

En Bloc Amendments to H.R. 4909

April 27, 2016

Full Committee En Bloc #5		
Log #	Sponsor	Description
040r1	Takai	Directs the Secretary of Defense to provide a briefing to the committee on the People's Liberation Army participation in the Rim of the Pacific exercise.
042r1	Bordallo	Directs the Secretary of the Navy to provide a briefing to the committee on the feasibility of allowing U.S. port calls in the Pacific for Taiwanese vessels during the annual Midshipman Cruising and training Squadron exercise.
046	Jones	Redesignates the Department of the Navy as the Department of the Navy and Marine Corps.
070	Conaway	Allows the Commissioner of U.S. Customs and Border Protection to waive polygraph requirements for retiring veteran UAV/RPA pilots being hired at the Department of Homeland Security.
079r1	Sanchez	Requires the Secretary of Defense to brief the defense authorizing committees on security standards related to forward-deployed U.S. nuclear weapons.
142r1	Bridenstine	Amends section 1231 of the Chairman's Mark to add additional limitations to the use of funds to approve Russian requests under the Open Skies Treaty (OST). It also requires the Director of National Intelligence and the Director of the National Geospatial-Intelligence Agency to report on the potential to provide commercial imagery to OST state parties that is qualitatively similar to OST-provided imagery.
159r1	Larson	Prohibits FY17 and FY18 funding for retaining the option for, or to develop, a mobile variant of the ground-based strategic deterrent (GBSD) missile.
201r2	Coffman	Directs the Secretary of Defense to enter into a contract with an independent entity to conduct an assessment on combatant command structure.
210r2	Walorski	Requires the next administration to submit a comprehensive detention strategy to Congress within 180 days of inauguration.
286	Lamborn	Amends section 901 of the Chairman's Mark by adding to the Sense of Congress that the geographical unified commands have their own distinct area of emphasis and expertise.
331	Thornberry	Strikes and replaces section 1045 with language requiring the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to evaluate current spectrum authorities and their sufficiency to protect national security spectrum requirements.
332	Gabbard	Directs the Secretary of Defense to brief the committee on the cost of implementing and maintaining a no-fly zone in Syria, as well as the tactical, operational, and strategic gains it would yield in the fight against ISIL.

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

Offered by: Rep. Mark Takai

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

Chinese Participation in Rim of the Pacific Exercise

The committee is concerned by certain unilateral actions taken by the People's Republic of China in the South China Sea and by the implications that those actions may have on regional stability. Rather than abiding by internationally accepted norms and contributing to a peaceful and equitable resolution to the many disputed claims in the South China Sea, China has engaged in controversial land reclamation projects and resorted to aggressive tactics, short of open conflict, to further its foreign policy goals.

The committee notes that the United States has maintained its invitation to China to participate, to a limited extent, in the Rim of the Pacific (RIMPAC) exercise for 2016, despite China's concerning actions in the South China Sea. The committee acknowledges the benefits of inviting China to participate in international exercises, which aim to reinforce the merits of cooperative security. However, the committee believes that these invitations should be continuously evaluated in light of China's conduct. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Armed Services Committee, which may include a classified portion, not later than July 1, 2016, on the merits of continued Chinese participation in forthcoming RIMPAC exercises.

Amendment to H.R. 4909

National Defense Authorization Act for Fiscal Year 2017

Offered by Congresswoman Bordallo

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

Review of Taiwan Midshipman Cruise Training Port Call

The Midshipman Cruising and Training Squadron is the only annual long distance high sea training for Taiwanese officers, sailors, and first-class midshipmen. The committee is aware that prior to 1979 the Squadron, which makes resupplying port calls at foreign ports and harbors throughout the Pacific during the training exercise, would routinely stop at U.S. ports, including those on Guam and Hawaii. The committee notes that the United States and Taiwan routinely conduct bi-lateral and multi-lateral training exercises, and recognizes the potential theater security cooperation benefits associated with increased engagement through Taiwanese port visits.

Therefore, the committee directs the Secretary of the Navy, in consultation with appropriate Department of State authorities, to provide a briefing to the House Committee on Armed Services by February 1, 2017 on the feasibility of permitting U.S. port calls in the Pacific for Taiwanese sailors during the annual training exercise.

AMENDMENT TO H.R. 4909
OFFERED BY MR. JONES OF NORTH CAROLINA

At the end of title IX, add the following new sub-
title:

1 **Subtitle C—Department of the**
2 **Navy and Marine Corps**

3 **SEC. 931. REDESIGNATION OF THE DEPARTMENT OF THE**
4 **NAVY AS THE DEPARTMENT OF THE NAVY**
5 **AND MARINE CORPS.**

6 (a) REDESIGNATION OF MILITARY DEPARTMENT.—

7 The military department designated as the Department of
8 the Navy is redesignated as the Department of the Navy
9 and Marine Corps.

10 (b) REDESIGNATION OF SECRETARY AND OTHER
11 STATUTORY OFFICES.—

12 (1) SECRETARY.—The position of the Secretary
13 of the Navy is redesignated as the Secretary of the
14 Navy and Marine Corps.

15 (2) OTHER STATUTORY OFFICES.—The posi-
16 tions of the Under Secretary of the Navy, the four
17 Assistant Secretaries of the Navy, and the General
18 Counsel of the Department of the Navy are redesign-
19 nated as the Under Secretary of the Navy and Ma-

1 rine Corps, the Assistant Secretaries of the Navy
2 and Marine Corps, and the General Counsel of the
3 Department of the Navy and Marine Corps, respec-
4 tively.

5 **SEC. 932. CONFORMING AMENDMENTS TO TITLE 10, UNITED**
6 **STATES CODE.**

7 (a) DEFINITION OF “MILITARY DEPARTMENT”.—
8 Paragraph (8) of section 101(a) of title 10, United States
9 Code, is amended to read as follows:

10 “(8) The term ‘military department’ means the
11 Department of the Army, the Department of the
12 Navy and Marine Corps, and the Department of the
13 Air Force.”.

14 (b) ORGANIZATION OF DEPARTMENT.—The text of
15 section 5011 of such title is amended to read as follows:
16 “The Department of the Navy and Marine Corps is sepa-
17 rately organized under the Secretary of the Navy and Ma-
18 rine Corps.”.

19 (c) POSITION OF SECRETARY.—Section 5013(a)(1) of
20 such title is amended by striking “There is a Secretary
21 of the Navy” and inserting “There is a Secretary of the
22 Navy and Marine Corps”.

23 (d) CHAPTER HEADINGS.—

24 (1) The heading of chapter 503 of such title is
25 amended to read as follows:

1 **“CHAPTER 503—DEPARTMENT OF THE**
2 **NAVY AND MARINE CORPS”.**

3 (2) The heading of chapter 507 of such title is
4 amended to read as follows:

5 **“CHAPTER 507—COMPOSITION OF THE DE-**
6 **PARTMENT OF THE NAVY AND MARINE**
7 **CORPS”.**

8 (e) OTHER AMENDMENTS.—

9 (1) Title 10, United States Code, is amended by
10 striking “Department of the Navy” and “Secretary
11 of the Navy” each place they appear other than as
12 specified in subsections (a), (b), (c), and (d) (includ-
13 ing in section headings, subsection captions, tables
14 of chapters, and tables of sections) and inserting
15 “Department of the Navy and Marine Corps” and
16 “Secretary of the Navy and Marine Corps”, respec-
17 tively, in each case with the matter inserted to be in
18 the same typeface and typestyle as the matter strick-
19 en.

20 (2)(A) Sections 5013(f), 5014(b)(2), 5016(a),
21 5017(2), 5032(a), and 5042(a) of such title are
22 amended by striking “Assistant Secretaries of the
23 Navy” and inserting “Assistant Secretaries of the
24 Navy and Marine Corps”.

1 (B) The heading of section 5016 of such title,
2 and the item relating to such section in the table of
3 sections at the beginning of chapter 503 of such
4 title, are each amended by inserting “and Marine
5 Corps” after “of the Navy”, with the matter in-
6 serted in each case to be in the same typeface and
7 typestyle as the matter amended.

8 **SEC. 933. OTHER PROVISIONS OF LAW AND OTHER REF-**
9 **ERENCES.**

10 (a) TITLE 37, UNITED STATES CODE.—Title 37,
11 United States Code, is amended by striking “Department
12 of the Navy” and “Secretary of the Navy” each place they
13 appear and inserting “Department of the Navy and Ma-
14 rine Corps” and “Secretary of the Navy and Marine
15 Corps”, respectively.

16 (b) OTHER REFERENCES.—Any reference in any law
17 other than in title 10 or title 37, United States Code, or
18 in any regulation, document, record, or other paper of the
19 United States, to the Department of the Navy shall be
20 considered to be a reference to the Department of the
21 Navy and Marine Corps. Any such reference to an office
22 specified in section 2(b) shall be considered to be a ref-
23 erence to that officer as redesignated by that section.

1 **SEC. 934. EFFECTIVE DATE.**

2 This subtitle and the amendments made by this sub-
3 title shall take effect on the first day of the first month
4 beginning more than 60 days after the date of the enact-
5 ment of this Act.



Ms Sanchez
Amendment to HR 4909

Briefing on Security Standards Related to Forward-Deployed U.S. Nuclear Weapons

The committee notes the importance of security at bases with forward-deployed U.S. nuclear weapons.

The committee directs the Secretary of Defense, in cooperation with the Secretary of the Air Force and the relevant combatant commanders, to provide a classified briefing to the defense authorization committees, no later November 30, 2016, on the following:

- 1) an evaluation of the security at host bases, including how these standards compare from base to base;
- 2) an evaluation of the security for active nuclear weapons storage areas;
- 3) a description of security improvements and funding improvements planned at active nuclear weapons storage areas;
- 4) a description of programs to address any known modernization and obsolescence of security equipment at active nuclear weapons storage areas;
- 5) the implications, if any, of the current regional security threat level and any additional security requirements; and
- 6) the division of costs related to security and security improvements between the U.S., host nations, and any other entities, and options to enhance burden-sharing.

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

At the end of section 1231 (relating to limitation on use of funds to approve or otherwise permit approval of certain requests by Russian Federation under Open Skies Treaty), add at the end the following:

1 (d) ADDITIONAL LIMITATION.—

2 (1) IN GENERAL.—Not more than 65 percent of
3 the funds authorized to be appropriated or otherwise
4 made available by this Act or any other Act for fis-
5 cal year 2017 year may be used to carry out any ac-
6 tivities to implement the Open Skies Treaty until the
7 requirements described in paragraph (2) are met.

8 (2) REQUIREMENTS DESCRIBED.—The require-
9 ments described in this paragraph are the following:

10 (A) The Director of National Intelligence
11 and the Director of the National Geospatial-In-
12 telligence Agency jointly submit to the appro-
13 priate congressional committees a report on the
14 following:

15 (i) Whether it is possible, consistent
16 with United States national security inter-
17 ests, to provide enhanced access to United

1 States commercial imagery or other United
2 States capabilities, consistent with the pro-
3 tection of sources and methods and United
4 States national security, to covered state
5 parties that is qualitatively similar to that
6 derived by flights over the territory of the
7 United States or over the territory of a
8 covered state party under the Open Skies
9 Treaty, on a more timely basis.

10 (ii) What the cost would be to provide
11 enhanced access to such commercial im-
12 agery or other capabilities as compared to
13 the current imagery sharing through the
14 Open Skies Treaty.

15 (iii) Whether any new agreements
16 would be needed to provide enhanced ac-
17 cess to such commercial imagery or other
18 capabilities and what would be required to
19 obtain such agreements.

20 (iv) Whether transitioning to such
21 commercial imagery or other capabilities
22 from the current imagery sharing through
23 the Open Skies Treaty would reduce op-
24 portunities by the Russian Federation to
25 exceed imagery limits and reduce utility for

1 Russian intelligence collection against the
2 United States or covered state parties.

3 (v) How such commercial imagery or
4 other capabilities would compare to the
5 current imagery sharing through the Open
6 Skies Treaty.

7 (B) The Secretary of State, in consultation
8 with the Director of the National Geospatial In-
9 telligence Agency and the Secretary of Defense,
10 submits to the appropriate congressional com-
11 mittees an unclassified report that—

12 (i) details the costs for implementa-
13 tion of the Open Skies Treaty, including—

14 (I) mitigation costs relating to
15 national security; and

16 (II) aircraft, sensors, and related
17 overhead and treaty implementation
18 costs for covered state parties; and

19 (ii) describes the impact on contribu-
20 tions by covered state parties and relation-
21 ships among covered state parties in the
22 context of the Open Skies Treaty, the
23 North Atlantic Treaty Organization, and

4

- 1 any other venues for United States part-
- 2 nership dialogue and activity.



AMENDMENT TO H.R. 4909
OFFERED BY MR. LARSEN OF WASHINGTON

At the appropriate place in title XVI, insert the following new section:

1 **SEC. 16__ . PROHIBITION ON THE AVAILABILITY OF FUNDS**
2 **FOR MOBILE VARIANT OF GROUND-BASED**
3 **STRATEGIC DETERRENT MISSILE.**

4 None of the funds authorized to be appropriated by
5 this Act or otherwise made available for any of fiscal years
6 2017 or 2018 may be obligated or expended to retain the
7 option for, or develop, a mobile variant of the ground-
8 based strategic deterrent missile.



AMENDMENT TO H.R. 4909
OFFERED BY MR. COFFMAN OF COLORADO

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

1 **SEC. 9** ____. **INDEPENDENT ASSESSMENT OF COMBATANT**
2 **COMMAND STRUCTURE.**

3 (a) **ASSESSMENT REQUIRED.**—Not later than 30
4 days after the date of the enactment of this Act, the Sec-
5 retary of Defense shall enter into a contract with an inde-
6 pendent entity with appropriate expertise to conduct an
7 assessment on combatant command structure, and to pro-
8 vide recommendations for improving the overall effective-
9 ness of combatant command structures.

10 (b) **ELEMENTS.**—The assessment shall include an ex-
11 amination of the following:

12 (1) The evolution of combatant command re-
13 quirements and resources over the last 15 years of
14 conflict.

15 (2) The organization, composition, and size of
16 combatant commands.

17 (3) The resources of combatant commands, in-
18 cluding the degree to which combatant commands
19 are adequately resourced and the degree to which

1 combatant command requirements for forces are
2 met.

3 (4) The benefits, drawbacks, and resource im-
4 plications of eliminating, consolidating, or altering
5 the structure of combatant commands.

6 (5) A comparison of combatant command struc-
7 tures with alternative structures, including Joint
8 Task Force or task-organized forces below the com-
9 batant command level.

10 (c) REPORT.—Not later than March 1, 2017, the
11 Secretary of Defense shall submit to the congressional de-
12 fense committees a report on the findings and rec-
13 ommendations of the independent entity.



AMENDMENT TO H.R. 4909
OFFERED BY MRS. WALORSKI OF INDIANA

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

1 **SEC. 10** ____. **COMPREHENSIVE STRATEGY FOR DETENTION**
2 **OF CERTAIN INDIVIDUALS.**

3 (a) **IN GENERAL.**—Not later than July 19, 2017, the
4 Secretary of Defense shall, in consultation with the Attor-
5 ney General and the Director of National Intelligence,
6 submit to the appropriate congressional committees a re-
7 port setting forth the details of a comprehensive strategy
8 for the detention of current and future individuals cap-
9 tured and held pursuant to the Authorization for Use of
10 Military Force (Public Law 107–40) pending the end of
11 hostilities.

12 (b) **COMPREHENSIVE STRATEGY.**—The comprehen-
13 sive detention strategy required by subsection (a) shall
14 contain the following:

15 (1) A policy and plan applicable to individuals
16 lawfully detained under the effective control of the
17 United States.

1 (2) A description of how intelligence informa-
2 tion is currently gathered from individuals captured
3 in theaters of combat operation.

4 (3) A plan for the disposition of individuals
5 captured in the future.

6 (4) A description of how the United States will
7 acquire intelligence information in the future.

8 (5) A plan for the disposition of individuals
9 held pursuant to the Authorization for Use of Mili-
10 tary Force who are currently detained at the United
11 States Naval Base, Guantanamo Bay, Cuba.

12 (c) FORM.—The comprehensive detention strategy re-
13 quired under subsection (b) shall be submitted in unclassi-
14 fied form, but may include a classified annex.

15 (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—
16 In this section, the term “appropriate congressional com-
17 mittees” means—

18 (1) the congressional defense committees;

19 (2) the Permanent Select Committee on Intel-
20 ligence of the House of Representatives and the Se-
21 lect Committee on Intelligence of the Senate; and

22 (3) the Committee on Foreign Affairs of the
23 House of Representatives and the Committee on
24 Foreign Relations of the Senate.



AMENDMENT TO H.R. 4909
OFFERED BY MR. LAMBORN OF COLORADO

In section 901, insert after paragraph (4) the following new paragraph (and redesignate the subsequent paragraphs accordingly):

1 (5) Each Geographical Unified Command has
2 its own distinct area of emphasis and expertise, as
3 well as requirements and responsibilities. Combining
4 Northern Command and Southern Command, or
5 combining European Command and Africa Com-
6 mand, would severely degrade mission effectiveness,
7 but would provide only marginal increased efficiency.
8 Additionally, consolidating Geographic Unified Com-
9 mands would cause unacceptable risk to both global
10 strategic influence as well as regional capability, and
11 would exacerbate already significant capacity chal-
12 lenges.



AMENDMENT TO H.R. 4909**OFFERED BY MR. THORNBERRY OF TEXAS**

Strike section 1045 and insert the following new section:

1 **SEC. 1045. DEPARTMENT OF DEFENSE PROTECTION OF NA-**
2 **TIONAL SECURITY SPECTRUM.**

3 (a) EVALUATION.—The Secretary of Defense and the
4 Chairman of the Joint Chiefs of Staff shall jointly evalu-
5 ate—

6 (1) the statutory and regulatory options avail-
7 able to the Secretary and the Chairman to protect
8 critical test and training capability in the event of
9 spectrum auctions affecting frequencies used by the
10 Department of Defense; and

11 (2) the utility, effect, and limitation, if any, of
12 section 1062 of the National Defense Authorization
13 Act for Fiscal Year 2000 (Public Law 106–65; 113
14 Stat. 767).

15 (b) SUBMISSION.—Not later than 90 days after the
16 date of the enactment of this Act, the Secretary and the
17 Chairman shall submit to the congressional defense com-
18 mittees the evaluation under subsection (a), including any
19 recommendations of the Secretary and the Chairman for

1 additional statutory or regulatory options that would en-
2 hance the ability of the Secretary and the Chairman to
3 protect national security equities.



Amendment Offered by Rep. Tulsi Gabbard of Hawaii **H.R. 4909—National Defense Authorization Act for Fiscal Year 2017**

In the appropriate place in the report, insert the following:

The Committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services, no later than October 31, 2016, that gives a detailed description of the financial costs of establishing and maintaining a no fly zone over a significant portion or all of Syria, as well as the tactical, operational and strategic impacts it would have on the fight against the Islamic State in Iraq and the Levant, Al Qaeda, and other affiliated groups.