph shall expire, and the number of members of
24 the Commission shall be reduced by the number

1 equal to the number otherwise appointable under
2 such subparagraph.

3 (4) EXPERTISE.—In making appointments
4 under this subsection, consideration should be given
5 to individuals with expertise in reserve forces policy.

6 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
7 bers shall be appointed for the life of the Commission. Any
8 vacancy in the Commission shall not affect its powers, but
9 shall be filled in the same manner as the original appoint-
10 ment.

11 (d) CHAIR AND VICE CHAIR.—The Commission shall
12 select a Chair and Vice Chair from among its members.

13 (e) INITIAL MEETING.—Not later than 30 days after
14 the date on which all members of the Commission have
15 been appointed, the Commission shall hold its initial meet-
16 ing.

17 (f) MEETINGS.—The Commission shall meet at the
18 call of the Chair.

19 (g) QUORUM.—A majority of the members of the
20 Commission shall constitute a quorum, but a lesser num-
21 ber of members may hold hearings.

22 (h) ADMINISTRATIVE AND PROCEDURAL AUTHORI-
23 TIES.—The following provisions of law do not apply to the
24 Commission:

25 (1) Section 3161 of title 5, United States Code.

1 (2) The Federal Advisory Committee Act (5
2 U.S.C. App.).

3 **SEC. 1092. DUTIES OF THE COMMISSION.**

4 (a) STUDY ON STRUCTURE OF THE ARMY.—

5 (1) IN GENERAL.—The Commission shall un-
6 dertake a comprehensive study of the structure of
7 the Army, and policy assumptions related to the size
8 and force mixture of the Army, to—

9 (A) determine the proper size and force
10 mixture of the regular component of the Army
11 and the reserve components of the Army, and

12 (B) make recommendations on how the
13 structure should be modified to best fulfill cur-
14 rent and anticipated mission requirements for
15 the Army in a manner consistent with available
16 resources and anticipated future resources.

17 (2) CONSIDERATIONS.—In undertaking the
18 study required by subsection (a), the Commission
19 shall give particular consideration to the following:

20 (A) An evaluation and identification of a
21 structure for the Army that—

22 (i) has the depth and scalability to
23 meet current and anticipated requirements
24 of the combatant commands;

1 (ii) achieves a cost-efficiency balance
2 between the regular and reserve compo-
3 nents of the Army, taking advantage of the
4 unique strengths and capabilities of each,
5 with a particular focus on fully burdened
6 and lifecycle cost of Army personnel;

7 (iii) ensures that the regular and re-
8 serve components of the Army have the ca-
9 pacity needed to support current and an-
10 ticipated homeland defense and disaster
11 assistance missions in the United States;

12 (iv) provides for sufficient numbers of
13 regular members of the Army to provide a
14 base of trained personnel from which the
15 personnel of the reserve components of the
16 Army could be recruited; and

17 (v) maximizes and appropriately bal-
18 ances affordability, efficiency, effectiveness,
19 capability, and readiness.

20 (B) An evaluation and identification of
21 force generation policies for the Army with re-
22 spect to size and force mixture in order to best
23 fulfill current and anticipated mission require-
24 ments for the Army in a manner consistent
25 with available resources and anticipated future

1 resources, including policies in connection
2 with—

3 (i) readiness;

4 (ii) training;

5 (iii) equipment;

6 (iv) personnel; and

7 (v) maintenance of the reserve compo-
8 nents in an operational state in order to
9 maintain the level of expertise and experi-
10 ence developed since September 11, 2001.

11 (b) FINAL REPORT.—Not later than February 1,
12 2016, the Commission shall submit to the President and
13 the congressional defense committees a report setting
14 forth a detailed statement of the findings and conclusions
15 of the Commission as a result of the study required by
16 subsection (a), together with its recommendations for such
17 legislation and administrative actions as the Commission
18 considers appropriate in light of the results of the study.

19 **SEC. 1093. POWERS OF THE COMMISSION.**

20 (a) HEARINGS.—The Commission shall hold such
21 hearings, sit and act at such times and places, take such
22 testimony, and receive such evidence as the Commission
23 considers advisable to carry out its duties under this Act.

24 (b) INFORMATION FROM FEDERAL AGENCIES.—The
25 Commission may secure directly from any Federal depart-

1 ment or agency such information as the Commission con-
2 siders necessary to carry out its duties under this Act.
3 Upon request of the Chair of the Commission, the head
4 of such department or agency shall furnish such informa-
5 tion to the Commission.

6 (c) **POSTAL SERVICES.**—The Commission may use
7 the United States mails in the same manner and under
8 the same conditions as other departments and agencies of
9 the Federal Government.

10 (d) **GIFTS.**—The Commission may accept, use, and
11 dispose of gifts or donations of services or property.

12 **SEC. 1094. COMMISSION PERSONNEL MATTERS.**

13 (a) **COMPENSATION OF MEMBERS.**—Each member of
14 the Commission who is not an officer or employee of the
15 Federal Government shall be compensated at a rate equal
16 to the daily equivalent of the annual rate of basic pay pre-
17 scribed for level IV of the Executive Schedule under sec-
18 tion 5315 of title 5, United States Code, for each day (in-
19 cluding travel time) during which such member is engaged
20 in the performance of the duties of the Commission. All
21 members of the Commission who are officers or employees
22 of the United States shall serve without compensation in
23 addition to that received for their services as officers or
24 employees of the United States.

1 (b) TRAVEL EXPENSES.—The members of the Com-
2 mission shall be allowed travel expenses, including per
3 diem in lieu of subsistence, at rates authorized for employ-
4 ees of agencies under subchapter I of chapter 57 of title
5 5, United States Code, while away from their homes or
6 regular places of business in the performance of services
7 for the Commission.

8 (c) STAFF.—

9 (1) IN GENERAL.—The Chair of the Commis-
10 sion may, without regard to the civil service laws
11 and regulations, appoint and terminate an executive
12 director and such other additional personnel as may
13 be necessary to enable the Commission to perform
14 its duties. The employment of an executive director
15 shall be subject to confirmation by the Commission.

16 (2) COMPENSATION.—The Chair of the Com-
17 mission may fix the compensation of the executive
18 director and other personnel without regard to chap-
19 ter 51 and subchapter III of chapter 53 of title 5,
20 United States Code, relating to classification of posi-
21 tions and General Schedule pay rates, except that
22 the rate of pay for the executive director and other
23 personnel may not exceed the rate payable for level
24 V of the Executive Schedule under section 5316 of
25 such title.

1 (c) **DETAIL OF GOVERNMENT EMPLOYEES.**—Any
2 Federal Government employee may be detailed to the
3 Commission without reimbursement, and such detail shall
4 be without interruption or loss of civil service status or
5 privilege.

6 (d) **PROCUREMENT OF TEMPORARY AND INTERMIT-**
7 **TENT SERVICES.**—The Chair of the Commission may pro-
8 cure temporary and intermittent services under section
9 3109(b) of title 5, United States Code, at rates for individ-
10 uals which do not exceed the daily equivalent of the annual
11 rate of basic pay prescribed for level V of the Executive
12 Schedule under section 5316 of such title.

13 **SEC. 1095. TERMINATION OF THE COMMISSION.**

14 The Commission shall terminate 90 days after the
15 date on which the Commission submits its final report
16 under section 1092(b).

17 **SEC. 1096. FUNDING.**

18 Amounts authorized to be appropriated for fiscal year
19 2015 and available for operation and maintenance for the
20 Army may be available for the activities of the Commission
21 under this subtitle.



159. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
FRANKS OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. FRANKS OF ARIZONA**

At the end of subtitle E of title XVI, add the following new section:

1 **SEC. 1643. BUDGET INCREASE FOR AEGIS BALLISTIC MIS-**
2 **SILE DEFENSE.**

3 (a) INCREASE.—Notwithstanding the amounts set
4 forth in the funding tables in division D, the amount au-
5 thorized to be appropriated in section 101 for procure-
6 ment, Defense-wide, as specified in the corresponding
7 funding table in section 4101, for Aegis BMD (Line 030)
8 is hereby increased by \$99,000,000.

9 (b) OFFSET.—Notwithstanding the amounts set forth
10 in the funding tables in division D—

11 (1) the amounts authorized to be appropriated
12 in section 101 for aircraft procurement, Army, as
13 specified in the corresponding funding table in sec-
14 tion 4101, for Aerial Common Sensor (Line 003) is
15 hereby reduced by \$75,300,000; and

16 (2) the amounts authorized to be appropriated
17 in section 101 for procurement, Marine Corps, as
18 specified in the corresponding funding table in sec-

1 tion 4101, for RQ-21 UAS (line 023) is hereby re-
2 duced by \$23,700,000.



160. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CONNOLLY OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR
10 MINUTES

REVISED

321R

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. CONNOLLY OF VIRGINIA**

Page 459, line 15, strike "None" and insert "(a)
PEOPLE'S REPUBLIC OF CHINA.—None".

Page 459, after line 21, insert the following new
subsection:

1 (b) RUSSIAN FEDERATION.—

2 (1) SENSE OF CONGRESS.—It is the sense of
3 Congress that missile defense systems of the Rus-
4 sian Federation should not be integrated into the
5 missile defense systems of the United States or the
6 North Atlantic Treaty Organization if such integra-
7 tion undermines the security of the United States or
8 NATO.

9 (2) PROHIBITION.—None of the funds author-
10 ized to be appropriated by this Act or otherwise
11 made available for fiscal year 2015 for the Depart-
12 ment of Defense or for United States contributions
13 to the North Atlantic Treaty Organization may be
14 obligated or expended to integrate missile defense
15 systems of the Russian Federation into missile de-

1 fense systems of the United States if such integra-
2 tion undermines the security of the United States or
3 NATO.

4 (3) WAIVER.—The Secretary of Defense may
5 waive the prohibition in paragraph (2) if the Sec-
6 retary, in consultation with the Secretary of State,
7 determines that the Russian Federation—

8 (A) has withdrawn military forces and as-
9 sets from Ukraine’s Crimean peninsula, other
10 than at those operating in accordance with its
11 1997 agreement on the Status and Conditions
12 of the Black Sea Fleet Stationing on the Terri-
13 tory of Ukraine; and

14 (B) has ceased aggressive actions, particu-
15 larly along Ukraine’s eastern border, that have
16 led to a destabilization of the Ukrainian govern-
17 ment and the safety of its residents.



161. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
KILDEE OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. KILDEE OF MICHIGAN**

At the end of subtitle C of title VII, add the following new section:

1 **SEC. 729. EVALUATION OF WOUNDED WARRIOR CARE AND**
2 **TRANSITION PROGRAM.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that gaining new ideas and an objective perspective
5 are critical to addressing issues regarding the treatment
6 of wounded warriors.

7 (b) EVALUATION.—The Secretary of Defense shall
8 seek to enter into a contract with a private organization
9 to evaluate the wounded warrior care and transition pro-
10 gram of the Department of Defense. Such evaluation shall
11 identify deficiencies in the treatment of wounded warriors
12 and offer recommendations to the Secretary of Defense
13 and Congress to improve such treatment. The Secretary
14 may not award a contract to a private organization to
15 carry out such evaluation unless the private organization
16 received less than 20 percent of the annual revenue of the
17 organization during the previous five years from contracts

1 with the Department of Defense or the Department of
2 Veterans Affairs.

3 (c) FUNDING.—

4 (1) INCREASE.—Notwithstanding the amounts
5 set forth in the funding tables in division D, the
6 amount authorized to be appropriated in section
7 1405 for the Defense Health Program, as specified
8 in the corresponding funding table in section 4501,
9 is hereby increased by \$20,000,000.

10 (2) OFFSET.—Notwithstanding the amounts set
11 forth in the funding tables in division D—

12 (A) the amounts authorized to be appro-
13 priated in section 101 for shipbuilding and con-
14 version, Navy, as specified in the corresponding
15 funding table in section 4101, is hereby reduced
16 by \$10,000,000; and

17 (B) the amounts authorized to be appro-
18 priated in division C for weapons activities, as
19 specified in the corresponding funding table in
20 section 4701, for the B61 life extension pro-
21 gram and the W76 life extension program are
22 each hereby reduced by \$5,000,000.



162. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
YOUNG OF INDIANA OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. YOUNG OF INDIANA**

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

1 **SEC. 28** . **INDEMNIFICATION OF TRANSFEREES OF PROP-**
2 **ERTY AT MILITARY INSTALLATIONS CLOSED**
3 **SINCE OCTOBER 24, 1988, THAT REMAIN**
4 **UNDER THE JURISDICTION OF THE DEPART-**
5 **MENT OF DEFENSE.**

6 Section 330(a) of the National Defense Authorization
7 Act for Fiscal Year 1993 (Public Law 102-484; 10 U.S.C.
8 2687 note) is amended—

9 (1) in paragraph (1)—

10 (A) by striking “paragraph (3)” and in-
11 sserting “paragraph (4)”; and

12 (B) by striking “paragraph (2)” and in-
13 sserting “paragraph (3)”;
14

(2) by redesignating paragraphs (2) and (3) as
15 paragraphs (3) and (4), respectively;

16 (3) in paragraph (4), as redesignated, by strik-
17 ing “paragraph (2) contributed to any such release
18 or threatened release, paragraph (1)” and inserting

1 “paragraph (3) contributed to any such release or
2 threatened release, paragraph (1) or (2)”; and

3 (4) by inserting after paragraph (1) the fol-
4 lowing new paragraph (2):

5 “(2) The responsibility of the Secretary of Defense
6 to hold harmless, defend, and indemnify in full certain
7 persons and entities described in paragraph (3) also ap-
8 plies with respect to any military installation (or portion
9 thereof) that—

10 “(A) was closed during the period beginning on
11 October 24, 1988, and ending on the date of the en-
12 actment of this paragraph, other than pursuant to
13 a base closure law; and

14 “(B) remains under the jurisdiction of the De-
15 partment of Defense as of the date of the enactment
16 of this paragraph.”.



PART B—TEXT OF AMENDMENT TO H.R. 3361 CONSIDERED AS
ADOPTED

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3361, AS REPORTED BY THE COM-
MITTEE ON THE JUDICIARY AND THE PERMA-
NENT SELECT COMMITTEE ON INTELLIGENCE
OFFERED BY MR. SENSENBRENNER OF WIS-
CONSIN, MR. GOODLATTE OF VIRGINIA, MR.
CONYERS OF MICHIGAN, MR. NADLER OF
NEW YORK, AND MR. SCOTT OF VIRGINIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “USA FREEDOM Act”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Amendments to the Foreign Intelligence Surveillance Act of 1978.

TITLE I—FISA BUSINESS RECORDS REFORMS

Sec. 101. Additional requirements for call detail records.

Sec. 102. Emergency authority.

Sec. 103. Prohibition on bulk collection of tangible things.

Sec. 104. Judicial review of minimization procedures for the production of tan-
gible things.

Sec. 105. Liability protection.

Sec. 106. Compensation for assistance.

Sec. 107. Definitions.

Sec. 108. Inspector general reports on business records orders.

Sec. 109. Effective date.

Sec. 110. Rule of construction.

TITLE II—FISA PEN REGISTER AND TRAP AND TRACE DEVICE REFORM

- Sec. 201. Prohibition on bulk collection.
- Sec. 202. Privacy procedures.

TITLE III—FISA ACQUISITIONS TARGETING PERSONS OUTSIDE THE UNITED STATES REFORMS

- Sec. 301. Minimization procedures.
- Sec. 302. Limits on use of unlawfully obtained information.

TITLE IV—FOREIGN INTELLIGENCE SURVEILLANCE COURT REFORMS

- Sec. 401. Appointment of amicus curiae.
- Sec. 402. Declassification of decisions, orders, and opinions.

TITLE V—NATIONAL SECURITY LETTER REFORM

- Sec. 501. Prohibition on bulk collection.

TITLE VI—FISA TRANSPARENCY AND REPORTING REQUIREMENTS

- Sec. 601. Additional reporting on orders requiring production of business records.
- Sec. 602. Business records compliance reports to Congress.
- Sec. 603. Annual reports by the Government on orders entered.
- Sec. 604. Public reporting by persons subject to FISA orders.
- Sec. 605. Reporting requirements for decisions of the Foreign Intelligence Surveillance Court.
- Sec. 606. Submission of reports under FISA.

TITLE VII—SUNSETS

- Sec. 701. Sunsets.

1 SEC. 2. AMENDMENTS TO THE FOREIGN INTELLIGENCE
2 SURVEILLANCE ACT OF 1978.

3 Except as otherwise expressly provided, whenever in
4 this Act an amendment or repeal is expressed in terms
5 of an amendment to, or a repeal of, a section or other
6 provision, the reference shall be considered to be made to
7 a section or other provision of the Foreign Intelligence
8 Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

1 **TITLE I—FISA BUSINESS**
2 **RECORDS REFORMS**

3 **SEC. 101. ADDITIONAL REQUIREMENTS FOR CALL DETAIL**
4 **RECORDS.**

5 (a) APPLICATION.—Section 501(b)(2) (50 U.S.C.
6 1861(b)(2)) is amended—

7 (1) in subparagraph (A)—

8 (A) in the matter preceding clause (i), by
9 striking “a statement” and inserting “in the
10 case of an application other than an application
11 described in subparagraph (C) (including an ap-
12 plication for the production of call detail
13 records other than in the manner described in
14 subparagraph (C)), a statement”; and

15 (B) in clause (iii), by striking “; and” and
16 inserting a semicolon;

17 (2) by redesignating subparagraphs (A) and
18 (B) as subparagraphs (B) and (D), respectively; and

19 (3) by inserting after subparagraph (B) (as so
20 redesignated) the following new subparagraph:

21 “(C) in the case of an application for the
22 production on a daily basis of call detail records
23 created before, on, or after the date of the ap-
24 plication relating to an authorized investigation
25 (other than a threat assessment) conducted in

1 accordance with subsection (a)(2) to protect
2 against international terrorism, a statement of
3 facts showing that—

4 “(i) there are reasonable grounds to
5 believe that the call detail records sought
6 to be produced based on the specific selec-
7 tion term required under subparagraph (A)
8 are relevant to such investigation; and

9 “(ii) there are facts giving rise to a
10 reasonable, articulable suspicion that such
11 specific selection term is associated with a
12 foreign power or an agent of a foreign
13 power; and”.

14 (b) ORDER.—Section 501(c)(2) (50 U.S.C.
15 1861(c)(2)) is amended—

16 (1) in subparagraph (D), by striking “; and”
17 and inserting a semicolon;

18 (2) in subparagraph (E), by striking the period
19 and inserting “; and”; and

20 (3) by adding at the end the following new sub-
21 paragraph:

22 “(F) in the case of an application de-
23 scribed in subsection (b)(2)(C), shall—

1 “(i) authorize the production on a
2 daily basis of call detail records for a pe-
3 riod not to exceed 180 days;

4 “(ii) provide that an order for such
5 production may be extended upon applica-
6 tion under subsection (b) and the judicial
7 finding under paragraph (1);

8 “(iii) provide that the Government
9 may require the prompt production of call
10 detail records—

11 “(I) using the specific selection
12 term that satisfies the standard re-
13 quired under subsection (b)(2)(C)(ii)
14 as the basis for production; and

15 “(II) using call detail records
16 with a direct connection to such spe-
17 cific selection term as the basis for
18 production of a second set of call de-
19 tail records;

20 “(iv) provide that, when produced,
21 such records be in a form that will be use-
22 ful to the Government;

23 “(v) direct each person the Govern-
24 ment directs to produce call detail records
25 under the order to furnish the Government

1 forthwith all information, facilities, or
2 technical assistance necessary to accom-
3 plish the production in such a manner as
4 will protect the secrecy of the production
5 and produce a minimum of interference
6 with the services that such person is pro-
7 viding to each subject of the production;
8 and

9 “(vi) direct the Government to—
10 “(I) adopt minimization proce-
11 dures that require the prompt de-
12 struction of all call detail records pro-
13 duced under the order that the Gov-
14 ernment determines are not foreign
15 intelligence information; and
16 “(II) destroy all call detail
17 records produced under the order as
18 prescribed by such procedures.”.

19 **SEC. 102. EMERGENCY AUTHORITY.**

20 (a) **AUTHORITY.**—Section 501 (50 U.S.C. 1861) is
21 amended by adding at the end the following new sub-
22 section:

23 “(i) **EMERGENCY AUTHORITY FOR PRODUCTION OF**
24 **TANGIBLE THINGS.**—

1 “(1) Notwithstanding any other provision of
2 this section, the Attorney General may require the
3 emergency production of tangible things if the Attor-
4 ney General—

5 “(A) reasonably determines that an emer-
6 gency situation requires the production of tan-
7 gible things before an order authorizing such
8 production can with due diligence be obtained;

9 “(B) reasonably determines that the fac-
10 tual basis for the issuance of an order under
11 this section to approve such production of tan-
12 gible things exists;

13 “(C) informs, either personally or through
14 a designee, a judge having jurisdiction under
15 this section at the time the Attorney General
16 requires the emergency production of tangible
17 things that the decision has been made to em-
18 ploy the authority under this subsection; and

19 “(D) makes an application in accordance
20 with this section to a judge having jurisdiction
21 under this section as soon as practicable, but
22 not later than 7 days after the Attorney Gen-
23 eral requires the emergency production of tan-
24 gible things under this subsection.

1 “(2) If the Attorney General authorizes the
2 emergency production of tangible things under para-
3 graph (1), the Attorney General shall require that
4 the minimization procedures required by this section
5 for the issuance of a judicial order be followed.

6 “(3) In the absence of a judicial order approv-
7 ing the production of tangible things under this sub-
8 section, the production shall terminate when the in-
9 formation sought is obtained, when the application
10 for the order is denied, or after the expiration of 7
11 days from the time the Attorney General begins re-
12 quiring the emergency production of such tangible
13 things, whichever is earliest.

14 “(4) A denial of the application made under
15 this subsection may be reviewed as provided in sec-
16 tion 103.

17 “(5) If such application for approval is denied,
18 or in any other case where the production of tangible
19 things is terminated and no order is issued approv-
20 ing the production, no information obtained or evi-
21 dence derived from such production shall be received
22 in evidence or otherwise disclosed in any trial, hear-
23 ing, or other proceeding in or before any court,
24 grand jury, department, office, agency, regulatory
25 body, legislative committee, or other authority of the

1 United States, a State, or political subdivision there-
2 of, and no information concerning any United States
3 person acquired from such production shall subse-
4 quently be used or disclosed in any other manner by
5 Federal officers or employees without the consent of
6 such person, except with the approval of the Attor-
7 ney General if the information indicates a threat of
8 death or serious bodily harm to any person.

9 “(6) The Attorney General shall assess compli-
10 ance with the requirements of paragraph (5).”.

11 (b) CONFORMING AMENDMENT.—Section 501(d) (50
12 U.S.C. 1861(d)) is amended—

13 (1) in paragraph (1)—

14 (A) in the matter preceding subparagraph
15 (A), by striking “pursuant to an order” and in-
16 serting “pursuant to an order issued or an
17 emergency production required”;

18 (B) in subparagraph (A), by striking “such
19 order” and inserting “such order or such emer-
20 gency production”; and

21 (C) in subparagraph (B), by striking “the
22 order” and inserting “the order or the emer-
23 gency production”; and

24 (2) in paragraph (2)—

1 (A) in subparagraph (A), by striking “an
2 order” and inserting “an order or emergency
3 production”; and

4 (B) in subparagraph (B), by striking “an
5 order” and inserting “an order or emergency
6 production”.

7 **SEC. 103. PROHIBITION ON BULK COLLECTION OF TAN-**
8 **GIBLE THINGS.**

9 (a) APPLICATION.—Section 501(b)(2) (50 U.S.C.
10 1861(b)(2)), as amended by section 101(a) of this Act,
11 is further amended by inserting before subparagraph (B),
12 as redesignated by such section 101(a) of this Act, the
13 following new subparagraph:

14 “(A) a specific selection term to be used as
15 the basis for the production of the tangible
16 things sought;”.

17 (b) ORDER.—Section 501(c) (50 U.S.C. 1861(c)) is
18 amended—

19 (1) in paragraph (2)(A), by striking the semi-
20 colon and inserting “, including each specific selec-
21 tion term to be used as the basis for the produc-
22 tion;”; and

23 (2) by adding at the end the following new
24 paragraph:

1 “(3) No order issued under this subsection may au-
2 thorize the collection of tangible things without the use
3 of a specific selection term that meets the requirements
4 of subsection (b)(2).”.

5 **SEC. 104. JUDICIAL REVIEW OF MINIMIZATION PROCE-**
6 **DURES FOR THE PRODUCTION OF TANGIBLE**
7 **THINGS.**

8 Section 501(c)(1) (50 U.S.C. 1861(c)(1)) is amended
9 by inserting after “subsections (a) and (b)” the following:
10 “and that the minimization procedures submitted in ac-
11 cordance with subsection (b)(2)(D) meet the definition of
12 minimization procedures under subsection (g)”.

13 **SEC. 105. LIABILITY PROTECTION.**

14 Section 501(e) (50 U.S.C. 1861(e)) is amended to
15 read as follows:

16 “(e)(1) No cause of action shall lie in any court
17 against a person who—

18 “(A) produces tangible things or provides infor-
19 mation, facilities, or technical assistance pursuant to
20 an order issued or an emergency production required
21 under this section; or

22 “(B) otherwise provides technical assistance to
23 the Government under this section or to implement
24 the amendments made to this section by the USA
25 FREEDOM Act.

1 “(2) A production or provision of information, facili-
2 ties, or technical assistance described in paragraph (1)
3 shall not be deemed to constitute a waiver of any privilege
4 in any other proceeding or context.”.

5 **SEC. 106. COMPENSATION FOR ASSISTANCE.**

6 Section 501 (50 U.S.C. 1861), as amended by section
7 102 of this Act, is further amended by adding at the end
8 the following new subsection:

9 “(j) COMPENSATION.—The Government shall com-
10 pensate a person for reasonable expenses incurred for—

11 “(1) producing tangible things or providing in-
12 formation, facilities, or assistance in accordance with
13 an order issued with respect to an application de-
14 scribed in subsection (b)(2)(C) or an emergency pro-
15 duction under subsection (i) that, to comply with
16 subsection (i)(1)(D), requires an application de-
17 scribed in subsection (b)(2)(C); or

18 “(2) otherwise providing technical assistance to
19 the Government under this section or to implement
20 the amendments made to this section by the USA
21 FREEDOM Act.”.

22 **SEC. 107. DEFINITIONS.**

23 Section 501 (50 U.S.C. 1861), as amended by section
24 106 of this Act, is further amended by adding at the end
25 the following new subsection:

1 “(k) DEFINITIONS.—In this section:

2 “(1) CALL DETAIL RECORD.—The term ‘call de-
3 tail record’—

4 “(A) means session identifying information
5 (including originating or terminating telephone
6 number, International Mobile Subscriber Identi-
7 tity number, or International Mobile Station
8 Equipment Identity number), a telephone call-
9 ing card number, or the time or duration of a
10 call; and

11 “(B) does not include—

12 “(i) the contents of any communica-
13 tion (as defined in section 2510(8) of title
14 18, United States Code);

15 “(ii) the name, address, or financial
16 information of a subscriber or customer; or

17 “(iii) cell site location information.

18 “(2) SPECIFIC SELECTION TERM.—The term
19 ‘specific selection term’ means a discrete term, such
20 as a term specifically identifying a person, entity, ac-
21 count, address, or device, used by the Government to
22 limit the scope of the information or tangible things
23 sought pursuant to the statute authorizing the provi-
24 sion of such information or tangible things to the
25 Government.”.

1 **SEC. 108. INSPECTOR GENERAL REPORTS ON BUSINESS**
2 **RECORDS ORDERS.**

3 Section 106A of the USA PATRIOT Improvement
4 and Reauthorization Act of 2005 (Public Law 109–177;
5 120 Stat. 200) is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (1), by inserting “and
8 calendar years 2012 through 2014” after
9 “2006”;

10 (B) by striking paragraphs (2) and (3);

11 (C) by redesignating paragraphs (4) and
12 (5) as paragraphs (2) and (3), respectively; and

13 (D) in paragraph (3) (as so redesign-
14 dated)—

15 (i) by striking subparagraph (C) and
16 inserting the following new subparagraph:

17 “(C) with respect to calendar years 2012
18 through 2014, an examination of the minimiza-
19 tion procedures used in relation to orders under
20 section 501 of the Foreign Intelligence Surveil-
21 lance Act of 1978 (50 U.S.C. 1861) and wheth-
22 er the minimization procedures adequately pro-
23 tect the constitutional rights of United States
24 persons;” and

25 (ii) in subparagraph (D), by striking
26 “(as such term is defined in section 3(4) of

1 the National Security Act of 1947 (50
2 U.S.C. 401a(4)))”;

3 (2) in subsection (c), by adding at the end the
4 following new paragraph:

5 “(3) CALENDAR YEARS 2012 THROUGH
6 2014.—Not later than December 31, 2015, the In-
7 specter General of the Department of Justice shall
8 submit to the Committee on the Judiciary and the
9 Select Committee on Intelligence of the Senate and
10 the Committee on the Judiciary and the Permanent
11 Select Committee on Intelligence of the House of
12 Representatives a report containing the results of
13 the audit conducted under subsection (a) for cal-
14 endar years 2012 through 2014.”;

15 (3) by redesignating subsections (d) and (e) as
16 subsections (e) and (f), respectively;

17 (4) by inserting after subsection (c) the fol-
18 lowing new subsection:

19 “(d) INTELLIGENCE ASSESSMENT.—

20 “(1) IN GENERAL.—For the period beginning
21 on January 1, 2012, and ending on December 31,
22 2014, the Inspector General of the Intelligence Com-
23 munity shall assess—

24 “(A) the importance of the information ac-
25 quired under title V of the Foreign Intelligence

1 Surveillance Act of 1978 (50 U.S.C. 1861 et
2 seq.) to the activities of the intelligence commu-
3 nity;

4 “(B) the manner in which that information
5 was collected, retained, analyzed, and dissemi-
6 nated by the intelligence community;

7 “(C) the minimization procedures used by
8 elements of the intelligence community under
9 such title and whether the minimization proce-
10 dures adequately protect the constitutional
11 rights of United States persons; and

12 “(D) any minimization procedures pro-
13 posed by an element of the intelligence commu-
14 nity under such title that were modified or de-
15 nied by the court established under section
16 103(a) of such Act (50 U.S.C. 1803(a)).

17 “(2) SUBMISSION DATE FOR ASSESSMENT.—
18 Not later than 180 days after the date on which the
19 Inspector General of the Department of Justice sub-
20 mits the report required under subsection (c)(3), the
21 Inspector General of the Intelligence Community
22 shall submit to the Committee on the Judiciary and
23 the Select Committee on Intelligence of the Senate
24 and the Committee on the Judiciary and the Perma-
25 nent Select Committee on Intelligence of the House

1 of Representatives a report containing the results of
2 the assessment for calendar years 2012 through
3 2014.”;

4 (5) in subsection (e), as redesignated by para-
5 graph (3)—

6 (A) in paragraph (1)—

7 (i) by striking “a report under sub-
8 section (c)(1) or (c)(2)” and inserting “any
9 report under subsection (c) or (d)”;

10 (ii) by striking “Inspector General of
11 the Department of Justice” and inserting
12 “Inspector General of the Department of
13 Justice, the Inspector General of the Intel-
14 ligence Community, and any Inspector
15 General of an element of the intelligence
16 community that prepares a report to assist
17 the Inspector General of the Department
18 of Justice or the Inspector General of the
19 Intelligence Community in complying with
20 the requirements of this section”;

21 (B) in paragraph (2), by striking “the re-
22 ports submitted under subsections (c)(1) and
23 (c)(2)” and inserting “any report submitted
24 under subsection (c) or (d)”;

1 (6) in subsection (f), as redesignated by para-
2 graph (3)—

3 (A) by striking “The reports submitted
4 under subsections (c)(1) and (c)(2)” and insert-
5 ing “Each report submitted under subsection
6 (c)”; and

7 (B) by striking “subsection (d)(2)” and in-
8 serting “subsection (e)(2)”; and

9 (7) by adding at the end the following new sub-
10 section:

11 “(g) DEFINITIONS.—In this section:

12 “(1) INTELLIGENCE COMMUNITY.—The term
13 ‘intelligence community’ has the meaning given that
14 term in section 3 of the National Security Act of
15 1947 (50 U.S.C. 3003).

16 “(2) UNITED STATES PERSON.—The term
17 ‘United States person’ has the meaning given that
18 term in section 101 of the Foreign Intelligence Sur-
19 veillance Act of 1978 (50 U.S.C. 1801).”.

20 **SEC. 109. EFFECTIVE DATE.**

21 (a) IN GENERAL.—The amendments made by sec-
22 tions 101 through 103 shall take effect on the date that
23 is 180 days after the date of the enactment of this Act.

24 (b) RULE OF CONSTRUCTION.—Nothing in this Act
25 shall be construed to alter or eliminate the authority of

1 the Government to obtain an order under title V of the
2 Foreign Intelligence Surveillance Act of 1978 (50 U.S.C.
3 1861 et seq.) as in effect prior to the effective date de-
4 scribed in subsection (a) during the period ending on such
5 effective date.

6 **SEC. 110. RULE OF CONSTRUCTION.**

7 Nothing in this Act shall be construed to authorize
8 the production of the contents (as such term is defined
9 in section 2510(8) of title 18, United States Code) of any
10 electronic communication from an electronic communica-
11 tion service provider (as such term is defined in section
12 701(b)(4) of the Foreign Intelligence Surveillance Act of
13 1978 (50 U.S.C. 1881(b)(4)) under title V of the Foreign
14 Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et
15 seq.).

16 **TITLE II—FISA PEN REGISTER**
17 **AND TRAP AND TRACE DE-**
18 **VICE REFORM**

19 **SEC. 201. PROHIBITION ON BULK COLLECTION.**

20 (a) PROHIBITION.—Section 402(c) (50 U.S.C.
21 1842(c)) is amended—

22 (1) in paragraph (1), by striking “; and” and
23 inserting a semicolon;

24 (2) in paragraph (2), by striking the period and
25 inserting a semicolon; and

1 (3) by adding at the end the following new
2 paragraph:

3 “(3) a specific selection term to be used as the
4 basis for selecting the telephone line or other facility
5 to which the pen register or trap and trace device
6 is to be attached or applied; and”.

7 (b) DEFINITION.—Section 401 (50 U.S.C. 1841) is
8 amended by adding at the end the following new para-
9 graph:

10 “(4) The term ‘specific selection term’ has the
11 meaning given the term in section 501.”.

12 **SEC. 202. PRIVACY PROCEDURES.**

13 (a) IN GENERAL.—Section 402 (50 U.S.C. 1842) is
14 amended by adding at the end the following new sub-
15 section:

16 “(h) The Attorney General shall ensure that appro-
17 priate policies and procedures are in place to safeguard
18 nonpublicly available information concerning United
19 States persons that is collected through the use of a pen
20 register or trap and trace device installed under this sec-
21 tion. Such policies and procedures shall, to the maximum
22 extent practicable and consistent with the need to protect
23 national security, include protections for the collection, re-
24 tention, and use of information concerning United States
25 persons.”.

1 (b) EMERGENCY AUTHORITY.—Section 403 (50
2 U.S.C. 1843) is amended by adding at the end the fol-
3 lowing new subsection:

4 “(d) Information collected through the use of a pen
5 register or trap and device installed under this section
6 shall be subject to the policies and procedures required
7 under section 402(h).”.

8 **TITLE III—FISA ACQUISITIONS**
9 **TARGETING PERSONS OUT-**
10 **SIDE THE UNITED STATES RE-**
11 **FORMS**

12 **SEC. 301. MINIMIZATION PROCEDURES.**

13 Section 702(e)(1) (50 U.S.C. 1881a(e)(1)) is amend-
14 ed—

15 (1) by striking “that meet” and inserting the
16 following: “that—

17 “(A) meet”;

18 (2) in subparagraph (A) (as designated by
19 paragraph (1) of this section), by striking the period
20 and inserting “; and”; and

21 (3) by adding at the end the following new sub-
22 paragraph:

23 “(B) consistent with such definition—

24 “(i) minimize the acquisition, and pro-
25 hibit the retention and dissemination, of

1 any communication as to which the sender
2 and all intended recipients are determined
3 to be located in the United States at the
4 time of acquisition, consistent with the
5 need of the United States to obtain,
6 produce, and disseminate foreign intel-
7 ligence information; and

8 “(ii) prohibit the use of any discrete
9 communication that is not to, from, or
10 about the target of an acquisition and is to
11 or from an identifiable United States per-
12 son or a person reasonably believed to be
13 located in the United States, except to pro-
14 tect against an immediate threat to human
15 life.”.

16 **SEC. 302. LIMITS ON USE OF UNLAWFULLY OBTAINED IN-**
17 **FORMATION.**

18 Section 702(i)(3) (50 U.S.C. 1881a(i)(3)) is amended
19 by adding at the end the following new subparagraph:

20 “(D) LIMITATION ON USE OF INFORMA-
21 TION.—

22 “(i) IN GENERAL.—Except as pro-
23 vided in clause (ii), to the extent the Court
24 orders a correction of a deficiency in a cer-
25 tification or procedures under subpara-

1 graph (B), no information obtained or evi-
2 dence derived pursuant to the part of the
3 certification or procedures that has been
4 identified by the Court as deficient con-
5 cerning any United States person shall be
6 received in evidence or otherwise disclosed
7 in any trial, hearing, or other proceeding
8 in or before any court, grand jury, depart-
9 ment, office, agency, regulatory body, legis-
10 lative committee, or other authority of the
11 United States, a State, or political subdivi-
12 sion thereof, and no information con-
13 cerning any United States person acquired
14 pursuant to such part of such certification
15 shall subsequently be used or disclosed in
16 any other manner by Federal officers or
17 employees without the consent of the
18 United States person, except with the ap-
19 proval of the Attorney General if the infor-
20 mation indicates a threat of death or seri-
21 ous bodily harm to any person.

22 “(ii) EXCEPTION.—If the Government
23 corrects any deficiency identified by the
24 order of the Court under subparagraph
25 (B), the Court may permit the use or dis-

1 closure of information obtained before the
2 date of the correction under such mini-
3 mization procedures as the Court shall es-
4 tablish for purposes of this clause.”.

5 **TITLE IV—FOREIGN INTEL-**
6 **LIGENCE SURVEILLANCE**
7 **COURT REFORMS**

8 **SEC. 401. APPOINTMENT OF AMICUS CURIAE.**

9 Section 103 (50 U.S.C. 1803) is amended by adding
10 at the end the following new subsection:

11 “(i) AMICUS CURIAE.—

12 “(1) AUTHORIZATION.—A court established
13 under subsection (a) or (b), consistent with the re-
14 quirement of subsection (c) and any other statutory
15 requirement that the court act expeditiously or with-
16 in a stated time—

17 “(A) shall appoint an individual to serve as
18 amicus curiae to assist such court in the consid-
19 eration of any application for an order or review
20 that, in the opinion of the court, presents a
21 novel or significant interpretation of the law,
22 unless the court issues a written finding that
23 such appointment is not appropriate; and

1 “(B) may appoint an individual to serve as
2 amicus curiae in any other instance as such
3 court deems appropriate.

4 “(2) DESIGNATION.—The presiding judges of
5 the courts established under subsections (a) and (b)
6 shall jointly designate not less than 5 individuals to
7 be eligible to serve as amicus curiae. Such individ-
8 uals shall be persons who possess expertise in pri-
9 vacy and civil liberties, intelligence collection, tele-
10 communications, or any other area that may lend
11 legal or technical expertise to the courts and who
12 have been determined by appropriate executive
13 branch officials to be eligible for access to classified
14 information.

15 “(3) DUTIES.—An individual appointed to serve
16 as amicus curiae under paragraph (1) shall carry
17 out the duties assigned by the appointing court.
18 Such court may authorize the individual appointed
19 to serve as amicus curiae to review any application,
20 certification, petition, motion, or other submission
21 that the court determines is relevant to the duties
22 assigned by the court.

23 “(4) NOTIFICATION.—The presiding judges of
24 the courts established under subsections (a) and (b)
25 shall notify the Attorney General of each exercise of

1 the authority to appoint an individual to serve as
2 amicus curiae under paragraph (1).

3 “(5) ASSISTANCE.—A court established under
4 subsection (a) or (b) may request and receive (in-
5 cluding on a non-reimbursable basis) the assistance
6 of the executive branch in the implementation of this
7 subsection.

8 “(6) ADMINISTRATION.—A court established
9 under subsection (a) or (b) may provide for the des-
10 ignation, appointment, removal, training, or other
11 support for an individual appointed to serve as ami-
12 cus curiae under paragraph (1) in a manner that is
13 not inconsistent with this subsection.”.

14 **SEC. 402. DECLASSIFICATION OF DECISIONS, ORDERS, AND**
15 **OPINIONS.**

16 (a) DECLASSIFICATION.—Title VI (50 U.S.C. 1871
17 et seq.) is amended—

18 (1) in the heading, by striking “**REPORT-**
19 **ING REQUIREMENT**” and inserting “**OVER-**
20 **SIGHT**”; and

21 (2) by adding at the end the following new sec-
22 tion:

1 **“SEC. 602. DECLASSIFICATION OF SIGNIFICANT DECISIONS,**
2 **ORDERS, AND OPINIONS.**

3 “(a) **DECLASSIFICATION REQUIRED.**—Subject to
4 subsection (b), the Director of National Intelligence, in
5 consultation with the Attorney General, shall conduct a
6 declassification review of each decision, order, or opinion
7 issued by the Foreign Intelligence Surveillance Court or
8 the Foreign Intelligence Surveillance Court of Review (as
9 defined in section 601(e)) that includes a significant con-
10 struction or interpretation of any provision of this Act,
11 including a construction or interpretation of the term ‘spe-
12 cific selection term’, and, consistent with that review,
13 make publicly available to the greatest extent practicable
14 each such decision, order, or opinion.

15 “(b) **REDACTED FORM.**—The Director of National
16 Intelligence, in consultation with the Attorney General,
17 may satisfy the requirement under subsection (a) to make
18 a decision, order, or opinion described in such subsection
19 publicly available to the greatest extent practicable by
20 making such decision, order, or opinion publicly available
21 in redacted form.

22 “(c) **NATIONAL SECURITY WAIVER.**—The Director of
23 National Intelligence, in consultation with the Attorney
24 General, may waive the requirement to declassify and
25 make publicly available a particular decision, order, or
26 opinion under subsection (a) if—

1 “(1) the Director of National Intelligence, in
2 consultation with the Attorney General, determines
3 that a waiver of such requirement is necessary to
4 protect the national security of the United States or
5 properly classified intelligence sources or methods;
6 and

7 “(2) the Director of National Intelligence
8 makes publicly available an unclassified statement
9 prepared by the Attorney General, in consultation
10 with the Director of National Intelligence—

11 “(A) summarizing the significant construc-
12 tion or interpretation of a provision under this
13 Act; and

14 “(B) that specifies that the statement has
15 been prepared by the Attorney General and
16 constitutes no part of the opinion of the For-
17 eign Intelligence Surveillance Court or the For-
18 eign Intelligence Surveillance Court of Re-
19 view.”.

20 (b) TABLE OF CONTENTS AMENDMENTS.—The table
21 of contents in the first section is amended—

22 (1) by striking the item relating to title VI and
23 inserting the following new item:

 “TITLE VI—OVERSIGHT”; AND

1 (2) by inserting after the item relating to sec-
2 tion 601 the following new item:

“Sec. 602. Declassification of significant decisions, orders, and opinions.”.

3 **TITLE V—NATIONAL SECURITY**
4 **LETTER REFORM**

5 **SEC. 501. PROHIBITION ON BULK COLLECTION.**

6 (a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE
7 TOLL AND TRANSACTIONAL RECORDS.—Section 2709(b)
8 of title 18, United States Code, is amended in the matter
9 preceding paragraph (1) by striking “may” and inserting
10 “may, using a specific selection term as the basis for a
11 request”.

12 (b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN
13 INTELLIGENCE AND PROTECTIVE PURPOSES.—Section
14 1114(a)(2) of the Right to Financial Privacy Act of 1978
15 (12 U.S.C. 3414(a)(2)) is amended by striking the period
16 and inserting “and a specific selection term to be used
17 as the basis for the production and disclosure of financial
18 records.”.

19 (c) DISCLOSURES TO FBI OF CERTAIN CONSUMER
20 RECORDS FOR COUNTERINTELLIGENCE PURPOSES.—Sec-
21 tion 626(a) of the Fair Credit Reporting Act (15 U.S.C.
22 1681u(a)) is amended by striking “that information,” and
23 inserting “that information that includes a specific selec-
24 tion term to be used as the basis for the production of
25 that information,”.

1 (d) DISCLOSURES TO GOVERNMENTAL AGENCIES
2 FOR COUNTERTERRORISM PURPOSES OF CONSUMER RE-
3 PORTS.—Section 627(a) of the Fair Credit Reporting Act
4 (15 U.S.C. 1681v(a)) is amended by striking “analysis.”
5 and inserting “analysis and a specific selection term to
6 be used as the basis for the production of such informa-
7 tion.”.

8 (e) DEFINITIONS.—

9 (1) COUNTERINTELLIGENCE ACCESS TO TELE-
10 PHONE TOLL AND TRANSACTIONAL RECORDS.—Sec-
11 tion 2709 of title 18, United States Code, is amend-
12 ed by adding at the end the following new sub-
13 section:

14 “(g) SPECIFIC SELECTION TERM DEFINED.—In this
15 section, the term ‘specific selection term’ has the meaning
16 given the term in section 501 of the Foreign Intelligence
17 Surveillance Act of 1978 (50 U.S.C. 1861).”.

18 (2) ACCESS TO FINANCIAL RECORDS FOR CER-
19 TAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—
20 Section 1114 of the Right to Financial Privacy Act
21 of 1978 (12 U.S.C. 3414) is amended by adding at
22 the end the following new subsection:

23 “(e) In this section, the term ‘specific selection term’
24 has the meaning given the term in section 501 of the For-

1 eign Intelligence Surveillance Act of 1978 (50 U.S.C.
2 1861).”.

3 (3) DISCLOSURES TO FBI OF CERTAIN CON-
4 SUMER RECORDS FOR COUNTERINTELLIGENCE PUR-
5 POSES.—Section 626 of the Fair Credit Reporting
6 Act (15 U.S.C. 1681u) is amended by adding at the
7 end the following new subsection:

8 “(n) SPECIFIC SELECTION TERM DEFINED.—In this
9 section, the term ‘specific selection term’ has the meaning
10 given the term in section 501 of the Foreign Intelligence
11 Surveillance Act of 1978 (50 U.S.C. 1861).”.

12 (4) DISCLOSURES TO GOVERNMENTAL AGEN-
13 CIES FOR COUNTERTERRORISM PURPOSES OF CON-
14 SUMER REPORTS.—Section 627 of the Fair Credit
15 Reporting Act (15 U.S.C. 1681v) is amended by
16 adding at the end the following new subsection:

17 “(g) SPECIFIC SELECTION TERM DEFINED.—In this
18 section, the term ‘specific selection term’ has the meaning
19 given the term in section 501 of the Foreign Intelligence
20 Surveillance Act of 1978 (50 U.S.C. 1861).”.

1 **TITLE VI—FISA TRANSPARENCY**
2 **AND REPORTING REQUIRE-**
3 **MENTS**

4 **SEC. 601. ADDITIONAL REPORTING ON ORDERS REQUIRING**
5 **PRODUCTION OF BUSINESS RECORDS.**

6 Section 502(b) (50 U.S.C. 1862(b)) is amended—

7 (1) by redesignating paragraphs (1), (2), and
8 (3) as paragraphs (5), (6), and (7), respectively; and

9 (2) by inserting before paragraph (5) (as so re-
10 designated) the following new paragraphs:

11 “(1) the total number of applications described
12 in section 501(b)(2)(B) made for orders approving
13 requests for the production of tangible things;

14 “(2) the total number of such orders either
15 granted, modified, or denied;

16 “(3) the total number of applications described
17 in section 501(b)(2)(C) made for orders approving
18 requests for the production of call detail records;

19 “(4) the total number of such orders either
20 granted, modified, or denied;”.

21 **SEC. 602. BUSINESS RECORDS COMPLIANCE REPORTS TO**
22 **CONGRESS.**

23 Section 502(b) (50 U.S.C. 1862(b)), as amended by
24 section 601 of this Act, is further amended—

1 (1) by redesignating paragraphs (1) through
2 (7) as paragraphs (2) through (8), respectively; and

3 (2) by inserting before paragraph (2) (as so re-
4 designated) the following new paragraph:

5 “(1) a summary of all compliance reviews con-
6 ducted by the Federal Government of the production
7 of tangible things under section 501;”.

8 **SEC. 603. ANNUAL REPORTS BY THE GOVERNMENT ON OR-**
9 **DERS ENTERED.**

10 (a) IN GENERAL.—Title VI (50 U.S.C. 1871 et seq.),
11 as amended by section 402 of this Act, is further amended
12 by adding at the end the following new section:

13 **“SEC. 603. ANNUAL REPORT ON ORDERS ENTERED.**

14 **“(a) REPORT BY DIRECTOR OF THE ADMINISTRA-**
15 **TIVE OFFICE OF THE UNITED STATES COURTS.—**The Di-
16 rector of the Administrative Office of the United States
17 Courts shall annually submit to the Permanent Select
18 Committee on Intelligence and the Committee on the Judi-
19 ciary of the House of Representatives and the Select Com-
20 mittee on Intelligence and the Committee on the Judiciary
21 of the Senate and, subject to a declassification review by
22 the Attorney General and Director of National Intel-
23 ligence, make publicly available on an Internet website—

24 “(1) the number of orders entered under each
25 of sections 105, 304, 402, 501, 702, 703, and 704;

1 “(2) the number of orders modified under each
2 of those sections;

3 “(3) the number of orders denied under each of
4 those sections; and

5 “(4) the number of appointments of an indi-
6 vidual to serve as amicus curiae under section 103,
7 including the name of each individual appointed to
8 serve as amicus curiae.

9 “(b) REPORT BY DIRECTOR OF NATIONAL INTEL-
10 LIGENCE.—The Director of National Intelligence shall an-
11 nually make publicly available a report that identifies, for
12 the preceding 12-month period—

13 “(1) the total number of orders issued pursuant
14 titles I and III and sections 703 and 704 and the
15 estimated number of targets affected by such orders;

16 “(2) the total number of orders issued pursuant
17 to section 702 and the estimated number of targets
18 affected by such orders;

19 “(3) the total number of orders issued pursuant
20 to title IV and the estimated number of targets af-
21 fected by such orders;

22 “(4) the total number of orders issued pursuant
23 to applications made under section 501(b)(2)(B) and
24 the estimated number of targets affected by such or-
25 ders;

1 “(5) the total number of orders issued pursuant
2 to applications made under section 501(b)(2)(C) and
3 the estimated number of targets affected by such or-
4 ders; and

5 “(6) the total number of national Security let-
6 ters issued and the number of requests for informa-
7 tion contained within such national security letters.

8 “(c) NATIONAL SECURITY LETTER DEFINED.—The
9 term ‘national security letter’ means any of the following
10 provisions:

11 “(1) Section 2709 of title 18, United States
12 Code.

13 “(2) Section 1114(a)(5)(A) of the Right to Fi-
14 nancial Privacy Act of 1978 (12 U.S.C.
15 3414(a)(5)(A)).

16 “(3) Subsection (a) or (b) of section 626 of the
17 Fair Credit Reporting Act (15 U.S.C. 1681u(a),
18 1681u(b)).

19 “(4) Section 627(a) of the Fair Credit Report-
20 ing Act (15 U.S.C. 1681v(a)).”.

21 (b) TABLE OF CONTENTS AMENDMENT.—The table
22 of contents in the first section, as amended by section 402
23 of this Act, is further amended by inserting after the item
24 relating to section 602, as added by such section 402, the
25 following new item:

 “Sec. 603. Annual report on orders entered.”.

1 **SEC. 604. PUBLIC REPORTING BY PERSONS SUBJECT TO**
2 **FISA ORDERS.**

3 (a) IN GENERAL.—Title VI (50 U.S.C. 1871 et seq.),
4 as amended by section 603 of this Act, is further amended
5 by adding at the end the following new section:

6 **“SEC. 604. PUBLIC REPORTING BY PERSONS SUBJECT TO**
7 **ORDERS.**

8 “(a) REPORTING.—A person may semiannually pub-
9 licly report the following information with respect to the
10 preceding half year using one of the following structures:

11 “(1) Subject to subsection (b), a report that ag-
12 gregates the number of orders or national security
13 letters the person was required to comply with in the
14 following separate categories:

15 “(A) The number of national security let-
16 ters received, reported in bands of 1000 start-
17 ing with 0-999.

18 “(B) The number of customer accounts af-
19 fected by national security letters, reported in
20 bands of 1000 starting with 0-999.

21 “(C) The number of orders under this Act
22 for content, reported in bands of 1000 starting
23 with 0-999.

24 “(D) With respect to content orders under
25 this Act, in bands of 1000 starting with 0-999,

1 the number of customer accounts affected
2 under orders under title I;

3 “(E) The number of orders under this Act
4 for non-content, reported in bands of 1000
5 starting with 0-999.

6 “(F) With respect to non-content orders
7 under this Act, in bands of 1000 starting with
8 0-999, the number of customer accounts af-
9 fected under orders under—

10 “(i) title IV;

11 “(ii) title V with respect to applica-
12 tions described in section 501(b)(2)(B);
13 and

14 “(iii) title V with respect to applica-
15 tions described in section 501(b)(2)(C).

16 “(2) A report that aggregates the number of or-
17 ders, directives, or national security letters the per-
18 son was required to comply with in the following
19 separate categories:

20 “(A) The total number of all national secu-
21 rity process received, including all national se-
22 curity letters and orders or directives under this
23 Act, reported as a single number in a band of
24 0-249 and thereafter in bands of 250.

1 “(B) The total number of customer selec-
2 tors targeted under all national security process
3 received, including all national security letters
4 and orders or directives under this Act, re-
5 ported as a single number in a band of 0-249
6 and thereafter in bands of 250.

7 “(3) Subject to subsection (b), a report that ag-
8 gregates the number of orders or national security
9 letters the person was required to comply with in the
10 following separate categories:

11 “(A) The number of national security let-
12 ters received, reported in bands of 500 starting
13 with 0-499.

14 “(B) The number of customer accounts af-
15 fected by national security letters, reported in
16 bands of 500 starting with 0-499.

17 “(C) The number of orders under this Act
18 for content, reported in bands of 500 starting
19 with 0-499.

20 “(D) The number of customer selectors
21 targeted under such orders, in bands of 500
22 starting with 0-499.

23 “(E) The number of orders under this Act
24 for non-content, reported in bands of 500 start-
25 ing with 0-499.

1 “(F) The number of customer selectors
2 targeted under such orders, reported in bands
3 of 500 starting with 0-499.

4 “(b) PERIOD OF TIME COVERED BY REPORTS.—
5 With respect to a report described in paragraph (1) or
6 (3) of subsection (a), such report shall only include infor-
7 mation—

8 “(1) except as provided in paragraph (2), for
9 the period of time ending on the date that is at least
10 180 days before the date of the publication of such
11 report; and

12 “(2) with respect to an order under this Act or
13 national security letter received with respect to a
14 platform, product, or service for which a person did
15 not previously receive such an order or national se-
16 curity letter (not including an enhancement to or
17 iteration of an existing publicly available platform,
18 product, or service), for the period of time ending on
19 the date that is at least 2 years before the date of
20 the publication of such report.

21 “(c) OTHER FORMS OF AGREED TO PUBLICATION.—
22 Nothing in this section shall be construed to prohibit the
23 Government and any person from jointly agreeing to the
24 publication of information referred to in this subsection

1 in a time, form, or manner other than as described in this
2 section.

3 “(d) NATIONAL SECURITY LETTER DEFINED.—The
4 term ‘national security letter’ has the meaning given the
5 term in section 603.”.

6 (b) TABLE OF CONTENTS AMENDMENT.—The table
7 of contents in the first section, as amended by section 603
8 of this Act, is further amended by inserting after the item
9 relating to section 603, as added by section 603 of this
10 Act, the following new item:

“Sec. 604. Public reporting by persons subject to orders.”.

11 **SEC. 605. REPORTING REQUIREMENTS FOR DECISIONS OF**
12 **THE FOREIGN INTELLIGENCE SURVEIL-**
13 **LANCE COURT.**

14 Section 601(c)(1) (50 U.S.C. 1871(c)) is amended to
15 read as follows:

16 “(1) not later than 45 days after the date on
17 which the Foreign Intelligence Surveillance Court or
18 the Foreign Intelligence Surveillance Court of Re-
19 view issues a decision, order, or opinion, including
20 any denial or modification of an application under
21 this Act, that includes a significant construction or
22 interpretation of any provision of this Act or results
23 in a change of application of any provision of this
24 Act or a new application of any provision of this Act,
25 a copy of such decision, order, or opinion and any

1 pleadings, applications, or memoranda of law associ-
2 ated with such decision, order, or opinion; and”.

3 **SEC. 606. SUBMISSION OF REPORTS UNDER FISA.**

4 (a) **ELECTRONIC SURVEILLANCE.**—Section 108(a)(1)
5 (50 U.S.C. 1808(a)(1)) is amended by striking “the
6 House Permanent Select Committee on Intelligence and
7 the Senate Select Committee on Intelligence, and the
8 Committee on the Judiciary of the Senate,” and inserting
9 “the Permanent Select Committee on Intelligence and the
10 Committee on the Judiciary of the House of Representa-
11 tives and the Select Committee on Intelligence and the
12 Committee on the Judiciary of the Senate”.

13 (b) **PHYSICAL SEARCHES.**—Section 306 (50 U.S.C.
14 1826) is amended—

15 (1) in the first sentence, by striking “Perma-
16 nent Select Committee on Intelligence of the House
17 of Representatives and the Select Committee on In-
18 telligence of the Senate, and the Committee on the
19 Judiciary of the Senate,” and inserting “Permanent
20 Select Committee on Intelligence and the Committee
21 on the Judiciary of the House of Representatives
22 and the Select Committee on Intelligence and the
23 Committee on the Judiciary of the Senate”; and

1 (2) in the second sentence, by striking “and the
2 Committee on the Judiciary of the House of Rep-
3 representatives”.

4 (c) PEN REGISTER AND TRAP AND TRACE DE-
5 VICES.—Section 406(b) (50 U.S.C. 1846(b)) is amend-
6 ed—

7 (1) in paragraph (2), by striking “; and” and
8 inserting a semicolon;

9 (2) in paragraph (3), by striking the period and
10 inserting a semicolon; and

11 (3) by adding at the end the following new
12 paragraphs:

13 “(4) each department or agency on behalf of
14 which the Government has made application for or-
15 ders approving the use of pen registers or trap and
16 trace devices under this title; and

17 “(5) for each department or agency described in
18 paragraph (4), a breakdown of the numbers required
19 by paragraphs (1), (2), and (3).”.

20 (d) ACCESS TO CERTAIN BUSINESS RECORDS AND
21 OTHER TANGIBLE THINGS.—Section 502(a) (50 U.S.C.
22 1862(a)) is amended by striking “Permanent Select Com-
23 mittee on Intelligence of the House of Representatives and
24 the Select Committee on Intelligence and the Committee
25 on the Judiciary of the Senate” and inserting “Permanent

1 Select Committee on Intelligence of the House of Rep-
2 resentatives, the Select Committee on Intelligence of the
3 Senate, and the Committees on the Judiciary of the House
4 of Representatives and the Senate”.

5 **TITLE VII—SUNSETS**

6 **SEC. 701. SUNSETS.**

7 (a) USA PATRIOT IMPROVEMENT AND REAUTHOR-
8 IZATION ACT OF 2005.—Section 102(b)(1) of the USA
9 PATRIOT Improvement and Reauthorization Act of 2005
10 (50 U.S.C. 1805 note) is amended by striking “June 1,
11 2015” and inserting “December 31, 2017”.

12 (b) INTELLIGENCE REFORM AND TERRORISM PRE-
13 VENTION ACT OF 2004.—Section 6001(b)(1) of the Intel-
14 ligence Reform and Terrorism Prevention Act of 2004 (50
15 U.S.C. 1801 note) is amended by striking “June 1, 2015”
16 and inserting “December 31, 2017”.

