

} HOUSE OF REPRESENTATIVES }

112th CONGRESS  
2d Session

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PROVIDING FOR FURTHER CONSIDERATION OF THE BILL (H.R. 4310) TO AUTHORIZE APPROPRIATIONS FOR FISCAL YEAR 2013 FOR MILITARY ACTIVITIES OF THE DEPARTMENT OF DEFENSE, TO PRESCRIBE MILITARY PERSONNEL STRENGTHS FOR FISCAL YEAR 2013, AND FOR OTHER PURPOSES

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May 17 (legislative day, May 16), 2012.—Referred to the House Calendar and ordered to be printed.

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MR. BISHOP of Utah, 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 record vote of 8 to 1, 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. 4310, the National Defense Authorization Act for Fiscal Year 2013, under a structured rule. The resolution provides that no further general debate shall be in order. The resolution makes in order as original text for purpose of amendment an amendment in the nature of a substitute consisting of Rules Committee Print 112-22 and provides that it shall be considered as read. The resolution waives all points of order against the amendment in the nature of a substitute.

The resolution makes in order only those amendments printed in this report and amendments en bloc described in section 3 of the resolution. The amendments printed in 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 in the Committee of the Whole. The resolution waives all points of order against the amendments printed in this report or against amendments en bloc 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 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 in the Committee of the Whole. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc. Finally, the resolution provides one motion to recommit with or without instructions.

#### EXPLANATION OF WAIVERS

The waiver of all points of order against the amendment in the nature of a substitute made in order as original text consisting of the text of Rules Committee Print 112-22 includes a waiver of the following points of order:

- Clause 4 of rule XXI, prohibiting appropriations in a legislative bill, because section 2831(c)(1) contains language which constitutes a reappropriation of existing funds (this violation will be cured if amendment #1, the Manager's amendment, is adopted);
- Section 306 of the Congressional Budget Act, prohibiting consideration of legislation within the jurisdiction of the Committee on the Budget unless referred to or reported by the Budget Committee, because sections 904 and 1002 of Rules Committee Print 112-22 constitute language which falls within the jurisdiction of the Committee on the Budget and the bill was not referred to or reported by the Committee on the Budget; and
- Clause 7 of rule XVI, requiring that no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment, because numerous provisions contained in Rules Committee Print 112-22 fall outside of the jurisdiction of the Committee on Armed Services.

It is important to note that while the waivers are applicable to Rules Committee Print 112-22, the Rules Committee Print is identical to the bill as ordered reported by the Committee on Armed Services.

The waiver of all points of order against the amendments printed in this report includes a waiver of section 306 of the Congressional Budget Act, which prohibits consideration of legislation within the jurisdiction of the Committee on the Budget unless referred to or reported by the Budget Committee, against amendment #38.

### 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. 223

Motion by Mr. McGovern to report an open rule. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

#### Rules Committee Record Vote No. 224

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #101, offered by Rep. McGovern (MA), Rep. Paul (TX), Rep. Smith (WA) and Rep. Jones (NC), which would require that the President carry out accelerated transition from U.S. Armed Forces to the Government of Afghanistan of combat operations by no later than the end of 2013; of military and security operations by the end of 2014, accompanied by the redeployment of U.S. troops; and pursue robust negotiations to address Afghanistan's and the region's security and stability. It is the sense of Congress that should the president determine the necessity for post-2014 deployment of U.S. troops in Afghanistan, the Congress should authorize any such presence of troops. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina..	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 225

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #122, offered by Rep. Kucinich (OH), which would define any offeror seeking to bid on a Department of Defense contract who has been found in violation of a federal or state law that results in a conviction, civil judgment or administrative ruling during the three years preceding the date of submission of the offer as not having a satisfactory record of integrity and business ethics. Would require that a potential contractor have a satisfactory record of integrity and business ethics in order to be eligible to receive a federal contract. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina..	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 226

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #123, offered by Rep. Kucinich (OH), which would prohibit the deployment of United States Armed Forces in support of a North Atlantic Treaty Organization mission without prior express authorization by Congress for such deployment, as required by the United States Constitution. Defeated: 1-8



Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 227

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #218, offered by Rep. Kucinich (OH), which would prohibit a defense contractor from funding political action committees, independent expenditures or electioneering communications. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 228

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #178, offered by Rep. Keating (MA), which would freeze the transfer, reduction or elimination of Air National Guard units supporting an Air and Space Operations Center or an Air Force Forces Staff related to Air Force Global Strike Command and the surveillance mission of such command until the impact of the unit's loss and other information confirming that the Global Strike Command's surveillance mission will not be impeded is reported to Congress. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 229

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #67, offered by Rep. Markey (MA), Rep. Sanchez (CA) and Rep. Johnson (GA), which would eliminate funding for the Chemistry and Metallurgy Research Replacement Nuclear Facility; funding in the authorization bill would be reduced by \$100,000,000. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 230

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #2, offered by Rep. Tierney (MA), which would establish a permanent Special Inspector General for Overseas Contingency Operations to prevent waste, fraud and abuse in contingency contracting and serve as expert resource for Congress. Would wind down the Special Inspector General for Iraq Reconstruction (SIGIR) and Special Inspector General for Afghanistan Reconstruction (SIGAR). Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 231

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #186, offered by Rep. Tierney (MA), which would require the annual report on the United States Plan for Sustaining the Afghanistan National Security Forces to include metrics that evaluate the value and utility of ANSF development activities at the program level and that ties such activities to long-term strategic objectives. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 232

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #187, offered by Rep. Tierney (MA), which would establish an Assistant Secretary of Defense for Contingency Contracting, who will serve as the principal adviser to the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology, and Logistics on matters relating to planning, funding, staffing, and managing contingency contracting of the Department of Defense. Would provide that the Office of Program Support in the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics is renamed as the Office of Contingency Contracting. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 233

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #27, offered by Rep. Andrews (NJ), which would make technical and clarifying changes to a section of the bill requiring a report on the transition away from the use of live tissue in certain medical training. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 234

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #191, offered by Rep. Barletta (PA), which would require a report on the Department of Defense's plan to increase air support while simultaneously reducing the number of National Guard troops along the U.S.-Mexico border. Would help to ensure that the plan does not comprise our border security and compels the Department of Defense to report to Congress any changes in illegal immigrant apprehension resulting after the plan's implementation. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 235

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #169, offered by Rep. Bass (CA) and Rep. Lankford (OK), which would require DOD to include an evaluation of practices related to human trafficking in contractor performance assessments. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 236

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #12, offered by Rep. Bordallo (GU), which would provide additional enhancements to the authorities provided to DoD under section 103(a) of Title I of the Sikes Act. Would authorize DoD, pursuant to a cooperative agreement under the Sikes Act, to provide funds for the long term maintenance and improvement of natural resources on non-DoD lands without first having to protect such lands through acquisition of easements under the authority of 10 USC 2684a. Would enhance the ability of DoD to take action to relieve or eliminate current or anticipated challenges that could restrict, impede, or otherwise interfere with, whether directly or indirectly, current or anticipated military activities. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 237

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #13, offered by Rep. Bordallo (GU), which would help the Department of Defense (DoD) better protect military installations and ranges from encroachment under the DoD Readiness and Environmental Protection Initiative and the Sikes Act by enhancing cooperation with the Departments of Agriculture, Commerce and Interior through the more effective integration of actions under REPI and the Sikes Act with the programs of those agencies. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 238

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #45, offered by Rep. Bordallo (GU), which would incorporate the text of H.R. 44, the Guam World War II Loyalty Recognition Act, into H.R. 4310 as Title XVII. Would implement the recommendations of the Guam War Claims Review Commission. Defeated: 1-8



Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 239

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #199, offered by Rep. Bordallo (GU), which would establish the "Southern Sea Otter Military Readiness Area" in California. Would provide an exemption to incidental take provisions under the Endangered Species Act and the Marine Mammal Protection Act and provide for continued monitoring by the Secretary of the Navy and the Secretary of the Interior. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 240

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #214, offered by Rep. Boswell (IA) and Rep. Hinchey (NY), which would strike section 314, which prohibits the use of funds made available for the Department of Defense for the production or purchase of alternative fuel. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 241

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #215, offered by Rep. Boswell (IA), which would direct the DOD and VA to conduct a joint study on the incidence rate of breast cancer in service members and veterans. The study must include the demographic information of those service-members and veterans, an analysis of the clinical characteristics of breast cancer diagnoses, possible exposures to hazardous elements and cancer risk factors, geographic areas of residence prior to deployment, and treatments received. The full cost of the study is offset from accounts that would remain above the Administration's request. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 242

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #216, offered by Rep. Boswell (IA), which would direct the Secretary of Defense to submit a report on the effects of multiple deployments on the well-being of military personnel. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 243

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #18, offered by Rep. Braley (IA), which would require a report from the President, in consultation with the Secretaries of Defense, State and Veterans Affairs, on the long-term costs of military operations in Iraq, Afghanistan and Libya. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 244

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #75, offered by Rep. Broun (GA), which would eliminate the current mandatory retirement age for reserve officers who serve as chaplains, medical professionals, dental professionals, veterinarians, or Judge Advocate Generals, so long as they continue to meet any other current requirements for such service. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 245

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #104, offered by Rep. Broun (GA), which would require that the federal government may not intentionally kill a U.S. citizen acting against U.S. interests overseas, unless that citizen is killed while actively resisting or attempting to escape capture. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 246

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #146, offered by Rep. Carson (IN), which would require the Department of Defense to compile information on academic credit provided by institutions of higher education for experience gained in the military. Would require creation of a publicly accessible website that lists this information to assist service member decisions on pursuit of higher education. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 247

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #14, offered by Rep. Coffman (CO), which would add a provision to Title XVI, Subtitle C, Part VII in order to amend the False Statements Act by adding a new section 1041 that shall provide for increased penalties relating to small business fraud. Would extend the safe harbor provisions in Section 1681 to the new section 1041 of the False Statements Act. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 248

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #56, offered by Rep. Coffman (CO), which would reduce the number of General and Flag officers authorized in the Department of Defense. Would place a statutory cap of .05% of the authorized end strength of all components of the armed services for a given fiscal year. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 249

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #157, offered by Rep. Connolly (VA), Rep. Kingston (GA) and Rep. Hinchey (NY), which would clarify that development of energy resources on federal land to provide power for DOD installations does enhance DOD's energy security. Would help meet energy security goals established by previous NDAAAs. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 250

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #113, offered by Rep. Cravaack (MN), which would require construction projects on Military Bases within the United States to use domestically produced Iron and Steel, unless the Secretary waives the "Buy America" requirement or during times of war or National emergency. Defeated: 1-8



Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 251

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #53, offered by Rep. Cuellar (TX), Rep. Turner (OH), Rep. Poe (TX), Rep. Green (TX) and Rep. McCaul (TX), which would require the Secretary of Defense and the Secretary of Homeland Security, in conjunction with the Federal Aviation Administration, to develop and implement plans and procedures to fully integrate and utilize non-combat and aerial surveillance technologies and capabilities to enhance the security of the U.S. borders with Mexico and Canada. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 252

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #78, offered by Rep. Cummings (MD) and Rep. Chu (CA), which would add the Coast Guard to sections 507 and 535 of the bill, which require the Secretary of Defense to develop plans to expand diversity and prevent and track hazing. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 253

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #91, offered by Rep. DeFazio (OR) and Rep. Garrett (NJ), which would help the Pentagon achieve audit readiness by requiring the Pentagon to complete a validated full statement of budget resources (SBR), which list Defense funds received, obligated, and ultimately spent, by September 30, 2014. Would codify the timeline already established by Defense Secretary Panetta. Defeated: 1–8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 254

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #92, offered by Rep. Ellison (MN), which would require contractors to disclose Federal election contributions and expenditures after a contract is awarded. Defeated: 1–8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina..	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 255

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #43, offered by Rep. Fitzpatrick (PA), which would permit members of the Army who served honorably in the Tomb Guard Platoon of the 3d United States Infantry Regiment at the Tomb of the Unknowns at Arlington National Cemetery to be eligible for burial at Arlington National Cemetery. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina..	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 256

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #126, offered by Rep. Garamendi (CA), which would require a GAO report regarding the transfer of the BAMS Maintenance Training Facility from Beale Air Force Base to Naval Air Station Pt. Mugu, California. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 257

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #130, offered by Rep. Garamendi (CA), which would require that Congress receive further studies and analyses regarding the costs and threats associated with building a third U.S. Ground-based Midcourse Defense missile site to be located on the East Coast. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 258

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #38, offered by Rep. Gingrey (GA), which would repeal subsections (a) and (c) of 5 U.S.C. section 7131 (allowing the use of civilian federal employee paid work time for union activities). Defeated: 0-9

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Nay
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 259

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #193, offered by Rep. Goodlatte (VA), which would make clear that any United States citizen detained in the United States on allegations resulting from the NDAA or the AUMF would be tried in a civilian court and be afforded their constitutional protections. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 260

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #190, offered by Rep. Hinchey (NY) and Rep. Heinrich (NM), which would require the Department of Defense to apply the Buy American Act to the procurement of photovoltaic devices, including through the Department's use of Energy Savings Performance Contracts (ESPCs) and other contracts that utilize solar panels but purchases are made indirectly through a contractor. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 261

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #61, offered by Rep. Jackson Lee (TX), which would require the Secretary of Defense, prior to the implementation of the newly proposed outsourcing guidelines, to conduct an assessment to determine the effect that new outsourcing guidelines have or will have on minority and women-owned small businesses. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 262

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #62, offered by Rep. Jackson Lee (TX), which would require the Secretary of Defense, prior to the awarding defense contracts to private contractors, to conduct an assessment to determine whether the Department of Defense has carried out sufficient outreach programs to assist minority and women-owned small business. Defeated: 1-8



Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 263

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #63, offered by Rep. Jackson Lee (TX), which would require the Secretary of Defense, prior to awarding of defense contracts to private contractors, to conduct an outreach program to assist minority and women-owned small businesses. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 264

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #241, offered by Rep. Jackson Lee (TX), which would require the Secretary of Defense, prior to awarding of defense contracts to private contractors, to conduct an outreach program to assist minority and women-owned small businesses. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 265

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #208, offered by Rep. Johnson (GA), which would express the support of Congress for the men and women of the United States Armed Forces, regardless of age, race, creed, color, sex, sexual orientation, national origin, religion, or disability. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 266

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #209, offered by Rep. Johnson (GA), which would include a finding that the NDAA authorizes a level of spending well in excess of defense spending limits under the Budget Control Act of 2011. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 267

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #32, offered by Rep. King (NY) and Rep. McCaul (TX), which would require the Department of Defense to award the Purple Heart to members of the Armed Forces who are killed or wounded in a terrorist perpetrated attack within the United States. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 268

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #122, offered by Rep. Kucinich (OH), which would define any offeror seeking to bid on a Department of Defense contract who has been found in violation of a federal or state law that results in a conviction, civil judgment or administrative ruling during the three years preceding the date of submission of the offer as not having a satisfactory record of integrity and business ethics. Would require that a potential contractor have a satisfactory record of integrity and business ethics in order to be eligible to receive a federal contract. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 269

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #239, offered by Rep. Labrador (ID), which would prohibit the use of unmanned aerial vehicles to conduct surveillance on American Citizens. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 270

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #176, offered by Rep. Langevin (RI), which would prevent procurement of additional ground-based interceptors equipped with a Capability Enhancement II exoatmospheric kill vehicle until after a successful operational test. Allows exceptions for test assets and maintenance of a warm line for the industrial base. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 271

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #177, offered by Rep. Langevin (RI), which would give the Secretary of Homeland Security primary authority to create, verify, and enforce measures with respect to the protection of critical infrastructure. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 272

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #180, offered by Rep. Langevin (RI), Rep. Connolly (VA), Rep. Ruppertsberger (MD) and Rep. Dicks (WA), which would create a National Office for Cyberspace in the Executive Office of the President, subject to Senate confirmation and empowered with budget authority, to coordinate, develop, and update information security policies and procedures across the federal government. Would also create an office of the Federal Chief Technology Officer to promote technological innovation in the federal government, establish public-private partnership initiatives, and for other purposes. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 273

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #221, offered by Rep. Larsen (WA) and Rep. Sanchez (CA), which would provide that the Secretary of Defense shall not be prohibited from proceeding with the planned reductions of nuclear weapons. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 274

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #202, offered by Rep. Larson (CT), which would guarantee access to behavioral health treatment, including applied behavior analysis, under TRICARE for the children of DOD armed services personnel with autism spectrum disorders, when prescribed by a physician. Defeated: 1-8



Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 275

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #132, offered by Rep. Lee (CA), which would repeal the 2001 Authorization for Use of Military Force. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 276

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #8, offered by Rep. McCollum (MN), would prohibit them from sponsoring professional and semi-professional sports and athletes. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 277

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #48, offered by Rep. Miller (FL), which would clarify the EPA's jurisdiction over lead fishing tackle with regards to the Pittman-Robertson excise tax exemption under Toxic Substances Control Act (TSCA) to prevent an undue cost burden on members of our Armed Forces, who enjoy outdoor recreational opportunities. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 278

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #167, offered by Rep. Miller (CA), Rep. Sanchez (CA) and Rep. Visclosky (IN), which would exclude nuclear and non-nuclear health and safety, security and financial oversight of covered contractors from the scope of performance-based oversight requirements for National Nuclear Security Administration (NNSA) contractors. Would delete Section 3115 which establishes a new regulatory framework for health safety and security at NNSA facilities; would delete Section 3202, which covers the Defense Nuclear Facilities Safety Board (DNFSB), except for the section that requires the DNFSB secure an Inspector General. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 279

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #36, offered by Rep. Moran (VA) and Rep. Capps (CA), which would establish survivor benefit plan annuities for special needs trusts for the benefit of dependent children incapable of self support.

Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 280

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #159, offered by Rep. Moran (VA), which would require OPM to conduct an annual Federal employee viewpoint survey of Federal employees. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 281

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #204, offered by Rep. Murphy (CT), which would require additional information in the Department of Defense's (DoD) annual report on manufactured goods purchased from foreign entities related to waivers of the Buy American Act. Would also require DoD to assess the domestic capacity to produce the items for which a waiver was granted. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 282

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #42, offered by Rep. Nugent (FL), which would strike the language in the bill regarding drug copays and insert a prohibition against any increase of cost-sharing rates for the pharmacy benefits program under TRICARE. Defeated: 2-7

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Yea		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 283

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #23, offered by Rep. Owens (NY) and Rep. Hochul (NY), which would give DOD the authority to offer preferences on large contracts to companies that subcontract with domestic small business manufacturers. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 284

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #194, offered by Rep. Pearce (NM) and Rep. Markey (MA), which would strike section 3156 and replace with a GAO study, which will determine which uranium enrichment companies the United States government can legally purchase uranium from for tritium production and for fuel to power our nuclear navy. Would also include the price of purchasing from each facility. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 285

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #97, offered by Rep. Peters (MI) and Rep. Tipton (CO), which would increase the government wide goal for participation in procurement contracts for small businesses from 25% to 26% and for small disadvantaged businesses from 5.0% to 5.5%. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 286

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #110, offered by Rep. Poe (TX), which would prohibit all assistance to Pakistan except assistance to ensure the safety of nuclear weapons. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 287

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #112, offered by Rep. Poe (TX) and Rep. Barletta (PA), which would require that the Secretary of Defense make 10% of certain military equipment returning to the United States from Iraq and Afghanistan available for transfer to Federal, State, and Local law enforcement for border security along the southern border. Would define eligible equipment as high mobility multi-purpose wheel vehicles, night vision equipment, and MQ-9 Reaper drone aircraft. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 288

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #165, offered by Rep. Polis (CO) and Rep. Sanchez (CA), which would strike funding for nuclear weapons activities beyond the budget request. Defeated: 1-8



Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 289

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #118, offered by Rep. Poe (TX), which would prohibit all assistance to the military forces of Pakistan. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 290

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #232, offered by Rep. Quayle (AZ), which would consolidate federal data centers at the Department of Defense. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 291

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #82, offered by Rep. Quigley (IL), which would allow the Secretary to purchase alternative fuels if the Secretary certifies that purchasing alternative fuels would enhance mission success and protect American service members. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 292

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #144, offered by Rep. Rigell (VA), which would authorize the Inspector General to investigate allegations of retaliatory personnel actions against members of the Armed Forces, if submitted by the individual service member, for communicating with the news media without authorization from their chain of command. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 293

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #211, offered by Rep. Ruppertsberger (MD), which would prohibit the home port of the USNS Comfort from being changed from Baltimore to Naval Station Norfolk. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 294

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #74, offered by Rep. Schiff (CA), which would express a sense of Congress that 74 United States naval personnel killed aboard the U.S.S. Frank E. Evans (DD-754) on June 3, 1969 be commemorated by having their names added to the Vietnam Veterans Memorial Wall. The Evans had been operating in support of the Vietnam War immediately prior to diversion to a SEATO exercise just outside of the designated war zone, where a collision took place with HMAS Melbourne, an Australian aircraft carrier, on the night of June 3, 1969, resulting in the deaths of 74 personnel. The families and other shipmates and friends of the lost sailors have been working for years to get them added to the wall, noting that not only had they just left the designated war zone, but were due to return on completion of exercise. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 295

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #150, offered by Rep. Smith (WA), which would reverse restrictions on the authority of the Secretary of Energy, enabling higher-level and independent oversight of nuclear facilities and operations. Defeated: 1–8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 296

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #121, offered by Rep. Speier (CA), which would require that sentencing of rape offenses in a military court be determined by a judge and that they refer to advisory sentencing guidelines similar to the Federal criminal courts. Defeated: 1–8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 297

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #128, offered by Rep. Speier (CA), which would amend contractor cost inventories to be kept in usable, downloadable formats and include where the work is performed, the total amount billed, overhead costs, and the cost if performed by a government employee.  
 Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 298

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #197, offered by Rep. Sutton (OH), which would amend section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364, 120 Stat. 2439), as most recently amended, to extend the authority for use of the Joint Improvised Explosive Device Defeat Fund (JIEDDF) to enable better protection for deployed U.S. forces from improvised explosive devices (IEDs). Would permit the use of the JIEDDF for actions and activities intended to disrupt IED networks that rely on explosive device precursors that transit into Afghanistan where they can be used as components in the manufacture of improvised and homemade explosives. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 299

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #86, offered by Rep. Thompson (CA), which would facilitate naturalization for military personnel, veterans and their families who have honorably served the United States Armed Forces. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 300

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #85, offered by Rep. Thornberry (TX), which would amend the United States Information and Educational Exchange Act of 1948 (known as the Smith-Mundt Act) and the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 to clarify the authorities of the Department of State and the Broadcasting Board of Governors to prepare, disseminate and use public diplomacy information abroad and to strike the current ban on domestic dissemination of such material. Would clarify that the Smith-Mundt Act's provisions related to public diplomacy information do not apply to other Federal departments or agencies (including the Department of Defense). Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 301

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #93, offered by Rep. Tonko (NY) and Rep. Speier (CA), which would limit the cost of federal compensation paid to defense contractors to \$400,000 per individual per fiscal year. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 302

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #24, offered by Rep. Velázquez (NY), which would require each branch of the military to develop and implement a policy to address incidents of hazing. Defeated: 1-8



Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 303

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #26, offered by y Rep. Velázquez (NY), which would require each member of the armed forces to attend diversity and anti-hazing training on a regular basis. Would also require each branch of the military to collect data on each incident of hazing. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 304

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #28, offered by Rep. Velázquez (NY), which would require each branch of the military to develop an anonymous phone tip-line for reporting incidents of hazing. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 305

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #30, offered by Rep. Velázquez (NY), which Would create the Military Hazing Prevention Oversight Panel to monitor and make recommendations to improve the military's anti-hazing policies. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 306

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #171, offered by Rep. Welch (VT) and Rep. Gibson (NY), which would authorize funding for any state wishing to include an outreach program (as authorized in Section 590 of the FY12 NDAA) as part of that state's Yellow Ribbon Reintegration Program. Outreach programs may include the training of veterans to work directly with returning National Guard members and/or their families on issues related to reintegration such as financial, employment, mental or physical health, or family issues. Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 307

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #134, offered by Rep. Young (AK), Rep. Bordallo (GU) and Rep. Loeb sack (IA), which would expand full Space Available travel benefits on military aircraft to “gray area” retirees (National Guard members or Reservists who are eligible for retirement but under the age of 60) and surviving spouses. Would include a provision that would allow the Secretary of Defense to establish the priority categories for Space A travel and offsets with \$2 million from Weapons Procurement, Navy, JSOW.  
 Defeated: 1–8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 308

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #135, offered by Rep. Young (AK), Rep. Bordallo (GU) and Rep. Loeb sack (IA), which would expand full Space Available travel benefits on military aircraft to “gray area” retirees (National Guard members or Reservists who are eligible for retirement but under the age of 60) and surviving spouses. Would include a provision that would allow the Secretary of Defense to establish the priority categories for Space A travel.

Defeated: 1-8

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Mr. McGovern.....	Yea
Ms. Foxx.....	Nay		
Mr. Bishop of Utah.....	Nay		
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Dreier, Chairman.....	Nay		

Rules Committee Record Vote No. 309

Motion by Mr. Sessions to report the rule. Adopted: 8-1

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Yea	Mr. McGovern.....	Nay
Ms. Foxx.....	Yea		
Mr. Bishop of Utah.....	Yea		
Mr. Woodall.....	Yea		
Mr. Nugent.....	Yea		
Mr. Scott of South Carolina...	Yea		
Mr. Webster.....	Yea		
Mr. Dreier, Chairman.....	Yea		

#### SUMMARY OF THE AMENDMENTS MADE IN ORDER

1. McKeon (CA): Manager's Amendment. Would make conforming changes in the bill. (10 minutes)
2. Landry (LA): Would specify that the use of information collected via unmanned aerial vehicles by the U.S. Department of Defense may not be used as evidence in a court of law against an individual without first having a warrant issued. (10 minutes)
3. Kucinich (OH), Conyers (MI): Would prohibit the Joint Special Operations Command from conducting "signature" drone strikes, drone strikes against targets whose identity is not known or based solely on patterns of behavior this target. (10 minutes)
4. Rohrabacher (CA): Would prohibit the availability of funds for assistance to Pakistan in fiscal year 2013. (10 minutes)
5. Lee, Barbara (CA), Conyers (MI), Jones (NC), Welch (VT), Woolsey (CA): Would end the war in Afghanistan by limiting funding to the safe and orderly withdrawal of U.S. troops and military contractors from Afghanistan. (20 minutes)
6. Connolly (VA): Would withhold funds from the Coalition Support Fund until the Secretary of Defense certifies that Pakistan has opened the Ground Lines of Communication, is allowing the transit of NATO supplies through Pakistan into Afghanistan, is supporting the retrograde of U.S. equipment out of Afghanistan. (10 minutes)
7. Rooney (FL): Would direct the Department of Defense to hold detainee trials in the US Facility at Guantanamo Bay, Cuba, and not in the United States. (10 minutes)
8. Bartlett (MD), Flake, Jeff (AZ): Would prevent federal agencies from requiring contractors to sign an anti-competitive and costly project labor agreement (PLA) as a condition of winning a federal construction contract. (10 minutes)
9. Conyers (MI), Ellison (MN): Would terminate the F-35B aircraft program. Would authorize the Secretary to procure an additional number of F/A-18E or F/A-18F aircraft to replace the F-35B aircraft. (10 minutes)
10. Quigley (IL), Gutierrez (IL): Would eliminate funds available for procurement of the V-22 Osprey aircraft, and puts the savings toward deficit reduction. (10 minutes)
11. Markey, Edward (MA), Welch (VT), Conyers (MI): Would delay the development of the new long-range nuclear-capable bomber by ten years and the funding in the bill would be reduced by \$291,742,000, which is the amount planned for this bomber. (10 minutes)
12. Polis (CO), Sanchez, Loretta (CA): Would reduce the amount for the ground-based midcourse missile defense system by \$403 million. (10 minutes)
13. Hanna (NY): Would require the Secretary of Defense, within 180 days of enactment, to report to Congress on Air Force cyber operations research, science, and technology plans and capabilities. (10 minutes)

14. Bishop, Rob (UT), Cole (OK): Would clarify Section 322 on Military Industrial Depot Policy to ensure that core workloads completed at government military industrial depots include critical supply chain management and management expertise, and that modifications "in the nature" of programmed depot maintenance are not inadvertently precluded from core workload determinations. (10 minutes)
15. Gallegly (CA): Would create Military Readiness Areas off the California coast to allow the U.S. Navy to continue exercises and testing while allowing for the expansion of the southern sea otter into these Navy testing areas. Would also require U.S. Fish and Wildlife to coordinate and cooperate with the Navy when planning for the recovery and expansion of sea otters, while also protecting any other endangered species in this area. (10 minutes)
16. Hayworth (NY): Would express the Sense of Congress that the Department of Defense should not convert the performance of any function from performance by a contractor to performance by Department of Defense civilian employee unless the function is inherently governmental in nature. (10 minutes)
17. Coffman (CO): Would reintroduce competition to the contracting of government services and repeal the moratorium on A-76 procedures. (10 minutes)
18. Keating (MA): Would freeze the transfer, reduction or elimination of Air National Guard units supporting an Air and Space Operations Center or an Air Force Forces Staff until the impact of the unit's loss and certain other information is provided to Congress. (10 minutes)
19. Broun (GA): Would eliminate the maximum age limitation for individuals seeking to enlist in the U.S. military, provided they meet all of the other current qualifications for enlistment. (10 minutes)
20. Carson (IN): Would prohibit military promotion boards from considering any information from official documents, word of mouth, or in writing on the pursuit of treatment or counseling for mental health or addiction issues. Would require this information on this prohibition to be promulgated to current service members. (10 minutes)
21. Pingree (ME): Would add a Sense of Congress that Military Sexual Trauma (MST) continues to be a significant problem within the Department of Defense and many victims of MST suffer from Post Traumatic Stress Disorder. Would also state that the Secretary of Veterans Affairs should review the disability claims process to ensure that victims of military sexual trauma who file claims for service connection do not face unnecessary or overly burdensome requirements in order to claim disability benefits with the Department. (10 minutes)
22. Stivers (OH): Would create a Tomb of Remembrance for each conflict moving forward for the interment of cremated fragments of service member remains that are unidentifiable by DNA or are unclaimed after a reasonable period of time. Would include Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom and Operation New Dawn in Iraq. The funding for the Tombs of Remembrance will come from the Office of the Secretary of Defense. (10 minutes)
23. Bishop, Tim (NY): Would express the sense of Congress that the remains of crewmen from the George I seaplane should be recovered



from Thurston Island, Antarctica. (10 minutes)

24. Wittman (VA): Would establish a uniformed military Chain of Command for Army National Military Cemeteries. Would require that upon the completion of the tenure of the current civilian director, the director position will be filled by a commissioned officer in the United State Military. (10 minutes)
25. Petri (WI), Kind (WI): Would compensate certain military personnel who were prevented from using extra leave time, which was earned through multiple or extended deployments overseas as part of the Post-Deployment/Mobilization Respite Absence program, due to a government error. (10 minutes)
26. Cummings (MD), Filner (CA), Braley (IA), Connolly (VA), Donnelly (IN), Michaud (ME), Smith, Adam (WA), Tierney (MA), Yarmuth (KY): Would expand the protections under the Servicemembers Civil Relief Act (SCRA) to include servicemembers serving in a contingency operation, surviving spouses of servicemembers whose deaths are service-connected, and veterans who are totally disabled at the time of discharge. Would also repeal the sunset provision that is set to expire at the end of this year and increases fines for violations of the SCRA. (10 minutes)
27. Israel (NY), King, Peter (NY): Would authorize a pilot program on enhancements of Department of Defense efforts on mental health in the National Guard and Reserves through public-private partnerships. (10 minutes)
28. Posey (FL): Would direct the Secretary of Defense to work with non-Federal entities and accept non-Federal funding under strict implementation guidelines to promote efficiencies of the space transportation infrastructure of the Department of Defense in commercial space activities. (10 minutes)
29. Sablan (MP): Would amend 10 U.S.C. 7310(a) to include the Northern Mariana Islands as an eligible location, in addition to the United States and Guam, for the overhaul, repair and maintenance of naval vessels and other vessels under the jurisdiction of the Secretary of the Navy. (10 minutes)
30. Johnson, Hank (GA): Would include a finding stating that the deployment of tactical nuclear weapons to South Korea would destabilize the Western Pacific region and would not be in the national security interests of the United States. (10 minutes)
31. Johnson, Hank (GA): Would require the Secretary of Defense and the Chairman of the Joint Chiefs to report to Congress regarding whether nuclear weapons reductions pursuant to the New START Treaty are in the national security interests of the United States. (10 minutes)
32. Price, Tom (GA): Would prohibit the President from making unilateral reductions to US nuclear forces. (10 minutes)
33. Flake, Jeff (AZ): Would require the Department of Defense to compile a report describing written communications to the Department from Congress regarding military construction projects on the future years defense program. (10 minutes)
34. Thompson, Mike (CA), Dicks (WA): Would require the Navy to submit a



- report to Congress within 120 days of enactment, detailing how they intend to utilize the National Oceanic and Atmospheric Administration working group maps to develop new siting and wildlife mitigation protocols for Navy training and testing activities. (10 minutes)
35. Brown, Corrine (FL): Would authorize remediation of a navigational hazard endangering cargo and and military vessels, and affecting economic development in the region. (10 minutes)
  36. Grimm (NY), Tonko (NY), Bilirakis (FL), Castor (FL): Would amend the 2003 NDAA to increase the number of authorized Weapon of Mass Destruction Civil Support Teams within the Army National Guard from 55 to 57. (10 minutes)
  37. Baca (CA): Would reduce the DOD strategic environmental research development program by \$4 million and authorize the US geological survey to conduct a study of water resources and perchlorate contamination in the Rialto-Colton Basin, which is near a former DOD installation in California's Inland Empire. (10 minutes)
  38. Rigell (VA): Would replace the pending sequester of discretionary spending for fiscal year 2013 and replaces it by reducing the discretionary spending limit for that year so that it conforms with concurrent resolution on the budget deemed in force in the House, but this replacement is contingent upon the enactment of spending reductions over five years of at least the amount of the sequester it supplants. Would also require detailed report on the impact of the sequestration of funds authorized and appropriated for Fiscal Year 2013 for the Department of Defense. (10 minutes)
  39. Gingrey (GA): Would express the sense of Congress that active military personnel that either live in or are stationed in Washington, DC would be exempt from existing District of Columbia firearms restrictions. (10 minutes)
  40. Bishop, Tim (NY), Hanna (NY): Would honor the service of Air Raid Wardens and all other Americans who volunteered for service for the United States Office of Civilian Defense during World War II. (10 minutes)
  41. Mack (FL): Would clarify the language of the Sunken Military Craft Act to restore its original intent. (10 minutes)
  42. Lee, Barbara (CA), Frank (MA), Woolsey (CA), Blumenauer (OR): Would limit Department of Defense funding to the amount authorized under the Budget Control Act of 2011, resulting in an \$8 billion reduction in spending from the level authorized by the House Armed Services Committee. (10 minutes)
  43. Ellison (MN): Would prohibit the authorization of Defense Department funds for tear gas and other riot control items to Middle East and North African countries undergoing democratic transition unless the Secretary of Defense certifies to the appropriate Congressional committees that the security forces of such countries are not using excessive force to repress peaceful, lawful and organized dissent. (10 minutes)
  44. Granger (TX): Would provide Taiwan with critically needed United States-built multirole fighter aircraft to strengthen its self-defense capability against the increasing military threat from China. (10

minutes)

45. Gohmert (TX), Landry (LA), Rigell (VA), Duncan (SC), Barletta (PA): Would clarify that the FY 2012 National Defense Authorization Act and the 2001 Authorization for Use of Military Force (AUMF) do not deny the writ of habeas corpus or deny any Constitutional rights for persons detained in the United States under the AUMF who are entitled to such rights. (10 minutes)
46. Smith, Adam (WA), Amash (MI), Berman (CA), Garamendi (CA), Duncan (TN), Johnson, Hank (GA), Gosar (AZ), Hirono (HI), Paul (TX), Jackson Lee (TX), Tipton (CO), Labrador (ID): Would strike section 1022 of the FY2012 NDAA and amends Section 1021 of same Act to eliminate indefinite military detention of any person detained under AUMF authority in US, territories or possessions by providing immediate transfer to trial and proceedings by a court established under Article III of the Constitution of the United states or by an appropriate State court. (10 minutes)
47. Duncan (SC), Jordan (OH): Would limit funds authorized to be appropriated by this Act to any institution or organization established by the Convention on the Law of the Sea, including the International Seabed Authority, the International Tribunal for the Law of the Sea, and the Commission on the Limits of the Continental Shelf. (10 minutes)
48. Coffman (CO), Polis (CO): Would authorize the President to remove all Brigade Combat Teams that are permanently stationed in Europe and replace them with a rotational force. (10 minutes)
49. Lee, Barbara (CA), Conyers (MI): Would appoint a Special Envoy for Iran to ensure that all diplomatic avenues are pursued to avoid a war with Iran and to prevent Iran from acquiring a nuclear weapon. (10 minutes)
50. Lamborn (CO): Would limit the availability of funds for Cooperative Threat Reduction activities with Russia until the Secretary of Defense can certify that Russia is no longer supporting the Syrian regime and is not providing to Syria, North Korea or Iran any equipment or technology that contributes to the development of weapons of mass destruction. (10 minutes)
51. Carnahan (MO): Would integrate duplicative functions related to contingency operation planning, management, and oversight, which are currently spread over several U.S. Departments and Agencies into the U.S. Office for Contingency Operations (OCO). (10 minutes)
52. Petri (WI), Johnson, Hank (GA): Would clarify that direct use solar energy technology is considered a renewable energy source for the purposes of the requirement that DOD obtain 25% of its facility energy from renewable sources by 2025. (10 minutes)
53. Bartlett (MD): Would require a report from the US Marine Corps regarding the proposed transfer of land from the Bureau of Land Management to the U.S. Marine Corps for the expansion of 29 Palms for a Training Range Facility. (10 minutes)
54. Franks (AZ): Would limit the availability of funds for nuclear nonproliferation activities with the Russian Federation. (10 minutes)

55. Pearce (NM), Markey, Edward (MA): Would strike section 3156 from the bill. (10 minutes)
56. Heinrich (NM), Luján (NM): Would authorize a pilot program between one national laboratory and one non-profit entity for the purpose of accelerating technology transfer from national laboratories to the marketplace. (10 minutes)
57. Turner (OH): Would amend sections 3115 and 3202 to clarify that ensuring “adequate protection” is the applicable nuclear safety standard for defense nuclear facilities; that nuclear safety policies, regulations, analysis, and recommendations should be risk-based; and that nothing in these sections shall be construed to require a reduction in nuclear safety standards. (10 minutes)
58. Tierney (MA): Would require the Secretary of Defense to submit to Congress a report assessing the manufacturing industry of the United States as it relates to the ability of the United States to respond to both civilian and defense needs. Would require the report to include an analysis of the strength of the United States defense industrial base, including the security and stability of the supply chain and an assessment of the vulnerabilities of that supply chain. (10 minutes)
59. Rehberg (MT), Lummis (WY): Would ban any reductions to the strategic nuclear triad unless the Secretary of Defense certifies that: 1) further reductions in the Russia Federation’s arsenal are needed for compliance with New START limits; and 2) Russia is not developing or deploying nuclear delivery systems not covered by New START limits. Would also protect all three legs of the nuclear triad from elimination. (10 minutes)
60. Carson (IN): Would require the Department of Defense to conduct a survey of all service members deployed since September 11, 2001 to determine what personal safety equipment (such as ballistic eyewear and body armor) was not provided by the military and what equipment was purchased by the service member, family, or someone else. Would require an assessment to be provided to Congress on how to ensure that all service members receive the safety equipment they need in future conflicts. (10 minutes)
61. Garamendi (CA): Would require an assesment of the United States’ manufacturing capability to produce three-dimensional integrated circuits and potential ways to overcome the challenges to encourage U.S. manufacturing. (10 minutes)
62. McDermott (WA): Would amend Section 315 of Title III to require a report on the sharing of environmental exposure data with the Secretary of Veterans Affairs for use in medical and treatment records of veterans, including using this data in determining the service-connectedness of health conditions and in identifying the possible origins and causes of disease. (10 minutes)
63. Smith, Adam (WA), Dicks (WA): Would provide the authority for a Secretary of a military department to enter into cooperative agreements with Indian Tribes for land management associated with military installations and state-owned National Guard installations. (10 minutes)

64. Pierluisi (PR): Would express the Sense of Congress regarding decontamination of and removal of unexploded ordnance from the former bombardment area on the island of Culebra, Puerto Rico. (10 minutes)
65. Bordallo (GU), Wilson, Joe (SC): Would codify the role and missions that the National Guard can perform under the State Partnership Program (SPP). Would also clarify the use of National Guard funding to support the SPP and codify that SPP missions must directly support the applicable COCOM commander and be coordinated with the senior Chief of Mission in any particular country. (10 minutes)
66. Altmire (PA): Would require the Department of Defense to conduct a report to Congressional defense committees on the feasibility of providing market-rate or below-market-rate telecommunications services to uniformed personnel transiting through foreign airports to and from deployment overseas, and investigate allegations of telecom companies specifically targeting military personnel in transit with above-market-rate fees, including the results of the investigation into the report. (10 minutes)
67. Kind (WI): Would allow the Secretary of Defense to enter into a military cooperative agreement for the operation and maintenance of any State training center certified by the Federal Emergency Management Agency as capable of providing emergency response training. (10 minutes)
68. Tierney (MA): Would require the Secretary of Defense to submit annually to the relevant congressional committees a report on the status of the targets listed in the document entitled "Operational Energy Strategy: Implementation Plan, Department of Defense, March 2012". (10 minutes)
69. Cravaack (MN): Would provide for a sense of Congress that fighter wings performing the 24-hour Aerospace Control Alert mission provide an essential service in defending the sovereign airspace of the United States in the aftermath of the terrorist attacks on September 11, 2001. (10 minutes)
70. Quigley (IL), Hultgren (IL): Would require the GAO to conduct a review of the policies and procedures of the Department of Defense for the handling, labeling and packing of hazardous material shipments and make recommendations to the appropriate committees regarding the safe, timely, and cost-effective handling of such material. (10 minutes)
71. Cummings (MD), Chu (CA): Would add the Coast Guard to sections 507 and 535 of the bill, which require the Secretary of Defense to develop plans to expand diversity and prevent and track hazing. (10 minutes)
72. McKinley (WV): Would direct the Secretary of Defense to develop an online tour calculator so that Guard and Reserve members can keep tabs on their earned early retirement credit. (10 minutes)
73. Velázquez (NY): Would require each branch of the military to develop and implement an expedited procedure to transfer a service member who has been the victim of hazing to another unit. (10 minutes)
74. Chu (CA), Cummings (MD), Honda (CA): Would require the Department of Defense to provide an annual report to Congress on the prevalence of hazing and what actions they have taken to respond to a



- prevent hazing. Would also instruct the Comptroller General to institute a study across the Armed Services regarding the prevalence of hazing and current policies in place regarding hazing and make recommendations to prevent hazing incidents in the Armed Forces. (10 minutes)
75. Welch (VT), Gibson (NY): Would provide for coordination between Small Business Development Centers and Yellow Ribbon Reintegration Program for the purpose of providing assistance – such as developing a business model and understanding eligibility for certification as a Veteran Owned Business – to program recipients interested in starting a business. (10 minutes)
  76. Walsh (IL): Would authorize the Secretary of Defense to include industry-recognized certifications in its pilot program on credentialing and licensing for members of the armed forces. Would enable servicemen and women to transfer military skills to the civilian workplace in industries that do not require licenses but do require industry-recognized certifications (e.g. Certified Welder from the American Welding Society) and fill the manufacturing sector's growing demand for skilled workers. (10 minutes)
  77. Hunter (CA): Would require that the Navy, no later than 30 days after enactment, provide the Committee on House Armed Services with a report on the Navy's review, findings and actions pertaining to Medal of Honor nominee Marine Corps Sergeant Rafael Peralta. Would require that the report account for all evidence submitted. (10 minutes)
  78. Kind (WI), Sensenbrenner (WI): Would waive the time limitation for the award of the Medal of Honor to Lt. Alonzo Cushing for heroic deeds during the Civil War. (10 minutes)
  79. Nugent (FL): Would expand the eligibility for the Army Combat Action Badge to include those who served from December 7, 1941, to September 18, 2001. Would also provide, in accordance with the wishes of those veterans who first pursued this idea, that the costs of the Combat Action Badge would be borne by the veterans eligible for this badge, not the military. (10 minutes)
  80. Thompson, Mike (CA), Hunter (CA): Would provide for the advancement of Brigadier General Charles E. Yeager, United States Air Force (Retired), on the retired list. (10 minutes)
  81. Dent (PA): Would authorize the Secretary of Defense to conduct a feasibility study for the issuance of a summary of the DD-214 form for a member of the armed forces expected to be discharged under conditions other than dishonorable in the form of an identification card. Would provide that any card that would be issued to a covered member as a result of this study would not serve as proof to collect any benefits and a card would not be issued to covered members who would otherwise receive an identification card by the DoD or the Department of VA. (10 minutes)
  82. Richardson (CA): Would add Department of Defense websites to the list of places for posting information on sexual assault prevention and response resources. (10 minutes)
  83. Slaughter (NY), Tsongas (MA): Would require the Department of Defense to conduct an educational campaign regarding the Board of

Correction for Military Records as an avenue for relief in cases where a current or former member of the Armed Forces has experienced retaliatory personnel actions for making a report of sexual assault or sexual harassment. (10 minutes)

84. Smith, Adam (WA), Davis, Susan (CA), Pingree (ME), Tsongas (MA), Turner (OH): Would establish a Sexual Assault Oversight Council to provide independent oversight of the Department of Defense as it implements sexual assault policies and laws to prevent and prosecute sexual assault in the Armed Forces. (10 minutes)
85. Boswell (IA): Would direct the Secretary of Defense to submit a report on the effects of multiple deployments on the well-being of military personnel. (10 minutes)
86. Terry (NE): Would amend title 4, United States Code, to authorize members of the Armed Forces not in uniform and veterans to render a military salute during the recitation of the Pledge of Allegiance. (10 minutes)
87. Carson (IN): Would require the Department of Defense to provide mid-deployment mental health screenings to service members deployed in combat zones. (10 minutes)
88. Andrews (NJ): Would make technical and clarifying changes to a section of the bill requiring a report on the transition away from the use of live tissue in certain medical training. (10 minutes)
89. Boswell (IA): Would direct the DOD and VA to conduct a joint study on the incidence rate of breast cancer in service members and veterans. The study must include the demographic information of those service-members and veterans, an analysis of the clinical characteristics of breast cancer diagnoses, possible exposures to hazardous elements and cancer risk factors, geographic areas of residence prior to deployment, and treatments received. The full cost of the study is offset from accounts that would remain above the Administration's request. (10 minutes)
90. Sessions (TX), Thompson, Mike (CA): Would direct the Secretaries of Defense (DOD) and Veterans Affairs (Secretaries) to carry out a five-year pilot program under which each Secretary establishes a process for providing payments to facilities for treatments of traumatic brain injury (TBI) or post-traumatic stress disorder (PTSD) received by members of the Armed Forces and veterans in facilities other than military treatment facilities or Department of Veterans Affairs (VA) medical facilities. (10 minutes)
91. Jackson Lee (TX): Would direct the Department of Defense Office of Health to work in collaboration with the National Institutes of Health to provide resources to identify specific genetic and molecular targets and biomarkers for Triple Negative Breast Cancer (TNBC). Would provide information useful in biomarker selection, drug discovery, and clinical trials design that will enable both TNBC patients to be identified earlier in the progression of their disease and develop multiple targeted therapies for the disease. (10 minutes)
92. Johnson, Hank (GA): Would support efforts to educate service members, veterans, military families, and the public about PTSD and to coordinate efforts across the federal government to promote

prevention, diagnosis, and treatment of PTSD. (10 minutes)

93. DeLauro (CT), Granger (TX), Ellison (MN): Would prohibit the Defense Department from awarding a contract to supply helicopters to the Afghan Security Forces, directly or indirectly, to any entity controlled, directed or influenced by a state that has supplied weapons to Syria or a state-sponsor of terrorism. Would require any such contract to be competitively bid. (10 minutes)
94. Rivera (FL): Would prohibit any procurement contracts with any persons that have business operations with a state sponsor of terrorism. (10 minutes)
95. Larsen, Rick (WA): Would require an assessment and report relating to infrared technology sectors (10 minutes)
96. Bass (CA), Lankford (OK): Would require DOD to include an evaluation of practices related to human trafficking in contractor performance assessments. (10 minutes)
97. Murphy, Christopher (CT): Would give manufacturers the opportunity to provide information to Department of Defense (DoD) regarding how their bid for a contract will affect domestic employment. Would allow DoD to take the Jobs Impact Statement into consideration, but does not mandate that DoD consider this information, when awarding the contract. (10 minutes)
98. Welch (VT), Gardner (CO): Would require the Army, Navy and Air Force to report to Congress on the progress of entering into Energy Savings Performance Contracts for the purpose of undergoing energy efficiency retrofits on military installations. (10 minutes)
99. Rogers, Mike (MI): Would clarify that the provision regarding military activities in cyberspace does not authorize covert action or alter the requirements of the covert action statute and provides for reporting of intelligence and intelligence-related support to military activities in cyberspace to the Congressional intelligence committees. (10 minutes)
100. Holt (NJ): Would create a National Language Service Corps to create a pool of personnel with foreign language skills upon whom the Department or other federal agencies can call upon as needed to meet the foreign language needs of the United States government. (10 minutes)
101. Pierluisi (PR), Christensen (VI): Would express the Sense of Congress regarding the counterdrug Tethered Aerostat Radar System (TARS) program, stating that all appropriate steps should be taken to ensure that the eight current tethered aerostat systems are fully functional and that the TARS program is providing coverage to protect jurisdictions of the United States in the Caribbean region, as well as jurisdictions of the United States along the United States-Mexico border and in the Florida Straits. (10 minutes)
102. Larsen, Rick (WA), Sanchez, Loretta (CA): Would require reports on the costs of maintaining and modernizing the nuclear deterrent. (10 minutes)
103. Braley (IA): Would require a report from the President, in consultation with the Secretaries of Defense, State and Veterans Affairs, on the long-term costs of military operations in Iraq, Afghanistan and Libya.



(10 minutes)

104. Holt (NJ): Would create a Federal Mortuary Affairs Advisory Commission, modeled on the 9/11 Commission, in response to the Dover Port Mortuary scandal. Would provide a new, high-level vehicle for better sustained oversight of operations at Dover and the care of America's fallen. (10 minutes)
105. Harper (MS): Would require a review and report by the Secretary of the Air Force on the cancellation or consolidation of the Air National Guard Component Numbered Air Force Augmentation Force. Would also require a Comptroller General review of the report. (10 minutes)
106. Langevin (RI): Would direct the Director of the Defense Forensic Office to evaluate opportunities to increase the matching success rate when forensic data is collected during site exploitation to match forensic data stored in DNA databases. Would provide that among other items, the Defense Forensic Office may evaluate opportunities to assist other countries with moving forward with DNA database programs that requires a defined category of criminal offender to submit DNA to that foreign countries' national DNA database. (10 minutes)
107. Lewis, John (GA): Would require 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)
108. McCollum (MN): Would limit the Department of Defense's spending on military bands at \$200 million. (10 minutes)
109. Meehan (PA), King, Peter (NY), Miller, Candice (MI), McCaul (TX), Rogers, Mike (AL): Would require the Department of State to make a determination on whether or not Boko Haram meets the criteria to be designated a Foreign Terrorist Organization (FTO). Would require the Secretary of State to submit a report that describes why Boko Haram does not meet the qualifications outlined by law. (10 minutes)
110. Pompeo (KS), Garamendi (CA): Would express the Sense of Congress on the occasion of Air Mobility Command's 20th anniversary. (10 minutes)
111. Price, Tom (GA), Hultgren (IL), Meehan (PA): Would require the Department of Justice to order an investigation into the possible violation of U.S. law regarding numerous leaks of sensitive information involving U.S. and Israeli military, intelligence, and operational capabilities. Would provide the Administration with 30 days after bill becomes law to begin its investigation and 60 days after enactment to report to Congress. (10 minutes)
112. Richardson (CA): Would provide a sense of Congress that the United States Northern Command plays a crucial role in providing additional response capability to State and local governments. Would encourage United States Northern Command to leverage their expertise and enhance their relationship to other entities involved in disaster response. (10 minutes)
113. Sablan (MP): Would amend 10 U.S.C. 2249(b) to require that the official flags of the District of Columbia and the U.S. Territories be displayed whenever the flags of the States are displayed by the U.S. Armed Forces. (10 minutes)

114. Thornberry (TX), Smith, Adam (WA): Would amend the United States Information and Educational Exchange Act of 1948 (known as the Smith-Mundt Act) and the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 to clarify the authorities of the Department of State and the Broadcasting Board of Governors to prepare, disseminate and use public diplomacy information abroad and to strike the current ban on domestic dissemination of such material. Would clarify that the Smith-Mundt Act's provisions related to public diplomacy information do not apply to other Federal departments or agencies (including the Department of Defense). (10 minutes)
115. Thornberry (TX): Would require the President to submit to Congress a charter to establish an interagency body to coordinate and deconflict full-spectrum military cyber operations. (10 minutes)
116. Tierney (MA): Would require the President to submit the final report from the National Security Council's (NSC's) Interagency Policy Committee on Security Sector Assistance and the Secretaries of Defense and State shall jointly submit a plan to institute mechanisms to better coordinate, document, disseminate, and share information, analysis and assessments regarding United States foreign police assistance activities. (10 minutes)
117. Quayle (AZ): Would add a new element at the end of Section 2867 (d)(1) of the National Defense Authorization Act for Fiscal Year 2012 that the report also include progress updates on consolidation goals and cost savings achieved during the preceding fiscal year consistent with the framework outlined by the July 2011 Government Accountability Office report to Congress, entitled 'Data Center Consolidation Agencies Need to Complete Inventories and Plans to Achieve Expected Savings' (GAO-11-565). (10 minutes)
118. Cicilline (RI): Would strengthen the certification language in Sec. 1211 related to Pakistan. (10 minutes)
119. Flake, Jeff (AZ): Would require that a period of 30 days elapse between the date the Secretaries of Defense and State submit to Congress an update to the report on the strategy to utilize the Pakistan Counterinsurgency Fund and Congress making the remaining 90 percent of the funds available for assistance to Pakistan. (10 minutes)
120. Thornberry (TX): Would modify the reporting requirements in the Report on Progress Toward Security and Stability in Afghanistan required by Section 1230 of the National Defense Authorization Act for FY2008, as amended. Would add specificity to the data and hone the report toward a document that measures outcomes rather than activities. (10 minutes)
121. Cicilline (RI): Would tie funding of the Pakistan Counterinsurgency Fund to a certification requirements to ensure Pakistan is making significant efforts toward the implementation of a strategy to counter improvised explosive devices (IEDs). (10 minutes)
122. Conaway (TX): Would build upon current economic sanctions and diplomatic efforts designed to prevent Iran from obtaining a nuclear weapon. Would enhance the military capabilities of the United States, Israel, and regional allies to give credible backing to the diplomatic efforts currently underway. (10 minutes)

123. Conyers (MI), Ellison (MN), Jones (NC), Paul (TX): Would clarify that nothing in the bill shall be construed as authorizing the use of force against Iran. (10 minutes)
124. Welch (VT): Would require the Department of Defense to report to Congress on the sustainability of any large scale infrastructure project built in Afghanistan. (10 minutes)
125. Duncan (SC), Ros-Lehtinen (FL), Sherman (CA): Would limit funds authorized to be appropriated by this Act to U.S. participation in joint military exercises with Egypt if the Government of Egypt abrogates, terminates, or withdraws from the 1979 Israeli-Egypt peace treaty. (10 minutes)
126. Smith, Adam (WA), McKeon (CA), Rohrabacher (CA), McCarthy, Kevin (CA): Would remove commercial satellites and related components from the United States munitions list. (10 minutes)
127. Flake, Jeff (AZ), Mulvaney (SC): Would require that, pursuant to the authorizations in Title XV, any funds appropriated to an Overseas Contingency Operations Transfer Fund be used only to fund items or activities requested by the President for overseas contingency operations. (10 minutes)
128. Hunter (CA): Would extend the authority for the use of the Joint Improvised Explosive Device Defeat Fund to enable better protection for deployed U.S. forces from improvised explosive devices. (10 minutes)
129. Schrader (OR): Would amend the Small Business Act to direct the Administrator of the Small Business Administration (SBA) to establish and carry out a program to provide increased access to federal contract opportunities for early stage small businesses (no more than 15 employees and average annual receipts of no more than \$1 million). (10 minutes)
130. Jackson Lee (TX): Would require the Secretary of Defense, prior to the awarding defense contracts to private contractors, to conduct an assessment to determine whether the Department of Defense has carried out sufficient outreach programs to assist minority and women-owned small business. (10 minutes)
131. Fitzpatrick (PA): Would require veteran-owned small businesses to receive all preferences accorded to other groups in government contracting except for those given to service disabled veteran owned small businesses. (10 minutes)
132. Lankford (OK), Connolly (VA): Would eliminate the practice of human trafficking by government contractors by closing loopholes and increasing appropriate enforcement capabilities. (10 minutes)
133. Murphy, Tim (PA), Altmire (PA), Critz (PA), Doyle (PA): Would require that a proposal to reduce more than 1,000 members of the armed forces assigned at a military installation be transmitted via the President's budget request and include an evaluation of the fiscal, local economic, budgetary, environmental, strategic, and operational consequences of such closure or realignment. Would allow an exception for national security or military emergency. (10 minutes)
134. Doggett (TX): Would ensure the Department of Defense includes overseas military bases in criteria used to consider and recommend

- domestic military installations for closure or realignment. (10 minutes)
135. Critz (PA): Would require the Air Force to retain core functions of the Air Traffic Control Station at Johnstown Air National Guard Base. (10 minutes)
  136. Young, Don (AK), Altmire (PA), Critz (PA), Doyle (PA): Would give Congress additional and much-needed oversight over present and future large permanent military force reductions. Would ensure that Congress has the ability to enforce cost, environmental, operational, and strategic accountability of these force reductions and it helps prevent backdoor BRACs. (10 minutes)
  137. Tsongas (MA): Would provide that the Secretary of the Air Force may enter into discussions with the Massachusetts Institute of Technology for a project to improve and modernize the Lincoln Laboratory complex at Hanscom Air Force Base, Massachusetts, a Federally Funded Research and Development Center (FFRDC). Would also provide that nothing in the provision provides construction authorities beyond those existing under current law. (10 minutes)
  138. Luján (NM): Would authorize a study of a multi-agency governance model for national security laboratories. (10 minutes)
  139. Landry (LA), Fleming (LA), Scalise (LA), Green, Gene (TX), Andrews (NJ): Would strike Section 3503 of the legislation. This section allows the Maritime Administration to exempt itself from the Federal Acquisition Regulations and dispose of National Defense Reserve Fleet vessels using less than open and transparent competition. Striking the exemption provided by Section 3503 harmonizes the NDAA with 16 USC § 5405(c)(1) and 46 USC § 57102 and conforms to the recommendations of a 2005 GAO study. (10 minutes)
  140. Cummings (MD), Landry (LA): Would require notification to Congress and publication on the Internet of information pertaining to the issuance of waivers to allow non-Jones Act qualified vessels to carry cargo between points in the United States. (10 minutes)
  141. Young, Don (AK), Richardson (CA): Would express the sense of Congress that Department of Defense (DOD) should expedite completion of the study of the Nation's strategic ports called for in the National Defense Authorization Act for Fiscal Year 2012 Conference Report 112-329. Additionally, it directs DOD to provide a copy of the report to GAO for additional review of the extent to which the facilities at strategic seaports meet the Department of Defense's requirements. (10 minutes)

**TEXT OF AMENDMENTS MADE IN ORDER**

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



**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. MCKEON OF CALIFORNIA**

Page 448, strike line 21 and insert “Not later than 120 days after the date”.

Page 448, line 23, strike “submit” and insert “provide”.

Page 449, line 1, strike “report” and insert “briefing”.

Page 450, strike lines 8 through 15.

Strike the section heading for section 1104 and insert the following:

**1 SEC. 1104. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**  
**2 ANNUAL LIMITATION ON PREMIUM PAY AND**  
**3 AGGREGATE LIMITATION ON PAY FOR FED-**  
**4 ERAL CIVILIAN EMPLOYEES WORKING OVER-**  
**5 SEAS.**

6 Effective January 1, 2013, section 1101(a) of the  
7 Duncan Hunter National Defense Authorization Act for  
8 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615),  
9 as most recently amended by section 1104 of the National



1 Defense Authorization Act for Fiscal Year 2012 (Public  
2 Law 112–81; 125 Stat. 1612), is further amended by  
3 striking “through 2012” and inserting “through 2013”.

Page 796, beginning line 12, strike “the Secretary may transfer appropriated funds available” and insert “the Secretary is authorized to transfer funds made available in fiscal year 2013”.

Page 840, line 4, strike the period and insert the following: “or with a detailed justification on the continued threat and how the continuation of the program would effectively address such threat.”.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. LANDRY OF LOUISIANA**

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

1 **SEC. 1084. PROHIBITION ON USE OF INFORMATION**  
2 **AGAINST A UNITED STATES CITIZEN GATH-**  
3 **ERED BY UNMANNED AERIAL VEHICLE WITH-**  
4 **OUT A WARRANT.**

5 Notwithstanding any other provision of law, informa-  
6 tion acquired by an unmanned aerial vehicle operated by  
7 the Department of Defense may not be admitted in a Fed-  
8 eral court, State court, or court of a political subdivision  
9 of a State as evidence against a United States citizen un-  
10 less such information was obtained by such unmanned aer-  
11 ial vehicle pursuant to a court order.



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

124

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. KUCINICH OF OHIO**

At the end of subtitle D of title XII of division A  
of the bill, add the following:

1 **SEC. 12xx. LIMITATION ON DEPLOYMENTS FOR NATO MIS-**  
2 **SIONS.**

3 (a) **LIMITATION.**—Beginning on the date of the en-  
4 actment of this Act, the deployment of a unit or individual  
5 of the United States Armed Forces in support of a North  
6 Atlantic Treaty Organization mission may be made only  
7 after express statutory authorization has been obtained  
8 from Congress for such deployment.

9 (b) **DEPLOYMENT DEFINED.**—In this section, the  
10 term “deployment” has the meaning given that term in  
11 subsection 991(b) of title 10, United States Code.

☒

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

166

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. ROHRABACHER OF CALIFORNIA**

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

1 **SEC. 12xx. PROHIBITION ON AVAILABILITY OF FUNDS FOR**  
2 **ASSISTANCE FOR PAKISTAN.**

3 Notwithstanding any other provision of this Act, none  
4 of the funds authorized to be appropriated by this Act may  
5 be used to provide assistance for Pakistan.





5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEE OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 20 MINUTES

158

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MS. LEE OF CALIFORNIA**

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

1 **SEC. 12xx. LIMITATION ON FUNDS FOR OPERATIONS OF**  
2 **THE ARMED FORCES IN AFGHANISTAN.**

3 (a) IN GENERAL.—Funds made available to carry out  
4 this Act for operations of the Armed Forces in Afghani-  
5 stan shall be obligated and expended only for purposes of  
6 providing for the safe and orderly withdrawal from Af-  
7 ghanistan of all members of the Armed Forces and De-  
8 partment of Defense contractor personnel who are in Af-  
9 ghanistan.

10 (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
11 tion shall be construed—

12 (1) to authorize the use of funds for the con-  
13 tinuation of combat operations in Afghanistan while  
14 carrying out the safe and orderly withdrawal from  
15 Afghanistan of all members of the Armed Forces  
16 and Department of Defense contractor personnel  
17 who are in Afghanistan; and

18 (2) to prohibit or otherwise restrict the use of  
19 funds available to any department or agency of the

1 United States to carry out diplomatic efforts or hu-  
2 manitarian, development, or general reconstruction  
3 activities in Afghanistan.



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

156

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. CONNOLLY OF VIRGINIA**

Page 542, after line 19, insert the following:

- 1           “(3) A certification of the Secretary of Defense  
2           that the Government of Pakistan—  
3           “(A) has opened the Ground Lines of  
4           Communication;  
5           “(B) is allowing the transit of NATO sup-  
6           plies through Pakistan into Afghanistan; and  
7           “(C) is supporting retrograde of United  
8           States equipment out of Afghanistan.”.

☒

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

173

**AMENDMENT TO RULES COMMITTEE PRINT OF  
H.R. 4310  
OFFERED BY MR. ROONEY OF FLORIDA**

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

1 **SEC. 10\_\_ . TRIAL OF FOREIGN TERRORISTS.**

2 After the date of the enactment of this Act, any for-  
3 eign national, who—

4 (1) engages or has engaged in conduct consti-  
5 tuting an offense relating to a terrorist attack  
6 against persons or property in the United States or  
7 against any United States Government property or  
8 personnel outside the United States, and

9 (2) is subject to trial for that offense by a mili-  
10 tary commission under chapter 47A of title 10,  
11 United States Code,  
12 shall be tried for that offense only by a military commis-  
13 sion under that chapter.

☒



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. BARTLETT OF MARYLAND**

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

1 **SEC. 28 . USE OF PROJECT LABOR AGREEMENTS IN**  
2 **MILITARY CONSTRUCTION PROJECTS AND**  
3 **MILITARY FAMILY HOUSING PROJECTS.**

4 (a) **REQUIREMENTS.**—Section 2852 of title 10,  
5 United States Code, is amended by adding at the end the  
6 following new subsection:

7 “(d)(1) The Secretary of Defense and the Secretaries  
8 of the military departments, when awarding a construction  
9 contract on behalf of the Government, in any solicitations,  
10 bid specifications, project agreements, or other controlling  
11 documents, shall not—

12 “(A) require or prohibit bidders, offerors, con-  
13 tractors, or subcontractors to enter into or adhere to  
14 agreements with one or more labor organizations;  
15 and

16 “(B) discriminate against or give preference to  
17 bidders, offerors, contractors, or subcontractors

1 based on their entering or refusing to enter into  
2 such an agreement.

3 “(2) Nothing in this subsection shall prohibit a con-  
4 tractor or subcontractor from voluntarily entering into an  
5 agreement with one or more labor organizations, as pro-  
6 tected by the National Labor Relations Act (29 U.S.C.  
7 151 et seq.).”

8 (b) APPLICATION OF AMENDMENT.—The amendment  
9 made by subsection (a) shall not apply to construction con-  
10 tracts awarded before the date of the enactment of this  
11 Act.



9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
CONYERS JR. OF MICHIGAN OR HIS DESIGNEE, DEBATABLE  
FOR 10 MINUTES

103

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. CONYERS OF MICHIGAN**

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

1 **SEC. 132. TERMINATION OF THE F-35B AIRCRAFT PRO-**  
2 **GRAM.**

3 (a) **TERMINATION.**—

4 (1) **PROCUREMENT.**—Notwithstanding any  
5 other provision of law, none of the funds authorized  
6 to be appropriated by this Act or otherwise made  
7 available for fiscal year 2013 or any year thereafter  
8 may be obligated or expended to procure an F-35B  
9 aircraft, including through advance procurement.

10 (2) **R&D.**—Notwithstanding any other provision  
11 of law, none of the funds authorized to be appro-  
12 priated by this Act or otherwise made available for  
13 fiscal year 2013 or any year thereafter may obli-  
14 gated or expended for research or development of F-  
15 35B aircraft.

16 (b) **F/A-18E/F.**—In accordance with section 128 of  
17 the National Defense Authorization Act for Fiscal Year  
18 2010 (Public Law 111-84; 123 Stat. 2217), as amended

1 by section 123, the Secretary may procure an additional  
2 number of F/A-18E or F/A-18F aircraft, or combination  
3 thereof, that is equal to the number of F-35B aircraft  
4 that the Secretary planned to procure as of the date on  
5 which the budget of the President was submitted to Con-  
6 gress under section 1105(a) of title 31, United States  
7 Code, for fiscal year 2013.

8 (c) CORRESPONDING FUNDING REDUCTION, IN-  
9 CREASES, AND DEFICIT REDUCTION.—

10 (1) REDUCTION.—

11 (A) PROCUREMENT.—Notwithstanding the  
12 amounts set forth in the funding tables in divi-  
13 sion D, the amounts authorized to be appro-  
14 priated in section 101 for aircraft procurement,  
15 Navy, as specified in the corresponding funding  
16 table in division D, is hereby reduced—

17 (i) by \$1,404,737,000, with the  
18 amount of the reduction to be derived from  
19 F-35B aircraft under Line 007 JSF  
20 STOVL as set forth in the table under sec-  
21 tion 4101; and

22 (ii) by \$106,199,000, with the amount  
23 of the reduction to be derived from F-35B  
24 aircraft under Line 008 Advance Procure-



1                   ment (CY) as set forth in the table under  
2                   section 4101.

3                   (B) R&D.—Notwithstanding the amounts  
4                   set forth in the funding tables in division D, the  
5                   amount authorized to be appropriated in section  
6                   201 for research, development, test, and evalua-  
7                   tion, Navy, as specified in the corresponding  
8                   funding table in division D, is hereby reduced  
9                   by \$737,149,000, with the amount of the reduc-  
10                  tion to be derived from under Line 133, Pro-  
11                  gram Element 0604800M, Joint Strike Fighter  
12                  (JSF) - EMD, as set forth in the table under  
13                  section 4101.

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 101  
17                 for aircraft procurement, Navy, as specified in the  
18                 corresponding funding table in division D, for Line  
19                 003 F/A-18E/F (Fighter) Hornet is hereby in-  
20                 creased by \$459,645,614.

21                 (3) BALANCE FOR DEFICIT REDUCTION.—Of  
22                 the amounts reduced pursuant to subparagraphs (A)  
23                 and (B) of paragraph (1), \$1,788,439,386 may not

- 1 be made available for any purpose other than deficit
- 2 reduction.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. QUIGLEY OF ILLINOIS  
(For Himself and Mr. Gutierrez of Illinois)**

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

**1 SEC. 132. ELIMINATION OF AVAILABILITY OF FUNDS FOR  
2 PROCUREMENT OF V-22 OSPREY AIRCRAFT.**

3 Notwithstanding the amounts set forth in the funding  
4 tables in division D, the amount authorized to be appro-  
5 priated in section 101 for aircraft procurement, Navy, as  
6 specified in the corresponding funding table in division D,  
7 is hereby reduced by \$1,303,120,000, with the amount of  
8 the reduction to be derived from Line 009 V-22 (Medium  
9 Lift) as set forth in the table under section 4101. The  
10 amount of such reduction shall not be available for any  
11 purpose other than deficit reduction.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310**

**OFFERED BY MR. MARKEY OF MASSACHUSETTS**

**(For Himself, Mr. Welch of Vermont, and Mr. Conyers of  
Michigan)**

In title II, strike section 211 and insert the following new section:

1 **SEC. 211. DELAY OF NEW LONG-RANGE PENETRATING**  
2 **BOMBER AIRCRAFT.**

3 (a) **PROHIBITION ON FUNDS.**—Notwithstanding any  
4 other provision of law, none of the funds authorized to  
5 be appropriated by this Act or otherwise made available  
6 for any of fiscal years 2013 through 2023 for the Depart-  
7 ment of Defense may be obligated or expended for the re-  
8 search, development, test, and evaluation or procurement  
9 of a long-range penetrating bomber aircraft.

10 (b) **REDUCTION OF FUNDS.**—Notwithstanding the  
11 amounts set forth in the funding tables in division D, the  
12 amount authorized to be appropriated in section 201 for  
13 research, development, test, and evaluation, Air Force, as  
14 specified in the corresponding funding table in division D,  
15 is hereby reduced by \$291,742,000, with the amount of  
16 the reduction to be derived from Line 042, Program Ele-



1 ment 0604015F, Long Range Strike, as set forth in the  
2 table under section 4201.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. POLIS OF COLORADO**

Page 63, line 15, strike “\$1,261,000,000” and insert “\$857,695,000”.

Page 64, after line 2, insert the following new subsection:

1       (c) REDUCTION.—Notwithstanding the amounts set  
2 forth in the funding tables in division D, the amount au-  
3 thorized to be appropriated in this section for the ground-  
4 based midcourse defense system, as specified in the cor-  
5 responding funding table in division D, is hereby reduced  
6 by \$403,305,000, with the amount of the reduction to be  
7 derived from Ballistic Missile Defense Midcourse Defense  
8 Segment, Line 080, East Coast site planning and develop-  
9 ment, and EIS work program, as set forth in the table  
10 under section 4201. The amount of such reduction shall  
11 not be available for any purpose other than deficit reduc-  
12 tion.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. HANNA OF NEW YORK**

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

**1 SEC. 245. REPORT ON AIR FORCE CYBER OPERATIONS.**

2 Not later than 180 days after the date of the enact-  
3 ment of this Act, the Secretary of Defense shall submit  
4 to the congressional defense committees a study of Air  
5 Force cyber operations research, science, and technology.

6 The report shall include following:

7 (1) The near-, mid- and far-term research and  
8 development priorities of the Secretary with respect  
9 to cyber operations, including the resources needed  
10 to execute such priorities.

11 (2) The percentage of research and development  
12 funding of the Air Force that is used to support  
13 cyber operations during each year covered by the fu-  
14 ture-years defense program submitted to Congress  
15 during 2012 under section 221 of title 10, United  
16 States Code.

17 (3) The anticipated role of each of the installa-  
18 tions of the Air Force Research Laboratory with re-

1       spect to cybersecurity research and development and  
2       operational support during each year covered by  
3       such future-years defense program.

4           (4) The resources, including both personnel and  
5       funding, that are projected to support the Air Force  
6       Research Laboratory in fulfilling such roles.

7           (5) Anticipated budget actions, if any, that the  
8       Secretary of Defense and the Secretary of the Air  
9       Force plan to take during fiscal year 2013 to ensure  
10      that the Department of Defense and the Air Force  
11      maintain the leadership role in cyber research.

12          (6) The plan of the Secretary of the Air Force  
13      to integrate cyber operations into military oper-  
14      ations.

15          (7) The ways in which the Secretary is recruit-  
16      ing and retaining scientists and engineers at the Air  
17      Force Research Laboratory involved with cyber oper-  
18      ations research, including the use of the authorities  
19      granted under the laboratory demonstration pro-  
20      gram established by Section 342 of the National De-  
21      fense Authorization Act for Fiscal Year 1995 and  
22      section 1114 of the National Defense Authorization  
23      Act for Fiscal Year 2001.

24          (8) Efforts to coordinate science and technology  
25      cyber activities of the Air Force Research Labora-



1 tory with other Air Force organizations, including  
2 the Air Force Institute of Technology and the Air  
3 Force Institute of Technology Center for Cyberspace  
4 Research.

5 (9) The potential benefit to the Air Force for  
6 collaboration with private industry and the develop-  
7 ment of cyber security technology clusters.



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

234R2

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. BISHOP OF UTAH**

**)Offered on behalf of Himself, Mr. Cole of Oklahoma, and Mr.  
Austin Scott of Georgia)**

Page 95, strike lines 15 through 18, and insert the  
following:

- 1 (4) in paragraph (2)(C), by striking the period
- 2 and inserting “; and”; and



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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. GALLEGLY OF CALIFORNIA**

In title III, at the end of subtitle B add the following:

1 **SEC. \_\_\_\_ . SOUTHERN SEA OTTER MILITARY READINESS**  
2 **AREAS.**

3 (a) ESTABLISHMENT OF THE SOUTHERN SEA OTTER  
4 MILITARY READINESS AREAS.—Chapter 136 of title 10,  
5 United States Code, is amended by adding at the end the  
6 following new section:

7 **“§ 2283. Establishment of the Southern Sea Otter**  
8 **Military Readiness Areas**

9 “(a) ESTABLISHMENT.—The Secretary of Defense  
10 shall establish areas, to be known as ‘Southern Sea Otter  
11 Military Readiness Areas’, for national defense purposes.  
12 Such areas shall include each of the following:

13 “(1) The area that includes Naval Base Ven-  
14 tura County, San Nicolas Island, and Begg Rock  
15 and the adjacent and surrounding waters within the  
16 following coordinates:

17 “N. Latitude/W. Longitude

18 “33°27.8’/119°34.3’

19 “33°20.5’/119°15.5’

1 "33°13.5'/119°11.8'

2 "33°06.5'/119°15.3'

3 "33°02.8'/119°26.8'

4 "33°08.8'/119°46.3'

5 "33°17.2'/119°56.9'

6 "33°30.9'/119°54.2'.

7 "(2) The area that includes Naval Base Coro-  
8 nado, San Clemente Island and the adjacent and  
9 surrounding waters running parallel to shore to 3  
10 nautical miles from the high tide line, as designated  
11 by part 165 of title 33, Code of Federal Regulations,  
12 on May 20, 2010, as the San Clemente Island 3NM  
13 Safety Zone.

14 "(3) The area that includes Marine Corps Base  
15 Camp Pendleton and the adjacent waters within the  
16 following coordinates:

17 "Latitude/W. Longitude

18 "33°26.6'/117°38.9'

19 "33°21.3'/117°45.8'

20 "32°56.2'/117°39.7'

21 "33°6.5'/117°28.5'

22 "33°10.2'/117°23.7'

23 "33°11.8'/117°23.2'

24 "33°26.6'/117°38.9'.



1       “(b) ACTIVITIES WITHIN THE SOUTHERN SEA  
2 OTTER MILITARY READINESS AREAS.—

3           “(1) INCIDENTAL TAKINGS UNDER ENDAN-  
4 GERED SPECIES ACT OF 1973.—Sections 4 and 9 of  
5 the Endangered Species Act of 1973 (16 U.S.C.  
6 1533, 1538) shall not apply with respect to the inci-  
7 dental taking of any southern sea otter in the South-  
8 ern Sea Otter Military Readiness Areas in the  
9 course of conducting a military readiness activity.

10          “(2) INCIDENTAL TAKINGS UNDER MARINE  
11 MAMMAL PROTECTION ACT OF 1972.—Sections 101  
12 and 102 of the Marine Mammal Protection Act of  
13 1972 (16 U.S.C. 1371, 1372) shall not apply with  
14 respect to the incidental taking of any southern sea  
15 otter in the Southern Sea Otter Military Readiness  
16 Areas in the course of conducting military readiness  
17 activities.

18          “(3) TREATMENT AS SPECIES PROPOSED TO BE  
19 LISTED.—For purposes of any military readiness ac-  
20 tivity, any southern sea otter while within the South-  
21 ern Sea Otter Military Readiness Areas shall be  
22 treated for the purposes of section 7 of the Endan-  
23 gered Species Act of 1973 (16 U.S.C. 1536) as a  
24 member of a species that is proposed to be listed as  
25 an endangered species or a threatened species under

1 section 4 of the Endangered Species Act of 1973 (16  
2 U.S.C. 1533).

3 “(e) REMOVAL.—Nothing in this section or any other  
4 Federal law shall be construed to require the removal of  
5 any southern sea otter located within the Southern Sea  
6 Otter Military Readiness Areas as of the date of the enact-  
7 ment of this section or thereafter.

8 “(d) REVISION OR TERMINATION OF EXCEPTIONS.—  
9 The Secretary of the Interior may revise or terminate the  
10 application of subsection (b) if the Secretary of the Inte-  
11 rior, in consultation with, and with the concurrence of, the  
12 Secretary of the Navy, determines that military activities  
13 occurring in the Southern Sea Otter Military Readiness  
14 Areas are substantially impeding southern sea otter con-  
15 servation or the return of southern sea otters to optimum  
16 sustainable population levels.

17 “(e) MONITORING.—

18 “(1) IN GENERAL.—The Secretary of the Navy,  
19 in consultation and in cooperation with the Sec-  
20 retary of the Interior, shall monitor the Southern  
21 Sea Otter Military Readiness Areas not less often  
22 than every year to evaluate the status of the south-  
23 ern sea otter population.

24 “(2) REPORTS.—Within 18 months after the ef-  
25 fective date of this section and every three years

1       thereafter, the Secretaries of the Navy and the Inte-  
2       rior shall jointly report to Congress and the public  
3       on monitoring undertaken pursuant to paragraph  
4       (1).

5       “(f) DEFINITIONS.—In this section:

6             “(1) The term ‘incidental taking’ means any  
7       take of a southern sea otter that is incidental to,  
8       and not the purpose of, the carrying out of an other-  
9       wise lawful activity.

10            “(2) The term ‘optimum sustainable population’  
11       means, with respect to any population stock, the  
12       number of animals that will result in the maximum  
13       productivity of the population or the species, keeping  
14       in mind the carrying capacity of the habitat and the  
15       health of the ecosystem of which they form a con-  
16       stituent element.

17            “(3) The term ‘southern sea otter’ means any  
18       member of the subspecies *Enhydra lutris nereis*.

19            “(4) The term ‘take’—

20               “(A) when used in reference to activities  
21       subject to regulation by the Endangered Species  
22       Act of 1973 (16 U.S.C. 1531–1544) shall have  
23       the meaning given such term in that Act; and

24               “(B) when used in reference to activities  
25       subject to regulation by the Marine Mammal

1           Protection Act of 1972 (16 U.S.C. 1361–  
2           1423h), shall have the meaning given such term  
3           in that Act.

4           “(5) The term ‘military readiness activity’ has  
5           the meaning given that term in section 315(f) of the  
6           Bob Stump National Defense Authorization Act for  
7           Fiscal Year 2003 (Public Law 107–314; 16 U.S.C.  
8           703 note), and includes all training and operations  
9           of the Armed Forces that relate to combat, and the  
10          adequate and realistic testing of military equipment,  
11          vehicles, weapons, and sensors for proper operation  
12          and suitability for combat use.”.

13          (b) CLERICAL AMENDMENT.—The table of sections  
14          at the beginning of such chapter is amended by adding  
15          at the end the following:

          “2283. Establishment of the Southern Sea Otter Military Readiness Areas.”.

16          (c) CONSERVATION AND MANAGEMENT ACTIONS.—  
17          Section 1 of Public Law 99–625 (16 U.S.C. 1536 note)  
18          is amended by adding at the end the following:

19          “(g) CONSERVATION AND MANAGEMENT ACTIONS.—  
20          If the Secretary issues a final rule ending the management  
21          plan authorized under subsection (b) through the termi-  
22          nation of the regulations implementing such plan—

23                 “(1) the Secretary, in planning and imple-  
24                 menting recovery and conservation measures under  
25                 the Act to allow for the expansion of the range of

1 the population of the sea otter, shall coordinate and  
2 cooperate with—

3 “(A) the Secretary of the Navy;

4 “(B) the Secretary of Commerce regarding  
5 recovery efforts for species listed under the Act;  
6 and

7 “(C) the State of California to assist the  
8 State in continuing viable commercial harvest of  
9 State fisheries; and

10 “(2) interaction with sea otters in the course of  
11 engaging in fishing in any State fishery south of  
12 Point Conception, California, under an authorization  
13 issued by the State of California shall not be treated  
14 as a violation of section 9 of the Act for incidental  
15 take or of the Marine Mammal Protection Act of  
16 1972.”,



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



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**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MS. HAYWORTH OF NEW YORK**

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

1 **SEC. 3\_\_ . SENSE OF CONGRESS REGARDING THE PER-**  
2 **FORMANCE OF COMMERCIALY-AVAILABLE**  
3 **ACTIVITIES BY DEPARTMENT OF DEFENSE**  
4 **CIVILIAN EMPLOYEES.**

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

7 (1) our Nation's economic strength is charac-  
8 terized by individual freedom and the competitive  
9 enterprise system, and as such, the Federal Govern-  
10 ment should not compete with its citizens and pri-  
11 vate enterprise;

12 (2) in recognition of this policy, the Govern-  
13 ment should rely on commercially available sources  
14 to provide commercial products and services and  
15 should not start or carry on any activity to provide  
16 a commercial product or service if the product or  
17 service can be procured more economically from a  
18 commercial source;

1           (3) this policy conforms with Department of  
2     Defense Total Force Management procedures aimed  
3     at improving total manpower requirements, deter-  
4     minations, and planning to facilitate decisions re-  
5     garding which sector (military, civilian, or contractor  
6     personnel) should perform each requirement; and

7           (4) the Department of Defense should not con-  
8     vert the performance of any function from perform-  
9     ance by a contractor to performance by Department  
10    of Defense civilian employees unless the function is  
11    inherently governmental in nature or the conversion  
12    is necessary to comply with section 129a of title 10,  
13    United States Code, as amended by this Act.

14    (b)   DEFINITION OF INHERENTLY GOVERN-  
15    MENTAL.—In this section, the term “inherently govern-  
16    mental” has the meaning given that term in section 5(2)  
17    of the Federal Activities Inventory Reform Act of 1998  
18    (Public Law 105–270; 112 Stat. 2384; 31 U.S.C. 501  
19    note).



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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. COFFMAN OF COLORADO**

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

1 **SEC. 3 \_\_ . GUIDELINES AND PROCEDURES FOR USE OF CI-**  
2 **VILIAN EMPLOYEES OR CONTRACTOR PER-**  
3 **SONNEL TO PERFORM DEPARTMENT OF DE-**  
4 **FENSE FUNCTIONS.**

5 (a) IMPLEMENTATION GUIDELINES AND PROCE-  
6 DURES REQUIRED.—Subsection (a) of section 2463 of  
7 title 10, United States Code, is amended—

8 (1) in paragraph (1), by striking the first sen-  
9 tence and inserting the following: “The Under Sec-  
10 retary of Defense for Personnel and Readiness shall  
11 devise and implement guidelines and procedures to  
12 implement this section.”; and

13 (2) in paragraph (2), by striking “to perform-  
14 ance by Department of Defense civilian employees”  
15 and inserting “to either performance by Department  
16 of Defense civilian employees or performance by con-  
17 tractor personnel”.

18 (b) CERTAIN FUNCTIONS.—Subsection (b) of such  
19 section is amended to read as follows:

1       “(b) SPECIAL CONSIDERATION FOR CERTAIN FUNC-  
2 TIONS.—The guidelines and procedures required under  
3 subsection (a) shall provide for special consideration to be  
4 given to using Department of Defense civilian employees  
5 to perform any function that is performed by a contractor  
6 if the function—

7           “(1) is closely associated with the performance  
8 of an inherently governmental function; or

9           “(2) has been performed pursuant to a contract  
10 awarded on a non-competitive basis.”.

11       (c) REPEAL OF EXCLUSION.—Such section is further  
12 amended—

13           (1) by striking subsection (c); and

14           (2) by redesignating subsection (d) through (g)  
15 as subsections (e) through (f), respectively.

16       (d) CROSS REFERENCE.—Paragraph (2) of sub-  
17 section (d), as so redesignated, is amended by striking “in-  
18 herently governmental or any function described in sub-  
19 paragraph (A), (B), or (C) of subsection (b)(1)” and in-  
20 serting “inherently governmental function”.

21       (e) DEFINITIONS.—Subsection (f) of such section, as  
22 so redesignated, is amended—

23           (1) by striking paragraph (2); and

1 (2) by redesignating paragraph (3) as para-  
2 graph (2).





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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. KEATING OF MASSACHUSETTS**

Page 132, line 7, strike “106,005” and insert  
“106,700”.

Page 133, line 22, strike “14,952” and insert  
“14,833”.

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

1 **SEC. 1078. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
2 **TRANSFER, REDUCTION, OR ELIMINATION OF**  
3 **CERTAIN AIR NATIONAL GUARD UNITS.**

4 (a) IN GENERAL.—None of the funds authorized to  
5 be appropriated by this Act or otherwise made available  
6 for fiscal year 2013 for the Air Force may be used during  
7 fiscal year 2013 to transfer, reduce, or eliminate, or pre-  
8 pare to transfer, reduce, or eliminate, any unit of the Air  
9 National Guard supporting an Air and Space Operations  
10 Center or an Air Force Forces Staff.

11 (b) WAIVER.—The Secretary of Defense may waive  
12 the limitation in subsection (a) if—

1           (1) the Secretary submits to the congressional  
2           defense committees written certification that such a  
3           waiver is necessary to meet an emergency national  
4           security requirement; and

5           (2) a period of 30 days has elapsed following  
6           the date on which such certification is submitted.

7           (c) REPORT.—

8           (1) IN GENERAL.—Not later than June 1,  
9           2013, the Secretary of Defense shall submit to the  
10          congressional defense committees a report by the  
11          Chief of the National Guard Bureau and the Chief  
12          of Staff of the Air Force and approved by the Sec-  
13          retary of Defense that specifies, with respect to all  
14          Air National Guard units supporting an Air and  
15          Space Operations Center or an Air Force Forces  
16          Staff that are proposed to be reduced or eliminated  
17          during fiscal years 2013 through 2017—

18                 (A) the economic analysis used to make  
19                 each decision with respect to such unit to be re-  
20                 duced or eliminated;

21                 (B) alternative options considered for each  
22                 such decision, including an analysis of such op-  
23                 tions;

24                 (C) a detailed account of the communica-  
25                 tions with the corresponding Air and Space Op-

1           erations Center or Air Force Forces Staff that  
2           went into each such decision;

3           (D) a detailed account of the communica-  
4           tions with the corresponding command that  
5           went into each such decision;

6           (E) the effect of each such decision on—

7           (i) the current personnel at the loca-  
8           tion; and

9           (ii) the missions and capabilities of  
10          the Air Force; and

11          (F) the plans for each location that is  
12          being realigned, including the analysis used for  
13          such plans.

14          (2) GAO ANALYSIS.—The Comptroller General  
15          of the United States shall carry out the following:

16           (A) An economic analysis of each decision  
17           made by the Secretary of Defense with respect  
18           to reducing or eliminating an Air national  
19           guard unit included in the report under para-  
20           graph (1).

21           (B) An analysis of the alternative options  
22           considered for each such decision, including an  
23           analysis of such options.

24           (C) An analysis of the communications  
25           with the corresponding Air and Space Oper-

1           ations Center or Air Force Forces Staff that  
2           went into each such decision.

3           (D) An analysis of the communications  
4           with the corresponding command that went into  
5           each such decision.

6           (E) An analysis of the effect of each such  
7           realignment decision on—

8                   (i) the current personnel at the loca-  
9                   tion; and

10                   (ii) the missions and capabilities of  
11                   the Army; and

12           (3) COOPERATION.—The Secretary of Defense  
13           shall provide the Comptroller General with relevant  
14           data and cooperation to carry out the analyses under  
15           paragraph (2).

16           (4) SUBMITTAL.—Not later than 90 days after  
17           the date on which the Secretary submits the report  
18           under paragraph (1), the Comptroller General shall  
19           submit to the congressional defense committees a re-  
20           port containing the analyses conducted under para-  
21           graph (2).

22           (d) FUNDING.—

23           (1) INCREASE.—Notwithstanding the amounts  
24           set forth in the funding tables in division D, the  
25           amounts authorized to be appropriated in section

1       301 and 421 for operation and maintenance and  
2       military personnel, as specified in the corresponding  
3       funding tables in section 4301 and 4401, respec-  
4       tively, are hereby increased by a total of  
5       \$36,513,000, to be distributed as follows:

6               (A) The amount authorized to be appro-  
7               priated in section 4301 for operation and main-  
8               tenance, Air National Guard, is hereby in-  
9               creased by \$10,686,000.

10              (B) The amount authorized to be appro-  
11              priated in section 4301 for operation and main-  
12              tenance, Air Force, is hereby increased by  
13              \$1,040,000.

14              (C) The amount authorized to be appro-  
15              priated in section 4401 for military personnel,  
16              Air National Guard, is hereby increased by  
17              \$21,993,000.

18              (D) The amount authorized to be appro-  
19              priated in section 4401 for military personnel  
20              (MERHC), Air National Guard, is hereby in-  
21              creased by \$2,794,000.

22              (2)     REDUCTION.—Notwithstanding     the  
23              amounts set forth in the funding tables in division  
24              D, the amount authorized to be appropriated in sec-  
25              tion 201 for Research, Development, Test, and Eval-



1       uation, as specified in the corresponding funding  
2       table in section 4201, is hereby reduced by  
3       \$36,513,000, to be derived from the Ballistic Missile  
4       Defense Midcourse Defense Segment.



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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. BROUN OF GEORGIA**

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

1 **SEC. 5\_\_ . ELIMINATION OF MAXIMUM AGE LIMITATION**  
2 **FOR ORIGINAL ENLISTMENTS IN THE ARMED**  
3 **FORCES FOR INDIVIDUALS WHO ARE OTHER-**  
4 **WISE QUALIFIED FOR ENLISTMENT.**

5 Section 505(a) of title 10, United States Code, is  
6 amended by striking “nor more than forty-two years of  
7 age”.



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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. CARSON OF INDIANA**

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

1 **SEC. 5 \_\_. PROHIBITION ON USE OF MENTAL HEALTH**  
2 **RECORDS, ADDICTION SERVICE RECORDS,**  
3 **COUNSELING RECORDS, OR OTHER DOCU-**  
4 **MENTS REGARDING SEEKING ASSISTANCE**  
5 **WITH MENTAL HEALTH ISSUES WHEN MAK-**  
6 **ING DETERMINATIONS ABOUT PROMOTIONS.**

7 (a) PROHIBITION.—Except as provided in subsection  
8 (b), when making determinations about promotions or sep-  
9 arations, a promotion board may not request, review, or  
10 consider—

11 (1) the mental health records, addiction service  
12 records, counseling records, or any other documents  
13 concerning the pursuit of assistance with mental  
14 health issues, ongoing or past, of a member of the  
15 Armed Forces; or

16 (2) information contained in any of these  
17 records or documents whether provided by word of  
18 mouth or in writing from commanding officers, non-  
19 commissioned officers, or any other individual.

1 (b) LIMITED EXCEPTION.—The Secretary of Defense  
2 shall establish a process by which a member of the Armed  
3 Forces can be excluded from the prohibition and the  
4 records and information described in subsection (a) con-  
5 sidered, if—

6 (1) the member is being considered for a dis-  
7 charge from the Armed Forces based on a severe or  
8 untreatable mental health disorder;

9 (2) a physician determines that the member  
10 could be a danger to himself or herself or other per-  
11 sons as a result of a mental health issue that is un-  
12 resolved or untreated before the board meets;

13 (3) a physician determines that the member will  
14 be unable to complete the duties and responsibilities  
15 associated with the advancement in rank being con-  
16 sidered by a promotion board as a result of a mental  
17 health issue that is unresolved or untreated before  
18 the board meets; or

19 (4) the member consents to consideration of the  
20 records or information, such as to explain negative  
21 actions considered by a promotion board connected  
22 with a mental health issue that has been treated.

23 (c) NOTIFICATION.—The Secretary of Defense shall  
24 ensure that notification of the prohibition imposed by sub-  
25 section (a), and the limited exception provided by sub-

1 section (b), is made available to members of the Armed  
2 Forces not later than 90 days after the date of the enact-  
3 ment of this Act.





21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
PINGREE OF MAINE OR HER DESIGNEE, DEBATABLE FOR 10  
MINUTES

47R

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY Ms. PINGREE OF MAINE**

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

1 **SEC. 584. SENSE OF CONGRESS ON MILITARY SEXUAL**  
2 **TRAUMA.**

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

4 (1) The Department of Defense conducted a  
5 survey of members of the Armed Forces serving on  
6 active duty that revealed that only 13.5 percent of  
7 such members reported incidents of sexual assault,  
8 which means that more than 19,000 incidents of  
9 sexual assault of members of the Armed Forces ac-  
10 tually occurred in 2010 alone.

11 (2) Despite attempts, the Department of De-  
12 fense has failed to address the chronic under report-  
13 ing of incidents of sexual assault and harassment, as  
14 by the Department's own estimates, 86 percent of  
15 sexual assaults went unreported in 2010.

16 (3) Sexual assault in the military is an ongoing  
17 problem leading many victims to seek help after sep-

1 aration from the Armed Forces from the Depart-  
2 ment of Veterans Affairs.

3 (4) About 1 in 5 women and 1 in 100 men seen  
4 in Veterans Health Administration respond “Yes”  
5 when screened for military sexual trauma.

6 (5) Among users of healthcare provided by the  
7 Department of Veterans Affairs, medical record data  
8 indicates that diagnoses of post-traumatic stress dis-  
9 order and other anxiety disorders, depression and  
10 other mood disorders, and substance use disorders  
11 are most frequently associated with military sexual  
12 trauma.

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

15 (1) the Secretary of Veterans Affairs should ex-  
16 pand efforts to raise awareness about military sexual  
17 trauma and the treatment and services that the De-  
18 partment provides to victims; and

19 (2) in light of the fact that the available data  
20 shows an overwhelming number of military sexual  
21 trauma claims go unreported within the Department  
22 of Defense, making it very difficult for veterans to  
23 show proof of the assault when filing claims with the  
24 Department of Veterans Affairs for post-traumatic  
25 stress disorder and other mental health conditions

1       caused by military sexual trauma, the Secretary of  
2       Veterans Affairs should review the disability process  
3       to ensure that victims of military sexual trauma who  
4       file claims for service connection do not face unne-  
5       cessary or overly burdensome requirements in order  
6       to claim disability benefits with the Department.



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

*[Handwritten signature]*

#206 Revised

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. STIVERS OF OHIO**

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

1 **SEC. 596. ESTABLISHMENT OF PLACE OF REMEMBRANCE**  
2 **AT ARLINGTON NATIONAL CEMETERY.**

3 (a) **ESTABLISHMENT AUTHORIZED.**—The Secretary  
4 of the Army may establish at an appropriate location in  
5 Arlington National Cemetery a Place of Remembrance for  
6 the interment of cremated fragments of the remains of  
7 members of the Armed Forces who died in the conflicts  
8 specified in subsection (c) when one of the conditions spec-  
9 ified in subsection (d) applies with respect to the remains.

10 (b) **REGULATIONS; DESIGN.**—The Secretary of the  
11 Army shall—

12 (1) prescribe such regulations as may be nec-  
13 essary to carry out this section; and

14 (2) determine how the Place of Remembrance  
15 shall be designed.

16 (c) **COVERED CONFLICTS.**—The Secretary of the  
17 Army shall suggest that the Place of Remembrance be for  
18 the cremated fragments of remains for all wars and con-



1 tingency operations prior to and after the date of the en-  
2 actment of this Act.

3 (d) REMAINS AUTHORIZED FOR INTERMENT.—Sub-  
4 section (a) applies to fragments of the remains of a de-  
5 ceased member of the Armed Forces described in such  
6 subsection (or fragments reasonable believed to be from  
7 the remains of a deceased member of the Armed Forces  
8 described in such subsection) that—

9 (1) are unidentifiable by use of DNA testing or  
10 other means because of the condition of the frag-  
11 ments;

12 (2) are unclaimed after a reasonable period of  
13 time;

14 (3) are identified and authorized for interment  
15 in the Place of Remembrance by the person des-  
16 ignated under section 1482(c) of title 10, United  
17 States Code, to direct disposition of the remains of  
18 the member; or

19 (4) are designated as “No Further Pursuit” re-  
20 mains in cases in which the family of a deceased  
21 member has indicated to the Secretary of Army that  
22 the family does not want to be consulted when frag-  
23 ments of the remains of the member are found.





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

114

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. BISHOP OF NEW YORK**

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

1 **SEC. 5 \_\_\_. 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.



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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. WITTMAN OF VIRGINIA**

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

1 **SEC. 5\_\_\_. ESTABLISHMENT OF CHAIN OF COMMAND FOR**  
2 **ARMY NATIONAL MILITARY CEMETERIES.**

3 (a) **MILITARY CHAIN OF COMMAND REQUIRED.**—The  
4 Secretary of the Army shall establish a chain of command  
5 for the Army National Military Cemeteries, to include a  
6 military commander of the Army National Military Ceme-  
7 teries to replace the current civilian director upon the ter-  
8 mination of the tenure of the director.

9 (b) **CONFORMING AMENDMENT.**—Section 4724(a)(1)  
10 of title 10, United States Code, is amended by striking  
11 “who shall meet” and inserting “who is a commissioned  
12 officer and meets”.



25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PETRI  
OF WISCONSIN OR HIS DESIGNEE, DEBATABLE FOR 10  
MINUTES

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. PETRI OF WISCONSIN**

**(Offered on behalf of Himself and Mr. Kind of Wisconsin)**

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

1 **SEC. 6\_\_ . PAYMENT OF BENEFIT FOR NONPARTICIPATION**  
2 **OF ELIGIBLE MEMBERS IN POST-DEPLOY-**  
3 **MENT/MOBILIZATION RESPITE ABSENCE**  
4 **PROGRAM DUE TO GOVERNMENT ERROR.**

5 (a) PAYMENT OF BENEFIT.—

6 (1) IN GENERAL.—Subject to subsection (e),  
7 the Secretary concerned shall, upon application  
8 therefor, make a payment to each individual de-  
9 scribed in paragraph (2) of \$200 for each day of  
10 nonparticipation of such individual in the Post-De-  
11 ployment/Mobilization Respite Absence program as  
12 described in that paragraph.

13 (2) COVERED INDIVIDUALS.—An individual de-  
14 scribed in this paragraph is an individual who—

15 (A) was eligible for participation as a  
16 member of the Armed Forces in the Post-De-  
17 ployment/Mobilization Respite Absence pro-  
18 gram; but

1 (B) as determined by the Secretary con-  
2 cerned pursuant to an application for the cor-  
3 rection of the military records of such indi-  
4 vidual pursuant to section 1552 of title 10,  
5 United States Code, did not participate in one  
6 or more days in the program for which the indi-  
7 vidual was so eligible due to Government error.

8 (b) DECEASED INDIVIDUALS.—

9 (1) APPLICATIONS.—If an individual otherwise  
10 covered by subsection (a) is deceased, the application  
11 required by that subsection shall be made by the in-  
12 dividual's legal representative.

13 (2) PAYMENT.—If an individual to whom pay-  
14 ment would be made under subsection (a) is de-  
15 ceased at time of payment, payment shall be made  
16 in the manner specified in section 1552(c)(2) of title  
17 10, United States Code.

18 (c) PAYMENT IN LIEU OF ADMINISTRATIVE AB-  
19 SENCE.—Payment under subsection (a) with respect to a  
20 day described in that subsection shall be in lieu of any  
21 entitlement of the individual concerned to a day of admin-  
22 istrative absence for such day.

23 (d) CONSTRUCTION.—

24 (1) CONSTRUCTION WITH OTHER PAY.—Any  
25 payment with respect to an individual under sub-

1 section (a) is in addition to any other pay provided  
2 by law.

3 (2) CONSTRUCTION OF AUTHORITY.—It is the  
4 sense of Congress that—

5 (A) the sole purpose of the authority in  
6 this section is to remedy administrative errors;  
7 and

8 (B) the authority in this section is not in-  
9 tended to establish any entitlement in connec-  
10 tion with the Post-Deployment/Mobilization  
11 Respite Absence program.

12 (e) PAYMENTS SUBJECT TO AVAILABILITY OF AP-  
13 PROPRIATIONS.—No cash payment may be made under  
14 subsection (a) unless the funds to be used to make the  
15 payments are available pursuant to an appropriations Act  
16 enacted after the date of enactment of this Act.

17 (f) FUNDING OFFSET.—The Secretary of Defense  
18 shall transfer \$2,000,000 from the unobligated balances  
19 of the Pentagon Reservation Maintenance Revolving Fund  
20 established under section 2674(e) of title 10, United  
21 States Code, to the Miscellaneous Receipts Fund of the  
22 United States Treasury.

23 (g) DEFINITIONS.—In this section, the terms “Post-  
24 Deployment/Mobilization Respite Absence program” and  
25 “Secretary concerned” have the meaning given such terms



1 in section 604(f) of the National Defense Authorization  
2 Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.  
3 2350).



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. CUMMINGS OF MARYLAND**

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

1 **SEC. 664. MORTGAGE PROTECTION FOR MEMBERS OF THE**  
2 **ARMED FORCES, SURVIVING SPOUSES, AND**  
3 **CERTAIN VETERANS.**

4 (a) MORTGAGE PROTECTION.—

5 (1) IN GENERAL.—Section 303 of the  
6 Servicemembers Civil Relief Act (50 U.S.C. App.  
7 533) is amended to read as follows:

8 **“SEC. 303. MORTGAGES AND TRUST DEEDS.**

9 **“(a) MORTGAGE AS SECURITY.—**This section applies  
10 only to an obligation on real or personal property that is  
11 secured by a mortgage, trust deed, or other security in  
12 the nature of a mortgage and is owned by a covered indi-  
13 vidual as follows:

14 **“(1)** With respect to an obligation on real or  
15 personal property owned by a servicemember, such  
16 obligation that originated before the period of the  
17 servicemember’s military service and for which the  
18 servicemember is still obligated.

1           “(2) With respect to an obligation on real prop-  
2           erty owned by a servicemember serving in support of  
3           a contingency operation (as defined in section  
4           101(a)(13) of title 10, United States Code), such ob-  
5           ligation that originated at any time and for which  
6           the servicemember is still obligated.

7           “(3) With respect to an obligation on real prop-  
8           erty owned by a veteran described in subsection  
9           (f)(1)(B), such obligation that originated at any  
10          time and for which the veteran is still obligated.

11          “(4) With respect to an obligation on real prop-  
12          erty owned by a surviving spouse described in sub-  
13          section (f)(1)(C), such obligation that originated at  
14          any time and for which the spouse is still obligated.

15          “(b) STAY OF PROCEEDINGS AND ADJUSTMENT OF  
16 OBLIGATION.—(1) In an action filed during a covered  
17 time period to enforce an obligation described in sub-  
18 section (a), the court may after a hearing and on its own  
19 motion and shall upon application by a covered individual  
20 when the individual’s ability to comply with the obligation  
21 is materially affected by military service—

22           “(A) stay the proceedings for a period of time  
23           as justice and equity require, or

24           “(B) adjust the obligation to preserve the inter-  
25           ests of all parties.

1       “(2) For purposes of applying paragraph (1) to a cov-  
2 ered individual who is a surviving spouse of a  
3 servicemember described in subsection (f)(1)(C), the term  
4 ‘military service’ means the service of such servicemember.

5       “(c) SALE OR FORECLOSURE.— A sale, foreclosure,  
6 or seizure of property for a breach of an obligation de-  
7 scribed in subsection (a) shall not be valid during a cov-  
8 ered time period except—

9           “(1) upon a court order granted before such  
10 sale, foreclosure, or seizure with a return made and  
11 approved by the court; or

12           “(2) if made pursuant to an agreement as pro-  
13 vided in section 107.

14       “(d) MISDEMEANOR.—A person who knowingly  
15 makes or causes to be made a sale, foreclosure, or seizure  
16 of property that is prohibited by subsection (c), or who  
17 knowingly attempts to do so, shall be fined as provided  
18 in title 18, United States Code, or imprisoned for not more  
19 than one year, or both.

20       “(e) PROOF OF SERVICE.—(1) A veteran described  
21 in subsection (f)(1)(B) shall provide documentation de-  
22 scribed in paragraph (2) to relevant persons to prove the  
23 eligibility of the veteran to be covered under this section.

24       “(2) Documentation described in this paragraph is a  
25 rating decision or a letter from the Department of Vet-

1 erans Affairs that confirms that the veteran is totally dis-  
2 abled because of one or more service-connected injuries or  
3 service-connected disability conditions.

4 “(f) DEFINITIONS.—In this section:

5 “(1) The term ‘covered individual’ means the  
6 following individuals:

7 “(A) A servicemember.

8 “(B) A veteran who was retired under  
9 chapter 61 of title 10, United States Code, and  
10 whom the Secretary of Veterans Affairs, at the  
11 time of such retirement, determines is a totally  
12 disabled veteran.

13 “(C) A surviving spouse of a  
14 servicemember who—

15 “(i) died while serving in support of a  
16 contingency operation if such spouse is the  
17 successor in interest to property covered  
18 under subsection (a); or

19 “(ii) died while in military service and  
20 whose death is service-connected if such  
21 spouse is the successor in interest to prop-  
22 erty covered under subsection (a).

23 “(2) The term ‘covered time period’ means the  
24 following time periods:

1           “(A) With respect to a servicemember,  
2           during the period beginning on the date on  
3           which such servicemember begins military serv-  
4           ice and ending on the date that is 12 months  
5           after the date on which such servicemember is  
6           discharged from such service.

7           “(B) With respect to a servicemember  
8           serving in support of a contingency operation,  
9           during the period beginning on the date of the  
10          military orders for such service and ending on  
11          the date that is 12 months after the date on  
12          which such servicemember redeploys from such  
13          contingency operation.

14          “(C) With respect to a veteran described in  
15          subsection (f)(1)(B), during the 12-month pe-  
16          riod beginning on the date of the retirement of  
17          such veteran described in such subsection.

18          “(D) With respect to a surviving spouse of  
19          a servicemember described in subsection  
20          (f)(1)(C), during the 12-month period begin-  
21          ning on the date of the death of the  
22          servicemember.”.

23          (2) CONFORMING AMENDMENT.—Section 107  
24          of the Servicemembers Civil Relief Act (50 U.S.C.



1 App. 517) is amended by adding at the end the fol-  
2 lowing:

3 “(e) OTHER INDIVIDUALS.—For purposes of this sec-  
4 tion, the term ‘servicemember’ includes any covered indi-  
5 vidual under section 303(f)(1).”.

6 (3) REPEAL OF SUNSET.—Subsection (c) of  
7 section 2203 of the Housing and Economic Recovery  
8 Act of 2008 (Public Law 110–289; 50 U.S.C. App.  
9 533 note) is amended to read as follows:

10 “(c) EFFECTIVE DATE.—The amendments made by  
11 subsection (a) shall take effect on the date of the enact-  
12 ment of this Act.”.

13 (b) INCREASED CIVIL PENALTIES FOR MORTGAGE  
14 VIOLATIONS.—Paragraph (3) of section 801(b) of the  
15 Servicemembers Civil Relief Act (50 U.S.C. App.  
16 597(b)(3)) is amended to read as follows:

17 “(3) to vindicate the public interest, assess a  
18 civil penalty—

19 “(A) with respect to a violation of section  
20 303 regarding real property—

21 “(i) in an amount not exceeding  
22 \$110,000 for a first violation; and

23 “(ii) in an amount not exceeding  
24 \$220,000 for any subsequent violation; and

1           “(B) with respect to any other violation of  
2           this Act—

3                   “(i) in an amount not exceeding  
4                   \$55,000 for a first violation; and

5                   “(ii) in an amount not exceeding  
6                   \$110,000 for any subsequent violation.”.

7           (c) CREDIT DISCRIMINATION.—Section 108 of such  
8 Act (50 U.S.C. App. 518) is amended—

9                   (1) by striking “Application by” and inserting  
10                  “(a) Application by”; and

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

13                  “(b) In addition to the protections under subsection  
14 (a), an individual who is eligible, or who may likely become  
15 eligible, for any provision of this Act may not be denied  
16 or refused credit or be subject to any other action de-  
17 scribed under paragraphs (1) through (6) of subsection  
18 (a) solely by reason of such eligibility.”.

19           (d) REQUIREMENTS FOR LENDING INSTITUTIONS  
20 THAT ARE CREDITORS FOR OBLIGATIONS AND LIABIL-  
21 ITIES COVERED BY THE SERVICEMEMBERS CIVIL RELIEF  
22 ACT.—Section 207 of the Servicemembers Civil Relief Act  
23 (50 U.S.C. App. 527) is amended—

24                   (1) by redesignating subsections (d) and (e) as  
25                  subsections (e) and (f), respectively; and

1           (2) by inserting after subsection (c) the fol-  
2           lowing new subsection (d):

3           “(d) LENDING INSTITUTION REQUIREMENTS.—

4           “(1) COMPLIANCE OFFICERS.—Each lending in-  
5           stitution subject to the requirements of this section  
6           shall designate an employee of the institution as a  
7           compliance officer who is responsible for ensuring  
8           the institution’s compliance with this section and for  
9           distributing information to servicemembers whose  
10          obligations and liabilities are covered by this section.

11          “(2) TOLL-FREE TELEPHONE NUMBER.—Dur-  
12          ing any fiscal year, a lending institution subject to  
13          the requirements of this section that had annual as-  
14          sets for the preceding fiscal year of \$10,000,000,000  
15          or more shall maintain a toll-free telephone number  
16          and shall make such telephone number available on  
17          the primary Internet Web site of the institution.”.



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

Israel - King

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[Rules #179 Revised]

179R

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. ISRAEL OF NEW YORK  
(For Himself and Mr. King of New York)**

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

1 **SEC. 725. PILOT PROGRAM ON ENHANCEMENTS OF DE-**  
2 **PARTMENT OF DEFENSE EFFORTS ON MEN-**  
3 **TAL HEALTH IN THE NATIONAL GUARD AND**  
4 **RESERVES THROUGH COMMUNITY PARTNER-**  
5 **SHIPS.**

6 (a) PROGRAM AUTHORITY.—The Secretary of De-  
7 fense may carry out a pilot program to enhance the efforts  
8 of the Department of Defense in research, treatment, edu-  
9 cation, and outreach on mental health and substance use  
10 disorders and traumatic brain injury in members of the  
11 National Guard and Reserves, their family members, and  
12 their caregivers through community partners.

13 (b) COMMUNITY PARTNERS.—The Secretary of De-  
14 fense may award grants to community partners described  
15 in subsection (c) using a competitive and merit-based  
16 award process whereby the awardee agrees to make con-  
17 tributions toward the costs of activities carried out with

1 the grant, from non-Federal sources, an amount equal to  
2 not less than \$3 for each \$1 of funds provided under the  
3 grant.

4 (c) COMMUNITY PARTNER DESCRIBED.—A commu-  
5 nity partner described in this subsection is a private non-  
6 profit organization or institution that engages in one or  
7 more of the following:

8 (1) Research on the causes, development, and  
9 innovative treatment of mental health and substance  
10 use disorders and traumatic brain injury in members  
11 of the National Guard and Reserves, their family  
12 members, and their caregivers.

13 (2) Providing treatment to such members and  
14 their families for such mental health and substance  
15 use disorders and traumatic brain injury.

16 (3) Identifying and disseminating evidence-  
17 based treatments of mental health and substance use  
18 disorders and traumatic brain injury described in  
19 paragraph (1).

20 (4) Outreach and education to such members,  
21 their families and caregivers, and the public about  
22 mental health and substance use disorders and trau-  
23 matic brain injury described in paragraph (1).

24 (d) DURATION.—The duration of the pilot program  
25 may not exceed three years.



1 (e) REPORT.—Not later than 180 days before the  
2 completion of the pilot program, the Secretary of Defense  
3 shall submit to the Secretary of Veterans Affairs and Con-  
4 gress a report on the results of the pilot program, includ-  
5 ing the amount of grants so awarded and activities carried  
6 out, the number of members of the National Guard and  
7 Reserves provided treatment or services by community  
8 partners, and a description and assessment of the effec-  
9 tiveness and achievements of the pilot program with re-  
10 spect to research, treatment, education, and outreach on  
11 mental health and substance use disorders and traumatic  
12 brain injury.





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

Bill Posey  
REVISED #22

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. POSEY OF FLORIDA**

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

1 **SEC. 916. COMMERCIAL SPACE LAUNCH COOPERATION.**

2 (a) IN GENERAL.—Chapter 135 of title 10, United  
3 States Code, is amended by adding at the end the following new section:

4 **“§ 2276. Commercial space launch cooperation**

5 **“(a) AUTHORITY.—**The Secretary of Defense may  
6 take such actions as the Secretary considers to be in the  
7 best interest of the Federal Government to—

8 **“(1) maximize the use of the capacity of the**  
9 **space transportation infrastructure of the Department of Defense by the private sector in the United**  
10 **States;**

11 **“(2) maximize the effectiveness and efficiency**  
12 **of the space transportation infrastructure of the Department of Defense;**

13 **“(3) reduce the cost of services provided by the**  
14 **Department of Defense related to space transpor-**  
15  
16  
17

1       tation infrastructure at launch support facilities and  
2       space recovery support facilities;

3               “(4) encourage commercial space activities by  
4       enabling investment by covered entities in the space  
5       transportation infrastructure of the Department of  
6       Defense; and

7               “(5) foster cooperation between the Department  
8       of Defense and covered entities.

9       “(b) AUTHORITY FOR CONTRACTS AND OTHER  
10       AGREEMENTS RELATING TO SPACE TRANSPORTATION IN-  
11       FRASTRUCTURE.—The Secretary of Defense—

12               “(1) may enter into an agreement with a cov-  
13       ered entity to provide the covered entity with sup-  
14       port and services related to the space transportation  
15       infrastructure of the Department of Defense; and

16               “(2) upon the request of such covered entity,  
17       may include such support and services in the space  
18       launch and reentry range support requirements of  
19       the Department of Defense if—

20               “(A) the Secretary determines that the in-  
21       clusion of such support and services in such re-  
22       quirements—

23               “(i) is in the best interest of the Fed-  
24       eral Government;

1                   “(ii) does not interfere with the re-  
2                   quirements of the Department of Defense;  
3                   and

4                   “(iii) does not compete with the com-  
5                   mercial space activities of other covered en-  
6                   tities, unless that competition is in the na-  
7                   tional security interests of the United  
8                   States; and

9                   “(B) any commercial requirement included  
10                  in the agreement has full non-Federal funding  
11                  before the execution of the agreement.

12                  “(c) CONTRIBUTIONS.—

13                  “(1) IN GENERAL.—The Secretary of Defense  
14                  may enter into an agreement with a covered entity  
15                  on a cooperative and voluntary basis to accept con-  
16                  tributions of funds, services, and equipment to carry  
17                  out this section.

18                  “(2) USE OF CONTRIBUTIONS.—Any funds,  
19                  services, or equipment accepted by the Secretary  
20                  under this subsection—

21                  “(A) may be used only for the objectives  
22                  specified in this section in accordance with  
23                  terms of use set forth in the agreement entered  
24                  into under this subsection; and

1           “(B) shall be managed by the Secretary in  
2           accordance with regulations of the Department  
3           of Defense.

4           “(3) REQUIREMENTS WITH RESPECT TO  
5           AGREEMENTS.—An agreement entered into with a  
6           covered entity under this subsection—

7                   “(A) shall address the terms of use, owner-  
8                   ship, and disposition of the funds, services, or  
9                   equipment contributed pursuant to the agree-  
10                  ment; and

11                  “(B) shall include a provision that the cov-  
12                  ered entity will not recover the costs of its con-  
13                  tribution through any other agreement with the  
14                  United States.

15           “(d) DEFENSE COOPERATION SPACE LAUNCH AC-  
16           COUNT.—

17                   “(1) ESTABLISHMENT.—There is established in  
18                   the Treasury of the United States a special account  
19                   to be known as the ‘Defense Cooperation Space  
20                   Launch Account’.

21                   “(2) CREDITING OF FUNDS.—Funds received  
22                   by the Secretary of Defense under subsection (c)  
23                   shall be credited to the Defense Cooperation Space  
24                   Launch Account.

1           “(3) USE OF FUNDS.—Funds deposited in the  
2     Defense Cooperation Space Launch Account under  
3     paragraph (2) are authorized to be appropriated and  
4     shall be available for obligation only to the extent  
5     provided in advance in an appropriation Act for  
6     costs incurred by the Department of Defense in car-  
7     rying out subsection (b). Funds in the Account shall  
8     remain available until expended.

9           “(e) ANNUAL REPORT.—Not later than January 31  
10  of each year, the Secretary of Defense shall submit to the  
11  congressional defense committees a report on the funds,  
12  services, and equipment accepted and used by the Sec-  
13  retary under this section during the preceding fiscal year.

14          “(f) REGULATIONS.—The Secretary of Defense shall  
15  prescribe regulations to carry out this section.

16          “(g) DEFINITIONS.—In this section:

17               “(1) COVERED ENTITY.—The term ‘covered en-  
18  tity’ means a non-Federal entity that—

19                       “(A) is organized under the laws of the  
20                       United States or of any jurisdiction within the  
21                       United States; and

22                       “(B) is engaged in commercial space ac-  
23                       tivities.

1           “(2) LAUNCH SUPPORT FACILITIES.—The term  
2           ‘launch support facilities’ has the meaning given the  
3           term in section 50501(7) of title 51.

4           “(3) SPACE RECOVERY SUPPORT FACILITIES.—  
5           The term ‘space recovery support facilities’ has the  
6           meaning given the term in section 50501(11) of title  
7           51.

8           “(4) SPACE TRANSPORTATION INFRASTRUC-  
9           TURE.—The term ‘space transportation infrastruc-  
10          ture’ has the meaning given that term in section  
11          50501(12) of title 51.”.

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

“2276. Commercial space launch cooperation.”.





29. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
SABLAN OF NORTHERN MARIANA ISLANDS OR HIS DESIGNEE,  
DEBATABLE FOR 10 MINUTES

120

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. SABLAN OF NORTHERN  
MARIANA ISLANDS**

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

1 **SEC. 1023. OVERHAUL, REPAIR, AND MAINTENANCE OF VES-**  
2 **SELS IN THE COMMONWEALTH OF THE**  
3 **NORTHERN MARIANA ISLANDS.**

4 Subsection (a) of section 7310 of title 10, United  
5 States Code, is amended—

6 (1) by striking “the United States or Guam”  
7 each place it appears and inserting “the United  
8 States, Guam, or the Commonwealth of the North-  
9 ern Mariana Islands”; and

10 (2) in the heading for such subsection, by strik-  
11 ing “UNITED STATES OR GUAM” and inserting  
12 “UNITED STATES, GUAM, OR COMMONWEALTH OF  
13 THE NORTHERN MARIANA ISLANDS”.



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

212L

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. JOHNSON OF GEORGIA**

In title X, strike section 1064 and insert the following:

1 **SEC. 1064. FINDINGS ON DEPLOYMENT OF TACTICAL NU-**  
2 **CLEAR FORCES IN THE WESTERN PACIFIC**  
3 **REGION.**

4 Congress finds the following:

5 (1) The United States and allied forces are cur-  
6 rently capable of responding to aggression by the  
7 Democratic People's Republic of Korea ("North  
8 Korea").

9 (2) The deployment of tactical nuclear weapons  
10 to the Republic of Korea ("South Korea") would de-  
11 stabilize the areas of responsibility of the United  
12 States Pacific Command and United States Forces  
13 Korea.

14 (3) Such deployment would not be in the na-  
15 tional security interests of the United States.



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

2102

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. JOHNSON OF GEORGIA**

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

1 **SEC. 1065A. REPORT ON PLANNED REDUCTIONS OF NU-**  
2 **CLEAR WEAPONS OF THE UNITED STATES.**

3 Not later than January 15, 2013, the Secretary of  
4 Defense and the Chairman of the Joint Chiefs of Staff  
5 shall jointly submit to the congressional defense commit-  
6 tees a report on whether—

7 (1) the planned reductions to the number of nu-  
8 clear weapons of the United States pursuant to the  
9 levels set forth under the New START Treaty are  
10 in the national security interests of the United  
11 States; and

12 (2) such reductions should continue.



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



**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. PRICE OF GEORGIA**

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

1 **SEC. 1066. PROHIBITION ON UNILATERAL REDUCTION OF**  
2 **NUCLEAR WEAPONS OF THE UNITED STATES.**

3 (a) IN GENERAL.—Chapter 24 of title 10, United  
4 States Code, as added by section 1051, is amended by  
5 adding at the end the following:

6 **“§ 498. Prohibition on unilateral reduction of nuclear**  
7 **weapons**

8 “The President may not retire, dismantle, or elimi-  
9 nate, or prepare to retire, dismantle, or eliminate, any nu-  
10 clear weapon of the United States (including such de-  
11 ployed weapons and nondeployed weapons and warheads  
12 in the nuclear weapons stockpile) if such action would re-  
13 duce the number of such weapons to a number that is  
14 less than the level described in the New START Treaty  
15 (as defined in section 130f(c) of this title) unless such ac-  
16 tion is—

17 “(1) required by a treaty or international agree-  
18 ment specifically approved with the advice and con-

1 sent of the Senate pursuant to Article II, section 2,  
2 clause 2 of the Constitution; or

3 “(2) specifically authorized by an Act of Con-  
4 gress.”.

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

“498. Prohibition on unilateral reduction of nuclear weapons.”.



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

#51 Revised

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[Rules #051 Revised]

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. FLAKE OF ARIZONA**

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

1 **SEC. 1069. REPORT ON COMMUNICATIONS FROM CON-**  
2 **GRESS ON STATUS OF MILITARY CONSTRUC-**  
3 **TION PROJECTS .**

4 (a) **REPORT REQUIRED.**—The Secretary of Defense  
5 shall submit to Congress a report describing any letters  
6 from Congress (including a committee of the Senate or  
7 the House of Representatives, a member of Congress, an  
8 officer of Congress, or a congressional staff member) re-  
9 ceived by the Department of Defense that refers to or re-  
10 quests information on the status of a military construction  
11 project on the future-years defense program.

12 (b) **DEADLINE.**—The report required by subsection  
13 (a) shall be submitted not later than one year after the  
14 date of the enactment of this Act.



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



23

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. THOMPSON OF CALIFORNIA**

In title X, at the end of subtitle F, add the following:

1 **SEC. \_\_\_\_ . NAVY REPORT ON INCORPORATION OF NEWLY**  
2 **AVAILABLE SCIENCE FROM THE NATIONAL**  
3 **OCEANIC AND ATMOSPHERIC ADMINISTRA-**  
4 **TION INTO IMPROVEMENT OF MITIGATION**  
5 **FOR PROTECTED SPECIES.**

6 (a) **REPORT.**—Within 120 days after the date of en-  
7 actment of this Act, the Secretary of the Navy shall report  
8 to Congress on how the Department of the Navy will uti-  
9 lize the product of the National Oceanic and Atmospheric  
10 Administration Cetacean Density and Distribution Map-  
11 ping Working Group in developing new siting and wildlife  
12 mitigation protocols for Navy training and testing activi-  
13 ties.

14 (b) **CONTENTS.**—The report shall include informa-  
15 tion on—

16 (1) species that the Department of the Navy  
17 will prioritize for improvement of mitigation;

18 (2) the methods and procedures that the Navy  
19 will use in determining areas to be avoided, includ-

- 1 ing the methods it will use to determine military
- 2 readiness needs specific to such areas; and
- 3 (3) the range of additional mitigation measures
- 4 that will be considered for such areas.





35. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROWN OF FLORIDA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

408

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MS. BROWN OF FLORIDA**

At the end of subtitle G of title X of division A, add  
the following:

1 **SEC. 10\_\_ . AUTHORITY FOR CORPS OF ENGINEERS TO**  
2 **CONSTRUCT PROJECTS CRITICAL TO NAVI-**  
3 **GATION SAFETY.**

4 The Secretary of the Army, acting through the Chief  
5 of Engineers, may accept non-Federal funds and use such  
6 funds to construct a navigation project that has not been  
7 specifically authorized by law if—

8 (1) the Secretary has received a completed  
9 Chief of Engineers' report for the project;

10 (2) the project is fully funded by non-Federal  
11 sources using non-Federal funds; and

12 (3) the Secretary finds that the improvements  
13 to be made by the project are critical to navigation  
14 safety.



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

# 58 Revised

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[Rules #58 Revised]

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. GRIMM OF NEW YORK**

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

1 **SEC. 1084. INCREASE IN AUTHORIZED NUMBER OF WEAP-**  
2 **ONS OF MASS DESTRUCTION CIVIL SUPPORT**  
3 **TEAMS.**

4 (a) IN GENERAL.—Section 1403(a) of the Bob  
5 Stump National Defense Authorization Act for Fiscal  
6 Year 2003 (Public Law 107–314; 116 Stat. 2676; 10  
7 U.S.C. 12310 note) is amended—

8 (1) in paragraph (1), by striking “23” and in-  
9 serting “a minimum of 25”; and

10 (2) by striking “55 teams” each place it ap-  
11 pears and inserting “57 teams”.

12 (b) FUNDING.—

13 (1) INCREASE.—Notwithstanding the amounts  
14 set forth in the funding tables in division D, the  
15 amount authorized to be appropriated in section 301  
16 for operation and maintenance, Army, as specified in  
17 the corresponding funding table in section 4301, for

1 Line 070, Force Readiness Operations Support is  
2 hereby increased by \$5,000,000.

3 (2) OFFSET.—Notwithstanding the amounts set  
4 forth in the funding tables in division D, the amount  
5 authorized to be appropriated in section 201 for re-  
6 search, development, test, and evaluation, Defense-  
7 wide, as specified in the corresponding funding table  
8 in division D, is hereby reduced by \$5,000,000, to  
9 be derived from Line 036, Program Element  
10 0603384BP, Chemical and Biological Defense Pro-  
11 gram.



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





**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. BACA OF CALIFORNIA**

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

1 **SEC. 1084. RIALTO-COLTON BASIN, CALIFORNIA, WATER RE-**  
2 **SOURCES STUDY.**

3 (a) IN GENERAL.—Not later than 2 years after funds  
4 are made available to carry out this Act, the Secretary  
5 of the Interior, acting through the Director of the United  
6 States Geological Survey, shall complete a study of water  
7 resources in the Rialto-Colton Basin in the State of Cali-  
8 fornia (in this section referred to as the “Basin”), includ-  
9 ing—

10 (1) a survey of ground water resources in the  
11 Basin, including an analysis of—

12 (A) the delineation, either horizontally or  
13 vertically, of the aquifers in the Basin, includ-  
14 ing the quantity of water in the aquifers;

15 (B) the availability of ground water re-  
16 sources for human use;

17 (C) the salinity of ground water resources;



1 (D) the identification of a recent surge in  
2 perchlorate concentrations in ground water,  
3 whether significant sources are being flushed  
4 through the vadose zone, or if perchlorate is  
5 being remobilized;

6 (E) the identification of impacts and  
7 extents of all source areas that contribute to  
8 the regional plume to be fully characterized;

9 (F) the potential of the ground water re-  
10 sources to recharge;

11 (G) the interaction between ground water  
12 and surface water;

13 (H) the susceptibility of the aquifers to  
14 contamination, including identifying the extent  
15 of commingling of plume emanating within sur-  
16 rounding areas in San Bernardino County,  
17 California; and

18 (I) any other relevant criteria; and

19 (2) a characterization of surface and bedrock  
20 geology of the Basin, including the effect of the geol-  
21 ogy on ground water yield and quality.

22 (b) COORDINATION.—The Secretary shall carry out  
23 the study in coordination with the State of California and  
24 any other entities that the Secretary determines to be ap-

1 appropriate, including other Federal agencies and institu-  
2 tions of higher education.

3 (c) REPORT.—Upon completion of the study, the Sec-  
4 retary shall submit to the Committee on Energy and Nat-  
5 ural Resources of the Senate and the Committee on Nat-  
6 ural Resources of the House of Representatives a report  
7 that describes the results of the study.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
112-22  
TEXT OF H.R. 4310, THE NATIONAL DEFENSE  
AUTHORIZATION ACT OF FISCAL YEAR 2013  
OFFERED BY MR. RIGELL OF VIRGINIA**

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

1 **SEC. \_\_\_\_ . CONDITIONAL REPLACEMENT FOR FY 2013 SE-**  
2 **QUESTER.**

3 (a) **CONTINGENT EFFECTIVE DATE.**—This section  
4 and the amendments made by it shall take effect upon  
5 the enactment of—

6 (1) the Act contemplated in section 201 of H.  
7 Con. Res. 112 (112th Congress) that achieves at  
8 least the deficit reduction called for in such section  
9 for such periods; or

10 (2) similar legislation that at least offsets the  
11 outlay reductions flowing from the budget authority  
12 reductions mandated by section 251A(7)(A) and  
13 251A(8) as it applies to direct spending in the de-  
14 fense function for fiscal year 2013 of the Balanced  
15 Budget and Emergency Deficit Control Act of 1985,  
16 as in force immediately before the date of enactment

1 of this Act, combined with the outlay reductions  
2 flowing from the amendment to section  
3 251A(7)(A)(i) of the Balanced Budget and Emer-  
4 gency Deficit Control Act of 1985 made by sub-  
5 section (c), within five years of enactment.

6 (b) REVISED 2013 DISCRETIONARY SPENDING  
7 LIMIT.—Paragraph (2) of section 251(c) of the Balanced  
8 Budget and Emergency Deficit Control Act of 1985 is  
9 amended to read as follows:

10 “(2) with respect to fiscal year 2013, for the  
11 discretionary category, \$1,047,000,000,000 in new  
12 budget authority;”.

13 (c) DISCRETIONARY SAVINGS.—Section 251A(7)(A)  
14 of the Balanced Budget and Emergency Deficit Control  
15 Act of 1985 is amended to read as follows:

16 “(A) FISCAL YEAR 2013.—

17 “(i) FISCAL YEAR 2013 ADJUST-  
18 MENT.—On January 2, 2013, the discre-  
19 tionary category set forth in section  
20 251(c)(2) shall be decreased by  
21 \$19,104,000,000 in budget authority.

22 “(ii) SUPPLEMENTAL SEQUESTRATION  
23 ORDER.—On January 15, 2013, OMB  
24 shall issue a supplemental sequestration  
25 report for fiscal year 2013 and take the

1 form of a final sequestration report as set  
2 forth in section 254(f)(2) and using the  
3 procedures set forth in section 253(f), to  
4 eliminate any discretionary spending  
5 breach of the spending limit set forth in  
6 section 251(c)(2) as adjusted by clause (i),  
7 and the President shall order a sequestra-  
8 tion, if any, as required by such report.”.

9 (d) ELIMINATION OF THE FISCAL YEAR 2013 SE-  
10 QUESTRATION FOR DEFENSE DIRECT SPENDING.—Any  
11 sequestration order issued by the President under the Bal-  
12 anced Budget and Emergency Deficit Control Act of 1985  
13 to carry out reductions to direct spending for the defense  
14 function (050) for fiscal year 2013 pursuant to section  
15 251A of such Act shall have no force or effect.

16 (e) REPORT.—

17 (1) IN GENERAL.—Not later than August 15,  
18 2012, the Secretary of Defense shall submit to the  
19 Committees on Armed Services of the House of Rep-  
20 resentatives and the Senate a detailed report on the  
21 impact of the sequestration of funds authorized and  
22 appropriated for Fiscal Year 2013 for the Depart-  
23 ment of Defense, if automatically triggered on Janu-  
24 ary 2, 2013, as required by section 251A of the Bal-  
25 anced Budget and Emergency Deficit Control Act of

1 1985 (2 U.S.C. 901a), as in effect immediately be-  
2 fore the date of enactment of this Act.

3 (2) CONTENTS OF REPORT.—The report re-  
4 quired by this section shall include—

5 (A) an assessment of the potential impact  
6 of sequestration on the readiness of the Armed  
7 Forces, including impacts to steaming hours,  
8 flying hours, full spectrum training miles, and  
9 all other readiness metrics;

10 (B) an assessment of the impact on ability  
11 of the Department of Defense to carry out the  
12 National Military Strategy of the United States  
13 and any changes to the most recent Chairman's  
14 Risk Assessment required by section 153 of  
15 title 10, United States Code;

16 (C) a listing of the programs, projects, and  
17 activities across the military departments and  
18 components that would be reduced or termi-  
19 nated as a result of automatically triggered  
20 cuts;

21 (D) an estimate of the number and value  
22 of all contracts that will be terminated, restruc-  
23 tured, or rescoped due to sequestration, includ-  
24 ing an estimate of potential termination costs



1 and increased contracts costs due to renegoti-  
2 ation and reinstatement of the contract; and

3 (E) an estimate of the number of civilian,  
4 contract, and uniformed personnel whose em-  
5 ployment would be terminated due to sequestra-  
6 tion, including the estimated cost to the De-  
7 partment of executing such a drawdown.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. GINGREY OF GEORGIA**

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

1 **SEC. 10 \_\_\_\_ . SENSE OF CONGRESS REGARDING PRESER-**  
2 **VATION 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.

1           (3) Military personnel, despite being extensively  
2 trained in the proper and safe use of firearms, are  
3 therefore deprived by the laws of the District of Co-  
4 lumbia of handguns, rifles, and shotguns that are  
5 commonly kept by law-abiding persons throughout  
6 the United States for sporting use and for lawful de-  
7 fense of their persons, homes, businesses, and fami-  
8 lies.

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

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

1           (6) On June 26, 2008, the Supreme Court of  
2 the United States in the case of *District of Columbia*  
3 *v. Heller* held that the Second Amendment protects  
4 an individual's right to possess a firearm for tradi-  
5 tionally lawful purposes, and thus ruled that the  
6 District of Columbia's handgun ban and require-  
7 ments that rifles and shotguns in the home be kept  
8 unloaded and disassembled or outfitted with a trig-  
9 ger lock to be unconstitutional.

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

18           (8) On February 26, 2009, the United States  
19 Senate adopted an amendment on a bipartisan vote  
20 of 62-36 by Senator John Ensign to S. 160, the  
21 District of Columbia House Voting Rights Act of  
22 2009, which would fully restore Second Amendment  
23 rights to the citizens of the District of Columbia.

24           (b) SENSE OF CONGRESS.—It is the sense of Con-  
25 gress that active duty military personnel who are stationed

1 or residing in the District of Columbia should be permitted  
2 to exercise fully their rights under the Second Amendment  
3 to the Constitution of the United States and therefore  
4 should be exempt from the District of Columbia's restric-  
5 tions on the possession of firearms.



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



**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. BISHOP OF NEW YORK**

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

1 **SEC. 1084. THE HOUSE OF REPRESENTATIVES HONORS.**

2 (a) FINDINGS.—The House of Representatives finds  
3 the following:

4 (1) The spread of warfare across Europe and  
5 Asia led to the establishment on May 20, 1941, of  
6 the United States Office of Civilian Defense by Ex-  
7 ecutive Order 8757 of President Franklin D. Roo-  
8 sevelt, to “assure effective coordination of Federal  
9 relations with State and local governments engaged  
10 in defense activities, to provide for necessary co-  
11 operation with States and local governments in re-  
12 spect to measures for adequate protection of the ci-  
13 vilian population in emergency periods, to facilitate  
14 constructive civilian participation in the defense pro-  
15 gram, and to sustain national morale”.

16 (2) The December 7, 1941, attack by the Em-  
17 pire of Japan on Pearl Harbor, Hawaii, precipitated  
18 the entry of the United States into the worldwide  
19 conflict and signaled a new era of warfare that de-

1       manded new efforts to protect the people of the  
2       United States from airborne assault by an overseas  
3       enemy.

4           (3) In response to this new threat, the United  
5       States Office of Civilian Defense mobilized millions  
6       of volunteers to participate in efforts to enhance the  
7       preparedness of the United States in case of attack,  
8       including fire protection, communication and logis-  
9       tics, construction of bomb shelters, and air raid  
10       blackout drills.

11          (4) Thousands of Americans unable to serve in  
12       the United States Armed Forces volunteered their  
13       service as Air Raid Wardens in communities across  
14       the United States during World War II, contributing  
15       to America's defense against potential enemy assault  
16       and the ultimate victory of the Allied nation.

17          (5) A training manual distributed to Air Raid  
18       Wardens during World War II noted that "In the  
19       system of civilian defense, the Air Raid Warden oc-  
20       cupies the key position. He is the field officer under  
21       whose supervision the efforts of the civilian popu-  
22       lation are directed in the tremendous task of effec-  
23       tive defense. Through the Air Raid Wardens, civilian  
24       activity is coordinated with that of the police and  
25       fire departments and other vital services."

1           (6) Training manuals distributed to Air Raid  
2           Wardens included "I am an Air Raid Warden", by  
3           Frank W. Atherton, Chief Air Raid Warden, 1st  
4           District, United States Citizens' Defense Corps of  
5           Michigan, which read, in part that "I am an Air  
6           Raid Warden. My country, my state and my commu-  
7           nity have given me many pleasant and fruitful years  
8           and now in time of trouble I feel that it is my duty  
9           to do my part in the work assigned to me in helping  
10          to reduce to a minimum any harm that may come  
11          from without or within."

12          (7) Tony Pastor and His Orchestra released a  
13          song in 1942, titled "Obey Your Air Raid Warden",  
14          which was widely distributed as a public service an-  
15          nouncement and contained the following lyrics:  
16          "One, be calm. Two, get under shelter. Three, don't  
17          run. Obey your air-raid warden. Four, stay home.  
18          Five, keep off the highway. Six, don't phone. Obey  
19          your air-raid warden. There are rules that you  
20          should know, What to do and where to go, When  
21          you hear the sirens blow, Stop, look, and listen.  
22          Seven, don't smoke. Eight, help all the kiddies. Most  
23          of all, obey your air-raid warden. Stop, look, and lis-  
24          ten. Dim the lights, Wait for information, Most of  
25          all, obey your air-raid warden. Stop the panic, Don't

1 get in a huff, Our aim today is to call their bluff.  
2 Follow these rules and that is enough. Obey your  
3 air-raid warden.”

4 (b) THE HOUSE OF REPRESENTATIVES HONORS.—  
5 The House of Representatives encourages surviving Air  
6 Raid Wardens and other volunteers of the United States  
7 Office of Civilian Defense during the World War II to  
8 record and permanently preserve stories of their service  
9 for future generations.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. MACK OF FLORIDA**

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

1 **SEC. 10\_\_ . SUNKEN MILITARY CRAFT.**

2 Section 1408(3) of the Ronald W. Reagan National  
3 Defense Authorization Act for Fiscal Year 2005 (10  
4 U.S.C. 113 note) is amended—

5 (1) in subparagraph (A), by inserting “, that  
6 was” before “on military noncommercial service”;  
7 and

8 (2) in subparagraph (B), by inserting a comma  
9 before “that was owned or operated”.



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



**Revised**

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**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MS. LEE OF CALIFORNIA**

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

1 **SEC. 1084. REDUCTION OF AUTHORIZATION OF APPROPRIA-**  
2 **TIONS.**

3 (a) **REDUCTION.**—Notwithstanding any other provi-  
4 sion of this Act, but subject to subsection (b), the Presi-  
5 dent, in consultation with the Secretary of Defense, the  
6 Secretary of Energy, and the Administrator for Nuclear  
7 Security, shall make such reductions in the amounts au-  
8 thorized to be appropriated under this Act in such manner  
9 as the President considers appropriate to achieve an ag-  
10 gregate reduction of \$8,231,100,000.

11 (b) **EXCLUSIONS.**—In carrying out subsection (a),  
12 the President shall not reduce the amount of funds for  
13 the following accounts:

14 (1) Military personnel, reserve personnel, and  
15 National Guard personnel accounts of the Depart-  
16 ment of Defense.

17 (2) The Defense Health Program account.



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

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**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. ELLISON OF MINNESOTA**

At the end of subtitle D of title XII of division A  
of the bill, add the following:

1 **SEC. 12xx. LIMITATION ON ASSISTANCE TO PROVIDE TEAR**  
2 **GAS OR OTHER RIOT CONTROL ITEMS.**

3 None of the funds authorized to be appropriated by  
4 this Act may be used to provide tear gas or other riot  
5 control items to the government of a country undergoing  
6 a transition to democracy in the Middle East or North  
7 Africa unless the Secretary of Defense certifies to the  
8 Committee on Armed Services of the Senate and the Com-  
9 mittee on Armed Services of the House of Representatives  
10 that the security forces of such government are not using  
11 excessive force to repress peaceful, lawful, and organized  
12 dissent.



44. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
GRANGER OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10  
MINUTES

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MS. GRANGER OF TEXAS**

At the end of subtitle D of title XII of division A  
of the bill, add the following:

- 1 **SEC. 12xx. 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.



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



**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. GOHMERT OF TEXAS**

Page 366, line 16, strike “**HABEAS CORPUS RIGHTS**” and insert “**RIGHTS UNAFFECTED**”.

Page 366, line 17, strike “Nothing” and insert “(a) **RULE OF CONSTRUCTION.—Nothing**”.

Page 366, line 21, insert “or to deny any Constitutional rights” after “habeas corpus”.

Page 366, line 23, strike “person who is detained in the United States” and insert “person who is lawfully in the United States when detained”.

Page 366, line 25, insert “and who is otherwise entitled to the availability of such writ or such rights” before the period.

Page 366, after line 25, insert the following:

- 1 (b) NOTIFICATION OF DETENTION OF PERSONS
- 2 UNDER AUTHORIZATION FOR USE OF MILITARY
- 3 FORCE.—Not later than 48 hours after the date on which
- 4 a person who is lawfully in the United States is detained
- 5 pursuant to the Authorization for Use of Military Force



1 (Public Law 107-40; 50 U.S.C. 1541 note), the President  
2 shall notify Congress of the detention of such person.

3 (c) HABEAS APPLICATIONS.—A person who is law-  
4 fully in the United States when detained pursuant to the  
5 Authorization for Use of Military Force (Public Law 107-  
6 40; 50 U.S.C. 1541 note) shall be allowed to file an appli-  
7 cation for habeas corpus relief in an appropriate district  
8 court not later than 30 days after the date on which such  
9 person is placed in military custody.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. SMITH OF WASHINGTON**

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

1 **SEC. 1044. 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 is amend-  
9 ed—

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

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

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

17 “(1) **PERSONS DETAINED PURSUANT TO THE**  
18 **AUTHORIZATION FOR USE OF MILITARY FORCE OR**

1 THE FISCAL YEAR 2012 OR 2013 NATIONAL DE-  
2 FENSE AUTHORIZATION ACTS.—In the case of a cov-  
3 ered person who is detained in the United States, or  
4 a territory or possession of the United States, pursu-  
5 ant to the Authorization for Use of Military Force,  
6 this Act, or the National Defense Authorization Act  
7 for Fiscal Year 2013, disposition under the law of  
8 war shall occur immediately upon the person coming  
9 into custody of the Federal Government and shall  
10 only mean the immediate transfer of the person for  
11 trial and proceedings by a court established under  
12 Article III of the Constitution of the United States  
13 or by an appropriate State court. Such trial and pro-  
14 ceedings shall have all the due process as provided  
15 for under the Constitution of the United States.

16 “(2) PROHIBITION ON TRANSFER TO MILITARY  
17 CUSTODY.—No person detained, captured, or ar-  
18 rested in the United States, or a territory or posses-  
19 sion of the United States, may be transferred to the  
20 custody of the Armed Forces for detention under the  
21 Authorization for Use of Military Force, this Act, or  
22 the National Defense Authorization Act for Fiscal  
23 Year 2013.

24 “(h) RULE OF CONSTRUCTION.—This section shall  
25 not be construed to authorize the detention of a person

1 within the United States, or a territory or possession of  
2 the United States, under the Authorization for Use of  
3 Military Force, this Act, or the National Defense Author-  
4 ization Act for Fiscal Year 2013.”.

5 (c) REPEAL OF REQUIREMENT FOR MILITARY CUS-  
6 TODY.—

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

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



47. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
DUNCAN OF SOUTH CAROLINA OR HIS DESIGNEE, DEBATABLE  
FOR 10 MINUTES

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**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. DUNCAN OF SOUTH CAROLINA**

At the end of subtitle D of title XII of division A  
of the bill, add the following:

1 **SEC. 12xx. LIMITATION ON FUNDS FOR INSTITUTIONS OR**  
2 **ORGANIZATIONS ESTABLISHED BY THE**  
3 **UNITED NATIONS CONVENTION ON THE LAW**  
4 **OF THE SEA.**

5       None of the funds authorized to be appropriated by  
6 this Act may be made available for any institution or orga-  
7 nization established by the United Nations Convention on  
8 the Law of the Sea, including the International Seabed  
9 Authority, the International Tribunal for the Law of the  
10 Sea, and the Commission on the Limits of the Continental  
11 Shelf.





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

**AMENDMENT TO H.R. 4310**  
**OFFERED BY MR. COFFMAN OF COLORADO**

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

1 **SEC. 12** . **REMOVAL OF BRIGADE COMBAT TEAMS FROM**  
2 **EUROPE.**

3 (a) **FINDING.**—Congress finds that, because defense  
4 spending among European NATO countries fell 12% since  
5 2008, from \$314 billion to \$275 billion, so that currently  
6 only 4 out of the 28 NATO allies of the United States  
7 are spending the widely agreed-to standard of 2% of their  
8 GDP on defense, the United States must look to more  
9 wisely allocate scarce resources to provide for the national  
10 defense.

11 (b) **REMOVAL AUTHORIZED.**—The President is au-  
12 thorized and requested to end the permanent basing of  
13 units of the United States Armed Forces in European  
14 member nations of the North Atlantic Treaty Organiza-  
15 tion and return the four Brigade Combat Teams currently  
16 stationed in Europe to the United States.

17 (c) **USE OF ROTATIONAL FORCES TO SATISFY SECU-**  
18 **RITY NEEDS.**—It is the policy of the United States that  
19 the deployment of units of the United States Armed

1 Forces on a rotational basis at military installations in  
2 European member nations of the North Atlantic Treaty  
3 Organization pursuant to the Army Force Generation  
4 (ARFORGEN) process is a force-structure arrangement  
5 sufficient to permit the United States—

6           (1) to satisfy the commitments undertaken by  
7           United States pursuant to Article 5 of the North At-  
8           lantic Treaty, signed at Washington, District of Co-  
9           lumbia, on April 4, 1949, and entered into force on  
10          August 24, 1949 (63 Stat. 2241; TIAS 1964);

11          (2) to address the current security environment  
12          in Europe; and

13          (3) to contribute to peace and stability in Eu-  
14          rope.



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

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**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MS. LEE OF CALIFORNIA**

At the appropriate place in title XII of division A of  
the bill, add the following:

1 **Subtitle \_\_—Prevent Iran From Ac-**  
2 **quiring Nuclear Weapons and**  
3 **Stop War Through Diplomacy**  
4 **Act**

5 **SEC. \_1. SHORT TITLE.**

6 This subtitle may be cited as the “Prevent Iran from  
7 Acquiring Nuclear Weapons and Stop War Through Di-  
8 plomacy Act”.

9 **SEC. \_2. FINDINGS.**

10 Congress finds the following:

11 (1) In his Nobel Peace Prize acceptance speech  
12 on December 10, 2009, President Obama said, “I  
13 know that engagement with repressive regimes lacks  
14 the satisfying purity of indignation. But I also know  
15 that sanctions without outreach—and condemnation  
16 without discussion—can carry forward a crippling  
17 status quo. No repressive regime can move down a  
18 new path unless it has the choice of an open door.”

1           (2) In his address to the American Israel Public  
2           Affairs Committee on March 4, 2012, President  
3           Obama said, “I have said that when it comes to pre-  
4           venting Iran from obtaining a nuclear weapon, I will  
5           take no options off the table, and I mean what I say.  
6           That includes all elements of American power. A po-  
7           litical effort aimed at isolating Iran; a diplomatic ef-  
8           fort to sustain our coalition and ensure that the Ira-  
9           nian program is monitored; an economic effort to  
10          impose crippling sanctions; and, yes, a military ef-  
11          fort to be prepared for any contingency.”

12          (3) While the Obama Administration has re-  
13          jected failed policies of the past by engaging in nego-  
14          tiations with Iran without preconditions, only four of  
15          such meetings have occurred.

16          (4) Official representatives of the United States  
17          and official representatives of Iran have held only  
18          two direct, bilateral meetings in over 30 years, both  
19          of which occurred in October 2009, one on the side-  
20          lines of the United Nations Security Council negotia-  
21          tions in Geneva, and one on the sidelines of negotia-  
22          tions brokered by the United Nations International  
23          Atomic Energy Agency (referred to in this Act as  
24          the “IAEA”) in Vienna.



1           (5) All of the outstanding issues between the  
2           United States and Iran cannot be resolved instantane-  
3           ously. Resolving such issues will require a robust,  
4           sustained effort.

5           (6) Under the Department of State's current  
6           "no contact" policy, officers and employees of the  
7           Department of State are not permitted to make any  
8           direct contact with official representatives of the  
9           Government of Iran without express prior authoriza-  
10          tion from the Secretary of State.

11          (7) On September 20, 2011, then-Chairman of  
12          the Joint Chiefs of Staff Admiral Mike Mullen,  
13          called for establishing direct communications with  
14          Iran, stating, "I'm talking about any channel that's  
15          open. We've not had a direct link of communication  
16          with Iran since 1979. And I think that has planted  
17          many seeds for miscalculation. When you miscalcu-  
18          late, you can escalate and misunderstand."

19          (8) On November 8, 2011, the IAEA issued a  
20          report about Iran's nuclear program and expressed  
21          concerns about Iran's past and ongoing nuclear ac-  
22          tivities.

23          (9) On December 2, 2011, Secretary of Defense  
24          Leon Panetta warned that an attack on Iran would  
25          result in "an escalation that would take place that



1 would not only involve many lives, but I think it  
2 could consume the Middle East in a confrontation  
3 and a conflict that we would regret.”

4 **SEC. \_3. STATEMENT OF POLICY.**

5 It should be the policy of the United States—

6 (1) to prevent Iran from pursuing or acquiring  
7 a nuclear weapon and to resolve the concerns of the  
8 United States and of the international community  
9 about Iran’s nuclear program and Iran’s human  
10 rights obligations under international and Iranian  
11 law;

12 (2) to ensure inspection of cargo to or from  
13 Iran, as well as the seizure and disposal of prohib-  
14 ited items, as authorized by United Nations Security  
15 Council Resolution 1929 (June 9, 2010);

16 (3) to pursue sustained, direct, bilateral nego-  
17 tiations with the Government of Iran without pre-  
18 conditions in order to reduce tensions, prevent war,  
19 prevent nuclear proliferation, support human rights,  
20 and seek resolutions to issues that concern the  
21 United States and the international community;

22 (4) to utilize all diplomatic tools, including di-  
23 rect talks, targeted sanctions, Track II diplomacy,  
24 creating a special envoy described in section 4, and  
25 enlisting the support of all interested parties, for the

1       purpose of establishing an agreement with Iran to  
2       put in place a program that includes international  
3       safeguards, guarantees, and robust transparency  
4       measures that provide for full IAEA oversight of  
5       Iran's nuclear program, including rigorous, ongoing  
6       inspections, in order to verify that Iran's nuclear  
7       program is exclusively for peaceful purposes and  
8       that Iran is not engaged in nuclear weapons work;

9               (5) to pursue opportunities to build mutual  
10       trust and to foster sustained negotiations in good  
11       faith with Iran, including pursuing a fuel swap deal  
12       to remove quantities of low enriched uranium from  
13       Iran and to refuel the Tehran Research Reactor,  
14       similar to the structure of the deal that the IAEA,  
15       the United States, China, Russia, France, the  
16       United Kingdom, and Germany first proposed in Oc-  
17       tober 2009;

18              (6) to explore areas of mutual benefit to both  
19       Iran and the United States, such as regional secu-  
20       rity, the long-term stabilization of Iraq and Afghani-  
21       stan, the establishment of a framework for peaceful  
22       nuclear energy production, other peaceful energy  
23       modernization programs, and counter-narcotics ef-  
24       forts; and

1           (7) that no funds appropriated or otherwise  
2           made available to any executive agency of the Gov-  
3           ernment of the United States may be used to carry  
4           out any military operation or activity against Iran  
5           unless the President determines that a military oper-  
6           ation or activity is warranted and seeks express  
7           prior authorization by Congress, as required under  
8           article I, section 8, clause 2 of the United States  
9           Constitution, which grants Congress the sole author-  
10          ity to declare war, except that this requirement shall  
11          not apply to a military operation or activity—

12                   (A) to directly repel an offensive military  
13                   action launched from within the territory of  
14                   Iran against the United States or any ally with  
15                   whom the United States has a mutual defense  
16                   assistance agreement;

17                   (B) in hot pursuit of forces that engage in  
18                   an offensive military action outside the territory  
19                   of Iran against United States forces or an ally  
20                   with whom the United States has a mutual de-  
21                   fense assistance agreement and then enter into  
22                   the territory of Iran; or

23                   (C) to directly thwart an imminent offen-  
24                   sive military action to be launched from within  
25                   the territory of Iran against United States

1           forces or an ally with whom the United States  
2           has a mutual defense assistance agreement.

3 **SEC. 4. APPOINTMENT OF HIGH-LEVEL U.S. REPRESENTA-**  
4 **TIVE OR SPECIAL ENVOY.**

5           (a) **APPOINTMENT.**—At the earliest possible date, the  
6 President, in consultation with the Secretary of State,  
7 shall appoint a high-level United States representative or  
8 special envoy for Iran.

9           (b) **CRITERIA FOR APPOINTMENT.**—The President  
10 shall appoint an individual under subsection (a) on the  
11 basis of the individual's knowledge and understanding of  
12 the issues regarding Iran's nuclear program, experience  
13 in conducting international negotiations, and ability to  
14 conduct negotiations under subsection (c) with the respect  
15 and trust of the parties involved in the negotiations.

16           (c) **DUTIES.**—The high-level United States represent-  
17 ative or special envoy for Iran shall—

18           (1) seek to facilitate direct, unconditional, bilat-  
19 eral negotiations with Iran for the purpose of easing  
20 tensions and normalizing relations between the  
21 United States and Iran;

22           (2) lead the diplomatic efforts of the Govern-  
23 ment of the United States with regard to Iran;

24           (3) consult with other countries and inter-  
25 national organizations, including countries in the re-

1 gion, where appropriate and when necessary to  
2 achieve the purpose set forth in paragraph (1);

3 (4) act as liaison with United States and inter-  
4 national intelligence agencies where appropriate and  
5 when necessary to achieve the purpose set for in  
6 paragraph (1); and

7 (5) ensure that the bilateral negotiations under  
8 paragraph (1) complement the ongoing international  
9 negotiations with Iran.

10 **SEC. 5. DUTIES OF THE SECRETARY OF STATE.**

11 (a) **ELIMINATION OF "NO CONTACT" POLICY.**—Not  
12 later than 30 days after the date of enactment of this Act,  
13 the Secretary of State shall rescind the "no contact" pol-  
14 icy that prevents officers and employees of the Depart-  
15 ment of State from making any direct contact with official  
16 representatives of the Government of Iran without express  
17 prior authorization from the Secretary of State.

18 (b) **OFFICE OF HIGH-LEVEL U.S. REPRESENTATIVE**  
19 **OR SPECIAL ENVOY.**—Not later than 30 days after the  
20 appointment of a high-level United States representative  
21 or special envoy under section 4(a), the Secretary of  
22 State shall establish an office in the Department of State  
23 for the purpose of supporting the work of the representa-  
24 tive or special envoy.

1 **SEC. \_6. REPORTING TO CONGRESS.**

2 (a) REPORTS.—Not later than 60 days after the  
3 high-level United States representative or special envoy for  
4 Iran is appointed under section \_\_4, and every 180 days  
5 thereafter, the United States representative or special  
6 envoy shall report to the committees set forth in sub-  
7 section (b) on the steps that have been taken to facilitate  
8 direct, bilateral diplomacy with the government of Iran  
9 under section \_\_4(c). Each such report may, when nec-  
10 essary or appropriate, be submitted in classified and un-  
11 classified form.

12 (b) COMMITTEES.—The committees referred to in  
13 subsection (a) are—

14 (1) the Committee on Appropriations, the Com-  
15 mittee on Foreign Affairs, the Committee on Armed  
16 Services, and the Permanent Select Committee on  
17 Intelligence of the House of Representatives; and

18 (2) the Committee on Appropriations, the Com-  
19 mittee on Foreign Relations, the Committee on  
20 Armed Services, and the Select Committee on Intel-  
21 ligence of the Senate.

22 **SEC. \_7. AUTHORIZATION OF APPROPRIATIONS.**

23 There are authorized to be appropriated to carry out  
24 this subtitle such sums as may be necessary for fiscal year  
25 2013.



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



98

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. LAMBORN OF COLORADO**

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

1 **SEC. 1303. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
2 **COOPERATIVE THREAT REDUCTION ACTIVITIES WITH RUSSIAN FEDERATION.**  
3

4 (a) **LIMITATION.**—None of the funds authorized to  
5 be appropriated by this Act or otherwise made available  
6 for fiscal year 2013 for Cooperative Threat Reduction may  
7 be obligated or expended for cooperative threat reduction  
8 activities with the Russian Federation until the date that  
9 is 30 days after the date on which the Secretary of De-  
10 fense certifies, in coordination with the Secretary of State,  
11 to the appropriate congressional committees that—

12 (1) Russia is no longer—

13 (A) providing direct or indirect support to  
14 the government of Syria's suppression of the  
15 Syrian people; and

16 (B) transferring to Iran, North Korea, or  
17 Syria equipment and technology that have the  
18 potential to make a material contribution to the

1 development of weapons of mass destruction or  
2 cruise or ballistic missile systems controlled  
3 under multilateral control lists; or

4 (2) funds planned to be obligated or expended  
5 for cooperative threat reduction activities with the  
6 Russian Federation are strictly for project closeout  
7 activities and will not be used for new activities or  
8 activities that will extend beyond fiscal year 2013.

9 (b) WAIVER.—The Secretary of Defense may waive  
10 the limitation in subsection (a) if—

11 (1) the Secretary determines that such waiver is  
12 in the national security interests of the United  
13 States;

14 (2) the Secretary briefs, in an unclassified  
15 form, the appropriate congressional committees on  
16 the justifications of such waiver; and

17 (3) a period of 90 days has elapsed following  
18 the date on which such briefing is held.

19 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
20 FINED.—In this section, the term “appropriate congres-  
21 sional committees” means—

22 (1) the Committee on Armed Services and the  
23 Committee on Foreign Affairs of the House of Rep-  
24 resentatives; and

- 1 (2) the Committee on Armed Services and the
- 2 Committee on Foreign Relations of the Senate.



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

224 L *Bill Caraha*

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. CARNAHAN OF MISSOURI**

At the end of division A of the bill, add the following:

1 **TITLE XVII—CONTINGENCY OP-**  
2 **ERATIONS OVERSIGHT AND**  
3 **INTERAGENCY ENHANCE-**  
4 **MENT ACT OF 2012**

5 **SEC. 1701. SHORT TITLE.**

6 This title may be cited as the “Contingency Oper-  
7 ations Oversight and Interagency Enhancement Act of  
8 2012”.

9 **SEC. 1702. DEFINITIONS.**

10 In this title, the following definitions apply:

11 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**  
12 **TEES.**—The term “appropriate congressional com-  
13 mittees” means—

14 (A) the Committees on Appropriations,  
15 Armed Services, Foreign Affairs, and Oversight  
16 and Government Reform of the House of Rep-  
17 resentatives; and

18 (B) the Committees on Appropriations,  
19 Armed Services, Foreign Relations, and Home-



1 land Security and Governmental Affairs of the  
2 Senate.

3 (2) DIRECTOR.—The term “Director” means  
4 the Director of the United States Office for Contingency  
5 Operations.

6 (3) FUNCTIONS.—The term “functions” includes  
7 authorities, powers, rights, privileges, immunities,  
8 programs, projects, activities, duties, and responsibilities.  
9

10 (4) IMMINENT STABILIZATION AND RECONSTRUCTION  
11 OPERATION.—The term “imminent stabilization and  
12 reconstruction operation” is a condition in a foreign  
13 country which the Director believes may require in the  
14 immediate future a response from the United States and  
15 with respect to which preparation for a stabilization and  
16 reconstruction operation is necessary.  
17

18 (5) INTELLIGENCE COMMUNITY.—The term  
19 “intelligence community” has the meaning given  
20 that term in section 3(4) of the National Security  
21 Act of 1947 (50 U.S.C. 401a(4)).

22 (6) OFFICE.—The term “Office” means the  
23 United States Office for Contingency Operations.

24 (7) PERSONNEL.—The term “personnel” means  
25 officers and employees of an Executive agency, ex-

1       cept that the term does not include members of the  
2       Armed Forces.

3           (8) POTENTIAL STABILIZATION AND RECON-  
4       STRUCTION OPERATION.—The term “potential sta-  
5       bilization and reconstruction operation” is a possible  
6       condition in a foreign country which in the deter-  
7       mination of the Director may require in the imme-  
8       diate future a response from the United States and  
9       with respect to which preparation for a stabilization  
10      and reconstruction operation is advisable.

11          (9) STABILIZATION AND RECONSTRUCTION  
12      EMERGENCY.—The term “stabilization and recon-  
13      struction emergency” is a stabilization and recon-  
14      struction operation which is the subject of a Presi-  
15      dential declaration pursuant to section 1713.

16          (10) STABILIZATION AND RECONSTRUCTION OP-  
17      ERATION.—The term “stabilization and reconstruc-  
18      tion operation”—

19              (A) means a circumstance in which a com-  
20              bination of security, reconstruction, relief, and  
21              development services, including assistance for  
22              the development of military and security forces  
23              and the provision of infrastructure and essential  
24              services (including services that might be pro-  
25              vided under the authority of chapter 4 of part



1           II of the Foreign Assistance Act of 1961 (22  
2           U.S.C. 2346 et seq.; relating to the Economic  
3           Support Fund)), should, in the national interest  
4           of the United States, be provided on the terri-  
5           tory of an unstable foreign country;

6           (B) does not include a circumstance in  
7           which such services should be provided pri-  
8           marily due to a natural disaster (other than a  
9           natural disaster of cataclysmic proportions);  
10          and

11          (C) does not include intelligence activities.

12          (11) UNITED STATES.—The term “United  
13          States”, when used in a geographic sense, means  
14          any State of the United States, the District of Co-  
15          lumbia, the Commonwealth of Puerto Rico, the Vir-  
16          gin Islands, Guam, American Samoa, the Common-  
17          wealth of the Northern Mariana Islands, any posses-  
18          sion of the United States, and any waters within the  
19          jurisdiction of the United States.

20   **SEC. 1703. FINDINGS AND PURPOSES.**

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

22          (1) Responsibilities for overseas stability and  
23          reconstruction operations are divided among several  
24          agencies. As a result, lines of responsibility and ac-  
25          countability are not well-defined.

1           (2) Despite the establishment of the Office of  
2 the Coordinator for Reconstruction and Stabilization  
3 within the Department of State, the reaffirmation of  
4 the Coordinator's mandate by the National Security  
5 Presidential Directive 44, its codification with title  
6 XVI of the Duncan Hunter National Defense Au-  
7 thorization Act for Fiscal Year 2009, and the  
8 issuance of the Department of Defense Directive  
9 3000.05, serious imbalances and insufficient inter-  
10 agency coordination remain.

11           (3) The United States Government has not ef-  
12 fectively or efficiently managed stabilization and re-  
13 construction operations during recent decades.

14           (4) Based on trends, the United States will  
15 likely continue to find its involvement necessary in  
16 stabilization and reconstruction operations in foreign  
17 countries in the wake of violence or cataclysmic dis-  
18 aster.

19           (5) The United States has not adequately  
20 learned the lessons of its recent experiences in sta-  
21 bilization and reconstruction operations, and despite  
22 efforts to improve its performance is not yet orga-  
23 nized institutionally to respond appropriately to the  
24 need to perform stabilization and reconstruction op-  
25 erations in foreign countries.

1           (6) The failure to learn the lessons of past sta-  
2           bilization and reconstruction operations will lead to  
3           further inefficiencies, resulting in greater human  
4           and financial costs.

5           (b) PURPOSES.—The purposes of this title are to—

6           (1) advance the national interest of the United  
7           States by providing an effective means to plan for  
8           and execute stabilization and reconstruction oper-  
9           ations in foreign countries;

10          (2) provide for unity of command, and thus  
11          achieve unity of effort, in the planning and execution  
12          of stabilization and reconstruction operations;

13          (3) provide accountability for resources dedi-  
14          cated to stabilization and reconstruction operations;

15          (4) maximize the efficient use of resources,  
16          which may lead to budget savings, eliminated redun-  
17          dancy in functions, and improvement in the manage-  
18          ment of stabilization and reconstruction operations;  
19          and

20          (5) establish an entity to plan for stabilization  
21          and reconstruction operations and, when directed by  
22          the President, coordinate and execute such oper-  
23          ations, eventually returning responsibility for such  
24          operations to other agencies of the United States  
25          Government as the situation becomes normalized.

1 **SEC. 1704. CONSTRUCTION; SEVERABILITY.**

2 Any provision of this title held to be invalid or unen-  
3 forceable by its terms, or as applied to any person or cir-  
4 cumstance, shall be construed so as to give it the max-  
5 imum effect permitted by law, unless such holding shall  
6 be one of utter invalidity or unenforceability, in which  
7 event such provision shall be deemed severable from this  
8 title and shall not affect the remainder thereof, or the ap-  
9 plication of such provision to other persons not similarly  
10 situated or to other, dissimilar circumstances.

11 **SEC. 1705. EFFECTIVE DATE.**

12 This Act shall take effect on the date that is 60 days  
13 after the date of the enactment of this Act.

14 **Subtitle A—United States Office for**  
15 **Contingency Operations: Estab-**  
16 **lishment, Functions, and Per-**  
17 **sonnel**

18 **SEC. 1711. ESTABLISHMENT OF THE UNITED STATES OF-**  
19 **FICE FOR CONTINGENCY OPERATIONS.**

20 There is established as an independent entity the  
21 United States Office for Contingency Operations, which  
22 shall report to the Department of State and the Depart-  
23 ment of Defense.

1 **SEC. 1712. TRANSFER OF AUTHORITIES, FUNCTIONS, PER-**  
2 **SONNEL, AND ASSETS TO THE OFFICE.**

3 (a) **FUNCTIONS TRANSFERRED.**—Not later than 90  
4 days after the date of the enactment of this Act, there  
5 shall be transferred to the Office the functions, personnel,  
6 assets, and liabilities of the Bureau of Conflict and Sta-  
7 bilization Operations, including the Office of the Coordi-  
8 nator for Reconstruction and Stabilization of the Depart-  
9 ment of State.

10 (b) **FUNCTIONS TRANSFERRED, IN WHOLE OR IN**  
11 **PART.**—

12 (1) **IN GENERAL.**—Not later than 180 days  
13 after the date of the enactment of this Act, in addi-  
14 tion to the functions, personnel, assets, and liabil-  
15 ities transferred under subsection (a), there shall be  
16 transferred, in whole or in part, to the Office, under  
17 such conditions as the Director, the Director of the  
18 Office of Management and Budget, and the Director  
19 of the Office of Personnel Management jointly pre-  
20 scribe, the functions, personnel, assets, and liabilities  
21 of the following:

22 (A) Civilian organizational entities within  
23 the Department of Defense identified by the  
24 Secretary of Defense as—

1 (i) established to implement Depart-  
2 ment of Defense Instruction 3000.05, re-  
3 lating to stability operations; and

4 (ii) not essential for combat oper-  
5 ations.

6 (B) The Bureau of International Narcotics  
7 and Law Enforcement Affairs of the Depart-  
8 ment of State.

9 (C) The Office of Transition Initiatives of  
10 the United States Agency for International De-  
11 velopment.

12 (D) The Office of Foreign Disaster Assist-  
13 ance of the United States Agency for Inter-  
14 national Development.

15 (E) The Office of Conflict Mitigation and  
16 Management of the United States Agency for  
17 International Development.

18 (F) The International Criminal Investiga-  
19 tive Training Assistance Program of the De-  
20 partment of Justice.

21 (G) The Department of the Treasury's  
22 program to provide technical assistance to for-  
23 eign governments and foreign central banks of  
24 developing or transitional countries authorized  
25 under section 129 of the Foreign Assistance



1 Act of 1961 and the Office of Technical Assist-  
2 ance of the Department of the Treasury that  
3 manages such program.

4 (II) The Contingency Acquisition Corps of  
5 the General Services Administration established  
6 pursuant to section 2312 of title 41, United  
7 States Code.

8 (2) REPORTS.—

9 (A) BEFORE THE TRANSFER.—The Direc-  
10 tor, the Director of the Office of Management  
11 and Budget, or the Director of the Office of  
12 Personnel Management, as appropriate, shall,  
13 not later than 60 days before carrying out a  
14 transfer in accordance with paragraph (1), sub-  
15 mit to the appropriate congressional committees  
16 a report on the transfer.

17 (B) AFTER THE TRANSFER.—The Director  
18 shall submit to the appropriate congressional  
19 committees a report on the military and non-  
20 military resources, capabilities, and functions  
21 related to contingency operations of the entities  
22 and agencies transferred pursuant to paragraph  
23 (1). If any capabilities or functions of such enti-  
24 ties and agencies were not so transferred, the



1 Director shall include in such report an expla-  
2 nation relating to such non-transfer.

3 (c) FUTURE TRANSFERS AND RESTRUCTURING.—

4 (1) IN GENERAL.—In addition to the functions,  
5 personnel, assets, and liabilities transferred to the  
6 Office under subsections (a) and (b), the Director,  
7 the Director of the Office of Management and Budg-  
8 et, and the Director of the Office of Personnel Man-  
9 agement may—

10 (A) transfer to the Office the functions,  
11 personnel, assets, or liabilities, in whole or in  
12 part, of any office, agency, bureau, program, or  
13 other entity that such Directors determine ap-  
14 propriate;

15 (B) transfer to the Office up to 150 skilled  
16 Federal personnel with expertise in contingency  
17 operations; and

18 (C) restructure the Office as such Direc-  
19 tors determine appropriate to better carry out  
20 its functions and responsibilities.

21 (2) REPORTS.—If the Director, the Director of  
22 the Office of Management and Budget, and the Di-  
23 rector of the Office of Personnel Management under-  
24 take a transfer or a restructuring in accordance with  
25 subparagraphs (A) and (B), respectively, of para-

1 graph (1), the Director, the Director of the Office of  
2 Management and Budget, or the Director of the Of-  
3 fice of Personnel Management, as appropriate, shall,  
4 not later than 60 days before carrying out any such  
5 transfer or restructuring, submit to the appropriate  
6 congressional committees a report on such transfer  
7 or restructuring.

8 **SEC. 1713. RESPONSIBILITIES OF THE DIRECTOR, DEPUTY**  
9 **DIRECTOR, INSPECTOR GENERAL, AND**  
10 **OTHER OFFICES.**

11 (a) DIRECTOR.—

12 (1) IN GENERAL.—The Office shall be headed  
13 by a Director, who shall be—

14 (A) appointed by the President, by and  
15 with the advice and consent of the Senate; and

16 (B) compensated at the rate of basic pay  
17 for level II of the Executive Schedule under sec-  
18 tion 5313 of title 5, United States Code.

19 (2) SUPERVISION.—

20 (A) IN GENERAL.—The Director shall re-  
21 port directly to, and be under the general su-  
22 pervision of, the Secretary of State and the Sec-  
23 retary of Defense. Such supervision may not be  
24 delegated.

1           (B) INFORMATION SHARING.—The Direc-  
2           tor shall keep the National Security Advisor  
3           fully and continually informed of the activities  
4           of the Office.

5           (3) FUNCTIONS.—The functions of the Director  
6           shall include the following:

7                   (A) Monitoring, in coordination with rel-  
8                   evant offices and bureaus of the Department of  
9                   Defense, the Department of State, and the  
10                  United States Agency for International Devel-  
11                  opment, political and economic instability  
12                  worldwide in order to anticipate the need for  
13                  mobilizing United States and international as-  
14                  sistance for the stabilization and reconstruction  
15                  of a country or region that is at risk of, in, or  
16                  in transition from, conflict or civil strife.

17                   (B) Assessing the various types of sta-  
18                   bilization and reconstruction crises that could  
19                   occur and cataloging and monitoring the mili-  
20                   tary and non-military resources, capabilities,  
21                   and functions of agencies that are available to  
22                   address such crises.

23                   (C) Planning to address requirements,  
24                   such as demobilization, disarmament, capacity  
25                   building, rebuilding of civil society, policing and

1 security sector reform, and monitoring and  
2 strengthening respect for human rights that  
3 commonly arise in stabilization and reconstruc-  
4 tion crises.

5 (D) Developing, in coordination with all  
6 relevant agencies, contingency plans and proce-  
7 dures to mobilize and deploy civilian and mili-  
8 tary personnel to conduct stabilization and re-  
9 construction operations.

10 (E) Coordinating with counterparts in for-  
11 eign governments and international and non-  
12 governmental organizations on stabilization and  
13 reconstruction operations to improve effective-  
14 ness and avoid duplication.

15 (F) Building the operational readiness of  
16 the Civilian Response Corps and strengthening  
17 personnel requirements to enhance its essential  
18 interagency quality.

19 (G) Aiding the President, as the President  
20 may request, in preparing such rules and regu-  
21 lations as the President prescribes, for the plan-  
22 ning, coordination, and execution of stabiliza-  
23 tion and reconstruction operations.

24 (II) Advising the Secretary of State and  
25 the Secretary of Defense, as the Secretary of

1 State or the Secretary of Defense may request,  
2 on any matters pertaining to the planning, co-  
3 ordination, and execution of stabilization and  
4 reconstruction operations.

5 (I) Planning and conducting, in coopera-  
6 tion with the Secretary of State, the Adminis-  
7 trator of the United States Agency for Inter-  
8 national Development, the Secretary of De-  
9 fense, and commanders of unified combatant  
10 commands or specified combatant commands, a  
11 series of exercises to test and evaluate doctrine  
12 relating to stabilization and reconstruction op-  
13 erations and procedures to be used in such op-  
14 erations.

15 (J) Executing, administering, and enforce-  
16 ing laws, rules, and regulations relating to the  
17 preparation, coordination, and execution of sta-  
18 bilization and reconstruction operations.

19 (K) Administering such funds as may be  
20 appropriated or otherwise made available for  
21 the preparation, coordination and execution of  
22 stabilization and reconstruction operations.

23 (L) Planning for the use of contractors  
24 who will be involved in stabilization and recon-  
25 struction operations, including coordinating

1 with the Secretary of State and the Secretary  
2 of Defense to ensure coordination of the work  
3 of such contractors with the work of contractors  
4 supporting—

- 5 (i) the Secretary of State; and  
6 (ii) military operations and members  
7 of the Armed Forces.

8 (M) Prescribing standards and policies for  
9 project and financial reporting for all agencies  
10 involved in stabilization and reconstruction op-  
11 erations under the direction of the Office to en-  
12 sure that all activities undertaken by such agen-  
13 cies are appropriately tracked and accounted  
14 for.

15 (N) Establishing an interagency training,  
16 preparation, and evaluation framework for all  
17 personnel deployed, or who may be deployed, in  
18 support of stabilization and reconstruction oper-  
19 ations. Such training and preparation shall be  
20 developed and administered in partnership with  
21 such universities, colleges, or other institutions  
22 (whether public, private, or governmental) as  
23 the Director may determine and which agree to  
24 participate.

1           (4) RESPONSIBILITIES OF DIRECTOR FOR MONI-  
2           TORING AND EVALUATION REQUIREMENTS.—

3           (A) EVALUATIONS.—The Director shall  
4           plan and conduct evaluations of the impact of  
5           stabilization and reconstruction operations car-  
6           ried out by the Office.

7           (B) REPORTS.—

8           (i) IN GENERAL.—Not later than 30  
9           days after the end of each fiscal-year quar-  
10          ter, the Director shall submit to the appro-  
11          priate congressional committees a report  
12          summarizing all stabilization and recon-  
13          struction operations that are taking place  
14          under the supervision of the Director dur-  
15          ing the period of each such quarter and, to  
16          the extent possible, the period from the  
17          end of each such quarter to the time of the  
18          submission of each such report. Each such  
19          report shall include, for the period covered  
20          by each such report, a detailed statement  
21          of all obligations, expenditures, and reve-  
22          nues associated with such stabilization and  
23          reconstruction operations, including the  
24          following:



1 (I) Obligations and expenditures  
2 of appropriated funds.

3 (II) A project-by-project and pro-  
4 gram-by-program accounting of the  
5 costs incurred to date for the sta-  
6 bilization and reconstruction operation  
7 that are taking place, together with  
8 the estimate of any department or  
9 agency that is undertaking a project  
10 in or for the stabilization and recon-  
11 struction of such country, as applica-  
12 ble, of the costs to complete each  
13 project and each program.

14 (III) Revenues attributable to or  
15 consisting of funds provided by for-  
16 eign countries or international organi-  
17 zations, and any obligations or ex-  
18 penditures of such revenues.

19 (IV) Revenues attributable to or  
20 consisting of foreign assets seized or  
21 frozen, and any obligations or expend-  
22 itures of such revenues.

23 (V) An analysis on the impact of  
24 stabilization and reconstruction oper-  
25 ations overseen by the Office, includ-

1                   ing an analysis of civil-military coordi-  
2                   nation with respect to the Office.

3                   (ii) FORM.—Each report under this  
4                   subsection may include a classified annex  
5                   if the Director determines such is appro-  
6                   priate.

7                   (iii) RULE OF CONSTRUCTION.—Noth-  
8                   ing in this paragraph shall be construed to  
9                   authorize the public disclosure of informa-  
10                  tion that is specifically prohibited from dis-  
11                  closure by any other provision of law, spe-  
12                  cifically required by Executive order to be  
13                  protected from disclosure in the interest of  
14                  national defense or national security or in  
15                  the conduct of foreign affairs, or a part of  
16                  an ongoing criminal investigation.

17               (b) DEPUTY DIRECTOR.—

18                   (1) IN GENERAL.—There shall be within the  
19                  Office a Deputy Director, who shall be—

20                           (A) appointed by the President, by and  
21                           with the advice and consent of the Senate; and

22                           (B) compensated at the rate of basic pay  
23                           for level III of the Executive Schedule under  
24                           section 5314 of title 5, United States Code.

1           (2) FUNCTIONS.— The Deputy Director shall  
2 perform such functions as the Director may from  
3 time to time prescribe, and shall act as Director dur-  
4 ing the absence or disability of the Director or in the  
5 event of a vacancy in the Office of the Director.

6 (c) ASSOCIATE DIRECTORS.—

7           (1) IN GENERAL.—There shall be within the  
8 Office not more than two Associate Directors, who  
9 shall be—

10           (A) appointed by the President, by and  
11 with the advice and consent of the Senate; and

12           (B) compensated at the rate of basic pay  
13 for level IV of the Executive Schedule under  
14 section 5315 of title 5, United States Code.

15           (2) FUNCTIONS.—The Associate Directors shall  
16 perform such functions as the Director may from  
17 time to time prescribe.

18           (3) SENSE OF CONGRESS.—It is the sense of  
19 Congress that of the two Associate Directors re-  
20 ferred to in this subsection—

21           (A) one should be highly experienced in de-  
22 fense matters; and

23           (B) one should be highly experienced in di-  
24 plomacy and development matters.

25 (d) FUNCTIONS OF THE PRESIDENT.—

1           (1) DECLARATION.—The President may, if the  
2           President finds that the circumstances and national  
3           security interests of the United States so require,  
4           declare that a stabilization and reconstruction emer-  
5           gency exists and shall determine the geographic ex-  
6           tent and the date of the commencement of such  
7           emergency. The President may amend the declara-  
8           tion as circumstances warrant.

9           (2) TERMINATION.—If the President deter-  
10          mines that a stabilization and reconstruction emer-  
11          gency declared under paragraph (1) is or will be no  
12          longer be in existence, the President may terminate,  
13          immediately or prospectively, a prior declaration that  
14          such an emergency exists.

15          (3) PUBLICATION IN FEDERAL REGISTER.—  
16          Declarations under this subsection shall be published  
17          in the Federal Register.

18          (e) AUTHORITIES OF OFFICE FOLLOWING PRESI-  
19          DENTIAL DECLARATION.—If the President declares a sta-  
20          bilization and reconstruction emergency pursuant to sub-  
21          section (d), the President may delegate to the Director the  
22          authority to coordinate all Federal efforts with respect to  
23          such stabilization and reconstruction emergency, including  
24          the authority to direct any Federal agency to support such  
25          efforts, with or without reimbursement.

1 **SEC. 1714. PERSONNEL SYSTEM.**

2 (a) PERSONNEL.—

3 (1) IN GENERAL.—The Director may select, ap-  
4 point, and employ such personnel as may be nec-  
5 essary for carrying out the duties of the Office, sub-  
6 ject to the provisions of title 5, United States Code,  
7 governing appointments in the excepted service, and  
8 the provisions of chapter 51 and subchapter III of  
9 chapter 53 of such title, relating to classification and  
10 General Schedule pay rates, and may exercise the  
11 authorities of subsections (b) through (i) of section  
12 3161 of title 5, United States Code (to the same ex-  
13 tent and in the same manner as those authorities  
14 may be exercised by an organization described in  
15 subsection (a) of such section). In exercising the em-  
16 ployment authorities under subsection (b) of such  
17 section 3161, paragraph (2) of such subsection (re-  
18 lating to periods of appointments) shall not apply.

19 (2) SUBDIVISIONS OF OFFICE; DELEGATION OF  
20 FUNCTIONS.—The Director may establish bureaus,  
21 offices, divisions, and other units within the Office.  
22 The Director may from time to time make provision  
23 for the performance of any function of the Director  
24 by any officer or employee, or office, division, or  
25 other unit of the Office.

1           (3) REEMPLOYMENT AUTHORITIES.—The provi-  
2           sions of section 9902(g) of title 5, United States  
3           Code, shall apply with respect to the Office. For  
4           purposes of the preceding sentence, such provisions  
5           shall be applied—

6                   (A) by substituting “the United States Of-  
7                   fice for Contingency Operations” for “the De-  
8                   partment of Defense” each place it appears;

9                   (B) by substituting “the Stabilization and  
10                  Reconstruction Operations Interagency En-  
11                  hancement Act of 2012” for “the National De-  
12                  fense Authorization Act for Fiscal Year 2004  
13                  (Public Law 108–136)” in paragraph (2)(A)  
14                  thereof; and

15                  (C) by substituting “the Director of the  
16                  United States Office for Contingency Oper-  
17                  ations” for “the Secretary” in paragraph (4)  
18                  thereof.

19           (b) INTERIM OFFICERS.—

20                   (1) IN GENERAL.—The President may author-  
21                   ize any persons who, immediately prior to the effec-  
22                   tive date of this Act, held positions in the Executive  
23                   Branch of the Government, to act as Director, Dep-  
24                   uty Director, Associate Director, and Inspector Gen-  
25                   eral of the Office until such positions are for the



1 first time filled in accordance with the provisions of  
2 this Act or by recess appointment, as the case may  
3 be.

4 (2) COMPENSATION.—The President may au-  
5 thorize any such person described in paragraph (1)  
6 to receive the compensation attached to the Office in  
7 respect of which such person so serves, in lieu of  
8 other compensation from the United States.

9 (c) CONTRACTING SERVICES.—

10 (1) IN GENERAL.—The Director may obtain  
11 services of experts and consultants as authorized by  
12 section 3109 of title 5, United States Code.

13 (2) ASSISTANCE.—To the extent and in such  
14 amounts as may be provided in advance by appro-  
15 priations Acts, the Inspector General may enter into  
16 contracts and other arrangements for audits, stud-  
17 ies, analyses, and other services with public agencies  
18 and with private persons, and make such payments  
19 as may be necessary to carry out the duties of the  
20 Inspector General.

21 (d) INCENTIVIZING EXPERTISE IN PERSONNEL  
22 TASKED FOR STABILIZATION AND RECONSTRUCTION OP-  
23 ERATIONS.—

24 (1) STUDY.—The Director shall commission a  
25 study to measure the effectiveness of personnel in



1 stabilization and reconstruction operations. The  
2 study shall seek to identify the most appropriate  
3 qualifications for personnel and incentive strategies  
4 for agencies to effectively recruit and deploy employ-  
5 ees to support stabilization and reconstruction oper-  
6 ations.

7 (2) SENSE OF CONGRESS.—It is the sense of  
8 Congress that, in the selection and appointment of  
9 any individual for a position both within the Office  
10 and other agencies in support of stabilization and re-  
11 construction operations, due consideration should be  
12 given to such individual's expertise in such oper-  
13 ations and interagency experience and qualifications.

## 14 **Subtitle B—Preparing and Exe-** 15 **cuting Stability and Reconstruc-** 16 **tion Operations**

### 17 **SEC. 1721. SOLE CONTROL.**

18 The Director shall have sole control over the coordi-  
19 nation of stabilization and reconstruction operations.

### 20 **SEC. 1722. RELATION TO DEPARTMENT OF STATE AND** 21 **UNITED STATES AGENCY FOR INTER-** 22 **NATIONAL DEVELOPMENT.**

23 (a) COORDINATION.—

24 (1) IN GENERAL.—The Director shall to the  
25 greatest degree practicable coordinate with the Sec-

1       retary of State and the Administrator of the Agency  
2       for International Development regarding the Office's  
3       plans for stabilization and reconstruction operations.  
4       The Director shall give the greatest possible weight  
5       to the views of the Secretary and the Administrator  
6       on matters within their jurisdiction. During a dec-  
7       laration under section 1713 of a stabilization and re-  
8       construction emergency, the Director shall work  
9       closely with the Secretary and the Administrator in  
10      planning, executing, and transitioning operations rel-  
11      evant to their respective jurisdictions.

12           (2) IN-COUNTRY.—During a stabilization and  
13      reconstruction emergency, the Director shall work  
14      closely with the Chief of Mission, or with the most  
15      senior Department of State or Agency for Inter-  
16      national Development officials responsible for the  
17      country in which such emergency exists, to ensure  
18      that the actions of the Office do not conflict with the  
19      foreign or development policies of the United States.

20           (b) DETAILING.—The heads of the various depart-  
21      ments and agencies of the United States Government  
22      (other than the Secretary of Defense) shall provide for the  
23      detail on a reimbursable or nonreimbursable basis of such  
24      civilian personnel as may be agreed between such heads  
25      and the Director for the purposes of carrying out this Act.

1 The heads of such departments and agencies shall provide  
2 for appropriate recognition and career progress for indi-  
3 viduals who are so detailed upon their return from such  
4 details.

5 **SEC. 1723. RELATION TO DEPARTMENT OF DEFENSE COM-**  
6 **BATANT COMMANDS PERFORMING MILITARY**  
7 **MISSIONS.**

8 (a) **COORDINATION WITH SECRETARY OF DEFENSE**  
9 **AND COMBATANT COMMANDS.**—To the greatest degree  
10 practicable, the Director shall coordinate with the Sec-  
11 retary of Defense and commanders of unified and specified  
12 combatant commands established under section 161 of  
13 title 10, United States Code, regarding the plans of the  
14 Office for stabilization and reconstruction operations.

15 (b) **STAFF COORDINATION.**—The Director shall de-  
16 tail personnel of the Office to serve on the staff of a com-  
17 batant command to assist in planning when a military op-  
18 eration will involve likely Armed Forces interaction with  
19 non-combatant populations, so that plans for a stabiliza-  
20 tion and reconstruction operation related to a military op-  
21 eration—

22 (1) complement the work of military planners;  
23 and

24 (2) as provided in subsection (c), ease inter-  
25 action between civilian direct-hire employees and

1 contractors in support of the stabilization and recon-  
2 struction operation and the Armed Forces.

3 (c) LIMITATIONS.—

4 (1) DIRECTOR.—The authority of the Director  
5 shall not extend to small-scale programs (other than  
6 economic development programs of more than a de  
7 minimis amount) designated by the Secretary of De-  
8 fense as necessary to promote a safe operating envi-  
9 ronment for the Armed Forces or other friendly  
10 forces.

11 (2) MILITARY ORDER.—Nothing in this Act  
12 shall be construed as permitting the Director or any  
13 of the personnel of the Office (other than a member  
14 of the Armed Forces assigned to the Office under  
15 subsection (e)) to issue a military order.

16 (d) SUPPORT.—

17 (1) ASSISTANCE REQUIRED.—The commanders  
18 of combatant commands shall provide assistance, to  
19 the greatest degree practicable, to the Director and  
20 the personnel of the Office as they carry out their  
21 responsibilities.

22 (2) PERSONNEL.—The Secretary of Defense  
23 shall provide for the detail or assignment, on a reim-  
24 bursable or nonreimbursable basis, to the staff of  
25 the Office of such Department of Defense personnel

1 and members of the Armed Forces as may be agreed  
2 between the Secretary and the Director as necessary  
3 to carry out the duties of the Office.

4 **SEC. 1724. CONTINGENCY FEDERAL ACQUISITION REGULA-**  
5 **TION.**

6 (a) **REQUIREMENT TO PRESCRIBE CONTINGENCY**  
7 **FEDERAL ACQUISITION REGULATION.**—The Director, in  
8 consultation with the Director of the Office of Manage-  
9 ment and Budget, shall prescribe a Contingency Federal  
10 Acquisition Regulation. The Regulation shall apply, under  
11 such circumstances as the Director prescribes, in lieu of  
12 the Federal Acquisition Regulation with respect to con-  
13 tracts intended for use in or with respect to stabilization  
14 and reconstruction emergencies or in imminent or poten-  
15 tial stabilization and reconstruction operations.

16 (b) **PREFERENCE TO CERTAIN CONTRACTS.**—It is  
17 the sense of Congress that the Contingency Federal Acqui-  
18 sition Regulation required by subsection (a) should include  
19 provisions requiring an agency to give a preference to con-  
20 tracts that appropriately, efficiently, and sustainably im-  
21 plement programs and projects undertaken in support of  
22 a stabilization and reconstruction operation.

23 (c) **DEADLINE.**—The Director shall prescribe the  
24 Contingency Federal Acquisition Regulation required by  
25 subsection (a) by the date occurring one year after the

1 date of the enactment of this Act. If the Director does  
2 not prescribe the Regulation by that date, the Director  
3 shall submit to Congress a statement explaining why the  
4 deadline was not met.

5 **SEC. 1725. STABILIZATION AND RECONSTRUCTION FUND.**

6 (a) IN GENERAL.—Subject to subsection (c), there is  
7 established in the Treasury of the United States a fund,  
8 to be known as the “Stabilization and Reconstruction  
9 Emergency Reserve Fund”, to be administered by the Di-  
10 rector at the direction of the President and with the con-  
11 sent of the Secretary of State and the Secretary of De-  
12 fense for the following purposes with respect to a stabiliza-  
13 tion and reconstruction operation:

14 (1) Development of water and sanitation infra-  
15 structure.

16 (2) Providing food distribution and development  
17 of sustained production.

18 (3) Supporting relief efforts related to refugees,  
19 internally displaced persons, and vulnerable individ-  
20 uals, including assistance for families of innocent ci-  
21 vilians who suffer losses as a result of military oper-  
22 ations.

23 (4) Providing electricity.

24 (5) Providing healthcare relief and developing  
25 sustained healthcare.



- 1 (6) Development of telecommunications.
- 2 (7) Development of economic and financial pol-  
3 icy.
- 4 (8) Development of education.
- 5 (9) Development of transportation infrastruc-  
6 ture.
- 7 (10) Establishment and enforcement of rule of  
8 law.
- 9 (11) Humanitarian demining.
- 10 (12) Development of agriculture.
- 11 (13) Peace enforcement, peacekeeping, and  
12 post-conflict peacebuilding.
- 13 (14) Development of justice and public safety  
14 infrastructure.
- 15 (15) Development of security and law enforce-  
16 ment.
- 17 (16) Observation and enforcement of human  
18 rights.
- 19 (17) Development of governance, democratiza-  
20 tion, and building the capacity of government.
- 21 (18) Development of natural resource infra-  
22 structure.
- 23 (19) Establishment of environmental protection.
- 24 (20) Protection of vulnerable populations in-  
25 cluding women, children, the aged, and minorities.



1           (21) The operations of the Office.

2           (22) Any other purpose which the Director con-  
3           siders essential to address the emergency.

4           (b) CONGRESSIONAL NOTIFICATION.—

5           (1) PRESIDENTIAL DIRECTION.—At the time  
6           the President directs the Director to carry out or  
7           support an activity described in subsection (a), the  
8           President shall transmit to appropriate congressional  
9           committees a written notification of such direction.

10          (2) ACTIVITIES IN A COUNTRY.—Not less than  
11          15 days before carrying out or supporting an activity  
12          described in subsection (a), the Director shall submit  
13          to the appropriate congressional committees infor-  
14          mation related to the budget, implementation  
15          timeline (including milestones), and transition strat-  
16          egy with respect to such activity and the stabiliza-  
17          tion or reconstruction operation at issue.

18          (c) AUTHORIZATION OF APPROPRIATIONS.—No  
19          funds are authorized to be appropriated to the fund estab-  
20          lished in subsection (a) other than pursuant to a law en-  
21          acted after the date of the enactment of this Act. Any  
22          such sums authorized to be appropriated—

23                 (1) shall be available until expended;

24                 (2) shall not be made available for obligation or  
25          expenditure until the President declares a stabiliza-

1 tion and reconstruction emergency pursuant to sec-  
2 tion 1713; and

3 (3) shall be in addition to any other funds made  
4 available for such purposes.

## 5 **Subtitle C—Responsibilities of the** 6 **Inspector General**

### 7 **SEC. 1731. INSPECTOR GENERAL.**

8 (a) **IN GENERAL.**—There shall be within the Office  
9 an Office of the Inspector General, the head of which shall  
10 be the Inspector General of the United States Office for  
11 Contingency Operations (in this title referred to as the  
12 “Inspector General”), who shall be appointed as provided  
13 in section 3(a) of the Inspector General Act of 1978 (5  
14 U.S.C. App.).

15 (b) **TECHNICAL AMENDMENTS AND ADDITIONAL AU-**  
16 **THORITIES.**—The Inspector General Act of 1978 (5  
17 U.S.C. App) is amended—

18 (1) in section 12—

19 (A) in paragraph (1), by inserting “the  
20 United States Office for Contingency Oper-  
21 ations;” after “the President of the Export-Im-  
22 port Bank;”; and

23 (B) in paragraph (2), by inserting “the  
24 United States Office for Contingency Oper-

1           ations,” after “the Federal Housing Finance  
2           Agency,”;

3           (2) in section 8J, by striking “8E or 8F” and  
4           inserting “8E, 8F, or 8M”; and

5           (3) by inserting after section 8L the following  
6           new section:

7   **“SEC. 8M. SPECIAL PROVISIONS CONCERNING THE INSPEC-**  
8                           **TOR GENERAL OF THE UNITED STATES OF-**  
9                           **FICE FOR CONTINGENCY OPERATIONS.**

10   “(a) SPECIAL AUDIT AND INVESTIGATIVE AUTHOR-  
11   ITY.—

12           “(1) IN GENERAL.—When directed by the  
13           President, or otherwise provided by law, and in addi-  
14           tion to the other duties and responsibilities specified  
15           in this Act, the Inspector General of the United  
16           States Office for Contingency Operations—

17                   “(A) shall, with regard to the activities of  
18                   the United States Office for Contingency Oper-  
19                   ations, have special audit and investigative au-  
20                   thority over all accounts, spending, programs,  
21                   projects, and operations; and

22                   “(B) shall have special audit and investiga-  
23                   tive authority over the activities described in  
24                   paragraph (2).

1           “(2) ACTIVITIES DESCRIBED.—The activities  
2 described in this paragraph are activities funded or  
3 undertaken by the United States Government that  
4 are not undertaken by or under the direction or su-  
5 pervision of the Director of the United States Office  
6 for Contingency Operations—

7           “(A) in response to emergencies, desta-  
8 bilization, armed conflict, or events that other-  
9 wise require stabilization or reconstruction op-  
10 erations;

11           “(B) where a rapid response by the United  
12 States is required or anticipated to be required;  
13 and

14           “(C) where the Inspector General is more  
15 well-suited than the implementing department  
16 or agency to engage rapidly in audit and inves-  
17 tigative activities.

18           “(3) ADMINISTRATIVE OPERATIONS.—In any  
19 case in which the Inspector General of the United  
20 States Office for Contingency Operations is exer-  
21 cising or preparing to exercise special audit and in-  
22 vestigative authority under this subsection, the head  
23 of any department or agency undertaking or pre-  
24 paring to undertake the activities described in para-  
25 graph (2) shall provide such Inspector General with

1 appropriate and adequate office space within the of-  
2 fices of such department or agency or at appropriate  
3 locations of that department or agency overseas, to-  
4 gether with such equipment, office supplies, and  
5 communications facilities and services as may be  
6 necessary for the operation of such offices, and shall  
7 provide necessary maintenance services for such of-  
8 fices and the equipment and facilities located there-  
9 in.

10 “(b) ADDITIONAL DUTIES.—

11 “(1) IN GENERAL.—It shall be the duty of the  
12 Inspector General of the United States Office for  
13 Contingency Operations to conduct, supervise, and  
14 coordinate audits and investigations of the treat-  
15 ment, handling, and expenditure of amounts appro-  
16 priated or otherwise made available for activities to  
17 be carried out by or under the direction or super-  
18 vision of the Director of the United States Office for  
19 Contingency Operations, or for activities subject to  
20 the special audit and investigative authority of such  
21 Inspector General under subsection (a), and of the  
22 programs, operations, and contracts carried out uti-  
23 lizing such funds, including—

24 “(A) the oversight and accounting of the  
25 obligation and expenditure of such funds;

1           “(B) the monitoring and review of activi-  
2           ties funded by such funds;

3           “(C) the monitoring and review of con-  
4           tracts funded by such funds;

5           “(D) the monitoring and review of the  
6           transfer of such funds and associated informa-  
7           tion between and among departments, agencies,  
8           and entities of the United States, and private  
9           and nongovernmental entities; and

10          “(E) the maintenance of records on the  
11          use of such funds to facilitate future audits and  
12          investigations of the use of such funds.

13          “(2) SYSTEMS, PROCEDURES, AND CON-  
14          TROLS.—The Inspector General of the United States  
15          Office for Contingency Operations shall establish,  
16          maintain, and oversee such systems, procedures, and  
17          controls as such Inspector General considers appro-  
18          priate to discharge the duty under paragraph (1).

19          “(c) PERSONNEL AUTHORITY.—

20          “(1) IN GENERAL.—The Inspector General of  
21          the United States Office for Contingency Operations  
22          may select, appoint, and employ such officers and  
23          employees as may be necessary for carrying out the  
24          functions, powers, and duties of the Office, subject  
25          to the provisions of title 5, United States Code, gov-



1       erning appointments in the excepted service, and the  
2       provisions of chapter 51 and subchapter III of chap-  
3       ter 53 of such title, relating to classification and  
4       General Schedule pay rates.

5           “(2) EMPLOYMENT AUTHORITY.—The Inspec-  
6       tor General of the United States Office for Contingency  
7       Operations may exercise the authorities of  
8       subsections (b) through (i) of section 3161 of title  
9       5, United States Code (without regard to subsection  
10      (a) of that section). In exercising the employment  
11      authorities under subsection (b) of section 3161 of  
12      title 5, United States Code, as provided under para-  
13      graph (1) of this subsection, paragraph (2) of such  
14      subsection (b) (relating to periods of appointments)  
15      shall not apply.

16          “(3) EXEMPTION.—Section 6(a)(7) shall not  
17      apply with respect to the Inspector General of the  
18      United States Office for Contingency Operations.

19      “(d) REPORTS.—

20          “(1) QUARTERLY REPORTS.—

21           “(A) IN GENERAL.—Not later than 60  
22      days after the end of each fiscal-year quarter,  
23      the Inspector General of the United States Of-  
24      fice for Contingency Operations shall submit to  
25      the appropriate committees of Congress a re-



1 port in accordance with subparagraph (B) that  
2 summarizes for the period of that quarter and,  
3 to the extent possible, the period from the end  
4 of such quarter to the time of the submission  
5 of the report, the activities of such Inspector  
6 General and the activities under programs and  
7 operations funded with amounts appropriated  
8 or otherwise made available for activities car-  
9 ried out by or under the direction or supervision  
10 of the Director of the United States Office for  
11 Contingency Operations.

12 “(B) CONTENTS OF QUARTERLY RE-  
13 PORT.—Each report submitted pursuant to sub-  
14 paragraph (A) shall include, for the period cov-  
15 ered by such report, a detailed statement of all  
16 obligations, expenditures, and revenues associ-  
17 ated with reconstruction and rehabilitation ac-  
18 tivities by or under the direction or supervision  
19 of the Director of the United States Office for  
20 Contingency Operations, or under the special  
21 audit and investigative authority under sub-  
22 section (a) of the Inspector General of the  
23 United States Office for Contingency Oper-  
24 ations, and segregated by area (as may be pre-

1           scribed by such Inspector General), including  
2           the following:

3                   “(i) Obligations and expenditures of  
4                   appropriated funds.

5                   “(ii) A project-by-project and pro-  
6                   gram-by-program accounting of the costs  
7                   incurred to date by such Office or under  
8                   the direction or supervision of such Office,  
9                   or under the special audit and investigative  
10                  authority of such Inspector General, for  
11                  each stabilization and reconstruction oper-  
12                  ation, together with the estimate of the de-  
13                  partment or agency of the United States,  
14                  as applicable, of the costs to complete each  
15                  project and each program.

16                  “(iii) Revenues attributable to or con-  
17                  sisting of funds provided by foreign coun-  
18                  tries or international organizations, and  
19                  any obligations or expenditures of such  
20                  revenues.

21                  “(iv) Revenues attributable to or con-  
22                  sisting of foreign assets seized or frozen,  
23                  and any obligations or expenditures of  
24                  such revenues.

1           “(v) Operating expenses of depart-  
2           ments, agencies, or other entities receiving  
3           amounts appropriated or otherwise made  
4           available to or obligated or expended under  
5           the direction or supervision of such Direc-  
6           tor.

7           “(vi) In the case of a covered con-  
8           tract—

9                   “(I) the amount of such contract;

10                   “(II) a brief discussion of the  
11                   scope of such contract;

12                   “(III) a discussion of how the  
13                   relevant department, agency, or other  
14                   entity identified, and solicited offers  
15                   from, potential contractors to perform  
16                   the contract, together with a list of  
17                   the potential contractors that were  
18                   issued solicitations for the offers; and

19                   “(IV) the extent to which com-  
20                   petitive procedures were used for such  
21                   contract.

22           “(C) REPORT COORDINATION.—Each re-  
23           port under this paragraph shall be furnished to  
24           the head of the establishment involved not later  
25           than 30 days after the submission of the report

1 under subparagraph (A) and shall be trans-  
2 mitted by such head to the appropriate commit-  
3 tees of the Congress not later than 30 days  
4 after receipt of the report, together with a re-  
5 port by the head of the establishment con-  
6 taining any comments such head determines ap-  
7 propriate, including a classified annex if such  
8 head considers it necessary.

9 “(2) SEMIANNUAL REPORTS.—The Inspector  
10 General of the United States Office for Contingency  
11 Operations shall submit to the appropriate commit-  
12 tees a semiannual report that includes a summary of  
13 the activities of the Office, including activities de-  
14 scribed in paragraphs (1) through (13) of section  
15 5(a) of this Act. The first such report for a year,  
16 covering the first six months of the year, shall be  
17 submitted not later than August 30 of that year,  
18 and the second such report, covering the second six  
19 months of the year, shall be submitted not later than  
20 February 28 of the following year.

21 “(3) WAIVER.—

22 “(A) IN GENERAL.—The President may  
23 waive any of the requirements to be included in  
24 the reports under paragraph (1) or (2) if the

1 President determines that the waiver is justified  
2 for national security reasons.

3 “(B) NOTICE OF WAIVER.—The President  
4 shall publish a notice of each waiver made  
5 under this paragraph in the Federal Register  
6 not later than the date on which the report for  
7 which a waiver was made is required to be sub-  
8 mitted to Congress under paragraph (1) or (2).

9 “(C) DESCRIPTION OF WAIVER IN RE-  
10 PORT.—The reports required under paragraph  
11 (1) or (2) shall specify whether waivers under  
12 this paragraph were made and with respect to  
13 which requirements.

14 “(4) REPORTS UNDER SECTION 5 OF THIS  
15 ACT.—

16 “(A) IN GENERAL.—In addition to reports  
17 otherwise required to be submitted under this  
18 subsection, the Inspector General of the United  
19 States Office for Contingency Operations—

20 “(i) may issue periodic reports of a  
21 similar nature to the quarterly reports sub-  
22 mitted under paragraph (1) with respect to  
23 activities subject to the special audit and  
24 investigative authority of such Inspector  
25 General under subsection (a); and

1           “(ii) if such Inspector General did not  
2           engage, during any six month period, in  
3           audit or investigation activities with re-  
4           spect to activities carried out under the di-  
5           rection or supervision of the Director, shall  
6           issue a report, not later than six months  
7           after the previous report was issued under  
8           this subsection that includes a summary of  
9           the activities of the Office, including activi-  
10          ties described in paragraphs (1) through  
11          (13) of section 5(a) of this Act.

12           “(B) EXEMPTION.—The Inspector General  
13          of the United States Office for Contingency Op-  
14          erations is not required to provide reports  
15          under section 5 of this Act.

16           “(5) LANGUAGE OF REPORTS.—The Inspector  
17          General of the United States Office for Contingency  
18          Operations shall publish each report under this sub-  
19          section in both English and to the degree that the  
20          Inspector General shall prescribe, in languages rel-  
21          evant to the host country.

22           “(6) FORM OF SUBMISSION.—Each report  
23          under this subsection may include a classified annex  
24          if the Inspector General of the United States Office  
25          for Contingency Operations considers it necessary.

1           “(7) DISCLOSURE OF CERTAIN INFORMA-  
2           TION.—Nothing in this subsection shall be construed  
3           to authorize the public disclosure of information that  
4           is—

5                   “(A) specifically prohibited from disclosure  
6                   by any other provision of law;

7                   “(B) specifically required by Executive  
8                   order to be protected from disclosure in the in-  
9                   terest of national defense or national security or  
10                  in the conduct of foreign affairs; or

11                  “(C) a part of an ongoing criminal inves-  
12                  tigation.

13           “(e) DEFINITIONS.—In this section:

14                   “(1) APPROPRIATE COMMITTEES.—The term  
15                   ‘appropriate committees’ means—

16                           “(A) the Committees on Appropriations,  
17                           Armed Services, Foreign Affairs, and Oversight  
18                           and Government Reform of the House of Rep-  
19                           resentatives; and

20                           “(B) the Committees on Appropriations,  
21                           Armed Services, Foreign Relations, and Home-  
22                           land Security and Governmental Affairs of the  
23                           Senate.

24                   “(2) COVERED CONTRACT.—The term ‘covered  
25                   contract’ means a contract entered into by any de-



1       partment or agency, with any public or private sec-  
2       tor entity, in any geographic area with regard to a  
3       stabilization or reconstruction operation or where  
4       the Inspector General of the United States Office for  
5       Contingency Operations is exercising its special  
6       audit or investigative authority for the performance  
7       of any of the following:

8               “(A) To build or rebuild physical infra-  
9       structure of such area.

10              “(B) To establish or reestablish a political  
11       or governmental institution of such area.

12              “(C) To provide products or services to the  
13       local population of the area.

14              “(3) DEPARTMENT OR AGENCY.—The term ‘de-  
15       partment or agency’ means any agency as defined  
16       under section 551 of title 5, United States Code.

17              “(4) STABILIZATION AND RECONSTRUCTION OP-  
18       ERATION.—The term ‘stabilization and reconstruc-  
19       tion operation’ has the meaning given the term in  
20       section 1702 of the Stabilization and Reconstruction  
21       Operations Interagency Enhancement Act of 2012.”.

22       (c) TRANSFER AND TERMINATION OF THE OFFICE  
23       OF THE SPECIAL INSPECTOR GENERAL FOR AFGHANI-  
24       STAN RECONSTRUCTION AND THE OFFICE OF THE SPE-

1 CIAL INSPECTOR GENERAL FOR IRAQ RECONSTRUC-  
2 TION.—

3 (1) TRANSFER.—The following shall be trans-  
4 ferred to the Office of the Inspector General of the  
5 United States Office for Contingency Operations:

6 (A)(i) All functions vested by law on the  
7 day before the effective date of this Act in the  
8 Office of the Special Inspector General for Iraq  
9 Reconstruction or the Inspector General of such  
10 office.

11 (ii) All functions vested by law on the day  
12 before the effective date of this Act in the Of-  
13 fice of the Special Inspector General for Af-  
14 ghanistan Reconstruction or the Inspector Gen-  
15 eral of such office.

16 (B) All personnel, assets, and liabilities of  
17 the Office of the Special Inspector General for  
18 Iraq Reconstruction, and all personnel, assets,  
19 and liabilities of the Office of the Special In-  
20 spector General for Afghanistan Reconstruc-  
21 tion.

22 (2) EXERCISE OF FUNCTIONS.—The Inspector  
23 General shall exercise all functions transferred by  
24 paragraph (1)(A) on and after the effective date of  
25 this Act.

1           (3) PERSONNEL CLASSIFICATION AND COM-  
2 PENSATION.—The transfer of personnel pursuant to  
3 paragraph (1)(B) shall not alter the terms and con-  
4 ditions of employment, including compensation and  
5 classification, of any employee so transferred.

6           (4) TERMINATION.—

7           (A) IRAQ RECONSTRUCTION FUNCTIONS.—

8           (i) IN GENERAL.—The authority of  
9 the Inspector General to exercise the func-  
10 tions transferred by paragraph (1)(A)(i)  
11 shall terminate 180 days after the date on  
12 which amounts appropriated or otherwise  
13 made available for the reconstruction of  
14 Iraq that are unexpended are less than  
15 \$250,000,000.

16           (ii) DEFINITION.—In clause (i), the  
17 term “amounts appropriated or otherwise  
18 made available for the reconstruction of  
19 Iraq” has the meaning given the term in  
20 section 3001(m) of the Emergency Supple-  
21 mental Appropriations Act for Defense and  
22 for the Reconstruction of Iraq and Afghan-  
23 istan, 2004 (Public Law 108–106; 117  
24 Stat. 1238; 5 U.S.C. App., note to section

1 8G), as such section was in effect on the  
2 day before the effective date of this Act.

3 (B) AFGHANISTAN RECONSTRUCTION  
4 FUNCTIONS.—

5 (i) IN GENERAL.—The authority of  
6 the Inspector General to exercise the func-  
7 tions transferred by paragraph (1)(A)(ii)  
8 shall terminate 180 days after the date on  
9 which amounts appropriated or otherwise  
10 made available for the reconstruction of  
11 Afghanistan that are unexpended are less  
12 than \$250,000,000.

13 (ii) DEFINITION.—In clause (i), the  
14 term “amounts appropriated or otherwise  
15 made available for the reconstruction of  
16 Afghanistan” has the meaning given the  
17 term in section 1229(m) of the National  
18 Defense Authorization Act for Fiscal Year  
19 2008 (Public Law 110–181; 122 Stat.  
20 384), as such section was in effect on the  
21 day before the effective date of this Act.

22 (5) REPEALS.—The following provisions of law  
23 are repealed:

24 (A) Section 3001 of the Emergency Sup-  
25 plemental Appropriations Act for Defense and

1           for the Reconstruction of Iraq and Afghanistan,  
2           2004 (Public Law 108–106; 117 Stat. 1234; 5  
3           U.S.C. App., note to section 8G).

4           (B) Section 1229 of the National Defense  
5           Authorization Act for Fiscal Year 2008 (Public  
6           Law 110–181; 122 Stat. 378).

7           (d) SAVINGS PROVISIONS.—

8           (1) COMPLETED ADMINISTRATIVE ACTIONS.—

9           (A) Completed administrative actions of the Office  
10          of the Special Inspector General for Afghanistan Re-  
11          construction and the Office of the Special Inspector  
12          General for Iraq Reconstruction shall not be affected  
13          by the enactment of this Act or the transfer of such  
14          offices to the Office of the Inspector General of the  
15          United States Office for Contingency Operations,  
16          but shall continue in effect according to their terms  
17          until amended, modified, superseded, terminated, set  
18          aside, or revoked in accordance with law by an offi-  
19          cer of the United States or a court of competent ju-  
20          risdiction, or by operation of law.

21          (B) For purposes of paragraph (1), the term  
22          “completed administrative action” includes orders,  
23          determinations, rules, regulations, personnel actions,  
24          permits, agreements, grants, contracts, certificates,  
25          licenses, registrations, and privileges.

1           (2) PENDING CIVIL ACTIONS.—Pending civil ac-  
2           tions shall continue notwithstanding the enactment  
3           of this Act or the transfer of the Office of the Spe-  
4           cial Inspector General for Afghanistan Reconstruc-  
5           tion and the Office of the Special Inspector General  
6           for Iraq Reconstruction to the Office of the Inspec-  
7           tor General of the United States Office for Contingency  
8           Operations, and in such civil actions, proceedings shall be had,  
9           appeals taken, and judgments rendered and enforced in the same  
10          manner and with the same effect as if such enactment or transfer had  
11          not occurred.

13          (3) REFERENCES.—References relating to the  
14          Office of the Special Inspector General for Afghanistan  
15          Reconstruction and the Office of the Special In-  
16          spector General for Iraq Reconstruction that is  
17          transferred to the Office of the Inspector General of  
18          the United States Office for Contingency Operations  
19          in statutes, Executive orders, rules, regulations, di-  
20          rectives, or delegations of authority that precede  
21          such transfer or the effective date of this Act shall  
22          be deemed to refer, as appropriate, to the Office of  
23          the Inspector General of the United States Office for  
24          Contingency Operations, to its officers, employees,



1 or agents, or to its corresponding organizational  
2 units or functions.

3 **Subtitle D—Responsibilities of**  
4 **Other Agencies**

5 **SEC. 1741. RESPONSIBILITIES OF OTHER AGENCIES FOR**  
6 **MONITORING AND EVALUATION REQUIRE-**  
7 **MENTS.**

8 The head of any agency under the authority of the  
9 Director in support of a stabilization and reconstruction  
10 operation pursuant to section 1713 shall submit to the Di-  
11 rector—

12 (1) on-going evaluations of the impact of such  
13 stabilization and reconstruction operation on such  
14 agency, including an assessment of interagency co-  
15 ordination in support of such operation;

16 (2) any information the Director requests, in-  
17 cluding reports, evaluations, analyses, or assess-  
18 ments, to permit the Director to satisfy the quar-  
19 terly reporting requirement under section  
20 1713(a)(4); and

21 (3) an identification, within each such agency,  
22 of all current and former employees skilled in crisis  
23 response, including employees employed by contract,  
24 and information regarding each such agency's au-  
25 thority mechanisms to reassign or reemploy such



1 skilled personnel and mobilize rapidly associated re-  
2 sources in response to such operation.

3 **SEC. 1742. TRANSITION OF STABILIZATION AND RECON-**  
4 **STRUCTION OPERATIONS.**

5 (a) **TERMINATION.**—Upon Presidential termination  
6 of a stabilization and reconstruction emergency pursuant  
7 to section 1713(d)(2), any effort of a Federal agency  
8 under the authority of the Director pursuant to section  
9 1713 in support of a related stabilization and reconstruc-  
10 tion operation shall return to the authority of such agency.

11 (b) **SCALE-DOWN OPERATIONS.**—The President, in  
12 consultation with the Director, the Secretary of State, and  
13 the Secretary of Defense, shall delegate to appropriate  
14 Federal agencies post-stabilization and reconstruction  
15 emergency operations.

16 **SEC. 1743. SENSE OF CONGRESS.**

17 It is the sense of Congress that, to the extent pos-  
18 sible, the Director and staff should partner with the coun-  
19 try in which a stabilization and reconstruction operation  
20 is taking place, other foreign government partners, inter-  
21 national organizations, and local nongovernmental organi-  
22 zations throughout the planning, implementation, and par-  
23 ticularly during the transition stages of such operations  
24 to facilitate long term capacity building and sustainability  
25 of initiatives.

1           **Subtitle E—Authorization of**  
2                           **Appropriations**

3   **SEC. 1751. OFFSET OF COSTS IN ESTABLISHMENT OF OF-**  
4                           **FICE.**

5           (a) **IN GENERAL.**—Notwithstanding any other provi-  
6   sion of law, the Director—

7                   (1) shall reduce obligations for overseas re-  
8           sponse activities of the Office by not less than  
9           \$7,000,000 from the amount obligated during fiscal  
10          year 2012 for overseas response activities by the Bu-  
11          reau of Conflict and Stabilization Operations and  
12          the Office of the Coordinator for Civilian Recon-  
13          struction and Stabilization; and

14                   (2) may adjust, consolidate, or eliminate initia-  
15          tives, positions, and programs to be incorporated  
16          within the Office (other than within the Office of In-  
17          spector General)—

18                           (A) in order to achieve economies in oper-  
19          ation; and

20                           (B) in order to align the operations of the  
21          initiatives, positions, and programs more closely  
22          with the purposes of this title as stated in sec-  
23          tion 1703(b).

24          (b) **REDUCTION IN COSTS.**—In addition to the au-  
25          thority granted in subsection (a), the Director shall take

1 such steps as the Director determines necessary to ensure,  
2 in each fiscal year, that costs incurred to carry out the  
3 provisions of this title do not exceed the sum of—

4 (1) 80 percent of amounts obligated in fiscal  
5 year 2012 for initiatives, positions, and programs  
6 transferred to the Office pursuant to this title other  
7 than those relating to the Inspector General of the  
8 Office; and

9 (2) 100 percent of the amounts obligated in fis-  
10 cal year 2012 for initiatives, positions, and programs  
11 transferred to the Office pursuant to this Act relat-  
12 ing to the Inspector General of the Office.

13 (c) REPORT.—Notwithstanding any other provision  
14 of law, the Director shall submit to Congress not later  
15 than 60 days after the date of the enactment of this Act  
16 a report on the actions taken to ensure compliance with  
17 subsections (a) and (b), including the specific initiatives,  
18 positions, and programs that have been adjusted or elimi-  
19 nated to ensure that the costs of carrying out this title  
20 will be offset.

21 **SEC. 1752. AUTHORIZATION OF APPROPRIATIONS.**

22 There are authorized to be appropriated to carry out  
23 this title for each of fiscal years 2013 through 2017 an  
24 amount that does not exceed the amount determined pur-  
25 suant to section 1751(b) of this title.

1 **SEC. 1753. SUNSET.**

2       This title (other than this section) shall cease to be  
3 effective on September 30, 2017.



52. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PETRI  
OF WISCONSIN OR HIS DESIGNEE, DEBATABLE FOR 10  
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. PETRI OF WISCONSIN**

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

1 **SEC. 2824. DEFINITION OF RENEWABLE ENERGY SOURCE**  
2 **FOR DEPARTMENT OF DEFENSE ENERGY SE-**  
3 **CURITY.**

4 Section 2924(7)(A) of title 10, United States Code,  
5 is amended by inserting before the period at the end the  
6 following: “and direct solar renewable energy”.



53. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
BARTLETT OF MARYLAND OR HIS DESIGNEE, DEBATABLE FOR  
10 MINUTES



2432

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. BARTLETT OF MARYLAND**

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

1 **SEC. 28 \_\_\_. LIMITATION ON AVAILABILITY OF FUNDS**  
2 **PENDING REPORT REGARDING ACQUISITION**  
3 **OF LAND AND DEVELOPMENT OF A TRAINING**  
4 **RANGE FACILITY ADJACENT TO THE MARINE**  
5 **CORPS GROUND AIR COMBAT CENTER TWEN-**  
6 **TY NINE PALMS, CALIFORNIA.**

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

9 (1) The Marine Corps has studied the feasi-  
10 bility of acquiring land and developing a training  
11 range facility to conduct Marine Expeditionary Bri-  
12 gade level live-fire training on or near the West  
13 Coast.

14 (2) The Bureau of Land management estimates  
15 on national economic impact show \$261.5 million in  
16 commerce at risk.

17 (3) Economic impact on the local community is  
18 estimated to be \$71.1 Million.

1 (b) LIMITATION OF FUNDS PENDING REPORT.—

2 (1) IN GENERAL.—The Secretary of the Navy  
3 may not obligate or expend funds for the transfer of  
4 land or development of a new training range on land  
5 adjacent to the Marine Corps Ground Air Combat  
6 Center Twenty Nine Palms, California until the Sec-  
7 retary of the Navy has provided the Congressional  
8 defense committees a report on the Marine Corps'  
9 efforts with respect to the proposed training range.

10 (2) ELEMENTS OF REPORT.—The report re-  
11 quired under paragraph (1) shall be submitted not  
12 later than 90 days after the date of enactment of  
13 this Act and shall include the following:

14 (A) A description of the actual training re-  
15 quirements for the proposed range and where  
16 those training requirements are currently being  
17 met to support combat deployments.

18 (B) Identify the impact on off-road vehicle  
19 recreational users of the land, the economic im-  
20 pact on the local economy, the recreation indus-  
21 try, and any other stakeholders.

22 (C) Identify any concerns discussed with  
23 the Bureau of Land Management regarding  
24 their assessments of the impact on other users.

1           (D) Identify the impact on the State of  
2           California's 1980 Desert Conservation plan re-  
3           garding allocation of the Off Highway Vehicle  
4           Recreation Areas.

5           (E) The potential to use the same land  
6           without transfer, but under specific permits for  
7           use provided by the (such as agreements at  
8           other locations under permit from the Forest  
9           Service and Bureau of Land Management).

10          (F) Any potential on other Bureau of  
11          Land Management lands proximate to the Ma-  
12          rine Corps Ground Air Combat Center Twenty  
13          Nine Palms or other locations in the geographic  
14          region.

15          (3) SECRETARY OF DEFENSE WAIVER.—In the  
16          event of urgent national need, the Secretary of De-  
17          fense may notify the Congressional Committees and  
18          waive the requirement for this report.



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

**AMENDMENT TO RULES COMMITTEE PRINT OF  
H.R. 4310  
OFFERED BY MR. FRANKS OF ARIZONA**

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

1 **SEC. 3123. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
2 **NUCLEAR NONPROLIFERATION ACTIVITIES**  
3 **WITH RUSSIAN FEDERATION.**

4 (a) **LIMITATION.**—None of the funds authorized to  
5 be appropriated by this Act or otherwise made available  
6 for fiscal year 2013 for defense nuclear nonproliferation  
7 may be obligated or expended for nuclear nonproliferation  
8 activities with the Russian Federation until the date that  
9 is 30 days after the date on which the Secretary of Energy  
10 certifies, in coordination with the Secretary of State and  
11 the Secretary of Defense, to the appropriate congressional  
12 committees that—

13 (1) **Russia is no longer—**

14 (A) providing direct or indirect support to  
15 the government of Syria's suppression of the  
16 Syrian people; and

17 (B) transferring to Iran, North Korea, or  
18 Syria equipment and technology that have the



1 potential to make a material contribution to the  
2 development of weapons of mass destruction or  
3 cruise or ballistic missile systems controlled  
4 under multilateral control lists; or

5 (2) funds planned to be obligated or expended  
6 for nuclear nonproliferation activities with the Rus-  
7 sian Federation are strictly for project closeout ac-  
8 tivities and will not be used for new activities or ac-  
9 tivities that will extend beyond fiscal year 2013.

10 (b) WAIVER.—The Secretary of Energy may waive  
11 the limitation in subsection (a) if—

12 (1) the Secretary determines that such waiver is  
13 in the national security interests of the United  
14 States;

15 (2) the Secretary briefs, in an unclassified  
16 form, the appropriate congressional committees on  
17 the justifications of such waiver; and

18 (3) a period of 90 days has elapsed following  
19 the date on which such briefing is held.

20 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
21 FINED.—In this section, the term “appropriate congres-  
22 sional committees” means—

23 (1) the Committee on Armed Services and the  
24 Committee on Foreign Affairs of the House of Rep-  
25 resentatives; and

1           (2) the Committee on Armed Services and the  
2           Committee on Foreign Relations of the Senate.





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

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*Stuart Pearce*

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310**

**OFFERED BY MR. PEARCE OF NEW MEXICO**

**(For Himself and Mr. Markey of Massachusetts)**

In subtitle E of title XXXI, strike section 3156.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. HEINRICH OF NEW MEXICO**

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

1 **SEC. 3158. PILOT PROGRAM ON TECHNOLOGY COMMERCIALIZATION.**  
2

3 (a) **PILOT PROGRAM.**—The Secretary of Energy, in  
4 consultation with the Technology Transfer Coordinator  
5 appointed under section 1001(a) of the Energy Policy Act  
6 of 2005 (42 U.S.C. 16391(a)), may carry out a competi-  
7 tively awarded pilot program involving one non-profit enti-  
8 ty and a national laboratory within the National Nuclear  
9 Security Administration for the purpose of accelerating  
10 technology transfer from national laboratories to the mar-  
11 ketplace.

12 (b) **SELECTION OF ENTITY AND NATIONAL LABORATORY.**—In carrying out a pilot program under subsection  
13 (a), the Secretary of Energy and the Technology Transfer  
14 Coordinator shall jointly select a non-profit entity and a  
15 national laboratory for the purpose of carrying out the  
16 pilot program under this section. In making such selec-  
17

1 tions, the Secretary and Coordinator shall consider each  
2 of the following:

3 (1) A commitment to participate made by a na-  
4 tional laboratory within the National Nuclear Secu-  
5 rity Administration being considered for selection.

6 (2) The availability of technologies, licenses, in-  
7 tellectual property, and other matters at a national  
8 laboratory being considered for selection.

9 (c) PROGRAM ELEMENTS.—The pilot program shall  
10 be carried out as follows:

11 (1) Under the pilot program, the Secretary and  
12 the Coordinator shall evaluate and validate the per-  
13 formance of technology transfer activities at the se-  
14 lected laboratory.

15 (2) The pilot program shall involve collabora-  
16 tion with other offices and agencies within the De-  
17 partment of Energy and the National Nuclear Secu-  
18 rity Administration.

19 (3) Under the pilot program, the non-profit en-  
20 tity selected to carry out the pilot program shall  
21 work to create business startups and increase the  
22 number of cooperative research and development  
23 agreements and sponsored research projects at the  
24 selected laboratory. The non-profit entity shall work  
25 with interested businesses in identifying appropriate

1 technologies at the national laboratory and facili-  
2 tating the commercialization process.

3 (4) The Secretary of Energy and the Coordi-  
4 nator shall use the results of the pilot program as  
5 the basis for informing key performance parameters  
6 and strategies that could be implemented in various  
7 national laboratories across the country.

8 (d) DURATION.—A pilot program carried out under  
9 subsection (a) shall be not more than two years in dura-  
10 tion.

11 (e) REPORTS.—

12 (1) INITIAL REPORTS.—Not later than one year  
13 after the date on which a pilot program under sub-  
14 section (a) begins, the Secretary of Energy shall  
15 submit to the Committees on Armed Services of the  
16 Senate and House of Representatives, the Com-  
17 mittee on Science and Technology in the House of  
18 Representatives, and the Committee on Commerce,  
19 Science and Transportation in the Senate, a report  
20 that provides an update on the implementation of  
21 the pilot program under this section, including an  
22 identification of the selected non-profit entity and  
23 national laboratory.

24 (2) FINAL REPORT.—Not later than 90 days  
25 after the completion of the pilot program, the Sec-



1       retary shall submit to the Committees on Armed  
2       Services of the Senate and House of Representa-  
3       tives, the Committee on Science and Technology in  
4       the House of Representatives, and the Committee on  
5       Commerce, Science and Transportation of the Sen-  
6       ate a report on the pilot program, including any  
7       findings and recommendations of the Secretary. The  
8       non-profit entity shall submit a report detailing its  
9       experiences working with the laboratory and submit  
10      recommendations for improvement of technology  
11      commercialization.

12      (f) DEFINITIONS.—In this section, the term “na-  
13      tional laboratory” means—

14              (1) a national laboratory (as defined in section  
15      2 of the Energy Policy Act of 2005 (42 U.S.C.  
16      15801)); or

17              (2) a national security laboratory (as defined in  
18      section 3281 of the National Nuclear Security Ad-  
19      ministration Act (50 U.S.C. 2471)).





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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. TURNER OF OHIO**

Page 831, strike lines 8 through 13 and insert the following: “the Administrator shall prescribe appropriate policies and regulations to ensure the adequate protection of the health and safety of the employees of the Administration, contractors of the Administration, and the public. Such policies and regulations shall be based upon risk whenever sufficient data exists.”.

Page 831, after line 22, insert the following new paragraph:

1       “(3) CONSTRUCTION.—Nothing in this subsection  
2 shall be construed to cause a reduction in nuclear safety  
3 standards.”.

Page 922, beginning line 18, strike “ensure” and all that follows through “protected.” on line 23 and insert the following: “ensure the adequate protection of public health and safety at defense nuclear facilities of the Department of Energy. Such analysis, advice, and recommendations shall be based upon risk whenever sufficient data exists.”.

Page 923, line 2, insert “and” after the semicolon.

Page 923, strike lines 3 through 13.

Page 923, line 14, strike “(iv)” and insert “(ii)”.

Page 923, strike lines 15 through 21.

Page 923, line 22, strike “(II)” and insert “(I)”.

Page 923, line 23, insert “risk (whenever sufficient data exists)” after “assess”.

Page 924, line 1, strike “(III)” and insert “(II)”.

Page 931, after line 4, insert the following new subsection:

1       (h) SAFETY STANDARDS.—Nothing in this section  
2 nor in the amendments made by this section shall be con-  
3 strued to cause a reduction in nuclear safety standards.



58. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
TIERNEY OF MASSACHUSETTS OR HIS DESIGNEE, DEBATABLE  
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. TIERNEY OF MASSACHUSETTS**

Page 453, after line 16, insert the following (and conform the table of contents accordingly):

**1 SEC. 1069. REPORT ON MANUFACTURING INDUSTRY.**

2 Not later than 180 days after the date of the enact-  
3 ment of this Act, the Secretary of Defense shall submit  
4 to Congress a report assessing the manufacturing industry  
5 of the United States. The report shall include, at a min-  
6 imum, the following:

7 (1) An assessment of the current manufac-  
8 turing capacity of the United States as it relates to  
9 the ability of the United States to respond to both  
10 civilian and defense needs.

11 (2) An assessment of the tax, trade, and regu-  
12 latory policies of the United States as such policies  
13 impact the growth of the manufacturing industry in  
14 the United States.

15 (3) An analysis of the factors leading to the in-  
16 creased outsourcing of manufacturing processes to  
17 foreign nations.

1           (4) An analysis of the strength of the United  
2           States defense industrial base, including the security  
3           and stability of the supply chain and an assessment  
4           of the vulnerabilities of that supply chain.



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



**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. REHBERG OF MONTANA**

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

1 **SEC. 1065A. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
2 **RETIREMENT OF STRATEGIC DELIVERY SYS-**  
3 **TEMS.**

4 (a) **LIMITATION.**—Chapter 24 of title 10, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing:

7 **“§ 498. Commensurate strategic delivery system re-**  
8 **ductions**

9 “(a) **LIMITATION ON NEW START REDUCTIONS.**—  
10 None of the funds authorized to be appropriated or other-  
11 wise made available for fiscal year 2013 or any fiscal year  
12 thereafter for the Department of Defense may be obli-  
13 gated or expended to reduce, convert, or decommission any  
14 strategic delivery system pursuant to the levels set forth  
15 for such systems under the New START Treaty unless  
16 the President certifies to the congressional defense com-  
17 mittees that—

1           “(1) the Russian Federation must make a com-  
2           mensurate reduction, conversion, or decommissioning  
3           pursuant to the levels set forth under such treaty;  
4           and

5           “(2) the Russian Federation is not developing  
6           or deploying a strategic delivery system that is—

7                   “(A) not covered under the limits set forth  
8                   under such treaty; and

9                   “(B) capable of reaching the United  
10                  States.

11          “(b) LIMITATION ON TRIAD REDUCTIONS.—None of  
12          the funds authorized to be appropriated by this Act or  
13          otherwise made available for fiscal year 2013 or any fiscal  
14          year thereafter for the Department of Defense may be ob-  
15          ligated or expended to reduce, convert, or decommission  
16          any strategic delivery system if such reduction, conversion,  
17          or decommissioning would eliminate a leg of the nuclear  
18          triad.

19          “(c) DEFINITIONS.—In this section:

20                  “(1) The term ‘New START Treaty’ means the  
21                  Treaty between the United States of America and  
22                  the Russian Federation on Measures for the Further  
23                  Reduction and Limitation of Strategic Offensive  
24                  Arms, signed on April 8, 2010, and entered into  
25                  force on February 5, 2011.

1           “(2) The term ‘strategic delivery system’ means  
2           the following delivery platforms for nuclear weapons:

3                   “(A) Land-based intercontinental ballistic  
4                   missiles.

5                   “(B) Submarine-launched ballistic missiles  
6                   and associated ballistic missile submarines.

7                   “(C) Nuclear-certified strategic bombers.

8           “(3) The term ‘triad’ means the nuclear deter-  
9           rent capabilities of the United States composed of  
10           the strategic delivery systems.”.

11           (b) CLERICAL AMENDMENT.—The table of sections  
12           at the beginning of such chapter is amended by inserting  
13           after the item relating to section 497 the following new  
14           item:

“498. Commensurate strategic delivery system reductions.”.



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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. CARSON OF INDIANA**

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

1 **SEC. 3** . **SURVEY AND REPORT ON PERSONAL PROTECTION EQUIPMENT NEEDED BY MEMBERS OF THE ARMED FORCES DEPLOYED ON THE GROUND IN COMBAT ZONES.**

2  
3  
4  
5 (a) **SENSE OF CONGRESS.**—It is the sense of Congress that, when sending members of the United States Armed Forces into combat, the United States has an obligation to ensure that—

6  
7  
8  
9 (1) the members are properly equipped with the best available protective equipment and supplies; and

10  
11 (2) the members, or their family and friends, never feel compelled to purchase additional equipment and supplies to be safer in combat.

12  
13  
14 (b) **SURVEY REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct an anonymous survey among members and former members of the Armed Forces who were deployed on the ground in a combat zone since September 11, 2001, requesting information on what kinds



1 of personal protection equipment (such as body armor and  
2 ballistic eyewear) the member believes should have been  
3 provided to members during deployment but were not pro-  
4 vided. The Secretary shall include in the survey questions  
5 about whether members, their families, or other persons  
6 purchased any personal protection equipment because the  
7 Armed Forces did not provide the equipment and the  
8 types and quantity of equipment purchased.

9 (c) REPORT ON RESULTS OF SURVEY.—Not later  
10 than 180 days after the completion of the survey required  
11 by subsection (b), the Secretary of Defense shall submit  
12 to Congress a report—

13 (1) describing the results of the survey;

14 (2) describing the types and quantity of per-  
15 sonal protection equipment not provided by the  
16 Armed Forces and purchased instead by or on behalf  
17 of members of the Armed Forces to protect them-  
18 selves;

19 (3) explaining why such personal protection  
20 equipment was not provided; and

21 (4) recommending future funding solutions to  
22 prevent the omission in the future.



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



**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310**

**OFFERED BY MR. GARAMENDI OF CALIFORNIA**

Page 81, line 2, strike “and” at the end.

Page 81, line 6, strike the period at the end and insert “; and”.

Page 81, after line 6, insert the following:

1           (4) an assessment of any challenges that may  
2           exist in the manufacturing capability of the United  
3           States to produce three-dimensional integrated cir-  
4           cuits (including a review of the challenges that may  
5           exist in the manufacturing capability of the United  
6           States to produce small-lot quantities of advanced  
7           chips (200mm and 300mm)) and a general analysis  
8           on potential ways to overcome these challenges and  
9           encourage domestic commercial capability to develop  
10          and manufacture three-dimensional integrated cir-  
11          cuits for use in military systems.



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

*Jim McDermott*  
u

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. McDERMOTT OF WASHINGTON**

Page 93, after line 10, insert the following new paragraph:

- 1           (6) A status report on the sharing of environ-
- 2           mental exposure data with the Secretary of Veterans
- 3           Affairs on an ongoing and regular basis for use in
- 4           medical and treatment records of veterans, including
- 5           using such data in determining the service-connect-
- 6           edness of health conditions and in identifying the
- 7           possible origins and causes of disease.



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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. SMITH OF WASHINGTON**

*(Offered on behalf of Himself and Mr. Dicks of Washington)*

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

1 **SEC. 3\_\_ . AUTHORITY OF SECRETARY OF A MILITARY DE-**  
2 **PARTMENT TO ENTER INTO COOPERATIVE**  
3 **AGREEMENTS WITH INDIAN TRIBES FOR**  
4 **LAND MANAGEMENT ASSOCIATED WITH MILI-**  
5 **TARY INSTALLATIONS AND STATE-OWNED**  
6 **NATIONAL GUARD INSTALLATIONS.**

7 (a) INCLUSION OF INDIAN TRIBES.—Section 103A(a)  
8 of the Sikes Act (16 U.S.C. 670c-1(a)) is amended in the  
9 matter preceding paragraph (1) by inserting “Indian  
10 tribes,” after “local governments,”.

11 (b) INDIAN TRIBE DEFINED.—Section 100 of such  
12 Act (16 U.S.C. 670) is amended by adding at the end the  
13 following new paragraph:

14 “(6) INDIAN TRIBE.—The term ‘Indian tribe’  
15 means any Indian tribe, band, nation, or other orga-  
16 nized group or community, including any Alaska Na-  
17 tive village or regional or village corporation as de-  
18 fined in or established pursuant to the Alaska Na-

1       tive Claims Settlement Act (43 U.S.C. 1601 et seq.),  
2       which is recognized as eligible for the special pro-  
3       grams and services provided by the United States to  
4       Indians because of their status as Indians.”.





64. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
PIERLUISI OF PUERTO RICO OR HIS DESIGNEE, DEBATABLE  
FOR 10 MINUTES



**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. PIERLUISI OF PUERTO RICO**

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

1 **SEC. 3\_\_.** **SENSE OF CONGRESS REGARDING DECON-**  
2 **TAMINATION OF FORMER BOMBARDMENT**  
3 **AREA ON ISLAND OF CULEBRA, PUERTO**  
4 **RICO.**

5 (a) FINDINGS.—The Congress finds the following—

6 (1) Section 2815 of the Ike Skelton National  
7 Defense Authorization Act for Fiscal Year 2011  
8 (Public Law 111–383; 124 Stat. 4464) requires the  
9 Secretary of Defense within 270 days of receiving a  
10 request from the government of Puerto Rico, to con-  
11 duct a study assessing the presence of unexploded  
12 ordnance, and any threat to public health, public  
13 safety and the environment posed by such  
14 unexploded ordnance, in the portion of the former  
15 bombardment area on the island of Culebra, Puerto  
16 Rico, that was transferred to the government of  
17 Puerto Rico by quitelaim deed on August 11, 1982.

1           (2) On April 25, 2011, the Governor of Puerto  
2 Rico formally requested by letter that the Secretary  
3 of Defense commence this study.

4           (3) On May 25, 2011, the Deputy Under Sec-  
5 retary of Defense for Installations and Environment  
6 acknowledged receipt of the Governor's letter on be-  
7 half of the Secretary of Defense, and affirmed that  
8 the Department of Defense would conduct the study  
9 in accordance with such section 2815 and provide  
10 the final report to Congress no later than 270 days  
11 from the date of the Governor's letter.

12           (4) January 20, 2012, marked the date 270  
13 days after the Governor's letter of April 25, 2011.

14           (5) Section 204(c) of the Military Construction  
15 Authorization Act, 1974 (Public Law 93-166; 87  
16 Stat. 668) stated that "the present bombardment  
17 area on the island of Culebra shall not be utilized  
18 for any purpose that would require decontamination  
19 at the expense of the United States." The Depart-  
20 ment of Defense has interpreted this provision to  
21 constitute a permanent prohibition on the use of  
22 Federal funds in the area of Culebra referenced in  
23 such section to pay for decontamination and removal  
24 of unexploded ordnance, although it may be war-

1       ranted to protect public health, public safety, and  
2       the environment.

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

5               (1) the Secretary of Defense should expedi-  
6       tiously submit to the Committees on Armed Services  
7       of the Senate and House of Representatives the final  
8       report prepared in accordance with section 2815 of  
9       the Ike Skelton National Defense Authorization Act  
10      for Fiscal Year 2011 (Public Law 111–383; 124  
11      Stat. 4464);

12              (2) if that report indicates that decontamina-  
13      tion and removal of unexploded ordnance in the por-  
14      tion of the former bombardment area on Culebra  
15      that was transferred to the government of Puerto  
16      Rico by quitelaim deed on August 11, 1982, could  
17      be conducted at reasonable cost to the Federal Gov-  
18      ernment, it is appropriate for Congress to amend  
19      section 204(e) of the Military Construction Author-  
20      ization Act, 1974 (Public Law 93–166; 87 Stat.  
21      668) to authorize such decontamination and removal  
22      of unexploded ordnance; and

23              (3) any removal of unexploded ordnance should  
24      be accomplished pursuant to the normal  
25      prioritization process established by the Department

1 of Defense under the Military Munitions Response  
2 Program within the Defense Environmental Restora-  
3 tion Program.



65. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BORDALLO OF GUAM OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES



**AMENDMENT TO H.R. 4310, AS REPORTED**

**OFFERED BY MS. BORDALLO OF GUAM + Mr. Wilson of South Carolina**

1 At the end of subtitle D of title III, add the following  
2 new section:

3 **SEC. 3\_\_ . CODIFICATION OF NATIONAL GUARD STATE**  
4 **PARTNERSHIP PROGRAM.**

5 (a) STATE PARTNERSHIP PROGRAM.—

6 (1) IN GENERAL.—Chapter 1 of title 32, United  
7 States Code, is amended by adding at the end the  
8 following new section:

9 **“§ 116. State Partnership Program**

10 **“(a) AVAILABILITY OF APPROPRIATED FUNDS.—(1)**  
11 Funds appropriated to the Department of Defense, includ-  
12 ing for the Air and Army National Guard, shall be avail-  
13 able for the payment of costs to conduct activities under  
14 the State Partnership Program, whether inside the United  
15 States or outside the United States, for purposes as fol-  
16 lows:

17 **“(A)** To support the objectives of the com-  
18 mander of the combatant command for the theater  
19 of operations in which such contacts and activities  
20 are conducted.

1           “(B) To support the objectives of the United  
2 States chief of mission of the partner nation with  
3 which contacts and activities are conducted.

4           “(C) To build international partnerships and  
5 defense and security capacity.

6           “(D) To strengthen cooperation between the de-  
7 partments and agencies of the United States Gov-  
8 ernment and agencies of foreign governments to sup-  
9 port building of defense and security capacity.

10           “(E) To facilitate intergovernmental collabora-  
11 tion between the United States Government and for-  
12 eign governments in the areas of defense and secu-  
13 rity.

14           “(F) To facilitate and enhance the exchange of  
15 information between the United States Government  
16 and foreign governments on matters relating to de-  
17 fense and security.

18           “(2) Costs under paragraph (1) may include costs as  
19 follows:

20           “(A) Costs of pay and allowances of members  
21 of the National Guard.

22           “(B) Travel and necessary expenses of United  
23 States personnel outside of the Department of De-  
24 fense in the State Partnership Program.



1           “(C) Travel and necessary expenses of foreign  
2 participants directly supporting activities under the  
3 State Partnership Program.

4           “(b) LIMITATIONS.—(1) Funds shall not be available  
5 under subsection (a) for activities described in that sub-  
6 section that are conducted in a foreign country unless  
7 jointly approved by the commander of the combatant com-  
8 mand concerned and the chief of mission concerned.

9           “(2) Funds shall not be available under subsection  
10 (a) for the participation of a member of the National  
11 Guard in activities described in that subsection in a for-  
12 eign country unless the member is on active duty in the  
13 armed forces at the time of such participation.

14           “(3) Funds shall not be available under subsection  
15 (a) for interagency activities involving United States civil-  
16 ian personnel or foreign civilian personnel unless the par-  
17 ticipation of such personnel in such activities—

18           “(A) contributes to responsible management of  
19 defense resources;

20           “(B) fosters greater respect for and under-  
21 standing of the principle of civilian control of the  
22 military;

23           “(C) contributes to cooperation between United  
24 States military and civilian governmental agencies

1 and foreign military and civilian government agen-  
2 cies; or

3 “(D) improves international partnerships and  
4 capacity on matters relating to defense and security.

5 “(c) REIMBURSEMENT.—In the event of the partici-  
6 pation of United States Government participants (other  
7 than personnel of the Department of Defense) in activities  
8 for which payment is made under subsection (a), the head  
9 of the department or agency concerned shall reimburse the  
10 Secretary of Defense for the costs associated with the par-  
11 ticipation of such personnel in such contacts and activities.  
12 Amounts reimbursed the Department of Defense under  
13 this subsection shall be deposited in the appropriation or  
14 account from which amounts for the payment concerned  
15 were derived. Any amounts so deposited shall be merged  
16 with amounts in such appropriation or account, and shall  
17 be available for the same purposes, and subject to the  
18 same conditions and limitations, as amounts in such ap-  
19 propriation or account.

20 “(d) DEFINITIONS.—In this section:

21 “(1) The term ‘State Partnership Program’  
22 means a program that establishes a defense and se-  
23 curity relationship between the National Guard of a  
24 State or territory and the military and security  
25 forces, and related disaster management, emergency

1 response, and security ministries, of a foreign coun-  
2 try.

3 “(2) The term ‘activities’, for purposes of the  
4 State Partnership Program, means any military-to-  
5 military activities or interagency activities for a pur-  
6 pose set forth in subsection (a)(1).

7 “(3) The term ‘interagency activities’ means the  
8 following:

9 “(A) Contacts between members of the Na-  
10 tional Guard and foreign civilian personnel out-  
11 side the ministry of defense of the foreign coun-  
12 try concerned on matters within the core com-  
13 petencies of the National Guard.

14 “(B) Contacts between United States civil-  
15 ian personnel and members of the Armed  
16 Forces of a foreign country on matters within  
17 such core competencies.

18 “(4) The term ‘matter within the core com-  
19 petencies of the National Guard’ means matters with  
20 respect to the following:

21 “(A) Disaster response and mitigation.

22 “(B) Defense support to civil authorities.

23 “(C) Consequence management and instal-  
24 lation protection.

1           “(D) Response to a chemical, biological,  
2 radiological, nuclear, or explosives (CBRNE)  
3 event.

4           “(E) Border and port security and co-  
5 operation with civilian law enforcement.

6           “(F) Search and rescue.

7           “(G) Medicine.

8           “(H) Counterdrug and counternarcotics  
9 activities.

10          “(I) Public affairs.

11          “(J) Employer support and family support  
12 for reserve forces.

13          “(5) The term ‘United States civilian personnel’  
14 means the following:

15               “(A) Personnel of the United States Gov-  
16 ernment (including personnel of departments  
17 and agencies of the United States Government  
18 other than the Department of Defense) and  
19 personnel of State and local governments of the  
20 United States.

21               “(B) Members and employees of the legis-  
22 lative branch of the United States Government.

23               “(C) Non-governmental individuals.

24          “(6) The term ‘foreign civilian personnel’  
25 means the following:

1           “(A) Civilian personnel of a foreign gov-  
2           ernment at any level (including personnel of  
3           ministries other than ministries of defense).

4           “(B) Non-governmental individuals of a  
5           foreign country.”.

6           (2) CLERICAL AMENDMENT.—The table of sec-  
7           tions at the beginning of chapter 1 of such title is  
8           amended by adding at the end the following new  
9           item:

          “116. State Partnership Program.”.

10          (b) REPEAL OF SUPERSEDED AUTHORITY.—Section  
11          1210 of the National Defense Authorization Act for Fiscal  
12          Year 2010 (Public Law 111–84; 123 Stat. 2517; 32  
13          U.S.C. 107 note) is repealed.



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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. ALTMIRE OF PENNSYLVANIA**

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

1 **SEC. 347. REPORT ON PROVIDING TELECOMMUNICATIONS**  
2 **SERVICES TO UNIFORMED PERSONNEL**  
3 **TRANSITING THROUGH FOREIGN AIRPORTS.**

4 (a) **REPORT REQUIREMENT.**—The Secretary of De-  
5 fense shall submit to the congressional defense committees  
6 a report on the feasibility of providing market-rate or  
7 below-market rate (or both) telecommunications service  
8 (either phone, VoIP, video chat, or a combination thereof),  
9 either directly or through a contract, to uniformed military  
10 personnel transiting through a foreign airport while in  
11 transit to or returning from deployment overseas. The  
12 Secretary also shall investigate allegations of certain  
13 telecom companies specifically targeting uniformed mili-  
14 tary personnel in transit overseas (who have no other op-  
15 tion to contact their families) with above-market-rate fees,  
16 and shall include the results of that investigation in the  
17 report.



- 1 (b) SUBMISSION.—The report required by subsection
- 2 (a) shall be submitted not later than 180 days after the
- 3 date of the enactment of this Act.



67. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KIND  
OF WISCONSIN OR HIS DESIGNEE, DEBATABLE FOR 10  
MINUTES

Ron Kind

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**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. KIND OF WISCONSIN**

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

1 **SEC. 3\_\_ . ASSISTANCE FOR HOMELAND DEFENSE MISSION**  
2 **TRAINING.**

3 (a) ASSISTANCE AUTHORIZED.—Chapter 9 of title  
4 32, United States Code, is amended by adding at the end  
5 the following new section:

6 **“§ 909. Training assistance**

7 “(a) ASSISTANCE AUTHORIZED.—To improve the  
8 training of National Guard units and Federal agencies  
9 performing homeland defense activities, the Secretary of  
10 Defense may provide funding assistance through a special  
11 military cooperative agreement for the operation and  
12 maintenance of any State training center certified by the  
13 Federal Emergency Management Agency as capable of  
14 providing emergency response training.

15 “(b) MERIT-BASED OR COMPETITIVE DECISIONS.—  
16 A decision to commit, obligate, or expend funds under sub-  
17 section (a) with or to a specific entity shall—

18 “(1) be based on merit-based selection proce-  
19 dures in accordance with the requirements of sec-

1 tions 2304(k) and 2374 of title 10 or on competitive  
2 procedures; and

3 “(2) comply with other applicable provisions of  
4 law.”.

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

“909. Training assistance.”.



68. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
TIERNEY OF MASSACHUSETTS OR HIS DESIGNEE, DEBATABLE  
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. TIERNEY OF MASSACHUSETTS**

Page 116, after line 23, insert the following new section (and conform the table of contents accordingly):

1 **SEC. 347. REPORT ON STATUS OF TARGETS IN OPER-**  
2 **ATIONAL ENERGY STRATEGY IMPLEMENTA-**  
3 **TION PLAN.**

4 (a) IN GENERAL.—The Secretary of Defense shall  
5 submit annually to the relevant congressional committees  
6 a report on the status of the targets listed in the document  
7 entitled “Operational Energy Strategy: Implementation  
8 Plan, Department of Defense, March 2012”, including—

9 (1) the status of each of the targets listed in  
10 the implementation plan;

11 (2) the steps being taken to meet the targets;

12 (3) the expected date of completion for each  
13 target if such date is different from the date indi-  
14 cated in the report; and

15 (4) the reason for any delays in meeting the  
16 targets.

1 (b) RELEVANT CONGRESSIONAL COMMITTEES DE-  
2 FINED.—In this section, the term “relevant congressional  
3 committees” means—

4 (1) the Committee on Armed Services of the  
5 Senate and the House of Representatives;

6 (2) the Committee on Oversight and Govern-  
7 ment Reform of the House of Representatives;

8 (3) the Committee on Homeland Security and  
9 Governmental Affairs of the Senate;

10 (4) the Committee on Foreign Affairs of the  
11 House of Representatives; and

12 (5) the Committee on Foreign Relations of the  
13 Senate;





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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. CRAVAACK OF MINNESOTA**

At the end of section 352 (page 119, after line 9),  
add the following new subsection:

1 (e) SENSE OF CONGRESS ON THE ESSENTIAL SERV-  
2 ICE PROVIDED BY FIGHTER WINGS PERFORMING AERO-  
3 SPACE CONTROL ALERT MISSIONS.—It is the sense of  
4 Congress that fighter wings performing the 24-hour Aero-  
5 space Control Alert missions provide an essential service  
6 in defending the sovereign airspace of the United States  
7 in the aftermath of the terrorist attacks upon the United  
8 States on September 11, 2001.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. QUIGLEY OF ILLINOIS  
(For Himself and Mr. Hultgren of Illinois)**

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

1 **SEC. 362. COMPTROLLER GENERAL REVIEW OF HANDLING,**  
2 **LABELING, AND PACKAGING PROCEDURES**  
3 **FOR HAZARDOUS MATERIAL SHIPMENTS.**

4 (a) **COMPTROLLER GENERAL REVIEW.**—The Com-  
5 ptroller General of the United States shall conduct a review  
6 of the policies and procedures of the Department of De-  
7 fense for the handling, labeling, and packaging of haz-  
8 ardous material shipments.

9 (b) **MATTERS INCLUDED.**—The review conducted  
10 under subsection (a) shall address the following:

11 (1) The relevant statutes, regulations, and guid-  
12 ance and policies of the Department of Defense per-  
13 taining to the handling, labeling, and packaging pro-  
14 cedures of hazardous material shipments to support  
15 military operations.

1           (2) The extent to which the such guidance, poli-  
2           cies, and procedures contribute to the safe, timely,  
3           and cost-effective handling of such material.

4           (3) The extent to which discrepancies in De-  
5           partment of Transportation guidance, policies, and  
6           procedures pertaining to handling, labeling, and  
7           packaging of hazardous materials shipments in com-  
8           merce and similar Department of Defense guidance,  
9           policies, and procedures pertaining to the handling,  
10          labeling, and packaging of hazardous materials ship-  
11          ments impact the safe, timely, and cost-effective  
12          handling of such material.

13          (4) Any additional matters that the Comptroller  
14          General determines will further inform the appro-  
15          priate congressional committees on issues related to  
16          the handling, labeling, and packaging procedures for  
17          hazardous material shipments to members of the  
18          Armed Forces worldwide.

19          (c) REPORT.—Not later than one year after the date  
20          of the enactment of this Act, the Comptroller General shall  
21          submit to the appropriate congressional committees a re-  
22          port of the review conducted under subsection (a).

23          (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—  
24          In this section, the term “appropriate congressional com-  
25          mittees” means the following:

- 1           (1) The congressional defense committees.
- 2           (2) The Committee on Transportation and In-
- 3           frastructure of the House of Representatives and the
- 4           Committee on Commerce, Science, and Transpor-
- 5           tation of the Senate.



71. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
CUMMINGS OF MARYLAND OR HIS DESIGNEE, DEBATABLE FOR  
10 MINUTES



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**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. CUMMINGS OF MARYLAND**

Page 142, line 23, insert “(and the Secretary of Homeland Security in the case of the Coast Guard)” after “Defense”.

Page 143, line 18, insert “(and the Secretary of Homeland Security in the case of the Coast Guard)” after “Defense”.

Page 144, line 7, insert “(and the Secretary of Homeland Security in the case of the Coast Guard)” after “Defense”.

Page 144, line 9, insert “and the Secretary of Homeland Security” after “Defense”.

Page 144, line 10, insert “the Commandant of the Coast Guard,” after “Staff,”.

Page 145, after line 24, insert the following new subsection:

- 1 (c) COAST GUARD REPORT.—
- 2 (1) ANNUAL REPORT REQUIRED.—The Sec-
- 3 retary of Homeland Security shall prepare an annual

1 report addressing diversity among commissioned of-  
2 ficers of the Coast Guard and Coast Guard Reserve  
3 and among enlisted personnel of the Coast Guard  
4 and Coast Guard Reserve. The report shall in-  
5 clude—

6 (A) an assessment of the available pool of  
7 qualified candidates for the flag officer grades  
8 of admiral and vice admiral;

9 (B) the number of such officers and per-  
10 sonnel, listed by sex and race or ethnicity for  
11 each rank;

12 (C) the number of such officers and per-  
13 sonnel who were promoted during the year cov-  
14 ered by the report, listed by sex and race or  
15 ethnicity for each rank; and

16 (D) the number of such officers and per-  
17 sonnel who reenlisted or otherwise extended the  
18 commitment to the Coast Guard during the  
19 year covered by the report, listed by sex and  
20 race or ethnicity for each rank.

21 (2) SUBMISSION.—The report under paragraph  
22 (1) shall be submitted each year not later than 45  
23 days after the date on which the President submits  
24 to Congress the budget for the next fiscal year under  
25 section 1105 of title 31, United States Code. Each

1 report shall be submitted to the Committee on  
2 Armed Services, the Committee on Transportation  
3 and Infrastructure, and the Committee on Home-  
4 land Security of the House of Representatives, and  
5 the Committee on Armed Services and the Com-  
6 mittee on Commerce, Science, and Transportation of  
7 the Senate.

Page 168, line 14, insert “(and the Secretary of  
Homeland Security in the case of the Coast Guard)”  
after “Secretary of Defense”.

Page 168, line 17, insert “and the Coast Guard”  
after “Department of Defense”.

Page 169, lines 5 and 6, insert “and the Coast  
Guard” after “Department of Defense”.

Page 169, line 14, insert “(and the Secretary of  
Homeland Security in the case of the Coast Guard)”  
after “Secretary of Defense”.

Page 169, line 17, strike “the Secretary of Defense  
considers” and insert “the Secretaries consider”.

Page 169, line 24, insert “(and the Secretary of  
Homeland Security in the case of the Coast Guard)”  
after “Secretary of Defense”.



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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. MCKINLEY OF WEST VIRGINIA**

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

1 **SEC. 5 \_\_. ON-LINE TRACKING OF CERTAIN RESERVE**  
2 **DUTY.**

3 The Secretary of Defense shall establish an online  
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 the amendments to  
12 section 12731 of such title made by section 647 of the  
13 National Defense Authorization Act for fiscal year 2008  
14 (Public Law 110-181; 122 Stat. 160).



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



**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MS. VELÁZQUEZ OF NEW YORK**

In section 535, insert the following new subsection after subsection (d) (and redesignate subsection (e) as subsection (f)):

1       (e) TRANSFER OF VICTIMS OF HAZING IN THE  
2 ARMED FORCES.—The Secretary concerned (as defined in  
3 section 101(a)(9) of title 10, United States Code) shall  
4 develop and implement a procedure to transfer a member  
5 of that branch of the Armed Forces who has been the vic-  
6 tim of a substantiated incident of hazing to another unit  
7 in such branch of the Armed Forces.





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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MS. CHU OF CALIFORNIA**

At the end of section 535, relating to efforts to prevent and respond to hazing incidents involving members of the Armed Forces, add the following new subsections:

1 (f) ANNUAL REPORTING REQUIREMENT.—

2 (1) IN GENERAL.—The database required by  
3 subsection (b) shall be used to develop and imple-  
4 ment an annual congressional report.

5 (2) REPORTS REQUIRED.—Not later than Janu-  
6 ary 15 of each year, the Secretary of Defense and  
7 the Secretary of Homeland Security (with respect to  
8 the Coast Guard) shall submit to the designated  
9 congressional committees a report on the hazing in-  
10 cidents involving members of the Armed Forces dur-  
11 ing the preceding year.

12 (3) ELEMENTS.—Each report shall include the  
13 following:

14 (A) an assessment by the Secretaries of  
15 the implementation during the preceding year  
16 of the policies and procedures of each Armed  
17 Force on the prevention of and response to haz-  
18 ing involving members of the Armed Forces in

1 order to determine the effectiveness of such  
2 policies and procedures.

3 (B) Data on the number of alleged and  
4 substantiated hazing incidents within each  
5 Armed Force that occurred that year, including  
6 the race, gender and Armed Force of the victim  
7 and offender, the nature of the hazing, and ac-  
8 tions taken to resolve and address the hazing.

9 (g) COMPTROLLER GENERAL REPORT.—

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

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

22 (A) An evaluation of the definition of haz-  
23 ing used pursuant to subsection (e).

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 actions taken to mitigate  
12 hazing incidents in each Armed Force.

13 (iv) The effectiveness of the training  
14 and policies in place regarding hazing.

15 (v) The number of alleged and sub-  
16 stantiated incidents of hazing over the last  
17 five years for each Armed Force, the na-  
18 ture of these cases and actions taken to  
19 address such matters through non-judicial  
20 and judicial action.”

21 (D) An evaluation of the additional ac-  
22 tions, if any, the Secretary of Defense and the  
23 Secretary of Homeland Security propose to take  
24 to further address the incidence of hazing in  
25 the Armed Forces.

1           (E) Such recommendations as the Comp-  
2           troller General considers appropriate for im-  
3           proving hazing prevention programs, policies,  
4           and other actions taken to address hazing with-  
5           in the Armed Forces.

6           (h) DESIGNATED CONGRESSIONAL COMMITTEES DE-  
7           FINED.—In subsections (f) and (g), the term “designated  
8           congressional committees” means—

9           (1) the Committee on Armed Services, the  
10          Committee on Oversight and Government Reform,  
11          and the Committee on Commerce, Science and  
12          Transportation of the Senate; and

13          (2) the Committee on Armed Services, the  
14          Committee on Oversight and Government Reform,  
15          and the Committee on Transportation and Infra-  
16          structure of the House of Representatives.



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



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**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. WELCH OF VERMONT**

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

1 **SEC. 5 \_\_. COORDINATION BETWEEN YELLOW RIBBON RE-**  
2 **INTEGRATION PROGRAM AND SMALL BUSI-**  
3 **NESS DEVELOPMENT CENTERS.**

4 The Office for Reintegration Programs shall assist  
5 each State to coordinate services under the Yellow Ribbon  
6 Reintegration Program under section 582 of the National  
7 Defense Authorization Act of 2008 (10 U.S.C. 10101  
8 note) with Small Business Development Centers (as de-  
9 fined in section 3(t) of the Small Business Act) in each  
10 State.





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

*See Walsh*  
4

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. WALSH OF ILLINOIS**

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

1 **SEC. 544. EXPANSION OF DEPARTMENT OF DEFENSE PILOT**  
2 **PROGRAM ON RECEIPT OF CIVILIAN**  
3 **CREDENTIALING FOR MILITARY OCCUPA-**  
4 **TIONAL SPECIALTY SKILLS.**

5 (a) **EXPANSION OF PROGRAM.**—Subsection (b)(1) of  
6 section 558 of the National Defense Authorization Act for  
7 Fiscal Year 2012 (10 U.S.C. 2015 note) is amended by  
8 striking “or more than five”.

9 (b) **USE OF INDUSTRY-RECOGNIZED CERTIFI-**  
10 **CATIONS.**—Subsection (b) of such section is further  
11 amended—

12 (1) by striking “and” at the end of paragraph  
13 (1);

14 (2) by redesignating paragraph (2) as para-  
15 graph (3); and

16 (3) by inserting after paragraph (1) the fol-  
17 lowing new paragraph:

18 “(2) consider utilizing industry-recognized cer-  
19 tifications or licensing opportunities for civilian oc-

- 1 occupational skills comparable to the specialties or
- 2 codes so designated; and”.



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

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**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. HUNTER OF CALIFORNIA**

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

1 **SEC. 5 \_\_\_\_ . REPORT ON NAVY REVIEW, FINDINGS, AND AC-**  
2 **TIONS PERTAINING TO MEDAL OF HONOR**  
3 **NOMINATION OF MARINE CORPS SERGEANT**  
4 **RAFAEL PERALTA.**

5 Not later than 30 days after the date of the enact-  
6 ment of this Act, the Secretary of the Navy shall submit  
7 to the Committees on Armed Services of the Senate and  
8 House of Representatives a report describing the Navy re-  
9 view, findings, and actions pertaining to the Medal of  
10 Honor nomination of Marine Corps Sergeant Rafael  
11 Peralta. The report shall account for all evidence sub-  
12 mitted with regard to the case.



78. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KIND  
OF WISCONSIN OR HIS DESIGNEE, DEBATABLE FOR 10  
MINUTES



*Ron Kind*

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. KIND OF WISCONSIN**

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

1 **SEC. 5 \_\_\_\_ . AUTHORIZATION FOR AWARD OF THE MEDAL OF**  
2 **HONOR TO FIRST LIEUTENANT ALONZO H.**  
3 **CUSHING FOR ACTS OF VALOR DURING THE**  
4 **CIVIL WAR.**

5 (a) AUTHORIZATION.—Notwithstanding the time lim-  
6 itations specified in section 3744 of title 10, United States  
7 Code, or any other time limitation with respect to the  
8 awarding of certain medals to persons who served in the  
9 Armed Forces, the President is authorized to award the  
10 Medal of Honor under section 3741 of such title to then  
11 First Lieutenant Alonzo H. Cushing for conspicuous acts  
12 of gallantry and intrepidity at the risk of life and beyond  
13 the call of duty in the Civil War, as described in subsection  
14 (b).

15 (b) ACTS OF VALOR DESCRIBED.—The acts of valor  
16 referred to in subsection (a) are the actions of then First  
17 Lieutenant Alonzo H. Cushing while in command of Bat-  
18 tery A, 4th United States Artillery, Army of the Potomac,



- 1 at Gettysburg, Pennsylvania, on July 3, 1863, during the
- 2 American Civil War.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. NUGENT OF FLORIDA**

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

1 **SEC. 5 \_\_. RETROACTIVE AWARD OF ARMY COMBAT AC-**  
2 **TION BADGE.**

3 (a) **AUTHORITY TO AWARD.**—The Secretary of the  
4 Army may award the Army Combat Action Badge (estab-  
5 lished by order of the Secretary of the Army through  
6 Headquarters, Department of the Army Letter 600–05–  
7 1, dated June 3, 2005) to a person who, while a member  
8 of the Army, participated in combat during which the per-  
9 son personally engaged, or was personally engaged by, the  
10 enemy at any time during the period beginning on Decem-  
11 ber 7, 1941, and ending on September 18, 2001 (the date  
12 of the otherwise applicable limitation on retroactivity for  
13 the award of such decoration), if the Secretary determines  
14 that the person has not been previously recognized in an  
15 appropriate manner for such participation.

16 (b) **PROCUREMENT OF BADGE.**—The Secretary of  
17 the Army may make arrangements with suppliers of the  
18 Army Combat Action Badge so that eligible recipients of

1 the Army Combat Action Badge pursuant to subsection  
2 (a) may procure the badge directly from suppliers, thereby  
3 eliminating or at least substantially reducing administra-  
4 tive costs for the Army to carry out this section.



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

§1

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. THOMPSON OF CALIFORNIA**

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

1 **SEC. 5\_\_.** **ADVANCEMENT OF BRIGADIER GENERAL**  
2 **CHARLES E. YEAGER, UNITED STATES AIR**  
3 **FORCE (RETIRED), ON THE RETIRED LIST.**

4 (a) **ADVANCEMENT.**—Brigadier General Charles E.  
5 Yeager, United States Air Force (retired), is entitled to  
6 hold the rank of major general while on the retired list  
7 of the Air Force.

8 (b) **ADDITIONAL BENEFITS NOT TO ACCRUE.**—The  
9 advancement of Charles E. Yeager on the retired list of  
10 the Air Force under subsection (a) shall not affect the re-  
11 tired pay or other benefits from the United States to  
12 which Charles E. Yeager is now or may in the future be  
13 entitled based upon his military service or affect any bene-  
14 fits to which any other person may become entitled based  
15 on his service.



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



102

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. DENT OF PENNSYLVANIA**

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

1 **SEC. 664. STUDY ON ISSUING IDENTIFICATION CARDS TO**  
2 **CERTAIN MEMBERS UPON DISCHARGE.**

3 (a) **STUDY.**—The Secretary of Defense shall conduct  
4 a study assessing the feasibility of issuing to a covered  
5 member an identification card that would—

6 (1) provide such member with a convenient  
7 method of summarizing the DD-214 form or other  
8 official document from the official military personnel  
9 file of the member; and

10 (2) not serve as proof of any benefits to which  
11 the member may be entitled to.

12 (b) **MATTERS INCLUDED.**—The study conducted  
13 under subsection (a) shall address the following:

14 (1) The information to be included on the iden-  
15 tification card.

16 (2) Whether the Secretary should issue such  
17 card—

18 (A) to each covered member; or

1 (B) to a covered member upon request.

2 (3) If the card were to be issued to each cov-  
3 ered member, the estimated cost of such issuance.

4 (4) If the card were to be issued upon the re-  
5 quest of a covered member, whether the Secretary  
6 should charge such member a fee for such card, in-  
7 cluding the amount of such fee.

8 (c) REPORT.—Not later than one year after the date  
9 of the enactment of this Act, the Secretary shall submit  
10 to the congressional defense committees a report on the  
11 study conducted under subsection (a).

12 (d) COVERED MEMBER.—In this section, the term  
13 “covered member” means a member of the Armed Forces  
14 who—

15 (1) is expected to be discharged—

16 (A) after the completion of the service obli-  
17 gation of the member; and

18 (B) under conditions other than dishonor-  
19 able;

20 (2) is expected to be issued a DD Form 214  
21 Certificate of Release or Discharge from Active  
22 Duty; and

1           (3) after such discharge, would not otherwise be  
2           issued an identification card by the Department of  
3           Defense or the Department of Veterans Affairs.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MS. RICHARDSON OF CALIFORNIA**

Page 213, after line 10, insert the following new  
subparagraph:

1 (G) Any Department of Defense website.



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

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**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MS. SLAUGHTER OF NEW YORK**

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

1 **SEC. 5\_\_ . CORRECTION OF MILITARY RECORDS OF MEM-**  
2 **BERS OF THE ARMED FORCES WHO EXPERI-**  
3 **ENCE RETALIATORY PERSONNEL ACTIONS**  
4 **FOR MAKING A REPORT OF SEXUAL ASSAULT**  
5 **OR SEXUAL HARASSMENT.**

6 The Secretary of Defense shall conduct a general  
7 education campaign to notify members of the Armed  
8 Forces regarding the authorities available under chapter  
9 79 of title 10, United States Code, for the correction of  
10 military records when a member experiences any retalia-  
11 tory personnel action for making a report of sexual assault  
12 or sexual harassment.





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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. SMITH OF WASHINGTON**

**(Offered on behalf of Himself, Mr. Turner of Ohio, Mrs. Davis  
of California, Ms. Tsongas of Massachusetts, and Ms. Pin-  
gree of Maine)**

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

1 **SEC. 5\_\_\_ . DEPARTMENT OF DEFENSE SEXUAL ASSAULT**  
2 **AND HARASSMENT OVERSIGHT AND ADVI-**  
3 **SORY COUNCIL.**

4 (a) IN GENERAL.—Chapter 7 of title 10, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing new section:

7 **“§ 188. Sexual Assault and Harassment Oversight and**  
8 **Advisory Council**

9 “(a) ESTABLISHMENT.—There is a Sexual Assault  
10 and Harassment Oversight and Advisory Council (in this  
11 section referred to as the ‘Council’).

12 “(b) MEMBERSHIP.—(1) The Council shall be com-  
13 prised of individuals appointed by the Secretary of De-  
14 fense who are experts and professionals in the fields of  
15 sexual assault and harassment, judicial proceedings involv-  
16 ing sexual assault or harassment, or treatment for sexual

1 assault or harassment. At a minimum, the Council shall  
2 include as members the following:

3           “(A) The Director of the Sexual Assault Pre-  
4           vention and Response Office of the Department of  
5           Defense.

6           “(B) The Judge Advocates General of the  
7           Army, Navy, and Air Force.

8           “(C) A judge advocate from the Army, Navy,  
9           Air Force, and Marine Corps with experience in  
10          prosecuting sexual assault cases.

11          “(D) A Department of Justice representative  
12          with experience in prosecuting sexual assault cases.

13          “(E) An individual who has extensive experi-  
14          ence in providing assistance to sexual assault vic-  
15          tims.

16          “(F) An individual who has expertise the civil-  
17          ian judicial system with respect to sexual assault.

18          “(2) Subject to paragraph (3), members shall be ap-  
19          pointed for a term of two years. A member may serve after  
20          the end of the member’s term until the member’s suc-  
21          cessor takes office.

22          “(3) If a vacancy occurs in the Council, the vacancy  
23          shall be filled in the same manner as the original appoint-  
24          ment. A member of the Council appointed to fill a vacancy  
25          occurring before the end of the term for which the mem-

1 ber's predecessor was appointed shall only serve until the  
2 end of such term.

3       “(e) CHAIRMAN; MEETINGS.—(1) The Council shall  
4 elect a chair from among its members.

5       “(2) The Council shall meet not less often than once  
6 every year.

7       “(3) If a member of the Board fails to attend two  
8 successive Board meetings, except in a case in which an  
9 absence is approved in advance, for good cause, by the  
10 Board chairman, such failure shall be grounds for termi-  
11 nation from membership on the Board. A person des-  
12 ignated for membership on the Board shall be provided  
13 notice of the provisions of this paragraph at the time of  
14 such designation.

15       “(d) ADMINISTRATIVE PROVISIONS.—(1) Each mem-  
16 ber of the Council who is not an officer or employee of  
17 the Federal Government shall be compensated at a rate  
18 equal to the daily equivalent of the annual rate of basic  
19 pay prescribed for Executive Schedule Level IV under sec-  
20 tion 5315 of title 5, for each day (including travel time)  
21 during which such member is engaged in the performance  
22 of the duties of the Council. Members of the Council who  
23 are officers or employees of the United States shall serve  
24 without compensation in addition to that received for their  
25 services as officers or employees of the United States.

1       “(2) The members of the Council shall be allowed  
2 travel expenses, including per diem in lieu of subsistence,  
3 at rates authorized for employees of agencies under sub-  
4 chapter I of chapter 57 of title 5, while away from their  
5 homes or regular places of business in the performance  
6 of services for the Council.

7       “(e) RESPONSIBILITIES.—The Council shall be re-  
8 sponsible for providing oversight and advice to the Sec-  
9 retary of Defense and the Secretaries of the military de-  
10 partments on the activities and implementation of policies  
11 and programs developed by the Sexual Assault Prevention  
12 and Response Office, including any modifications to the  
13 Uniform Code of Military Justice, in response to sexual  
14 assault and harassment.

15       “(f) ANNUAL REPORT.—Not later than March 31 of  
16 each year, the Council shall submit to the Secretary of  
17 Defense and the congressional defense committees a re-  
18 port that describes the activities of the Council during the  
19 preceding year and contains such recommendations as the  
20 Council considers appropriate to improve sexual assault  
21 prevention and treatment programs and policies of the De-  
22 partment of Defense.”.

- 1 (b) CLERICAL AMENDMENT.—The table of sections
- 2 at the beginning of such chapter is amended by adding
- 3 at the end the following new item:

“188. Sexual Assault and Harassment Oversight and Advisory Council.”.



85. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BOSWELL OF IOWA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES



**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY Mr. Boswell**

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

1 **SEC. 5\_\_ . REPORT ON EFFECTS OF MULTIPLE DEPLOY-**  
2 **MENTS.**

3 Not later than 180 days after the date of enactment  
4 of this Act, the Secretary of Defense shall submit to Con-  
5 gress a report on the effects of multiple deployments on  
6 the well-being of military personnel and any recommended  
7 changes to health evaluations prior to redeployments.



86. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TERRY  
OF NEBRASKA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

225 L

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. TERRY OF NEBRASKA**

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

1 **SEC. 5\_\_ . MILITARY SALUTE DURING RECITATION OF**  
2 **PLEDGE OF ALLEGIANCE BY MEMBERS OF**  
3 **THE ARMED FORCES NOT IN UNIFORM AND**  
4 **BY VETERANS.**

5 Section 4 of title 4, United States Code, is amended  
6 by adding at the end the following new sentence: "Mem-  
7 bers of the Armed Forces not in uniform and veterans may  
8 render the military salute in the manner provided for per-  
9 sons in uniform."



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

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**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. CARSON OF INDIANA**

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

1 **SEC. 704. MENTAL HEALTH ASSESSMENTS FOR MEMBERS**  
2 **OF THE ARMED FORCES.**

3 (a) IN GENERAL.—Section 1074m of title 10, United  
4 States Code, is amended—

5 (1) in subsection (a)(1)—

6 (A) by redesignating subparagraph (B)  
7 and (C) as subparagraph (C) and (D), respec-  
8 tively; and

9 (B) by inserting after subparagraph (A)  
10 the following:

11 “(B) Once during each 180-day period during  
12 which a member is deployed.”; and

13 (2) in subsection (c)(1)(A)—

14 (A) in clause (i), by striking “; and” and  
15 inserting a semicolon; and

16 (B) by redesignating clause (ii) as clause  
17 (iii); and

1 (C) by inserting after clause (i) the fol-  
2 lowing:

3 “(ii) by personnel in deployed units whose  
4 responsibilities include providing unit health  
5 care services if such personnel are available and  
6 the use of such personnel for the assessments  
7 would not impair the capacity of such personnel  
8 to perform higher priority tasks; and”.

9 (b) CONFORMING AMENDMENT.—Section  
10 1074m(a)(2) of title 10, United States Code, is amended  
11 by striking “subparagraph (B) and (C)” and inserting  
12 “subparagraph (C) and (D)”.



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



Robert E. Andrews

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. ANDREWS OF NEW JERSEY**

Page 292, line 20, strike “, reduce,”.

Page 293, line 6, strike “to” and insert “from”.

Page 293, line 18, strike “affect” and insert “effect”.



89. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
BOSWELL OF IOWA OR HIS DESIGNEE, DEBATABLE FOR 10  
MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. BOSWELL OF IOWA**

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

1 **SEC. 725. STUDY ON BREAST CANCER AMONG MEMBERS OF**  
2 **THE ARMED FORCES AND VETERANS.**

3 (a) **STUDY.**—The Secretary of Defense and the Sec-  
4 retary of Veterans Affairs shall jointly conduct a study  
5 on the incidence of breast cancer among members of the  
6 Armed Forces (including members of the National Guard  
7 and reserve components) and veterans. Such study shall  
8 include the following:

9 (1) A determination of the number of members  
10 and veterans diagnosed with breast cancer.

11 (2). A determination of demographic informa-  
12 tion regarding such members and veterans, includ-  
13 ing—

14 (A) race;

15 (B) ethnicity;

16 (C) sex;

17 (D) age;

1           (E) possible exposure to hazardous ele-  
2           ments or chemical or biological agents (includ-  
3           ing any vaccines) and where such exposure oc-  
4           curred;

5           (F) the locations of duty stations that such  
6           member or veteran was assigned;

7           (G) the locations in which such member or  
8           veteran was deployed; and

9           (H) the geographic area of residence prior  
10          to deployment.

11          (3) An analysis of breast cancer treatments re-  
12          ceived by such members and veterans.

13          (4) Other information the Secretaries consider  
14          necessary.

15          (b) REPORT.—Not later than 18 months after the  
16          date of the enactment of this Act, the Secretary of Defense  
17          and the Secretary of Veterans Affairs shall jointly submit  
18          to Congress a report containing the results of the study  
19          required under subsection (a).

20          (c) FUNDING INCREASE AND OFFSETTING REDUC-  
21          TION.—Notwithstanding the amounts set forth in the  
22          funding tables in division D—

23                 (1) the amount authorized to be appropriated in  
24                 section 1406 for the Defense Health Program, as  
25                 specified in the corresponding funding table in divi-

1        sion D, is hereby increased by \$10,000,000, with the  
2        amount of the increase allocated to the Defense  
3        Health Program, as set forth in the table under sec-  
4        tion 4501, to carry out this section; and

5            (2) the amount authorized to be appropriated in  
6        section 101 for Weapons Procurement, Navy, as  
7        specified in the corresponding funding table in sec-  
8        tion 4101 of division D, is hereby reduced by a total  
9        \$10,000,000, with the amount of the reduction to be  
10       derived from—

11            (A) Line 004 (AMRAAM) in the amount  
12        of \$2,700,000;

13            (B) Line 006 (JSOW) in the amount of  
14        \$2,700,000; and

15            (C) Line 009 (Hellfire) in the amount of  
16        \$4,600,000.



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



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**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310**

**OFFERED BY MR. SESSIONS OF TEXAS**

**(For Himself and Mr. Thompson of California)**

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

1 **SEC. 725. PILOT PROGRAM ON PAYMENT FOR TREATMENT**  
2 **OF MEMBERS OF THE ARMED FORCES AND**  
3 **VETERANS FOR TRAUMATIC BRAIN INJURY**  
4 **AND POST-TRAUMATIC STRESS DISORDER.**

5 (a) **PAYMENT PROCESS.**—The Secretary of Defense  
6 and the Secretary of Veterans Affairs shall carry out a  
7 five-year pilot program under which each such Secretary  
8 shall establish a process through which each Secretary  
9 shall provide payment for treatments (including diagnostic  
10 testing) of traumatic brain injury or post-traumatic stress  
11 disorder received by members of the Armed Forces and  
12 veterans in health care facilities other than military treat-  
13 ment facilities or Department of Veterans Affairs medical  
14 facilities. Such process shall provide that payment be  
15 made directly to the health care facility furnishing the  
16 treatment.



1 (b) CONDITIONS FOR PAYMENT.—The approval by a  
2 Secretary for payment for a treatment pursuant to sub-  
3 section (a) shall be subject to the following conditions:

4 (1) Any drug or device used in the treatment  
5 must be approved or cleared by the Food and Drug  
6 Administration for any purpose.

7 (2) The treatment must have been approved by  
8 an institutional review board operating in accordance  
9 with regulations issued by the Secretary of Health  
10 and Human Services.

11 (3) The treatment (including any patient disclo-  
12 sure requirements) must be used by the health care  
13 provider delivering the treatment.

14 (4) The patient receiving the treatment must  
15 demonstrate an improvement as a result of the  
16 treatment on one or more of the following:

17 (A) Standardized independent pre-treat-  
18 ment and post-treatment neuropsychological  
19 testing.

20 (B) Accepted survey instruments.

21 (C) Neurological imaging.

22 (D) Clinical examination.

23 (5) The patient receiving the treatment must be  
24 receiving the treatment voluntarily.

1           (6) The patient receiving the treatment may not  
2       be a retired member of the uniformed services or of  
3       the Armed Forces who is entitled to benefits under  
4       part A, or eligible to enroll under part B, of title  
5       XVIII of the Social Security Act.

6       (c) **ADDITIONAL RESTRICTIONS PROHIBITED.**—Ex-  
7       cept as provided in this subsection (b), no restriction or  
8       condition for reimbursement may be placed on any health  
9       care provider that is operating lawfully under the laws of  
10      the State in which the provider is located with respect to  
11      the receipt of payment under this section.

12      (d) **PAYMENT DEADLINE.**—The Secretary of Defense  
13      and the Secretary of Veterans Affairs shall make a pay-  
14      ment for a treatment pursuant to subsection (a) not later  
15      than 30 days after a member of the Armed Forces or vet-  
16      eran (or health care provider on behalf of such member  
17      or veteran) submits to the Secretary documentation re-  
18      garding the treatment. The Secretary of Defense and the  
19      Secretary of Veterans Affairs shall ensure that the docu-  
20      mentation required under this subsection may not be an  
21      undue burden on the member of the Armed Forces or vet-  
22      eran or on the health care provider.

23      (e) **PAYMENT AUTHORITY.**—

24           (1) **DEPARTMENT OF DEFENSE.**—The Sec-  
25      retary of Defense shall make payments under this

1 section for treatments received by members of the  
2 Armed Forces using the authority in subsection  
3 (c)(1) of section 1074 of title 10, United States  
4 Code.

5 (2) DEPARTMENT OF VETERANS AFFAIRS.—  
6 The Secretary of Veterans Affairs shall make pay-  
7 ments under this section for treatments received by  
8 veterans using the authority in section 1728 of title  
9 38, United States Code.

10 (f) PAYMENT AMOUNT.—A payment under this sec-  
11 tion shall be made at the equivalent Centers for Medicare  
12 and Medicaid Services reimbursement rate in effect for ap-  
13 propriate treatment codes for the State or territory in  
14 which the treatment is received. If no such rate is in effect,  
15 payment shall be made at a fair market rate, as deter-  
16 mined by the Secretary of Defense, in consultation with  
17 the Secretary of Health and Human Services, with respect  
18 to a patient who is a member of the Armed Forces or  
19 the Secretary of Veterans Affairs with respect to a patient  
20 who is a veteran.

21 (g) DATA COLLECTION AND AVAILABILITY.—

22 (1) IN GENERAL.—The Secretary of Defense  
23 and the Secretary of Veterans Affairs shall jointly  
24 develop and maintain a database containing data  
25 from each patient case involving the use of a treat-

1       ment under this section. The Secretaries shall en-  
2       sure that the database preserves confidentiality and  
3       be made available only—

4               (A) for third-party payer examination;

5               (B) to the appropriate congressional com-  
6       mittees and employees of the Department of  
7       Defense, the Department of Veterans Affairs,  
8       the Department of Health and Human Services,  
9       and appropriate State agencies; and

10              (C) to the primary investigator of the insti-  
11       tutional review board that approved the treat-  
12       ment, in the case of data relating to a patient  
13       case involving the use of such treatment.

14              (2) ENROLLMENT IN INSTITUTIONAL REVIEW  
15       BOARD STUDY.—In the case of a patient enrolled in  
16       a registered institutional review board study, results  
17       may be publically distributable in accordance with  
18       the regulations prescribed pursuant to the Health  
19       Insurance Portability and Accountability Act of  
20       1996 (Public Law 104–191) and other regulations  
21       and practices in effect as of the date of the enact-  
22       ment of this Act.

23              (3) QUALIFIED INSTITUTIONAL REVIEW  
24       BOARDS.—The Secretary of Defense and the Sec-  
25       retary of Veterans Affairs shall each ensure that the

1 Internet Web site of their respective departments in-  
2 cludes a list of all civilian institutional review board  
3 studies that have received a payment under this sec-  
4 tion.

5 (h) ASSISTANCE FOR MEMBERS TO OBTAIN TREAT-  
6 MENT.—

7 (1) ASSIGNMENT TO TEMPORARY DUTY.—The  
8 Secretary of a military department may assign a  
9 member of the Armed Forces under the jurisdiction  
10 of the Secretary to temporary duty or allow the  
11 member a permissive temporary duty in order to  
12 permit the member to receive treatment for trau-  
13 matic brain injury or post-traumatic stress disorder,  
14 for which payments shall be made under subsection  
15 (a), at a location beyond reasonable commuting dis-  
16 tance of the member's permanent duty station.

17 (2) PAYMENT OF PER DIEM.—A member who is  
18 away from the member's permanent station may be  
19 paid a per diem in lieu of subsistence in an amount  
20 not more than the amount to which the member  
21 would be entitled if the member were performing  
22 travel in connection with a temporary duty assign-  
23 ment.

24 (3) GIFT RULE WAIVER.—Notwithstanding any  
25 rule of any department or agency with respect to

1 ethics or the receipt of gifts, any assistance provided  
2 to a member of the Armed Forces with a service-  
3 connected injury or disability for travel, meals, or  
4 entertainment incidental to receiving treatment  
5 under this section, or for the provision of such treat-  
6 ment, shall not be subject to or covered by any such  
7 rule.

8 (i) RETALIATION PROHIBITED.—No retaliation may  
9 be made against any member of the Armed Forces or vet-  
10 eran who receives treatment as part of registered institu-  
11 tional review board study carried out by a civilian health  
12 care practitioner.

13 (j) TREATMENT OF UNIVERSITY AND NATIONALLY  
14 ACCREDITED INSTITUTIONAL REVIEW BOARDS.—For  
15 purposes of this section, a university-affiliated or nation-  
16 ally accredited institutional review board shall be treated  
17 in the same manner as a Government institutional review  
18 board.

19 (k) MEMORANDA OF UNDERSTANDING.—The Sec-  
20 retary of Defense and the Secretary of Veterans Affairs  
21 shall seek to expeditiously enter into memoranda of under-  
22 standings with civilian institutional review boards de-  
23 scribed in subsection (j) for the purpose of providing for  
24 members of the Armed Forces and veterans to receive  
25 treatment carried out by civilian health care practitioners



1 under a treatment approved by and under the oversight  
2 of civilian institutional review boards that would qualify  
3 for payment under this section.

4 (l) OUTREACH REQUIRED.—

5 (1) OUTREACH TO VETERANS.—The Secretary  
6 of Veterans Affairs shall notify each veteran with a  
7 service-connected injury or disability of the oppor-  
8 tunity to receive treatment pursuant to this section.

9 (2) OUTREACH TO MEMBERS OF THE ARMED  
10 FORCES.—The Secretary of Defense shall notify  
11 each member of the Armed Forces with a service-  
12 connected injury or disability of the opportunity to  
13 receive treatment pursuant to this section.

14 (m) REPORT TO CONGRESS.—Not later than 30 days  
15 after the last day of each fiscal year during which the Sec-  
16 retary of Defense and the Secretary of Veterans Affairs  
17 are authorized to make payments under this section, the  
18 Secretaries shall jointly submit to Congress an annual re-  
19 port on the implementation of this section. Such report  
20 shall include each of the following for that fiscal year:

21 (1) The number of individuals for whom the  
22 Secretary has provided payments under this section.

23 (2) The condition for which each such indi-  
24 vidual receives treatment for which payment is pro-



1        vided under this section and the success rate of each  
2        such treatment.

3            (3) Treatment methods that are used by enti-  
4        ties receiving payment provided under this section  
5        and the respective rate of success of each such meth-  
6        od.

7            (4) The recommendations of the Secretaries  
8        with respect to the integration of treatment methods  
9        for which payment is provided under this section  
10       into facilities of the Department of Defense and De-  
11       partment of Veterans Affairs.

12        (n) TERMINATION.—The authority to make a pay-  
13       ment under this section shall terminate on the date that  
14       is five years after the date of the enactment of this Act.

15        (o) AUTHORIZATION OF APPROPRIATIONS.—There is  
16       authorized to be appropriated to carry out this section  
17       \$10,000,000 for each fiscal year during which the Sec-  
18       retary of Veterans Affairs and the Secretary of Defense  
19       are authorized to make payments under this section.

20        (p) FUNDING INCREASE AND OFFSETTING REDUC-  
21       TION.—

22            (1) IN GENERAL.—Notwithstanding the  
23       amounts set forth in the funding tables in division  
24       D, to carry out this section during fiscal year  
25       2013—

1 (A) the amount authorized to be appro-  
2 priated in section 1406 for the Defense Health  
3 Program, as specified in the corresponding  
4 funding table in division D, is hereby increased  
5 by \$10,000,000, with the amount of the in-  
6 crease allocated to the Defense Health Pro-  
7 gram, as set forth in the table under section  
8 4501, to carry out this section; and

9 (B) the amount authorized to be appro-  
10 priated in section 301 for Operation and Main-  
11 tenance, Defense-wide, as specified in the cor-  
12 responding funding table in division D, is here-  
13 by reduced by \$10,000,000, with the amount of  
14 the reduction to be derived from Line 260, Of-  
15 fice of the Secretary of Defense as set forth in  
16 the table under section 4301.

17 (2) MERIT-BASED OR COMPETITIVE DECI-  
18 SIONS.—A decision to commit, obligate, or expend  
19 funds referred to in paragraph (1)(A) with or to a  
20 specific entity shall—

21 (A) be based on merit-based selection pro-  
22 cedures in accordance with the requirements of  
23 sections 2304(k) and 2374 of title 10, United  
24 States Code, or on competitive procedures; and

1 (B) comply with other applicable provisions  
2 of law.



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

GR

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MS. JACKSON LEE OF TEXAS**

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

1 **SEC. 725. INCREASED COLLABORATION WITH NIH TO COM-**  
2 **BAT TRIPLE NEGATIVE BREAST CANCER.**

3 The Office of Health of the Department of Defense  
4 shall work in collaboration with the National Institutes of  
5 Health to—

6 (1) identify specific genetic and molecular tar-  
7 gets and biomarkers for triple negative breast can-  
8 cer; and

9 (2) provide information useful in biomarker se-  
10 lection, drug discovery, and clinical trials design that  
11 will enable both—

12 (A) triple negative breast cancer patients  
13 to be identified earlier in the progression of  
14 their disease; and

15 (B) the development of multiple targeted  
16 therapies for the disease.



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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. JOHNSON OF GEORGIA**

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

tion:

1 **SEC. 7\_\_ . CONGRESSIONAL SUPPORT FOR GREATER**  
2 **AWARENESS OF POST-TRAUMATIC STRESS**  
3 **DISORDER.**

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

6 (1) The brave men and women of the United  
7 States Armed Forces, who proudly serve the United  
8 States, risk their lives to protect the freedom of the  
9 United States and deserve the investment of every  
10 possible resource to ensure their lasting physical,  
11 mental, and emotional well-being.

12 (2) More than 2,400,000 members of the  
13 Armed Forces have deployed overseas as part of  
14 overseas contingency operations since the events of  
15 September 11, 2001.

16 (3) One in five members who have returned  
17 from deployment reported symptoms of post-trau-  
18 matic stress disorder (PTSD).



1           (4) Just over 1/2 of the members have sought  
2           treatment for PTSD symptoms.

3           (5) More than 90,000 members returning from  
4           deployment to Operation Enduring Freedom or Op-  
5           eration Iraqi Freedom are clinically diagnosed with  
6           PTSD.

7           (6) The Armed Forces have sustained an oper-  
8           ational tempo for a period of time unprecedented in  
9           the history of the United States, with many mem-  
10          bers deploying multiple times, placing them at high  
11          risk of PTSD.

12          (7) Up to 10 percent of Operation Desert  
13          Storm veterans, 30 percent of Vietnam veterans, and  
14          8 percent of the general population of the United  
15          States suffer or have suffered from PTSD.

16          (8) Many cases of PTSD remain unreported,  
17          undiagnosed, and untreated due to a lack of aware-  
18          ness about PTSD and the persistent stigma associ-  
19          ated with mental health issues.

20          (9) PTSD significantly increases the risk of de-  
21          pression, suicide, and drug- and alcohol-related dis-  
22          orders and deaths, especially if left untreated.

23          (10) The Departments of Defense and Veterans  
24          Affairs have made significant advances in the pre-

1       vention, diagnosis, and treatment of PTSD and the  
2       symptoms of PTSD, but many challenges remain.

3               (11) About ½ of members and their spouses re-  
4       port they are somewhat or not at all knowledgeable  
5       about the signs and symptoms of PTSD.

6       (b) CONGRESSIONAL EXPRESSION OF SUPPORT.—In  
7       light of the findings made in subsection (a), Congress—

8               (1) supports the efforts of the Secretary of Vet-  
9       erans Affairs and the Secretary of Defense to edu-  
10      cate service members, veterans, the families of serv-  
11      ice members and veterans, and the public about the  
12      causes, symptoms, and treatment of post-traumatic  
13      stress disorder (PTSD); and

14              (2) supports the creation of an advisory com-  
15      mission on PTSD to coordinate the efforts of the  
16      Department of Defense, Department of Veterans Af-  
17      fairs, and other executive departments and agencies  
18      for the prevention, diagnosis, and treatment of  
19      PTSD.



93. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
DELAURO OF CONNECTICUT OR HER DESIGNEE, DEBATABLE  
FOR 10 MINUTES

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MS. DELAURO OF CONNECTICUT**

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

1 **SEC. 802. REQUIREMENTS RELATING TO CONTRACTS FOR**  
2 **PURCHASE OF HELICOPTERS FOR AFGHAN**  
3 **SECURITY FORCES.**

4 (a) REQUIREMENT FOR COMPETITIVELY BID CON-  
5 TRACTS.—Subject to subsection (b), the Secretary of De-  
6 fense shall award any contract that will use United States  
7 funds for the procurement of helicopters for the Afghan  
8 Security Forces using competitive procedures.

9 (b) PROHIBITION ON CONTRACTING WITH CERTAIN  
10 ENTITIES.—Notwithstanding subsection (a), the Sec-  
11 retary of Defense may not award a contract, directly or  
12 indirectly, to any entity controlled, directed, or influenced  
13 by—

14 (1) a country that has provided weapons to  
15 Syria at any time after the date of the enactment of  
16 the Syria Accountability and Lebanese Sovereignty  
17 Restoration Act of 2003 (Public Law 108–175); or

18 (2) any country that is currently a state spon-  
19 sor of terrorism.

1           (c) STATE SPONSOR OF TERRORISM DEFINED.—In  
2 subsection (b), the term “state sponsor of terrorism”  
3 means any country the government of which the Secretary  
4 of State has determined has repeatedly provided support  
5 for acts of international terrorism pursuant to section 6(j)  
6 of the Export Administration Act of 1979, section 620A  
7 of the Foreign Assistance Act of 1961, or section 40 of  
8 the Arms Export Control Act.

9           (d) EFFECTIVE DATE.—The requirement in sub-  
10 section (a) shall apply to contracts awarded after the date  
11 of the enactment of this Act.

12           (e) NATIONAL SECURITY WAIVER AUTHORITY.—The  
13 Secretary of Defense may waive the applicability of this  
14 section if the Secretary determines such a waiver is nec-  
15 essary in the national security interests of the United  
16 States.



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



**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. RIVERA OF FLORIDA**

At the end of subtitle A of title VIII (page 297,  
after line 23), insert the following new section:

1 **SEC. 802. PROHIBITION ON CONTRACTING WITH PERSONS**  
2 **THAT HAVE BUSINESS OPERATIONS WITH**  
3 **STATE SPONSORS OF TERRORISM.**

4 (a) PROHIBITION.—The Department of Defense may  
5 not enter into a contract for the procurement of goods  
6 or services with any person that has business operations  
7 with a state sponsor of terrorism.

8 (b) DEFINITIONS.—In this section:

9 (1) STATE SPONSOR OF TERRORISM.—The term  
10 “state sponsor of terrorism” means any country the  
11 government of which the Secretary of State has de-  
12 termined has repeatedly provided support for acts of  
13 international terrorism pursuant to—

14 (A) section 6(j) of the Export Administra-  
15 tion Act of 1979 (50 U.S.C. App. 2405(j)) (as  
16 continued in effect pursuant to the Inter-  
17 national Emergency Economic Powers Act);

18 (B) section 620A of the Foreign Assistance  
19 Act of 1961 (22 U.S.C. 2371); or



1 (C) section 40 of the Arms Export Control  
2 Act (22 U.S.C. 2780).

3 (2) BUSINESS OPERATIONS.—The term “busi-  
4 ness operations” means engaging in commerce in  
5 any form, including acquiring, developing, maintain-  
6 ing, owning, selling, possessing, leasing, or operating  
7 equipment, facilities, personnel, products, services,  
8 personal property, real property, or any other appa-  
9 ratus of business or commerce.

10 (3) PERSON.—The term “person” means—

11 (A) a natural person, corporation, com-  
12 pany, business association, partnership, society,  
13 trust, or any other nongovernmental entity, or-  
14 ganization, or group;

15 (B) any governmental entity or instrumen-  
16 tality of a government, including a multilateral  
17 development institution (as defined in section  
18 1701(c)(3) of the International Financial Insti-  
19 tutions Act (22 U.S.C. 262r(c)(3))); and

20 (C) any successor, subunit, parent entity,  
21 or subsidiary of, or any entity under common  
22 ownership or control with, any entity described  
23 in subparagraph (A) or (B).



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

2194

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. LARSEN OF WASHINGTON**

Strike section 818 and insert the following:

1 **SEC. 818. ASSESSMENT AND REPORT RELATING TO INFRA-**  
2 **RED TECHNOLOGY SECTORS.**

3 (a) **ASSESSMENT.**—The Secretary of Defense, in con-  
4 junction with the sector-by-sector, tier-by-tier review con-  
5 ducted by the Deputy Assistant Secretary of Defense for  
6 Manufacturing and Industrial Base Policy, shall conduct  
7 an assessment of the health and status of various national  
8 defense infrared technology sectors, including technology  
9 such as focal plane arrays sensitive to infrared wave-  
10 lengths, read-out integrate circuits, cryogenic coolers,  
11 Dewar technology, infrared sensor engine assemblies, and  
12 infrared imaging systems.

13 (b) **REPORT.**—The Secretary of Defense shall submit  
14 to the congressional defense committees a report on the  
15 findings of the assessment within 90 days after the date  
16 of the enactment of this Act.



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

169

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MS. BASS OF CALIFORNIA**

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

1 **SEC. 833. REQUIREMENT TO INCLUDE TRAFFICKING IN**  
2 **PERSONS IN PERFORMANCE ASSESSMENTS**  
3 **OF DEFENSE CONTRACTORS.**

4 (a) PERFORMANCE ASSESSMENTS TO INCLUDE  
5 EVALUATION OF TRAFFICKING IN PERSONS.—With re-  
6 spect to any performance assessment of a defense con-  
7 tractor or subcontractor of such a contractor, or any labor  
8 recruiter, broker, or other agent used by the contractor  
9 or subcontractor, the Secretary of Defense shall include  
10 an evaluation of trafficking in persons.

11 (b) TRAFFICKING IN PERSONS DEFINED.—In this  
12 section, the term “trafficking in persons” has the meaning  
13 provided the term “severe form of trafficking in persons”  
14 in section 103 of the Trafficking Victims Protection Act  
15 of 2000 (22 U.S.C. 7102).



97. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
MURPHY OF CONNECTICUT OR HIS DESIGNEE, DEBATABLE  
FOR 10 MINUTES



203

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. MURPHY OF CONNECTICUT**

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

1 **SEC. 833. CONSIDERATION AND VERIFICATION OF INFOR-**  
2 **MATION RELATING TO EFFECT ON DOMESTIC**  
3 **EMPLOYMENT OF AWARD OF DEFENSE CON-**  
4 **TRACTS.**

5 (a) IN GENERAL.—Section 2305(a) of title 10,  
6 United States Code, is amended by adding at the end the  
7 following new paragraph:

8 “(6)(A) The head of an agency, in issuing a so-  
9 licitation for competitive proposals, shall state in the  
10 solicitation that the agency may consider informa-  
11 tion (in this paragraph referred to as a ‘jobs impact  
12 statement’) that the offeror may include in its offer  
13 related to the effects on employment within the  
14 United States of the contract if it is awarded to the  
15 offeror.

16 “(B) The information that may be included in  
17 a jobs impact statement may include the following:

18 “(i) The number of jobs expected to be  
19 created in the United States, or the number of



1 jobs retained that otherwise would be lost, if  
2 the contract is awarded to the offeror.

3 “(ii) The number of jobs created or re-  
4 tained in the United States by the subcontractors  
5 expected to be used by the offeror in the  
6 performance of the contract.

7 “(iii) A guarantee from the offeror that  
8 jobs created or retained in the United States  
9 will not be moved outside the United States  
10 after award of the contract.

11 “(C) The contracting officer may consider the  
12 information in the jobs impact statement in the eval-  
13 uation of the offer.

14 “(D) The agency may request further informa-  
15 tion from the offeror in order to verify the accuracy  
16 of the information in the jobs impact statement.

17 “(E) In the case of a contract awarded to an  
18 offeror that submitted a jobs impact statement with  
19 the offer for the contract, the agency shall, not later  
20 than six months after the award of the contract and  
21 annually thereafter for the duration of the contract  
22 or contract extension, assess the accuracy of the jobs  
23 impact statement.

24 “(F) The Secretary of Defense shall submit to  
25 Congress an annual report on the frequency of use

1 within the Department of Defense of jobs impact  
2 statements in the evaluation of competitive pro-  
3 posals.”.

4 (b) REVISION OF FEDERAL ACQUISITION REGULA-  
5 TION.—The Federal Acquisition Regulation shall be re-  
6 vised to implement the amendment made by this section.



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

17A

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. WELCH OF VERMONT**

Page 313, after line 20, insert the following:

1 **SEC. 833. ENERGY SAVINGS PERFORMANCE CONTRACT RE-**  
2 **PORT.**

3 Not later than June 30, 2013, the Secretary of the  
4 Army, the Secretary of the Navy, and the Secretary of  
5 the Air Force shall each submit to the congressional de-  
6 fense committees a report on the use of energy savings  
7 performance contracts by the Department of the Army,  
8 the Department of the Navy, and the Department of the  
9 Air Force, respectively, including each of the following:

10 (1) The amount of appropriated funds that  
11 have been obligated or expended and that are ex-  
12 pected to be obligated or expended for energy sav-  
13 ings performance contracts.

14 (2) The amount of such funds that have been  
15 used for comprehensive retrofits.

16 (3) The amount of such funds that have been  
17 used to leverage private sector capital, including the  
18 amount of such capital.

☒

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

125

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310**

**OFFERED BY MR. Rogers (of MI)**

Page 345, line 20, strike “RULE OF CONSTRUCTION” and insert “RULE OF CONSTRUCTION REGARDING AUTHORITY IN CYBERSPACE”.

Page 345, line 23, strike the quotation mark and the second period.

Page 345, after line 23 insert the following:

1 “(d) RULE OF CONSTRUCTION REGARDING COVERT  
2 ACTIONS.—Nothing in this section shall be construed to  
3 authorize a covert action (as defined in section 503(e) of  
4 the National Security Act of 1947 (50 U.S.C. 413b(e)))  
5 or modify the requirements of section 503 of such Act (50  
6 U.S.C. 413b).

7 “(e) CONGRESSIONAL NOTIFICATION.—Consistent  
8 with, and in addition to, any other reporting requirements  
9 under law, the Secretary of Defense shall ensure that the  
10 congressional intelligence committees (as defined in sec-  
11 tion 3(7) of the National Security Act of 1947 (50 U.S.C.  
12 401a(7))) are kept fully and currently informed of any in-

- 1 telligence or intelligence-related activities undertaken in
- 2 support of military activities in cyberspace.”.





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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. HOLT OF NEW JERSEY**

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

1 **SEC. \_\_. NATIONAL LANGUAGE SERVICE CORPS.**

2 (a) CHARTER FOR NATIONAL LANGUAGE SERVICE  
3 CORPS.—The David L. Boren National Security Edu-  
4 cation Act of 1991 (50 U.S.C. 1901 et seq.) is amended  
5 by adding at the end the following new section:

6 **“SEC. 813. NATIONAL LANGUAGE SERVICE CORPS.**

7 “(a) ESTABLISHMENT.—

8 “(1) The Secretary of Defense shall establish  
9 and maintain within the Department of Defense a  
10 National Language Service Corps (in this section re-  
11 ferred to as the ‘Corps’).

12 “(2) The purpose of the Corps is to provide a  
13 pool of personnel with foreign language skills who,  
14 as provided in regulations prescribed under this sec-  
15 tion, agree to provide foreign language services to  
16 the Department of Defense or another department  
17 or agency of the United States.

18 “(b) NATIONAL SECURITY EDUCATION BOARD.—The  
19 Secretary shall provide for the National Security Edu-

1 cation Board to oversee and coordinate the activities of  
2 the Corps to such extent and in such manner as deter-  
3 mined by the Secretary under paragraph (9) of section  
4 803(d).

5       “(c) MEMBERSHIP.—To be eligible for membership  
6 in the Corps, a person must be a citizen of the United  
7 States authorized by law to be employed in the United  
8 States, have attained the age of 18 years, and possess  
9 such foreign language skills as the Secretary considers ap-  
10 propriate for membership in the Corps. Members of the  
11 Corps may include employees of the Federal Government  
12 and of State and local governments.

13       “(d) TRAINING.—The Secretary may provide mem-  
14 bers of the Corps such training as the Secretary prescribes  
15 for purposes of this section.

16       “(e) SERVICE.—Upon a determination that it is in  
17 the national interests of the United States, the Secretary  
18 shall call upon members of the Corps to provide foreign  
19 language services to the Department of Defense or an-  
20 other department or agency of the United States.

21       “(f) FUNDING.—The Secretary may impose fees, in  
22 amounts up to full-cost recovery, for language services and  
23 technical assistance rendered by members of the Corps.  
24 Amounts of fees received under this section shall be cred-  
25 ited to the account of the Department providing funds for

1 any costs incurred by the Department in connection with  
2 the Corps. Amounts so credited to such account shall be  
3 merged with amounts in such account, and shall be avail-  
4 able to the same extent, and subject to the same conditions  
5 and limitations, as amounts in such account. Any amounts  
6 so credited shall remain available until expended.

7 “(g) USERRA APPLICABILITY.—For purposes of the  
8 applicability of chapter 43 of title 38, United States Code,  
9 to a member of the Corps—

10 “(1) a period of active service in the Corps shall  
11 be deemed to be service in the uniformed services;  
12 and

13 “(2) the Corps shall be deemed to be a uni-  
14 formed service.”.”.

15 (b) NATIONAL SECURITY EDUCATION BOARD MAT-  
16 TERS.—

17 (1) COMPOSITION.—Subsection (b) of section  
18 803 of such Act (50 U.S.C. 1903) is amended—

19 (A) by striking paragraph (5);

20 (B) by redesignating paragraphs (6) and  
21 (7) as paragraphs (8) and (9), respectively; and

22 (C) by inserting after paragraph (4) the  
23 following new paragraphs:

24 “(5) The Secretary of Homeland Security.

25 “(6) The Secretary of Energy.

1 “(7) The Director of National Intelligence.”.

2 (2) FUNCTIONS.—Subsection (d) of such sec-  
3 tion is amended by adding at the end the following  
4 new paragraph:

5 “(9) To the extent provided by the Secretary of  
6 Defense, oversee and coordinate the activities of the  
7 National Language Service Corps under section 813,  
8 including—

9 “(A) identifying and assessing on a peri-  
10 odic basis the needs of the departments and  
11 agencies of the Federal Government for per-  
12 sonnel with skills in various foreign languages;

13 “(B) establishing plans to address foreign  
14 language shortfalls and requirements of the de-  
15 partments and agencies of the Federal Govern-  
16 ment;

17 “(C) recommending effective ways to in-  
18 crease public awareness of the need for foreign  
19 languages skills and career paths in the Federal  
20 government that use those skills;

21 “(D) coordinating activities with Executive  
22 agencies and State and Local governments to  
23 develop interagency plans and agreements to  
24 address overall foreign language shortfalls and  
25 to utilize personnel to address the various types

1 of crises that warrant foreign language skills;  
2 and  
3 “(E) proposing to the Secretary regula-  
4 tions to carry out section 813.”.



101. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
PIERLUISI OF PUERTO RICO OR HIS DESIGNEE, DEBATABLE  
FOR 10 MINUTES



**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. PIERLUISI OF PUERTO RICO**

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

1 **SEC. 1015. SENSE OF CONGRESS REGARDING THE**  
2 **COUNTERDRUG TETHERED AEROSTAT**  
3 **RADAR SYSTEM PROGRAM.**

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

5 (1) Since 1992, the Air Force has administered  
6 the Counterdrug Tethered Aerostat Radar System  
7 (TARS) program, which contributes to deterring and  
8 detecting smugglers moving illicit drugs into the  
9 United States.

10 (2) There are eight current tethered aerostat  
11 systems, located at Yuma, Arizona, Fort Huachuca,  
12 Arizona, Deming, New Mexico, Marfa, Texas, Eagle  
13 Pass, Texas, Rio Grande City, Texas, Cudjoe Key,  
14 Florida, and Lajas, Puerto Rico.

15 (3) Primary customers of the surveillance data  
16 from the TARS program are the Department of  
17 Homeland Security, the United States Northern  
18 Command, the United States Southern Command,

1 and the North American Aerospace Defense Com-  
2 mand.

3 (4) In the past two years, the radars in two of  
4 the eight tethered aerostat systems have been de-  
5 stroyed in strong weather conditions, namely the  
6 radar at Lajas, Puerto Rico, which was destroyed in  
7 April 2011, and the radar at Marfa, Texas, which  
8 was destroyed in February 2012.

9 (5) The Air Force has indicated that it does not  
10 have sufficient spare parts in its inventory to replace  
11 either of these two radars or the funding necessary  
12 to purchase any new radars. As a result, there are  
13 no current plans to resume operations at Lajas,  
14 Puerto Rico or Marfa, Texas.

15 (6) The loss of these two tethered aerostats sys-  
16 tems substantially degrades counterdrug capabilities  
17 in the Caribbean corridor and along the Southwest  
18 border.

19 (7) The loss of the tethered aerostat system in  
20 Lajas, Puerto Rico, is particularly detrimental to the  
21 national counterdrug mission. In Section 1023 of the  
22 National Defense Authorization Act for Fiscal Year  
23 2006 (Public Law 109-163), Congress found that—

24 (A) “Drug traffickers use the Caribbean  
25 corridor to smuggle narcotics to the United

1 States via Puerto Rico and the Dominican Re-  
2 public. This route is ideal for drug trafficking  
3 because of its geographic expanse, numerous  
4 law enforcement jurisdictions, and fragmented  
5 investigative efforts.”; and

6 (B) “The tethered aerostat system in  
7 Lajas, Puerto Rico, contributes to deterring  
8 and detecting smugglers moving illicit drugs  
9 into Puerto Rico. The aerostat’s range and  
10 operational capabilities allow it to provide sur-  
11 veillance coverage of the eastern Caribbean cor-  
12 ridor and the strategic waterway between Puer-  
13 to Rico and the Dominican Republic, known as  
14 the Mona Passage.”.

15 (8) In such section 1023, Congress expressed  
16 that “Congress and the Department of Defense  
17 should fund the Counter-Drug Tethered Aerostat  
18 program.”.

19 (9) In recent years, Puerto Rico and the U.S.  
20 Virgin Islands have been increasingly impacted by  
21 the drug trade and related violence. Both jurisdic-  
22 tions have homicide rates that are roughly six times  
23 the national average and about three times higher  
24 than any State, and many of these homicides are  
25 linked to the drug trade.

1           (10) The Department of Defense has raised  
2           questions as to whether it should continue to admin-  
3           ister the TARS program or, alternatively, whether  
4           responsibility for this program should be vested in  
5           the Department of Homeland Security.

6           (b) SENSE OF CONGRESS.—In light of the findings  
7           under subsection (a), it is the sense of Congress that—

8           (1) irrespective of whether the Department of  
9           Defense continues to be responsible for the  
10          Counterdrug Tethered Aerostat Radar System  
11          (TARS) program or such responsibility is assigned  
12          to another agency, Congress and the responsible  
13          agency should fund the TARS program; and

14          (2) Congress and the responsible agency should  
15          take all appropriate steps to ensure that the eight  
16          current tethered aerostat systems are fully func-  
17          tional and, in particular, to ensure that the TARS  
18          program is providing coverage to protect jurisdic-  
19          tions of the United States in the Caribbean region,  
20          as well as jurisdictions of the United States along  
21          the United States-Mexico border and in the Florida  
22          Straits.



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



2202

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. LARSEN OF WASHINGTON  
(For Himself and Ms. Loretta Sanchez of California)**

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

1 **SEC. 1065A. BUDGET REQUIREMENTS ASSOCIATED WITH**  
2 **SUSTAINING AND MODERNIZING THE NU-**  
3 **CLEAR DETERRENT.**

4 Section 1043 of the National Defense Authorization  
5 Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat.  
6 1576) is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (2), by amending sub-  
9 paragraph (F) to read as follows:

10 “(F) In accordance with paragraph (3), a  
11 detailed estimate of the budget requirements as-  
12 sociated with sustaining and modernizing the  
13 nuclear deterrent of the United States and the  
14 nuclear weapons stockpile of the United States,  
15 including the costs associated with the plans  
16 outlined under subparagraphs (A) through (E),  
17 over the 10-year period following the date of

1 the report, including the applicable and appro-  
2 priate costs associated with—

3 “(i) training;

4 “(ii) basing;

5 “(iii) security;

6 “(iv) testing;

7 “(v) research;

8 “(vi) development;

9 “(vii) deployment;

10 “(viii) transportation;

11 “(ix) personnel;

12 “(x) overhead; and

13 “(xi) other appropriate matters.”; and

14 (B) by adding at the end the following new  
15 paragraph:

16 “(3) DETAILED BUDGET ESTIMATE CON-  
17 TENTS.—Each budget estimate under paragraph  
18 (2)(F) shall include a detailed description of the  
19 matters included in such estimate, the rationale for  
20 including such matters, and the cost listed by loca-  
21 tion. Such costs listed by location shall be submitted  
22 in the form of a classified annex in accordance with  
23 subsection (b).”; and

24 (2) by adding at the end the following new sub-  
25 section:



1       “(c) COMPTROLLER GENERAL.—The Comptroller  
2 General of the United States shall—

3               “(1) review each report under subsection (a) for  
4 accuracy and completeness with respect to the mat-  
5 ters described in paragraphs (2)(F) and (3) of such  
6 subsection; and

7               “(2) not later than 180 days after the date on  
8 which such report under subsection (a) is submitted,  
9 submit to the congressional defense committees a  
10 summary of each such review.”.



103. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
BRALEY OF IOWA OR HIS DESIGNEE, DEBATABLE FOR 10  
MINUTES

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. BRALEY OF IOWA**

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

1 **SEC. 10\_\_ . REPORT ON LONG-TERM COSTS OF OPERATION**  
2 **NEW DAWN, OPERATION ENDURING FREE-**  
3 **DOM, AND OTHER CONTINGENCY OPER-**  
4 **ATIONS.**

5 (a) REPORT REQUIREMENT.—Not later than 90 days  
6 after the date of the enactment of this Act, the President,  
7 with contributions from the Secretary of Defense, the Sec-  
8 retary of State, and the Secretary of Veterans Affairs,  
9 shall submit to Congress a report containing an estimate  
10 of the long-term costs of Operation New Dawn and Oper-  
11 ation Enduring Freedom for each the following scenarios:

12 (1) The scenario in which the number of mem-  
13 bers of the Armed Forces deployed in support of Op-  
14 eration Enduring Freedom is reduced from roughly  
15 90,000 in 2012 to 67,000 in 2013, and 50,000 by  
16 the beginning of 2014, and remains at 50,000  
17 through 2020.

18 (2) The scenario in which the number of mem-  
19 bers of the Armed Forces deployed in support of Op-

1       eration Enduring Freedom is reduced from roughly  
2       90,000 in 2012 to 60,000 in 2013, and 30,000 by  
3       the beginning of 2014, and remains at 30,000  
4       through 2020.

5           (3) An alternative scenario, determined by the  
6       President and based on current contingency oper-  
7       ation and withdrawal plans, which takes into ac-  
8       count expected force levels and the expected length  
9       of time that members of the Armed Forces will be  
10      deployed in support of Operation Enduring Free-  
11      dom.

12      (b) ESTIMATES TO BE USED IN PREPARATION OF  
13      REPORT.—In preparing the report required by subsection  
14      (b), the President shall make estimates and projections  
15      through at least fiscal year 2020, adjust any dollar  
16      amounts appropriately for inflation, and take into account  
17      and specify each of the following:

18           (1) The total number of members of the Armed  
19      Forces expected to be deployed in support of Oper-  
20      ation Enduring Freedom, and Operation Odyssey  
21      Dawn, including—

22           (A) the number of members of the Armed  
23      Forces actually deployed in Southwest Asia in  
24      support of Operation New Dawn, Operation

1           Enduring Freedom, and Operation Odyssey  
2           Dawn;

3                   (B) the number of members of reserve  
4           components of the Armed Forces called or or-  
5           dered to active duty in the United States for  
6           the purpose of training for eventual deployment  
7           in Southwest Asia, backfilling for deployed  
8           troops, or supporting other Department of De-  
9           fense missions directly or indirectly related to  
10          Operation New Dawn, Operation Enduring  
11          Freedom, and Operation Odyssey Dawn; and

12                   (C) the break-down of deployments of  
13          members of the regular and reserve components  
14          and activation of members of the reserve com-  
15          ponents.

16           (2) The number of members of the Armed  
17          Forces, including members of the reserve compo-  
18          nents, who have previously served in support of Op-  
19          eration Iraqi Freedom, Operation New Dawn, Oper-  
20          ation Enduring Freedom, and Operation Odyssey  
21          Dawn and who are expected to serve multiple de-  
22          ployments.

23           (3) The number of contractors and private mili-  
24          tary security firms that have been used and are ex-  
25          pected to be used during the course of Operation

1 Iraqi Freedom, Operation New Dawn, Operation  
2 Enduring Freedom, and Operation Odyssey Dawn.

3 (4) The number of veterans currently suffering  
4 and expected to suffer from post-traumatic stress  
5 disorder, traumatic brain injury, or other mental in-  
6 juries.

7 (5) The number of veterans currently in need of  
8 and expected to be in need of prosthetic care and  
9 treatment because of amputations incurred during  
10 service in support of Operation Iraqi Freedom, Op-  
11 eration New Dawn, and Operation Enduring Free-  
12 dom.

13 (6) The current number of pending Department  
14 of Veterans Affairs claims from veterans of military  
15 service in Iraq, Afghanistan, and Libya, and the  
16 total number of such veterans expected to seek dis-  
17 ability compensation from the Department of Vet-  
18 erans Affairs.

19 (7) The total number of members of the Armed  
20 Forces who have been killed or wounded in Iraq, Af-  
21 ghanistan, or Libya, including noncombat casualties,  
22 the total number of members expected to suffer inju-  
23 ries in Iraq, Afghanistan, and Libya, and the total  
24 number of members expected to be killed in Iraq,

1 Afghanistan, and Libya, including noncombat cas-  
2 ualties.

3 (8) The amount of funds previously appro-  
4 priated for the Department of Defense, the Depart-  
5 ment of State, and the Department of Veterans Af-  
6 fairs for costs related to Operation Iraqi Freedom,  
7 Operation New Dawn, and Operation Enduring  
8 Freedom, including an account of the amount of  
9 funding from regular Department of Defense, De-  
10 partment of State, and Department of Veterans Af-  
11 fairs budgets that has gone and will go to costs asso-  
12 ciated with such operations.

13 (9) Current and future operational expenditures  
14 associated with Operation New Dawn, Operation  
15 Enduring Freedom, and Operation Odyssey Dawn  
16 including—

17 (A) funding for combat operations;

18 (B) deploying, transporting, feeding, and  
19 housing members of the Armed Forces (includ-  
20 ing fuel costs);

21 (C) activation and deployment of members  
22 of the reserve components of the Armed Forces;

23 (D) equipping and training of Iraqi and  
24 Afghani forces;



1           (E) purchasing, upgrading, and repairing  
2           weapons, munitions, and other equipment con-  
3           sumed or used in Operation Iraqi Freedom, Op-  
4           eration New Dawn, Operation Enduring Free-  
5           dom, and Operation Odyssey Dawn; and

6           (F) payments to other countries for  
7           logistical assistance in support of such oper-  
8           ations.

9           (10) Past, current, and future costs of entering  
10          into contracts with private military security firms  
11          and other contractors for the provision of goods and  
12          services associated with Operation Iraqi Freedom,  
13          Operation New Dawn, Operation Enduring Free-  
14          dom, and Operation Odyssey Dawn.

15          (11) Average annual cost for each member of  
16          the Armed Forces deployed in support of Operation  
17          Iraqi Freedom, Operation New Dawn, Operation  
18          Enduring Freedom, and Operation Odyssey Dawn,  
19          including room and board, equipment and body  
20          armor, transportation of troops and equipment (in-  
21          cluding fuel costs), and operational costs.

22          (12) Current and future cost of combat-related  
23          special pays and benefits, including reenlistment bo-  
24          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 New Dawn, Operation  
4           Enduring Freedom, and Operation Odyssey Dawn.

5           (14) Current and future cost for reconstruction,  
6           embassy operations and construction, and foreign  
7           aid programs for Iraq and Afghanistan.

8           (15) Current and future cost of bases and other  
9           infrastructure to support members of the Armed  
10          Forces serving in Iraq and Afghanistan.

11          (16) Current and future cost of providing  
12          health care for veterans who served in support of  
13          Operation Iraqi Freedom, Operation New Dawn,  
14          Operation Enduring Freedom, and Operation Odys-  
15          sey Dawn—

16                (A) the cost of mental health treatment for  
17          veterans suffering from post-traumatic stress  
18          disorder and traumatic brain injury, and other  
19          mental problems as a result of such service; and

20                (B) the cost of lifetime prosthetics care  
21          and treatment for veterans suffering from am-  
22          putations as a result of such service.

23          (17) Current and future cost of providing De-  
24          partment of Veterans Affairs disability benefits for  
25          the lifetime of veterans who incur disabilities while

1 serving in support of Operation Iraqi Freedom, Op-  
2 eration New Dawn, Operation Enduring Freedom,  
3 or Operation Odyssey Dawn.

4 (18) Current and future cost of providing sur-  
5 vivors' benefits to survivors of members of the  
6 Armed Forces killed while serving in support of Op-  
7 eration Iraqi Freedom, Operation New Dawn, Oper-  
8 ation Enduring Freedom, or Operation Odyssey  
9 Dawn.

10 (19) Cost of bringing members of the Armed  
11 Forces and equipment back to the United States  
12 upon the conclusion of Operation New Dawn, Oper-  
13 ation Enduring Freedom, or Operation Odyssey  
14 Dawn, including the cost of demobilization, trans-  
15 portation costs (including fuel costs), providing tran-  
16 sition services for members of the Armed Forces  
17 transitioning from active duty to veteran status,  
18 transporting equipment, weapons, and munitions  
19 (including fuel costs), and an estimate of the value  
20 of equipment that will be left behind.

21 (20) Cost to restore the military and military  
22 equipment, including the equipment of the reserve  
23 components, to full strength after the conclusion of  
24 Operation New Dawn or Operation Enduring Free-  
25 dom.

1           (21) Amount of money borrowed to pay for Op-  
2           eration Iraqi Freedom, Operation New Dawn, Oper-  
3           ation Enduring Freedom, or Operation Odyssey  
4           Dawn, and the sources of that money.

5           (22) Interest on money borrowed, including in-  
6           terest for money already borrowed and anticipated  
7           interest payments on future borrowing, for Oper-  
8           ation Iraqi Freedom, Operation New Dawn, Oper-  
9           ation Enduring Freedom, or Operation Odyssey  
10          Dawn.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. HOLT OF NEW JERSEY**

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

1 **SEC. 1069. FEDERAL MORTUARY AFFAIRS ADVISORY COM-**  
2 **MISSION.**

3 (a) **ESTABLISHMENT.**—There is established a Fed-  
4 eral Mortuary Affairs Advisory Commission.

5 (b) **PURPOSE.**—The purpose of the Commission shall  
6 be to advise the President, the Secretary of Defense, the  
7 Secretary of Veterans Affairs, and Congress on the best  
8 practices for casualty notification, family support, and  
9 mortuary affairs operations so as to ensure prompt notifi-  
10 cation and compassionate and responsive support for fami-  
11 lies who have lost servicemembers, and for the honorable  
12 and dignified disposition of the remains of fallen  
13 servicemembers.

14 (c) **SCOPE.**—Within the Department of Defense and  
15 the Department of Veterans Affairs, the Commission shall  
16 examine, on an ongoing basis, all matters that encompass  
17 the notification of family members on the death of a serv-  
18 icemember in said family; all family support programs,



1 policies, and procedures designed to assist affected fami-  
2 lies; and all aspects of mortuary affairs operations, includ-  
3 ing the final disposition of fallen servicemembers.

4 (d) COMPOSITION.—

5 (1) MEMBERS.—The Commission shall consist  
6 of 13 members, appointed as follows:

7 (A) One member appointed by the Presi-  
8 dent of the United States.

9 (B) One member appointed by the Speaker  
10 of the House of Representatives.

11 (C) One member appointed by the Minor-  
12 ity Leader of the House of Representatives.

13 (D) One member appointed by the Major-  
14 ity Leader of the Senate.

15 (E) One member appointed by the Minor-  
16 ity Leader of the Senate.

17 (F) One member appointed by the Chair-  
18 man of the House Committee on Veterans Af-  
19 fairs.

20 (G) One member appointed by the Ranking  
21 Member of the House Committee on Veterans  
22 Affairs.

23 (H) One member appointed by the Chair-  
24 man of the House Committee on Armed Serv-  
25 ices.



1 (I) One member appointed by the Ranking  
2 Member of the House Committee on Armed  
3 Services.

4 (J) One member appointed by the Chair-  
5 man of the Senate Committee on Veterans Af-  
6 fairs.

7 (K) One member appointed by the Rank-  
8 ing Member of the Senate Committee on Vet-  
9 erans Affairs.

10 (L) One member appointed by the Chair-  
11 man of the Senate Committee on Armed Serv-  
12 ices.

13 (M) One member appointed by the Chair-  
14 man of the Senate Committee on Armed Serv-  
15 ices.

16 (2) TERM.—Each member shall serve a term of  
17 three years.

18 (3) MEETINGS AND QUORUM.—After its initial  
19 meeting, the Commission shall meet upon the call of  
20 the chairman or a majority of its members. Seven  
21 members of the Commission shall constitute a  
22 quorum.

23 (4) CHAIRMAN AND VICE CHAIRMAN.—Upon  
24 convening for its first meeting, the Commission

1 members shall elect by majority vote a chairman and  
2 vice chairman of the Commission.

3 (5) VACANCIES.—Any vacancy in the Commis-  
4 sion shall not affect its powers, but shall be filled in  
5 the same manner in which the original appointment  
6 was made.

7 (e) QUALIFICATIONS.—

8 (1) POLITICAL PARTY AFFILIATION.—Not more  
9 than 5 members of the Commission shall be from  
10 the same political party.

11 (2) NONGOVERNMENTAL APPOINTEES.—An in-  
12 dividual appointed to the Commission may not be an  
13 officer or employee of the Federal Government.

14 (3) OTHER QUALIFICATIONS.—At least four in-  
15 dividuals appointed to the Commission should in-  
16 clude family members who have direct experience  
17 dealing with the loss of a servicemember that in-  
18 volved interactions with the Dover Port Mortuary.  
19 At least three individuals should have extensive pri-  
20 vate or public sector experience in mortuary science,  
21 operations, procedures, and decorum.

22 (f) DURATION.—The Commission shall have a 5 year  
23 duration, beginning after the last member of the Commis-  
24 sion is appointed

1 (g) MEETINGS AND REPORTS.—The Commission  
2 shall hold regular public meetings, notification of which  
3 shall appear in the Federal Register and on the Commis-  
4 sion’s website. Not less than annually, the Commission  
5 shall provide a written report to the President, the Sec-  
6 retary of Defense, the Secretary of Veterans Affairs, and  
7 Congress on—

8 (1) recommendations for improving casualty no-  
9 tification, family support, and remains disposition;  
10 and

11 (2) progress, or lack thereof, by the Depart-  
12 ment of Defense and the Department of Veterans  
13 Affairs in acting upon prior recommendations of the  
14 Commission. Said report shall also be posted on the  
15 Commission’s website for public inspection.

16 (h) INFORMATION FROM FEDERAL AGENCIES.—

17 (1) IN GENERAL.—The Commission is author-  
18 ized to secure directly from any executive depart-  
19 ment, bureau, agency, board, Commission, office,  
20 independent establishment, or instrumentality of the  
21 Government, information, suggestions, estimates,  
22 and statistics for the purposes of this title. Each de-  
23 partment, bureau, agency, board, Commission, of-  
24 fice, independent establishment, or instrumentality  
25 shall, to the extent authorized by law, furnish such

1 information, suggestions, estimates, and statistics di-  
2 rectly to the Commission, upon request made by the  
3 chairman, the chairman of any subcommission cre-  
4 ated by a majority of the Commission, or any mem-  
5 ber designated by a majority of the Commission.

6 (2) RECEIPT, HANDLING, STORAGE, AND DIS-  
7 SEMINATION.—Information shall only be received,  
8 handled, stored, and disseminated by members of  
9 the Commission and its staff consistent with all ap-  
10 plicable statutes, regulations, and Executive orders.

11 (i) ASSISTANCE FROM FEDERAL AGENCIES.—

12 (1) GENERAL SERVICES ADMINISTRATION.—  
13 The Administrator of General Services shall provide  
14 to the Commission on a reimbursable basis adminis-  
15 trative support and other services for the perform-  
16 ance of the Commission's functions.

17 (2) OTHER DEPARTMENTS AND AGENCIES.—In  
18 addition to the assistance prescribed in paragraph  
19 (1), departments and agencies of the United States  
20 may provide to the Commission such services, funds,  
21 facilities, staff, and other support services as they  
22 may determine advisable and as may be authorized  
23 by law.

24 (j) STAFF OF COMMISSION.—

1           (1) APPOINTMENT AND COMPENSATION.—The  
2           chairman, in consultation with vice chairman, in ac-  
3           cordance with rules agreed upon by the Commission,  
4           may appoint and fix the compensation of a staff di-  
5           rector and such other personnel as may be necessary  
6           to enable the Commission to carry out its functions,  
7           without regard to the provisions of title 5, United  
8           States Code, governing appointments in the competi-  
9           tive service, and without regard to the provisions of  
10          chapter 51 and subchapter III of chapter 53 of such  
11          title relating to classification and General Schedule  
12          pay rates, except that no rate of pay fixed under this  
13          subsection may exceed the equivalent of that payable  
14          for a position at level V of the Executive Schedule  
15          under section 5316 of title 5, United States Code.

16           (2) PERSONNEL AS FEDERAL EMPLOYEES.—

17           (A) IN GENERAL.—The executive director  
18           and any personnel of the Commission who are  
19           employees shall be employees under section  
20           2105 of title 5, United States Code, for pur-  
21           poses of chapters 63, 81, 83, 84, 85, 87, 89,  
22           and 90 of that title.

23           (B) MEMBERS OF COMMISSION.—Subpara-  
24           graph (A) shall not be construed to apply to  
25           members of the Commission.

1           (3) DETAILEES.—Any Federal Government em-  
2        p-loyee may be detailed to the Commission without  
3        reimbursement from the Commission, and such  
4        detailee shall retain the rights, status, and privileges  
5        of his or her regular employment without interrup-  
6        tion.

7           (4) CONSULTANT SERVICES.—The Commission  
8        is authorized to procure the services of experts and  
9        consultants in accordance with section 3109 of title  
10       5, United States Code, but at rates not to exceed the  
11       daily rate paid a person occupying a position at level  
12       IV of the Executive Schedule under section 5315 of  
13       title 5, United States Code.

14       (k) COMPENSATION AND TRAVEL EXPENSES.—

15           (1) COMPENSATION.—Each member of the  
16        Commission may be compensated at not to exceed  
17        the daily equivalent of the annual rate of basic pay  
18        in effect for a position at level IV of the Executive  
19        Schedule under section 5315 of title 5, United  
20        States Code, for each day during which that member  
21        is engaged in the actual performance of the duties  
22        of the Commission.

23           (2) TRAVEL EXPENSES.—While away from  
24        their homes or regular places of business in the per-  
25        formance of services for the Commission, members

1 of the Commission shall be allowed travel expenses,  
2 including per diem in lieu of subsistence, in the  
3 same manner as persons employed intermittently in  
4 the Government service are allowed expenses under  
5 section 5703(b) of title 5, United States Code.

In the table of contents in section 2(b), insert after  
the item relating to section 1068 the following new item:

Sec. 1069. Federal mortuary affairs advisory commission.





105. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HARPER OF MISSISSIPPI OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

35

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. HARPER OF MISSISSIPPI**

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

1 **SEC. 1078. REVIEW OF AIR NATIONAL GUARD COMPONENT**  
2 **NUMBERED AIR FORCE AUGMENTATION**  
3 **FORCE.**

4 (a) REVIEW.—

5 (1) IN GENERAL.—The Secretary of the Air  
6 Force shall conduct a review of the decision of the  
7 Secretary to cancel or consolidate the Air National  
8 Guard Component Numbered Air Force Augmenta-  
9 tion Force.

10 (2) MATTERS INCLUDED.—The review under  
11 paragraph (1) shall include the following:

12 (A) An explanation of how the Secretary  
13 determined which Air National Guard Aug-  
14 mentation Units would be retired or relocated  
15 during fiscal year 2013.

16 (B) A description of the methodologies un-  
17 derlying such determinations, including the fac-

1           tors and assumptions that shaped the specific  
2           determinations.

3           (C) The rationale for selecting Augmenta-  
4           tion Units to be retired or relocated with re-  
5           spect to such Units of the Air National Guard.

6           (D) An explanation of how such consolida-  
7           tion or relocation affects national security.

8           (E) Details of the costs incurred, avoided,  
9           or saved with respect to consolidation or reloca-  
10          tion of Augmentation Units.

11       (b) REPORT.—Not later than 90 days after the date  
12 of the enactment of this Act, the Secretary shall submit  
13 to the congressional defense committees a report on the  
14 review conducted under subsection (a)(1).

15       (c) COMPTROLLER GENERAL REVIEW.—Not later  
16 than 60 days after the date on which the report is sub-  
17 mitted under subsection (b), the Comptroller General of  
18 the United States shall submit to the congressional de-  
19 fense committees a review of such report.



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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. LANGEVIN OF RHODE ISLAND**

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

1 **SEC. 1084. REPORT ON DEFENSE FORENSIC DATA.**

2 (a) **REQUIREMENT.**—The Director of the Defense  
3 Forensic Office within the Office of the Undersecretary  
4 of Defense for Acquisition, Technology, and Logistics may  
5 evaluate opportunities to increase the matching success  
6 rate when forensic data is collected during site exploitation  
7 to match forensic data stored in DNA databases. Among  
8 other items, the Defense Forensic Office may evaluate op-  
9 portunities to assist other countries with moving forward  
10 with DNA database programs that require a defined cat-  
11 egory of criminal offender to submit DNA to a foreign  
12 country’s national DNA database.

13 (b) **REPORT.**—The Defense Forensic Office shall sub-  
14 mit to the congressional defense committees a report con-  
15 taining its findings and solutions no later than 120 days  
16 after the date of the enactment of this Act.



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



**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
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.





108. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
MCCOLLUM OF MINNESOTA OR HER DESIGNEE, DEBATABLE  
FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY Ms. McCOLLUM OF MINNESOTA**

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

- 1 **SEC. 10** \_\_. **LIMITATION ON MILITARY MUSICAL UNITS.**
- 2       Amounts authorized to be appropriated pursuant to
- 3 this Act for military musical units (as such term is defined
- 4 in section 974 of title 10, United States Code) may not
- 5 exceed \$200,000,000.



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

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**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. MEEHAN OF PENNSYLVANIA**

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

1 **SEC. 10\_\_\_. REPORT ON DESIGNATION OF BOKO HARAM AS**  
2 **A FOREIGN TERRORIST ORGANIZATION.**

3 (a) REPORT.—

4 (1) IN GENERAL.—Not later than 30 days after  
5 the date of the enactment of this section, the Sec-  
6 retary of State shall submit to the appropriate con-  
7 gressional committees—

8 (A) a detailed report on whether the Nige-  
9 rian organization named “People Committed to  
10 the Propagation of the Prophet’s Teachings and  
11 Jihad” (commonly known as “Boko Haram”),  
12 meets the criteria for designation as a foreign  
13 terrorist organization under section 219 of the  
14 Immigration and Nationality Act (8 U.S.C.  
15 1189); and

16 (B) if the Secretary of State determines  
17 that Boko Haram does not meet such criteria,  
18 a detailed justification as to which criteria have  
19 not been met.

1           (2) FORM.—The report required by paragraph  
2           (1) shall be submitted in unclassified form, but may  
3           include a classified annex if appropriate.

4           (3) APPROPRIATE CONGRESSIONAL COMMIT-  
5           TEES DEFINED.—In this subsection, the term “ap-  
6           propriate congressional committees” means—

7                   (A) the Committee on Homeland Security,  
8                   the Committee on Armed Services, the Com-  
9                   mittee on Foreign Affairs, and the Permanent  
10                  Select Committee on Intelligence of the House  
11                  of Representatives; and

12                   (B) the Committee on Homeland Security  
13                   and Governmental Affairs, the Committee on  
14                   Armed Services, the Committee on Foreign Re-  
15                   lations, and the Select Committee on Intel-  
16                   ligence of the Senate.

17           (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
18           tion may be construed to infringe upon the sovereignty  
19           of Nigeria to combat militant or terrorist groups operating  
20           inside the boundaries of Nigeria.



110. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
POMPEO OF KANSAS OR HIS DESIGNEE, DEBATABLE FOR 10  
MINUTES



**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. POMPEO OF KANSAS (FOR  
HIMSELF AND MR. GARAMENDI OF CALIFORNIA)**

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

1 **SEC. 10 \_\_ . SENSE OF CONGRESS ON RECOGNIZING AIR**  
2 **MOBILITY COMMAND ON ITS 20TH ANNIVER-**  
3 **SARY.**

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

5 (1) On June 1, 1992, Air Mobility Command  
6 was established as the Air Force’s functional com-  
7 mand for cargo and passenger delivery, air refueling,  
8 and aeromedical evacuation.

9 (2) As the lead Major Command for all Mobility  
10 Air Forces, Air Mobility Command ensures that the  
11 Air Force’s core functions of global vigilance, power,  
12 and reach are fulfilled.

13 (3) The ability of the United States to rapidly  
14 respond to humanitarian disasters and the outbreak  
15 of hostilities anywhere in the world truly defines the  
16 United States as a global power.



1           (4) Mobility Air Forces Airmen are unified by  
2           one single purpose: to answer the call of others so  
3           they may prevail.

4           (5) The United States' hand of friendship to  
5           the world many times takes the form of Mobility Air  
6           Forces aircraft delivering humanitarian relief. Since  
7           its inception, Air Mobility Command has provided  
8           forces for 43 humanitarian relief efforts at home  
9           and abroad, from New Orleans, Louisiana, to Bam,  
10          Iran.

11          (6) A Mobility Air Forces aircraft departs every  
12          2 minutes, 365 days a year. Since September 11,  
13          2001, Mobility Air Forces aircraft have flown 18.9  
14          million passengers, 6.8 million tons of cargo, and  
15          offloaded 2.2 billion pounds of fuel. Many of these  
16          flights have assisted combat aircraft protection  
17          United States forces from overhead.

18          (7) The United States keeps its solemn promise  
19          to its men and women in uniform with Air Mobility  
20          Command, accomplishing 186,940 patient move-  
21          ments since the beginning of Operation Iraqi Free-  
22          dom.

23          (8) Mobility Air Forces Airmen reflect the best  
24          values of the Nation: delivering hope, saving lives,  
25          and fueling the fight.

1       (b) SENSE OF CONGRESS.—It is the sense of Con-  
2 gress that, on the occasion of the 20th anniversary of the  
3 establishment of Air Mobility Command, the people of the  
4 United States should—

5           (1) recognize the critical role that Mobility Air  
6 Forces play in the Nation’s defense; and

7           (2) express appreciation for the leadership of  
8 Air Mobility Command and the more than 134,000  
9 active-duty, Air National Guard, Air Force Reserve,  
10 and Department of Defense civilians that make up  
11 the command.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. PRICE OF GEORGIA**

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

1 **SEC. 1084. REQUIREMENT FOR ATTORNEY GENERAL TO IN-**  
2 **VESTIGATE POSSIBLE VIOLATIONS OF FED-**  
3 **ERAL LAW RELATED TO LEAKS OF SENSITIVE**  
4 **INFORMATION INVOLVING THE MILITARY, IN-**  
5 **TELLIGENCE, AND OPERATIONAL CAPABILI-**  
6 **TIES OF THE UNITED STATES AND ISRAEL.**

7 (a) INVESTIGATION REQUIRED.—Not later than 30  
8 days after the date of the enactment of this Act, the Attor-  
9 ney General shall initiate an investigation into possible  
10 violations of Federal law related to leaks of sensitive infor-  
11 mation involving the military, intelligence, and operational  
12 capabilities of the United States and Israel.

13 (b) REPORT.—Not later than 60 days after the date  
14 of the enactment of this Act, the Attorney General shall  
15 submit to Congress a report describing the status and  
16 progress of the investigation required under subsection  
17 (a).



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MS. RICHARDSON OF CALIFORNIA**

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

1 **SEC. 10\_\_ . SENSE OF CONGRESS REGARDING UNITED**  
2 **STATES NORTHERN COMMAND PREPARED-**  
3 **NESS.**

4 It is the sense of the Congress that—

5 (1) the United States Northern Command plays  
6 a crucial role in providing additional response capa-  
7 bility to State and local governments in domestic  
8 disaster relief and consequence management oper-  
9 ations;

10 (2) the United States Northern Command must  
11 continue to build upon its current efforts to develop  
12 command strategies, leadership training, and re-  
13 sponse plans to effectively work with civil authorities  
14 when acting as the lead agency or a supporting  
15 agency; and

16 (3) the United States Northern Command  
17 should leverage whenever possible training and man-  
18 agement expertise that resides within the Depart-  
19 ment of Defense, other Federal agencies, State and

1 local governments, and private sector businesses and  
2 academic institutions to enhance—

3 (A) its defense support to civil authorities  
4 and incidence management missions;

5 (B) relationships with other entities in-  
6 volved in disaster response; and

7 (C) its ability to respond to unforeseen  
8 events.





113. 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  
OF H.R. 4310  
OFFERED BY MR. SABLAN OF NORTHERN  
MARIANA ISLANDS**

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

1 **SEC. 1084. DISPLAY OF STATE, DISTRICT OF COLUMBIA,**  
2 **AND TERRITORIAL FLAGS BY ARMED**  
3 **FORCES.**

4 Section 2249b of title 10, United States Code, is  
5 amended—

6 (1) by adding at the end the following new sub-  
7 section:

8 “(c) DISPLAY OF DISTRICT OF COLUMBIA AND TER-  
9 RITORIAL FLAGS BY ARMED FORCES.—The Secretary of  
10 Defense shall ensure that whenever the official flags of  
11 all 50 States are displayed by the armed forces, such dis-  
12 play shall include the flags of the District of Columbia,  
13 Commonwealth of Puerto Rico, United States Virgin Is-  
14 lands, Guam, American Samoa, and Commonwealth of the  
15 Northern Mariana Islands.”; and

- 1 (2) in the section heading, by striking the colon
- 2 and all that follows.



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

*Mr. 7/15*  
*SS*

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. THORNBERRY OF TEXAS**

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

1 **SEC. 10** \_\_. **DISSEMINATION ABROAD OF INFORMATION**  
2 **ABOUT THE UNITED STATES.**

3 (a) UNITED STATES INFORMATION AND EDU-  
4 CATIONAL EXCHANGE ACT OF 1948.—Section 501 of the  
5 United States Information and Educational Exchange Act  
6 of 1948 (22 U.S.C. 1461) is amended to read as follows:

7 “GENERAL AUTHORIZATION

8 “SEC. 501. (a) The Secretary and the Broadcasting  
9 Board of Governors are authorized to use funds appro-  
10 priated or otherwise made available for public diplomacy  
11 information programs to provide for the preparation, dis-  
12 semination, and use of information intended for foreign  
13 audiences abroad about the United States, its people, and  
14 its policies, through press, publications, radio, motion pic-  
15 tures, the Internet, and other information media, includ-  
16 ing social media, and through information centers, in-  
17 structors, and other direct or indirect means of commu-  
18 nication.

1       “(b)(1) Except as provided in paragraph (2), the Sec-  
2 retary and the Broadcasting Board of Governors may,  
3 upon request and reimbursement of the reasonable costs  
4 incurred in fulfilling such a request, make available, in the  
5 United States, motion pictures, films, video, audio, and  
6 other materials prepared for dissemination abroad or dis-  
7 seminated abroad pursuant to this Act, the United States  
8 International Broadcasting Act of 1994 (22 U.S.C. 6201  
9 et seq.), the Radio Broadcasting to Cuba Act (22 U.S.C.  
10 1465 et seq.), or the Television Broadcasting to Cuba Act  
11 (22 U.S.C. 1465aa et seq.). The Secretary and the Broad-  
12 casting Board of Governors shall issue necessary regula-  
13 tions—

14           “(A) to establish procedures to maintain such  
15 material;

16           “(B) for reimbursement of the reasonable costs  
17 incurred in fulfilling requests for such material; and

18           “(C) to ensure that the persons seeking release  
19 of such material have secured and paid for necessary  
20 United States rights and licenses.

21       “(2) With respect to material prepared for dissemina-  
22 tion abroad or disseminated abroad before the effective  
23 date of the Smith-Mundt Modernization Act of 2012—

24           “(A) the Secretary and the Broadcasting Board  
25 of Governors shall make available to the Archivist of



1 the United States, for domestic distribution, motion  
2 pictures, films, videotapes, and other material 12  
3 years after the initial dissemination of the material  
4 abroad; and

5 “(B) the Archivist shall be the official custodian  
6 of the material and shall issue necessary regulations  
7 to ensure that persons seeking its release in the  
8 United States have secured and paid for necessary  
9 United States rights and licenses and that all costs  
10 associated with the provision of the material by the  
11 Archivist shall be paid by the persons seeking its re-  
12 lease, in accordance with paragraph (3).

13 “(3) The Archivist may charge fees to recover the  
14 costs described in paragraph (2), in accordance with sec-  
15 tion 2116 (c) of title 44. Such fees shall be paid into, ad-  
16 ministered, and expended as part of the National Archives  
17 Trust Fund.

18 “(c) Nothing in this section may be construed to re-  
19 quire the Secretary or the Broadcasting Board of Gov-  
20 ernors to make material disseminated abroad available in  
21 any format other than in the format disseminated  
22 abroad.”.

23 (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
24 tion may be construed to affect the allocation of funds ap-



1 appropriated or otherwise made specifically available for  
2 public diplomacy.

3 (c) FOREIGN RELATIONS AUTHORIZATION ACT, FIS-  
4 CAL YEARS 1986 AND 1987.—Section 208 of the Foreign  
5 Relations Authorization Act, Fiscal Years 1986 and 1987  
6 (22 U.S.C. 1461-1a) is amended to read as follows:

7 **“SEC. 208. CLARIFICATION ON DOMESTIC DISTRIBUTION OF**  
8 **PROGRAM MATERIAL.**

9 “(a) IN GENERAL.—No funds authorized to be ap-  
10 propriated to the Department of State or the Broad-  
11 casting Board of Governors shall be used to influence pub-  
12 lic opinion in the United States. This section shall apply  
13 only to programs carried out pursuant to the United  
14 States Information and Educational Exchange Act of  
15 1948 (22 U.S.C. 1431 et seq.), the United States Inter-  
16 national Broadcasting Act of 1994 (22 U.S.C. 6201 et  
17 seq.), the Radio Broadcasting to Cuba Act (22 U.S.C.  
18 1465 et seq.), and the Television Broadcasting to Cuba  
19 Act (22 U.S.C. 1465aa et seq.). This section shall not pro-  
20 hibit or delay the Department of State or the Broad-  
21 casting Board of Governors from providing information  
22 about its operations, policies, programs, or program mate-  
23 rial, or making such available, to the media, public, or  
24 Congress, in accordance with other applicable law.

1           “(b) **RULE OF CONSTRUCTION.**—Nothing in this sec-  
2 tion shall be construed to prohibit the Department of  
3 State or the Broadcasting Board of Governors from en-  
4 gaging in any medium or form of communication, either  
5 directly or indirectly, because a United States domestic  
6 audience is or may be thereby exposed to program mate-  
7 rial, or based on a presumption of such exposure. Such  
8 material may be made available within the United States  
9 and disseminated, when appropriate, pursuant to sections  
10 502 and 1005 of the United States Information and Edu-  
11 cational Exchange Act of 1948 (22 U.S.C. 1462 and  
12 1437), except that nothing in this section may be con-  
13 strued to authorize the Department of State or the Broad-  
14 casting Board of Governors to disseminate within the  
15 United States any program material prepared for dissemi-  
16 nation abroad on or before the effective date of the Smith-  
17 Mundt Modernization Act of 2012.

18           “(c) **APPLICATION.**—The provisions of this section  
19 shall apply only to the Department of State and the  
20 Broadcasting Board of Governors and to no other depart-  
21 ment or agency of the Federal Government.”.

22           (d) **CONFORMING AMENDMENTS.**—The United  
23 States Information and Educational Exchange Act of  
24 1948 is amended—

25                   (1) in section 502 (22 U.S.C. 1462)—

1 (A) by inserting “and the Broadcasting  
2 Board of Governors” after “Secretary”; and

3 (B) by inserting “or the Broadcasting  
4 Board of Governors” after “Department”; and

5 (2) in section 1005 (22 U.S.C. 1437), by insert-  
6 ing “and the Broadcasting Board of Governors”  
7 after “Secretary” each place it appears.

8 (e) EFFECTIVE DATE.—This section shall take effect  
9 and apply on the date that is 180 days after the date of  
10 the enactment of this section.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. THORNBERRY OF TEXAS**

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

1 **SEC. 1084. IMPROVING ORGANIZATION FOR COMPUTER**  
2 **NETWORK OPERATIONS.**

3 (a) **CHARTER.**—Not later than 180 days after the  
4 date of the enactment of this Act, the President shall sub-  
5 mit to the congressional defense committees a charter to  
6 establish an interagency body or organization to coordi-  
7 nate and deconflict full-spectrum military cyber operations  
8 for the Federal Government.

9 (b) **ELEMENTS.**—The charter required under sub-  
10 section (a) shall include—

11 (1) business rules and processes for the func-  
12 tioning of the body or organization established by  
13 such charter;

14 (2) interagency guidance clarifying roles and re-  
15 sponsibilities for full-spectrum military cyber oper-  
16 ations;

17 (3) clarification and defined membership for  
18 such body or organization; and

1           (4) accommodation for documentation of the ac-  
2           tivities of such body or organization, including min-  
3           utes and historical archives.

4           (c) REPORT.—Not later than 240 days after the date  
5           of the enactment of this Act, the President shall submit  
6           to the congressional defense committees a report outlining  
7           the charter required under subsection (a), and plans to  
8           ensure the implementation of such charter.

9           (d) BUDGET JUSTIFICATION DOCUMENTS.—The Sec-  
10          retary of Defense shall submit to the congressional defense  
11          committees dedicated budget documentation materials to  
12          accompany future budget submissions, including a single  
13          Department of Defense-wide budget estimate and detailed  
14          budget planning data for full-spectrum military cyberspace  
15          operations (computer network defense, attack, and exploi-  
16          tation) in both unclassified and classified funding data.



116. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
TIERNEY OF MASSACHUSETTS OR HIS DESIGNEE, DEBATABLE  
FOR 10 MINUTES



**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. TIERNEY OF MASSACHUSETTS**

At the end of title X, add the following new section  
(and conform the table of contents accordingly):

1 **SEC. 1084. IMPROVING UNITED STATES FOREIGN POLICE**  
2 **ASSISTANCE ACTIVITIES.**

3 (a) **FINAL REPORT.**—Not later than 60 days after  
4 the date of the enactment of this Act, the President shall  
5 submit to the relevant congressional committees the final  
6 report from the National Security Council’s Interagency  
7 Policy Committee on Security Sector Assistance.

8 (b) **PLAN.**—Not later than 180 days after the date  
9 of the enactment of this Act, the Secretaries of Defense  
10 and State shall jointly submit to the relevant congressional  
11 committees a plan to institute mechanisms to better co-  
12 ordinate, document, disseminate, and share information  
13 analysis and assessments regarding United States foreign  
14 police assistance activities.

15 (c) **APPROPRIATE CONGRESSIONAL COMMITTEES DE-**  
16 **FINED.**—In this section, the term “relevant congressional  
17 committees” means—

1           (1) the Committee on Armed Services of the  
2           Senate and the House of Representatives;

3           (2) the Committee on Oversight and Govern-  
4           ment Reform of the House of Representatives;

5           (3) the Committee on Homeland Security and  
6           Governmental Affairs of the Senate;

7           (4) the Committee on Foreign Affairs of the  
8           House of Representatives; and

9           (5) the Committee on Foreign Relations of the  
10          Senate.



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

242 L

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. QUAYLE OF ARIZONA**

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

1 **SEC. 10\_\_ . CONSOLIDATION OF DATA CENTERS.**

2 Section 2867 of the National Defense Authorization  
3 Act for Fiscal Year 2012 (10 U.S.C. 2223a note) is  
4 amended—

5 (1) in subsection (b)(2)—

6 (A) in subparagraph (A), by inserting after  
7 “April 1, 2012,” the following: “and each year  
8 thereafter,”; and

9 (B) by adding at the end the following new  
10 paragraph:

11 “(C) **ADDITIONAL ELEMENT.**—The per-  
12 formance plan required under this paragraph,  
13 with respect to plans submitted after the date  
14 of the enactment of the National Defense Au-  
15 thorization Act for Fiscal Year 2013, shall be  
16 consistent with the July 2011 Government Ac-  
17 countability Office report to Congress, entitled  
18 ‘Data Center Consolidation Agencies Need to  
19 Complete Inventories and Plans to Achieve Ex-

1           pected Savings' (GAO-11-565), as updated by  
2           quarterly consolidation progress reports sub-  
3           mitted by the Department of Defense to the Of-  
4           fice of Management and Budget"; and  
5           (2) in subsection (d)(1), by adding at the end  
6           the following: "Beginning after the date of the en-  
7           actment of the National Defense Authorization Act  
8           for Fiscal Year 2013, such report shall include  
9           progress updates on consolidation goals achieved  
10          during the preceding fiscal year consistent with the  
11          framework outlined by the July 2011 Government  
12          Accountability Office report to Congress, entitled  
13          'Data Center Consolidation Agencies Need to Com-  
14          plete Inventories and Plans to Achieve Expected  
15          Savings' (GAO-11-565), as updated by quarterly  
16          consolidation progress reports submitted by the De-  
17          partment of Defense to the Office of Management  
18          and Budget."



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



**AMENDMENT TO RULES COMMITTEE PRINT OF  
H.R. 4310  
OFFERED BY MR. CICILLINE OF RHODE ISLAND**

Page 542, line 6, strike "is committed to" and insert "is taking demonstrable steps to".





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

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**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. FLAKE OF ARIZONA**

Page 559, line 7, strike "such time as" and insert  
"30 days after the date on which".



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

Mr / VS

84

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. THORNBERRY OF TEXAS**

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

1 **SEC. 12xx. MODIFICATION OF REPORT ON PROGRESS TO-**  
2 **WARD SECURITY AND STABILITY IN AFGHAN-**  
3 **ISTAN.**

4 (a) IN GENERAL.—Section 1230 of the National De-  
5 fense Authorization Act for Fiscal Year 2008 (Public Law  
6 110–181; 122 Stat. 385), as most recently amended by  
7 section 1218(a) of the National Defense Authorization Act  
8 for Fiscal Year 2012 (Public Law 112–81; 125 Stat.  
9 1632), is further amended—

10 (1) by redesignating subsections (e), (f), and  
11 (g) as subsections (f), (g), and (h), respectively; and

12 (2) by inserting after subsection (d) the fol-  
13 lowing:

14 “(e) ADDITIONAL MATTERS TO BE INCLUDED ON  
15 AFGHANISTAN NATIONAL SECURITY FORCES.—In report-  
16 ing on performance indicators and measures of progress  
17 required under subsection (d)(2)(D), the report required  
18 under subsection (a) shall assess the following:

1           “(1) For overall Afghanistan National Security  
2 Forces (ANSF):

3           “(A) Overall Afghan National Army  
4 (ANA) and Afghan National Police (ANP) lit-  
5 eracy rate; ANA and ANP literacy rate by re-  
6 gion; ANSF literacy rate by Kandak, Brigade,  
7 and Corps; trends over time; and how literacy  
8 improvements have enhanced associated mission  
9 essential competencies and professionalization  
10 of the ANSF.

11           “(B) An assessment of the ANA and the  
12 ANP interaction with the Afghan civilian popu-  
13 lation, respect for human rights, and associated  
14 professional education.

15           “(C) By fiscal year (current and one-year  
16 projected) budget requirements.

17           “(D) A by-country outline of contributions  
18 for the current fiscal year and one-year pro-  
19 jected fiscal year.

20           “(E) By-Kandak Mission Essential Task  
21 List proficiency.

22           “(2) For recruitment:

23           “(A) Outline of screening criteria.

24           “(B) Literacy rate of all recruits.

1           “(C) Outline of the security vetting proce-  
2           dures.

3           “(D) Percentage screened that are not eli-  
4           gible to serve.

5           “(E) Percentage screened that report for  
6           entry level training.

7           “(F) Percentage attained of the required  
8           ANA end strength, of the ANP end strength,  
9           and overall ANSF end strength.

10          “(G) Trends in each above mentioned cat-  
11          egory from the prior fiscal year through the  
12          current report deadline.

13          “(3) For entry-level training:

14                 “(A) Percentage that entered and success-  
15                 fully complete training.

16                 “(B) A by-specialty list of all recruits that  
17                 fail to graduate entry level training for the  
18                 ANA and ANP.

19                 “(C) Percentage of recruits that become  
20                 unaccounted (UA) for or are ‘Absent Without  
21                 Leave’ (AWOL) during training.

22                 “(D) Trends in each above mentioned cat-  
23                 egory from the prior fiscal year through the  
24                 current report deadline.

25          “(4) For personnel administration:

1           “(A) Percentage of the ANSF that was  
2           paid on time.

3           “(B) UA/AWOL rate by Kandak, Brigade,  
4           and Corps.

5           “(C) Trends in each above mentioned cat-  
6           egory from the prior fiscal year through the  
7           current report deadline.

8           “(5) For professionalization of the ANSF:

9           “(A) Percentage of noncommissioned offi-  
10          cer corps personnel as compared to noncommis-  
11          sioned officer corps end-strength requirements.

12          “(B) Number of enlisted, noncommissioned  
13          officer corps, and officers that complete con-  
14          tinuing education.

15          “(C) An assessment of the noncommis-  
16          sioned officer corps continuing education pro-  
17          gram.

18          “(6) For retention:

19          “(A) On average time ANA and ANP per-  
20          sonnel remain in their respective units.

21          “(B) By-fiscal year, by-Kandak percentage  
22          of personnel retained and personnel attrition  
23          from the prior fiscal year through the current  
24          report deadline.

25          “(7) For logistics:



1           “(A) On average percentage shortfall, by  
2           Kandak, of Class I-IX supplies, which includes  
3           Class I - Food, rations, and water; Class II -  
4           Clothing; Class III - Petroleum, oils, and lubri-  
5           cants; Class IV - Fortification and barrier ma-  
6           terials; Class V - Ammunition; Class VII -  
7           Major End Items; Class VIII - Medical sup-  
8           plies; and Class IX - Repair Parts.

9           “(B) On average number of days to fill  
10          supply requests to address operational short-  
11          falls.

12          “(C) Operational readiness rate for all mis-  
13          sion essential equipment by Kandak, Brigade,  
14          and Corps.

15          “(8) For transition:

16               “(A) Provide the framework that ISAF, in  
17               conjunction with the Afghan government, uses  
18               to synthesize ANSF performance metrics and  
19               adjudicate transition of ANSF units through  
20               proficiency levels.

21               “(B) A by-Kandak analysis of the on aver-  
22               age time to transition between proficiency levels  
23               since inception of the ANSF transition.

1           “(C) A by-region overview of the force  
2           structure mix that is correlated with the evo-  
3           lution of threat picture in the region.”.

4       (b) EFFECTIVE DATE.—The amendments made this  
5       section apply with respect to any report required to be  
6       submitted under section 1230 of the National Defense Au-  
7       thorization Act for Fiscal Year 2008 (Public Law 110-  
8       181; 122 Stat. 385) on or after the date of the enactment  
9       of this Act.



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

2371

**AMENDMENT TO RULES COMMITTEE PRINT OF  
H.R. 4310  
OFFERED BY MR. CICILLINE OF RHODE ISLAND**

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

1 **SEC. 12xx. LIMITATION ON USE OF FUNDS UNDER THE**  
2 **PAKISTAN COUNTERINSURGENCY FUND.**

3 (a) **LIMITATION.**—None of the funds authorized to  
4 be appropriated by this Act for the Pakistan  
5 Counterinsurgency Fund may be used to provide assist-  
6 ance to the Government of Pakistan until the Secretary  
7 of Defense, in consultation with the Secretary of State,  
8 certifies to the appropriate congressional committees that  
9 the Government of Pakistan is demonstrating a continuing  
10 commitment to and is making significant efforts toward  
11 the implementation of a strategy to counter improvised ex-  
12 plosive devices (IEDs), including—

- 13 (1) attacking IED networks;  
14 (2) monitoring known precursors used in IEDs;  
15 and  
16 (3) developing a strict protocol for the manufac-  
17 ture of explosive materials, including calcium ammo-

1        nium nitrate, and accessories and their supply to le-  
2        gitimate end users.

3        (b) WAIVER.—The Secretary of Defense, in consulta-  
4        tion with the Secretary of State, may waive the require-  
5        ments of subsection (a) if the Secretary determines it is  
6        in the national security interest of the United States to  
7        do so.

8        (c) DEFINITION.—In this section, the term “appro-  
9        priate congressional committees” means—

- 10            (1) the congressional defense committees; and  
11            (2) the Committee on Foreign Relations of the  
12        Senate and the Committee on Foreign Affairs of the  
13        House of Representatives.



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

K. Mitchell  
133

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. CONAWAY OF TEXAS**

At the end of subtitle C of title XII of the bill, insert  
the following:

1 **SEC. 12xx. ENHANCING THE DEFENSE OF ISRAEL AND**  
2 **UNITED STATES INTERESTS IN THE MIDDLE**  
3 **EAST.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-  
5 gress that the United States should take the following ac-  
6 tions to assist in the defense of Israel:

7 (1) Provide Israel such support as may be nec-  
8 essary to increase development and production of  
9 joint missile defense systems, particularly such sys-  
10 tems that defend the urgent threat posed to Israel  
11 and United States forces in the region.

12 (2) Provide Israel defense articles, intelligence,  
13 and defense services through such mechanisms as  
14 appropriate, to include air refueling tankers, missile  
15 defense capabilities, and specialized munitions.

16 (3) Allocate additional weaponry and munitions  
17 for the forward-deployed United States stockpile in  
18 Israel.



1           (4) Provide Israel additional surplus defense ar-  
2           ticles and defense services, as appropriate, in the  
3           wake of the withdrawal of United States forces from  
4           Iraq.

5           (5) Offer the Israeli Air Force additional train-  
6           ing and exercise opportunities in the United States  
7           to compensate for Israel's limited air space.

8           (6) Expand Israel's authority to make pur-  
9           chases under section 23 of the Arms Export Control  
10          Act (relating to the "Foreign Military Financing"  
11          program) on a commercial basis.

12          (7) Seek to enhance the capabilities of the  
13          United States and Israel to address emerging com-  
14          mon threats, increase security cooperation, and ex-  
15          pand joint military exercises.

16          (8) Encourage an expanded role for Israel with-  
17          in the North Atlantic Treaty Organization (NATO),  
18          including an enhanced presence at NATO head-  
19          quarters and exercises.

20          (9) Support extension of the long-standing loan  
21          guarantee program for Israel, recognizing Israel's  
22          unbroken record of repaying its loans on time and  
23          in full.

24          (10) Expand already-close intelligence coopera-  
25          tion, including satellite intelligence, with Israel.

1 (b) REPORT ON ISRAEL'S QUALITATIVE MILITARY  
2 EDGE.—

3 (1) STATEMENT OF POLICY.—It is the policy of  
4 the United States—

5 (A) to help Israel preserve its qualitative  
6 military edge amid rapid and uncertain regional  
7 political transformation; and

8 (B) to encourage further development of  
9 advanced technology programs between the  
10 United States and Israel in light of current  
11 trends and instability in the region.

12 (2) REPORT.—Not later than 180 days after  
13 the date of the enactment of this Act, the President  
14 shall submit to the appropriate congressional com-  
15 mittees a report on the status of Israel's qualitative  
16 military edge in light of current trends and insta-  
17 bility in the region.

18 (c) REPORT ON OTHER MATTERS.—Not later than  
19 180 days after the date of the enactment of this Act, the  
20 President shall submit to the appropriate congressional  
21 committees a report on each of the following:

22 (1) Taking into account Israel's urgent require-  
23 ment for F-35 aircraft, actions to improve the proc-  
24 ess relating to Israel's purchase of F-35 aircraft to  
25 improve cost efficiency and timely delivery.

1           (2) Efforts to expand cooperation between the  
2 United States and Israel in homeland defense,  
3 counter-terrorism, maritime security, cybersecurity,  
4 and other appropriate areas.

5           (3) Actions to integrate Israel into the defense  
6 of the Eastern Mediterranean.

7 **SEC. 12xx. PLAN TO ENHANCE MILITARY CAPABILITIES OF**  
8 **PERSIAN GULF ALLIES.**

9           (a) **PLAN.**—The Secretary of Defense, in consultation  
10 with the Secretary of State, shall develop a plan to en-  
11 hance the military capabilities of Persian Gulf allies to bol-  
12 ster the posture of such allies in relation to Iran.

13           (b) **MATTERS TO BE INCLUDED.**—The plan required  
14 under subsection (a) shall include the following:

15           (1) A description of the means to augment the  
16 offensive strike capabilities of key Gulf Cooperation  
17 Council allies, including the potential sale or up-  
18 grades of strike attack aircraft and bunker buster  
19 munitions, to augment the viability of a credible  
20 military option and to strengthen such allies' self-de-  
21 fense capabilities against retaliation or military ag-  
22 gression by Iran.

23           (2) A needs-based assessment, or an update to  
24 an existing needs-based assessment, of the military  
25 requirements of Persian Gulf allies to support a

1 credible military option and to defend against poten-  
2 tial military aggression by Iran.

3 (3) A detailed summary of any arms sales and  
4 training requests by Persian Gulf allies and a de-  
5 scription and justification for United States actions  
6 taken.

7 (c) **RULE OF CONSTRUCTION.**—Nothing in the plan  
8 required under subsection (a) shall be construed to alter  
9 Israel's qualitative military edge.

10 (d) **SUBMISSION TO CONGRESS.**—The plan required  
11 under subsection (a) shall be submitted to the appropriate  
12 congressional committees not later than 180 days after the  
13 date of the enactment of this Act.

14 (e) **FORM.**—The plan required under subsection (a)  
15 shall be submitted in an unclassified form, but may con-  
16 tain a classified annex.

17 **SEC. 12xx. PLAN TO INCREASE STRATEGIC REGIONAL**  
18 **PARTNERSHIPS.**

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

20 (1) The United States should ensure that it has  
21 the broadest set of geographic approaches to mili-  
22 tarily access Iran.

23 (2) United States Armed Forces and support  
24 staff currently have access from the eastern, south-  
25 ern, and western borders of Iran.

1           (3) Azerbaijan borders the northern frontier of  
2           Iran closest to nuclear sites near Tehran and the  
3           Government of Azerbaijan cooperates with the  
4           United States on Caspian Sea security and energy  
5           issues.

6           (b) POLICY.—It shall be the policy of the United  
7           States to—

8           (1) increase pressure on Iran by providing  
9           United States Armed Forces with the broadest set  
10          of geographic approaches to militarily access Iran;  
11          and

12          (2) explore means to enhance access to military  
13          facilities on the northern border of Iran.

14          (c) PLAN.—

15          (1) IN GENERAL.—The Secretary of Defense, in  
16          consultation with the Secretary of State, shall de-  
17          velop a plan to increase the strategic partnership  
18          with regional allies to provide United States Armed  
19          Forces with the broadest set of geographic ap-  
20          proaches to militarily access Iran.

21          (2) MATTERS TO BE INCLUDED.—The plan re-  
22          quired under paragraph (1) shall include the fol-  
23          lowing information:

24                  (A) Mechanisms to broaden the geo-  
25                  graphical approaches to militarily access Iran.

1           (B) The need, if any, to strengthen the  
2           self-defense capabilities of regional allies as a  
3           result of such partnerships.

4           (C) The viability of increasing access for  
5           United States Armed Forces to bases in Azer-  
6           baijan to augment the viability of a credible  
7           military option.

8           (3) SUBMISSION TO CONGRESS.—The plan re-  
9           quired under paragraph (1) shall be submitted to  
10          the appropriate congressional committees not later  
11          than 180 days after the date of the enactment of  
12          this Act.

13   **SEC. 12xx. DEFINITIONS.**

14    In this subtitle:

15          (1) APPROPRIATE CONGRESSIONAL COMMIT-  
16          TEES.—The term “appropriate congressional com-  
17          mittees” means—

18                (A) the Committee on Appropriations, the  
19                Committee on Armed Services, and the Com-  
20                mittee on Foreign Affairs of the House of Rep-  
21                resentatives; and

22                (B) the Committee on Appropriations, the  
23                Committee on Armed Services, and the Com-  
24                mittee on Foreign Relations of the Senate.

1           (2) QUALITATIVE MILITARY EDGE.—The term  
2           “qualitative military edge” has the meaning given  
3           the term in section 36(h)(2) of the Arms Export  
4           Control Act (22 U.S.C. 2776(h)(2)).





123. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
CONYERS JR. OF MICHIGAN OR HIS DESIGNEE, DEBATABLE  
FOR 10 MINUTES

95

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**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. CONYERS OF MICHIGAN**

At the end of subtitle C of title XII of division A  
of the bill, add the following:

- 1 **SEC. 12xx. RULE OF CONSTRUCTION.**
- 2 Nothing in this Act shall be construed as authorizing
- 3 the use of force against Iran.



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

172

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. WELCH OF VERMONT**

At the end of subtitle D of title XII of division A  
of the bill, add the following:

1 **SEC. 12xx. REQUIREMENT TO SUBMIT TO CONGRESS A**  
2 **PLAN FOR A FOREIGN INFRASTRUCTURE**  
3 **PROJECT USING FUNDS MADE AVAILABLE**  
4 **FOR OVERSEAS CONTINGENCY OPERATIONS.**

5 (a) **PLAN REQUIRED.**—Not later than 60 days prior  
6 to the commencement of a covered infrastructure project,  
7 the head of the Federal department or agency with pri-  
8 mary responsibility for carrying out the project shall sub-  
9 mit to Congress a plan to carry out and sustain the  
10 project.

11 (b) **MATTERS TO BE INCLUDED.**—The plan shall in-  
12 clude a description of the following:

13 (1) The total amount of funds to be obligated  
14 and expended under the project, including the total  
15 amount of funds to be contributed from other  
16 sources.

17 (2) How the project will be maintained after its  
18 completion, who will be responsible for maintaining

1 the project, and who will contribute funds for main-  
2 taining the project.

3 (3) How the project will be protected after its  
4 completion.

5 (c) COVERED INFRASTRUCTURE PROJECT.—In this  
6 section, the term “covered infrastructure project” or  
7 “project” means a project to improve the infrastructure  
8 of a foreign country under which the United States con-  
9 tributes not less than \$1,000,000 from funds made avail-  
10 able for overseas contingency operations.

11 (d) EFFECTIVE DATE.—This section takes effect on  
12 the date of the enactment of this Act and applies with  
13 respect covered infrastructure projects commenced on or  
14 after 60 days after such date of enactment.



125. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
DUNCAN OF SOUTH CAROLINA OR HIS DESIGNEE, DEBATABLE  
FOR 10 MINUTES

#201 Revised

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**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. DUNCAN OF SOUTH CAROLINA**

At the end of subtitle D of title XII of division A  
of the bill, add the following:

1 **SEC. 12xx. LIMITATION ON FUNDS FOR UNITED STATES**  
2 **PARTICIPATION IN JOINT MILITARY EXER-**  
3 **CISES WITH EGYPT.**

4 None of the funds authorized to be appropriated by  
5 this Act may be made available for United States partici-  
6 pation in joint military exercises with Egypt if the Govern-  
7 ment of Egypt terminates or withdraws from the 1979  
8 Israeli-Egypt peace treaty.





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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. SMITH OF WASHINGTON  
(for himself and see attached list of cosponsors)**

At the end of title XII of division A of the bill, add  
the following:

1 **Subtitle E—Authority to Remove**  
2 **Satellites and Related Components and Technology From the**  
3 **United States Munitions List**

4 **SEC. 1241. AUTHORITY TO REMOVE SATELLITES AND RE-**  
5 **LATED COMPONENTS AND TECHNOLOGY**  
6 **FROM THE UNITED STATES MUNITIONS LIST.**

7  
8 (a) **AUTHORITY.**—Subject to subsection (b), the  
9 President is authorized to remove commercial satellites  
10 and related components and technology from the United  
11 States Munitions List, consistent with the procedures in  
12 section 38(f) of the Arms Export Control Act (22 U.S.C.  
13 2778(f)).

14 (b) **DETERMINATION.**—The President may exercise  
15 the authority provided in subsection (a) only if the Presi-  
16 dent submits to the appropriate congressional committees  
17 a determination that the transfer of commercial satellites  
18 and related components and technology from the United

1 States Munitions List does not pose an unacceptable risk  
2 to the national security of the United States. Such deter-  
3 mination shall include a description of the risk-mitigating  
4 controls, procedures, and safeguards the President will put  
5 in place to reduce such risk to an absolute minimum.

6 (c) PROHIBITION.—No license or other authorization  
7 for export shall be granted for the transfer, retransfer, or  
8 reexport of any commercial satellite or related component  
9 or technology contained on the Commerce Control List to  
10 any person or entity of the following:

11 (1) The People's Republic of China.

12 (2) Cuba.

13 (3) Iran.

14 (4) North Korea.

15 (5) Sudan.

16 (6) Syria.

17 (7) Any other country with respect to which the  
18 United States would deny the application for licenses  
19 and other approvals for exports and imports of de-  
20 fense articles under section 126.1 of the Inter-  
21 national Traffic in Arms Regulations.

22 (d) REPORT.—

23 (1) IN GENERAL.—Not later than 1 year after  
24 the date of the enactment of this Act, and annually  
25 thereafter, the Director of National Intelligence shall

1 submit to the appropriate congressional committees  
2 on efforts of state sponsors of terrorism, other for-  
3 eign countries, or entities to illicitly acquire commer-  
4 cial satellites and related components and tech-  
5 nology.

6 (2) FORM.—Such report shall be submitted in  
7 unclassified form, but may contain a classified  
8 annex.

9 (e) APPROPRIATE CONGRESSIONAL COMMITTEE DE-  
10 FINED.—In this section, the term “appropriate congres-  
11 sional committees” means—

12 (1) the Committee on Foreign Relations, the  
13 Committee on Armed Services, and the Select Com-  
14 mittee on Intelligence of the Senate; and

15 (2) the Committee on Foreign Affairs, the  
16 Committee on Armed Services, and the Permanent  
17 Select Committee on Intelligence of the House of  
18 Representatives.

19 **SEC. 1242. REPORT ON LICENSES AND OTHER AUTHORIZA-**  
20 **TIONS TO EXPORT COMMERCIAL SATELLITES**  
21 **AND RELATED COMPONENTS AND TECH-**  
22 **NOLOGY CONTAINED ON THE COMMERCE**  
23 **CONTROL LIST.**

24 (a) IN GENERAL.—Not later than 60 days after the  
25 end of each calendar quarter, the President shall transmit

1 to the Committee on Banking, Finance, and Urban Affairs  
2 of the Senate and the Committee on Foreign Affairs of  
3 the House of Representatives a report containing a listing  
4 of all licenses and other authorizations to export commer-  
5 cial satellites and related components and technology con-  
6 tained on the Commerce Control List.

7 (b) FORM.—Such report shall be submitted in unclas-  
8 sified form, but may contain a classified annex.

9 **SEC. 1243. REVIEW OF UNITED STATES MUNITIONS LIST.**

10 Section 38(f)(1) of the Arms Export Control Act (22  
11 U.S.C. 2778(f)(1)) is amended by striking the last sen-  
12 tence and inserting the following: “Such notice shall in-  
13 clude, to the extent practicable, an enumeration of the  
14 item or items to be removed and describe the nature of  
15 any controls to be imposed on the item or items under  
16 any other provision of law.”.

17 **SEC. 1244. REPORT ON COUNTRY EXEMPTIONS FOR LI-**  
18 **CENSING OF EXPORTS OF MUNITIONS AND**  
19 **RELATED TECHNICAL DATA.**

20 (a) IN GENERAL.—Not later than 120 days after the  
21 date of the enactment of this Act, the Attorney General  
22 and Secretary of Homeland Security shall submit to the  
23 appropriate congressional committees a report that con-  
24 tains an assessment of the extent to which the terms and  
25 conditions of an exemption for foreign countries from the

1 licensing requirements of the Commerce Munitions List  
2 (or analogous controls for commercial satellites and re-  
3 lated components and technology) contain strong safe-  
4 guards.

5 (b) MATTERS TO BE INCLUDED.—The report shall  
6 include a compilation of sufficient documentation relating  
7 to the export of munitions, commercial spacecraft, and re-  
8 lated technical data to facilitate law enforcement efforts  
9 to effectively detect, investigate, deter, and enforce crimi-  
10 nal violations of any provision of the Export Administra-  
11 tion Regulations, including efforts on the part of state  
12 sponsors of terrorism, other foreign countries, or entities  
13 to illicitly acquire such controlled United States tech-  
14 nology.

15 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
16 FINED.—In this section, the term “appropriate congres-  
17 sional committees” means—

18 (1) the Committee on Armed Services and the  
19 Committee on Banking, Housing, and Urban Affairs  
20 of the Senate; and

21 (2) the Committee on Armed Services and the  
22 Committee on Foreign Affairs of the House of Rep-  
23 resentatives.



1 **SEC. 1245. END-USE MONITORING OF MUNITIONS AND RE-**  
2 **LATED TECHNICAL DATA.**

3 (a) **ESTABLISHMENT OF MONITORING PROGRAM.—**

4 In order to ensure accountability with respect to the ex-  
5 port of munitions and related technical data on the Com-  
6 merce Munitions List, the President shall establish a pro-  
7 gram to provide for the end-use monitoring of such muni-  
8 tions and related technical data.

9 (b) **REPORT.—**Not later than 180 days after the date  
10 of the enactment of this Act, and annually thereafter, the  
11 President shall submit to Congress a report describing the  
12 actions taken to implement this section, including a de-  
13 tailed accounting of the costs and number of personnel  
14 associated with the program established under subsection  
15 (a).

16 **SEC. 1246. INTERAGENCY PROCESS FOR MODIFICATION OF**  
17 **CATEGORY XV OF THE UNITED STATES MUNI-**  
18 **TIONS LIST.**

19 (a) **INTERAGENCY REVIEW.—**Subject to the proce-  
20 dures in section 38(f) of the Arms Export Control Act (22  
21 U.S.C. 2778(f)), the President shall ensure that, through  
22 interagency procedures or regulations, the Secretary of  
23 State, the Secretary of Defense, the Secretary of Com-  
24 merce, and as appropriate the Director of National Intel-  
25 ligence concur on all subsequent modifications to Category



1 XV of the United States Munitions List (relating to space-  
2 craft systems and associated equipment).

3 (b) ANNUAL REPORT.—

4 (1) IN GENERAL.—Not later than 1 year after  
5 the date of the enactment of this Act, and annually  
6 thereafter, the President shall submit to the appro-  
7 priate congressional committees a report on the re-  
8 sults of the interagency reviews required by sub-  
9 section (a).

10 (2) MATTERS TO BE INCLUDED.—The report  
11 required under paragraph (1) shall include the fol-  
12 lowing matters:

13 (A) A review of the space and space-re-  
14 lated technologies currently on the United  
15 States Munitions List, to include satellite sys-  
16 tems, dedicated subsystems, and components.

17 (B) An assessment of the national security  
18 risks of removing certain space and space-re-  
19 lated technologies identified under subpara-  
20 graph (A) from the United States Munitions  
21 List.

22 (C) An examination of the degree to which  
23 other nations' export control policies control or  
24 limit the export of space and space-related tech-  
25 nologies for national security reasons.

1 (D) Recommendations for—

2 (i) the space and space-related tech-  
3 nologies that should remain on, or may be  
4 candidates for removal from, the United  
5 States Munitions List based on the na-  
6 tional security review required under sub-  
7 section (a);

8 (ii) the safeguards and verifications  
9 necessary to—

10 (I) prevent the proliferation and  
11 diversion of such space and space-re-  
12 lated technologies;

13 (II) confirm appropriate end use  
14 and end users; and

15 (III) minimize the risk that such  
16 space and space-related technologies  
17 could be use in foreign missile, space,  
18 or other applications that could pose a  
19 threat to the security of the United  
20 States; and

21 (iii) improvements to the space export  
22 control policy and processes of the United  
23 States that do not adversely affect United  
24 States national security.

1 (E) A description of and recommendations  
2 regarding how the United States industrial base  
3 and United States national security could be  
4 enhanced and strengthened through reforms to  
5 and amendments of export control laws and  
6 regulations.

7 (3) APPROPRIATE CONGRESSIONAL COMMIT-  
8 TEES DEFINED.—In this subsection, the term “ap-  
9 propriate congressional committees” means—

10 (A) the Committee on Armed Services, the  
11 Committee on Foreign Relations, and the Select  
12 Committee on Intelligence of the Senate; and

13 (B) the Committee on Armed Services, the  
14 Committee on Foreign Affairs, and the Perma-  
15 nent Select Committee on Intelligence of the  
16 House of Representatives.

17 **SEC. 1247. DEFINITIONS.**

18 In this subtitle:

19 (1) COMMERCE MUNITIONS LIST.—The term  
20 “Commerce Munitions List” means items trans-  
21 ferred from the United States Munitions List to the  
22 Commerce Control List and designated as “600 se-  
23 ries” items on the Commerce Control List under the  
24 Export Administration Regulations, as proposed by  
25 the Bureau of Industry and Security of the Depart-

1       ment of Commerce on July 15, 2011 (76 Fed. Reg.  
2       41958), or any successor regulations.

3           (2) COMMERCIAL SATELLITES AND RELATED  
4       COMPONENTS AND TECHNOLOGY.—The term “com-  
5       mercial satellites and related components and tech-  
6       nology” means—

7           (A) communications satellites that do not  
8       contain classified components, including remote  
9       sensing satellites with performance parameters  
10      below thresholds identified on the United States  
11      Munitions List; and

12          (B) systems, subsystems, parts, and com-  
13      ponents associated with such satellites and with  
14      performance parameters below thresholds speci-  
15      fied for items that would remain on the United  
16      States Munitions List.

17          (3) EXPORT ADMINISTRATION REGULATIONS.—  
18      The term “Export Administration Regulations”  
19      means the Export Administration Regulations as  
20      maintained and amended under the authority of the  
21      International Emergency Economic Powers Act (50  
22      U.S.C. 1701 et seq.), or any successor regulations.

23          (4) STATE SPONSOR OF TERRORISM.—The term  
24      “state sponsor of terrorism” means any country the  
25      government of which the Secretary of State has de-

1       terminated has repeatedly provided support for acts of  
2       international terrorism pursuant to section 6(j) of  
3       the Export Administration Act of 1979, section  
4       620A of the Foreign Assistance Act of 1961, section  
5       40 of the Arms Export Control Act, or any other  
6       provision of law.

7               (5) UNITED STATES MUNITIONS LIST.—The  
8       term “United States Munitions List” means the list  
9       referred to in section 38(a)(1) of the Arms Export  
10       Control Act (22 U.S.C. 2778(a)(1)).



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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. FLAKE OF ARIZONA**

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

**1 SEC. 1523. LIMITATION ON USE OF FUNDS IN OVERSEAS  
2 CONTINGENCY OPERATIONS TRANSFER  
3 FUND.**

4 Amounts appropriated to the Overseas Contingency  
5 Operations Transfer Fund pursuant to the authorizations  
6 of appropriations contained in this title and available for  
7 use or transfer to cover expenses directly relating to over-  
8 seas contingency operations by the United States Armed  
9 Forces may be used only for an item or activity specified  
10 in the overseas contingency operations portion of the  
11 budget submitted to Congress by the President under sec-  
12 tion 1105 of title 31, United States Code, for fiscal year  
13 2013.





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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. HUNTER OF CALIFORNIA**

In section 1531, relating to the Joint Improvised Explosive Device Defeat Fund, add at the end the following new subsection:

1       (c) **ADDITIONAL AUTHORIZED USE OF FUNDS IN**  
2 **JIEDDF.**—Funds in the Joint Improvised Explosive De-  
3 vice Defeat Fund shall be available, with the concurrence  
4 of the Secretary of State, for the purpose of monitoring,  
5 disrupting, and interdicting the movement of explosive de-  
6 vice precursors from a country that borders Afghanistan  
7 to a location within Afghanistan. For a country in which  
8 the actions and activities described in the preceding sen-  
9 tence are carried out, such funds may, with the concur-  
10 rence of the Secretary of State, also be used to train and  
11 equip the security forces of that country that support mis-  
12 sions to monitor, disrupt, and interdict the movement of  
13 explosive device precursors into Afghanistan.

⊗

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



1 tracts of Federal agencies for award under the pro-  
2 gram.

3 “(2) CONTRACT AWARDS.—Under the program  
4 established pursuant to this section, the award of a  
5 procurement contract of a Federal agency identified  
6 by the Administrator pursuant to paragraph (1)  
7 shall be made by the agency to an eligible program  
8 participant selected, and determined to be respon-  
9 sible, by the agency.

10 “(3) COMPETITION.—

11 “(A) SOLE SOURCE.—A contracting officer  
12 may award a sole source contract under this  
13 program if such concern is determined to be a  
14 responsible contractor with respect to perform-  
15 ance of such contract opportunity and the con-  
16 tracting officer does not have a reasonable ex-  
17 pectation that 2 or more early stage small busi-  
18 ness concerns will submit offers for the con-  
19 tracting opportunity and in the estimation of  
20 the contracting officer, the contract award can  
21 be made at a fair and reasonable price.

22 “(B) RESTRICTED COMPETITION.—A con-  
23 tracting officer may award contracts on the  
24 basis of competition restricted to early stage  
25 small business concerns if the contracting offi-

1 cer has a reasonable expectation that not less  
2 than 2 early stage small business concerns will  
3 submit offers and that the award can be made  
4 at a fair market price.

5 “(4) CONTRACT VALUE.—Contracts shall be  
6 awarded under this program if its value is greater  
7 than \$3,000 and less than half the upper threshold  
8 of section 15(j)(1) of the Small Business Act.

9 “(c) ELIGIBILITY.—Only an early stage small busi-  
10 ness concern shall be eligible to compete for a contract  
11 to be awarded under the program. The Administrator shall  
12 certify that a small business concern is an early stage  
13 small business concern, or the Administrator shall approve  
14 a Federal agency, a State government, or a national certi-  
15 fying entity to certify that the business meets the eligi-  
16 bility criteria of an early stage small business concern.

17 “(d) TECHNICAL ASSISTANCE.—The Administrator  
18 shall provide early stage small business concerns with  
19 technical assistance and counseling with regard to—

20 “(1) applying for and competing for Federal  
21 contracts; and

22 “(2) fulfilling the administrative responsibilities  
23 associated with the performance of a Federal con-  
24 tract.



1       “(e) ATTAINMENT OF CONTRACT GOALS.—All con-  
2 tract awards made under the program shall be counted  
3 toward the attainment of the goals specified in section  
4 15(g) of the Small Business Act.

5       “(f) REGULATIONS.—The Administrator shall—

6           “(1) issue proposed regulations to carry out  
7 this section not later than 180 days after the date  
8 of enactment of this Act; and

9           “(2) issue final regulations to carry out this  
10 section not later than 270 days after the date of en-  
11 actment of this Act.

12       “(g) REPORT TO CONGRESS.—Not later than April  
13 30, 2015, the Administrator shall transmit to the Con-  
14 gress a report on the performance of the program.

15       “(h) DEFINITIONS.—For purposes of this section, the  
16 following definitions shall apply:

17           “(1) PROGRAM.—The term ‘program’ means a  
18 program established pursuant to subsection (a).

19           “(2) EARLY STAGE SMALL BUSINESS CON-  
20 CERN.—The term ‘early stage small business con-  
21 cern’ means a small business concern that—

22           “(A) has not more than 15 employees; and

23           “(B) has average annual receipts that total  
24 not more than \$1,000,000, except if the con-  
25 cern is in an industry with an average annual



1 revenue standard that is less than \$1,000,000,  
2 as defined by the North American Industry  
3 Classification System.”.

4 (b) REPEAL OF SIMILAR PROGRAM.—Section 304 of  
5 the Small Business Administration Reauthorization and  
6 Amendments Act of 1994 (15 U.S.C. 644 note) is re-  
7 pealed.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MS. JACKSON LEE OF TEXAS**

Page 725, after line 6, insert the following (and conform the table of contents):

1 **SEC. 1696. ASSESSMENT OF OUTREACH FOR SMALL BUSI-**  
2 **NESS CONCERNS OWNED AND CONTROLLED**  
3 **BY WOMEN AND MINORITIES REQUIRED BE-**  
4 **FORE CONVERSION OF CERTAIN FUNCTIONS**  
5 **TO CONTRACTOR PERFORMANCE.**

6 No Department of Defense function that is per-  
7 formed by Department of Defense civilian employees and  
8 is tied to a certain military base may be converted to per-  
9 formance by a contractor until the Secretary of Defense  
10 conducts an assessment to determine if the Department  
11 of Defense has carried out sufficient outreach programs  
12 to assist small business concerns owned and controlled by  
13 women (as such term is defined in section 8(d)(3)(D) of  
14 the Small Business Act) and small business concerns  
15 owned and controlled by socially and economically dis-  
16 advantaged individuals (as such term is defined in section

1 8(d)(3)(C) of the Small Business Act) that are located in  
2 the geographic area near the military base.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. FITZPATRICK OF  
PENNSYLVANIA**

Page 725, insert after line 6 the following:

1 **SEC. 1696. LIMITATION ON CONTRACTING.**

2 No agency may enter into a contract using proce-  
3 dures that do not give to small business concerns owned  
4 and controlled by veterans (as that term is defined in sec-  
5 tion 3(q)(3) of the Small Business Act (15 U.S.C.  
6 632(q)(3)) that are included in the database under section  
7 8127(f) of title 38, United States Code, any preference  
8 available with respect to such contract, except for a pref-  
9 erence given to small business concerns owned and con-  
10 trolled by service-disabled veterans (as that term defined  
11 in section 3(q)(2) of the Small Business Act (15 U.S.C.  
12 632(q)(2)).



132. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
LANKFORD OF OKLAHOMA OR HIS DESIGNEE, DEBATABLE  
FOR 10 MINUTES



**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. LANKFORD OF OKLAHOMA**  
[For himself and Mr. Connolly of Virginia]

At the end of division A, add the following new title:

1 **TITLE XVII—END TRAFFICKING**  
2 **IN GOVERNMENT CONTRACTING**

3 **SEC. 1701. SHORT TITLE.**

4 This title may be cited as the “End Trafficking in  
5 Government Contracting Act of 2012”.

6 **SEC. 1702. DEFINITIONS.**

7 In this title:

8 (1) **EXECUTIVE AGENCY.**—The term “executive  
9 agency” has the meaning given the term in section  
10 133 of title 41, United States Code.

11 (2) **SUBCONTRACTOR.**—The term “subcon-  
12 tractor” means a recipient of a contract at any tier  
13 under a grant, contract, or cooperative agreement.

14 (3) **SUBGRANTEE.**—The term “subgrantee”  
15 means a recipient of a grant at any tier under a  
16 grant or cooperative agreement.

17 (4) **UNITED STATES.**—The term “United  
18 States” has the meaning provided in section 103(12)

1 of the Trafficking Victims Protection Act of 2000  
2 (22 U.S.C. 7102(12)).

3 **SEC. 1703. CONTRACTING REQUIREMENTS.**

4 Section 106(g) of the Trafficking Victims Protection  
5 Act of 2000 (22 U.S.C. 7104(g)) is amended by striking  
6 “if the grantee or any subgrantee,” and all that follows  
7 through the period at the end and inserting the following:  
8 “or take any of the other remedial actions authorized  
9 under section 1705(c) of the End Trafficking in Govern-  
10 ment Contracting Act of 2012, if the grantee or any sub-  
11 grantee, or the contractor or any subcontractor, engages  
12 in, or uses labor recruiters, brokers, or other agents who  
13 engage in, (i) severe forms of trafficking in persons, (ii)  
14 the procurement of a commercial sex act during the period  
15 of time that the grant, contract, or cooperative agreement  
16 is in effect, (iii) the use of forced labor in the performance  
17 of the grant, contract, or cooperative agreement, or (iv)  
18 acts that directly support or advance trafficking in per-  
19 sons, including the following acts:

20 “(1) Destroying, concealing, removing, or con-  
21 fiscating an employee’s immigration documents with-  
22 out the employee’s consent.

23 “(2) Failing to repatriate an employee upon the  
24 end of employment, unless—

1           “(A) exempted from the duty to repatriate  
2           the employee by the Federal department or  
3           agency providing or entering into the grant,  
4           contract, or cooperative agreement; or

5           “(B) the employee is a victim of human  
6           trafficking seeking victim services or legal re-  
7           dress in the country of employment or a witness  
8           in a human trafficking enforcement action.

9           “(3) Soliciting a person for the purpose of em-  
10          ployment, or offering employment, by means of ma-  
11          terially false or fraudulent pretenses, representa-  
12          tions, or promises regarding that employment.

13          “(4) Charging recruited employees exorbitant  
14          placement fees, such as fees equal to or greater than  
15          the employee’s monthly salary, or recruitment fees  
16          that violate the laws of the country from which an  
17          employee is recruited.

18          “(5) Providing inhumane living conditions.”.

19 **SEC. 1704. COMPLIANCE PLAN AND CERTIFICATION RE-**  
20 **QUIREMENT.**

21          (a) **REQUIREMENT.**—The head of an executive agen-  
22          cy may not provide or enter into a grant, contract, or coop-  
23          erative agreement valued at \$1,000,000 or more if per-  
24          formance will substantially be conducted overseas, unless  
25          a duly designated representative of the recipient of such

1 grant, contract, or cooperative agreement certifies to the  
2 contracting or grant officer prior to receiving an award  
3 and on an annual basis thereafter, after having conducted  
4 due diligence, that—

5 (1) the recipient has implemented a plan to pre-  
6 vent the activities described in section 106(g) of the  
7 Trafficking Victims Protection Act of 2000 (22  
8 U.S.C. 7104(g)), as amended by section 1703, and  
9 is in compliance with that plan;

10 (2) the recipient has implemented procedures to  
11 prevent any activities described in such section  
12 106(g) and to monitor, detect, and terminate any  
13 subcontractor, subgrantee, or employee of the recipi-  
14 ent engaging in any activities described in such sec-  
15 tion; and

16 (3) to the best of the representative's knowl-  
17 edge, neither the recipient, nor any subcontractor or  
18 subgrantee of the recipient or any agent of the re-  
19 cipient or of such a subcontractor or subgrantee, is  
20 engaged in any of the activities described in such  
21 section.

22 (b) LIMITATION.—Any plan or procedures imple-  
23 mented pursuant to subsection (a) shall be appropriate to  
24 the size and complexity of the grant, contract, or coopera-  
25 tive agreement and to the nature and scope of its activi-

1 ties, including the number of non-United States citizens  
2 expected to be employed.

3 (c) DISCLOSURE.—The recipient shall provide a copy  
4 of the plan to the contracting or grant officer upon re-  
5 quest, and, as appropriate, shall post the useful and rel-  
6 evant contents of the plan or related materials on its  
7 website and at the workplace.

8 (d) PERFORMANCE SUBSTANTIALLY OVERSEAS.—  
9 For purposes of subsection (a), a grant, contract, or coop-  
10 erative agreement shall be considered to be performed sub-  
11 stantially overseas if the estimated value of the services  
12 required to be performed under the grant, contract, or co-  
13 operative agreement outside the United States exceeds  
14 \$500,000.

15 **SEC. 1705. MONITORING AND INVESTIGATION OF TRAF-**  
16 **FICKING IN PERSONS.**

17 (a) INVESTIGATION.—If the contracting or grant offi-  
18 cer of an executive agency for a grant, contract, or cooper-  
19 ative agreement receives credible evidence that a recipient  
20 of the grant, contract, or cooperative agreement; any sub-  
21 grantee or subcontractor of the recipient; or any agent of  
22 the recipient or of such a subgrantee or subcontractor, has  
23 engaged in an activity described in section 106(g) of the  
24 Trafficking Victims Protection Act of 2000 (22 U.S.C.  
25 7104(g)), as amended by section 1703, including a report



1 from a contracting officer representative, an inspector  
2 general, an auditor, an alleged victim or victim's rep-  
3 resentative, or any other credible source, the contracting  
4 or grant officer shall, before exercising any option to  
5 renew such grant, contract, or cooperative agreement, re-  
6 quest that the agency's Office of Inspector General imme-  
7 diately initiate an investigation of the allegation or allega-  
8 tions contained in the report. If the agency's Office of In-  
9 spector General is unable to conduct a timely investiga-  
10 tion, the suspension and debarment office or another in-  
11 vestigative unit of the agency shall conduct the investiga-  
12 tion.

13 (b) REPORT.—Upon completion of an investigation  
14 under subsection (a), the office or unit that conducted the  
15 investigation shall submit to the contracting or grant offi-  
16 cer and, if such investigation was not conducted by the  
17 agency's Office of Inspector General, to the agency's Of-  
18 fice of Inspector General, a report on the investigation,  
19 including conclusions about whether credible evidence ex-  
20 ists that the recipient of a grant, contract, or cooperative  
21 agreement; any subcontractor or subgrantee of the recipi-  
22 ent; or any agent of the recipient or of such a subcon-  
23 tractor or subgrantee, engaged in any of the activities de-  
24 scribed in section 106(g) of the Trafficking Victims Pro-

1 section Act of 2000 (22 U.S.C. 7104(g)), as amended by  
2 section 1703.

3 (c) REMEDIAL ACTIONS.—

4 (1) IN GENERAL.—If a contracting or grant of-  
5 ficial determines that a recipient of a grant, con-  
6 tract, or cooperative agreement, or any subcon-  
7 tractor or subgrantee of the recipient, has engaged  
8 in any of the activities described in such section  
9 106(g), the contracting or grant officer shall con-  
10 sider taking one or more of the following remedial  
11 actions:

12 (A) Requiring the recipient to remove an  
13 employee from the performance of work under  
14 the grant, contract, or cooperative agreement.

15 (B) Requiring the recipient to terminate a  
16 subcontract or subgrant.

17 (C) Suspending payments under the grant,  
18 contract, or cooperative agreement.

19 (D) Withholding award fees, consistent  
20 with the award fee plan, for the performance  
21 period in which the agency determined the con-  
22 tractor or subcontractor engaged in any of the  
23 activities described in such section 106(g).

24 (E) Declining to exercise available options  
25 under the contract.



1 (F) Terminating the contract for default  
2 or cause, in accordance with the termination  
3 clause for the contract.

4 (G) Referring the matter to the agency  
5 suspension and debarment official.

6 (H) Referring the matter to the Depart-  
7 ment of Justice for prosecution under any ap-  
8 plicable law.

9 (2) SAVINGS CLAUSE.—Nothing in this sub-  
10 section shall be construed as limiting the scope of  
11 applicable remedies available to the Federal Govern-  
12 ment.

13 (3) MITIGATING FACTOR.—Where applicable,  
14 the contracting or grant official may consider wheth-  
15 er the contractor or grantee had a plan in place  
16 under section 1704, and was in compliance with that  
17 plan at the time of the violation, as a mitigating fac-  
18 tor in determining which remedies, if any, should  
19 apply.

20 (d) INCLUSION OF REPORT CONCLUSIONS IN  
21 FAPIIS.—The contracting or grant officer shall ensure  
22 that relevant findings contained in the report under sub-  
23 section (b) are included in the Federal Awardee Perform-  
24 ance and Integrity Information System (FAPIIS). These  
25 findings shall be considered relevant past performance

1 data for the purpose of awarding future contracts, grants,  
2 or cooperative agreements.

3 **SEC. 1706. NOTIFICATION TO INSPECTORS GENERAL AND**  
4 **COOPERATION WITH GOVERNMENT.**

5 The head of an executive agency making or awarding  
6 a grant, contract, or cooperative agreement shall require  
7 that the recipient of the grant, contract, or cooperative  
8 agreement—

9 (1) immediately inform the Inspector General of  
10 the executive agency of any information it receives  
11 from any source that alleges credible evidence that  
12 the recipient; any subcontractor or subgrantee of the  
13 recipient; or any agent of the recipient or of such a  
14 subcontractor or subgrantee, has engaged in conduct  
15 described in section 106(g) of the Trafficking in Vic-  
16 tims Protection Act of 2000 (22 U.S.C. 7104(g)), as  
17 amended by section 1703; and

18 (2) fully cooperate with any Federal agencies  
19 responsible for audits, investigations, or corrective  
20 actions relating to trafficking in persons.

21 **SEC. 1707. EXPANSION OF FRAUD IN FOREIGN LABOR CON-**  
22 **TRACTING TO INCLUDE WORK OUTSIDE THE**  
23 **UNITED STATES.**

24 Section 1351 of title 18, United States Code, is  
25 amended—

1           (1) BY STRIKING “WHOEVER KNOWINGLY” AND  
2           INSERTING “(A) WORK INSIDE THE UNITED  
3           STATES.—Whoever knowingly

4           (2) by adding at the end the following new sub-  
5           section:

6           “(b) WORK OUTSIDE THE UNITED STATES.—Who-  
7           ever knowingly and with intent to defraud recruits, solici-  
8           its, or hires a person outside the United States or causes  
9           another person to recruit, solicit, or hire a person outside  
10          the United States, or attempts to do so, for purposes of  
11          work performed on a United States Government contract  
12          performed outside the United States, or on a United  
13          States military installation or mission or other property  
14          or premises owned or controlled by the United States Gov-  
15          ernment, by means of materially false or fraudulent pre-  
16          tenses, representations, or promises regarding that em-  
17          ployment, shall be fined under this title or imprisoned for  
18          not more than 5 years, or both.”.

19       **SEC. 1708. IMPROVING DEPARTMENT OF DEFENSE AC-**  
20                       **COUNTABILITY FOR REPORTING TRAF-**  
21                       **FICKING IN PERSONS CLAIMS AND VIOLA-**  
22                       **TIONS.**

23          Section 105(d)(7)(H) of the Trafficking Victims Pro-  
24          tection Act of 2000 (22 U.S.C. 7103(d)(7)(H)) is amend-  
25          ed—

1 (1) in clause (iii), by inserting “and” at the end  
2 after the semicolon; and

3 (2) by adding at the end the following new  
4 clause:

5 “(iv) all trafficking in persons activities of contrac-  
6 tors reported to the Under Secretary of Defense for Acqui-  
7 sition, Technology, and Logistics;”.

8 **SEC. 1709. RULE OF CONSTRUCTION.**

9 Excluding section 1707, nothing in this title shall be  
10 construed to supersede, enlarge, or diminish the common  
11 law or statutory liabilities of any grantee, subgrantee, con-  
12 tractor, subcontractor, or other party covered by section  
13 106(g) of the Trafficking Victims Protection Act of 2000  
14 (22 U.S.C. 7104(g)), as amended by section 1703.



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

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. MURPHY OF PENNSYLVANIA,  
MR. ALTMIRE OF PENNSYLVANIA, MR. CRITZ  
OF PENNSYLVANIA, AND MR. DOYLE OF  
PENNSYLVANIA**

At the end of subtitle B of title XXVII, add the following new section (and make such conforming changes to the table of contents in section 2(b) as may be necessary):

1 **SEC. 2714. NOTIFICATION OF PERMANENT REDUCTION OF**  
2 **SIZABLE NUMBER OF MEMBERS OF THE**  
3 **ARMED FORCES.**

4 Subsection (b) of section 993 of title 10, United  
5 States Code, is amended by striking paragraphs (1)  
6 through (3) and inserting the following:

7 “(1) the Secretary of Defense or the Secretary  
8 of the military department concerned notifies the  
9 Committee on Armed Services of the Senate and the  
10 Committee on Armed Services of the House of Rep-  
11 resentatives, as part of an annual request for au-  
12 thorization of appropriations to such Committees, of  
13 the proposed reduction and the number of personnel

1 assignments affected and submits with the notifica-  
2 tion an evaluation of the fiscal, local economic, budg-  
3 etary, environmental, strategic, and operational con-  
4 sequences of such closure or realignment; and

5 “(2) a period of 30 legislative days or 60 cal-  
6 endar days, whichever is longer, expires following the  
7 day on which the notice and evaluation referred to  
8 in paragraphs (1) and (2) have been submitted to  
9 such committees.”.





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

17

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. DOGGETT OF TEXAS**

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

1 **SEC. 27** \_\_. **CONSIDERATION OF UNITED STATES MILITARY**  
2 **BASES LOCATED OVERSEAS IN CRITERIA**  
3 **USED TO CONSIDER AND RECOMMEND MILI-**  
4 **TARY INSTALLATIONS FOR CLOSURE OR RE-**  
5 **ALIGNMENT.**

6 Section 2687(b)(1)(B) of title 10, United States  
7 Code, is amended—

8 (1) by striking “and” at the end of clause (i);  
9 and

10 (2) by adding at the end the following new  
11 clause:

12 “(iii) the anticipated continuing need for  
13 and availability of military bases outside the  
14 United States, taking into account current re-  
15 strictions on the use of military bases outside  
16 the United States and the potential for future  
17 prohibitions or restrictions on the use of such  
18 bases; and”.



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

55

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. CRITZ OF PENNSYLVANIA**

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

1 **SEC. 28 \_\_\_\_ . RETENTION OF CORE FUNCTIONS OF THE AIR**  
2 **TRAFFIC CONTROL STATION, JOHNSTOWN**  
3 **AIR NATIONAL GUARD BASE, PENNSYLVANIA.**

4 The Secretary of the Air Force shall retain the core  
5 functions of the Air Traffic Control Station at Johnstown  
6 Air National Guard Base, Pennsylvania, with the same in-  
7 tegrated mission elements, responsibilities, and capabili-  
8 ties as existed as of November 1, 2011, until such time  
9 as such integrated mission elements, responsibilities, and  
10 capabilities are modified pursuant to section 2687 of title  
11 10, United States Code, or a subsequent law providing for  
12 the closure or realignment of military installations in the  
13 United States.



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



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**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. YOUNG OF ALASKA**

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

1 **SEC. 9** . **MODIFICATION OF NOTICE REQUIREMENTS IN**  
2 **ADVANCE OF PERMANENT REDUCTION OF**  
3 **SIZABLE NUMBERS OF MEMBERS OF THE**  
4 **ARMED FORCES AT MILITARY INSTALLA-**  
5 **TIONS.**

6 (a) **CALCULATION OF NUMBER OF AFFECTED MEM-**  
7 **BERS.**—Subsection (a) of section 993 of title 10, United  
8 States Code, is amended by adding at the end the fol-  
9 lowing new sentence: “In calculating the number of mem-  
10 bers to be reduced, the Secretary shall take into consider-  
11 ation both direct reductions and indirect reductions.”.

12 (b) **NOTICE REQUIREMENTS.**—Subsection (b) of such  
13 section is amended by striking paragraphs (1) and (2) and  
14 inserting the following new paragraphs:

15 “(1) the Secretary of Defense or the Secretary  
16 of the military department concerned—

17 “(A) submits to Congress a notice of the  
18 proposed reduction and the number of military  
19 and civilian personnel assignments affected, in-

1 including reductions in base operations support  
2 services and personnel to occur because of the  
3 proposed reduction; and

4 “(B) includes in the notice a justification  
5 for the reduction and an evaluation of the costs  
6 and benefits of the reduction and of the local  
7 economic, environmental, strategic, and oper-  
8 ational consequences of the reduction; and

9 “(2) a period of 90 days expires following the  
10 day on which the notice is submitted to Congress.”.

11 (c) TIME AND FORM OF SUBMISSION OF NOTICE.—

12 Such section is further amended—

13 (1) by redesignating subsection (c) as sub-  
14 section (d); and

15 (2) by inserting after subsection (b) the fol-  
16 lowing new subsection:

17 “(c) TIME AND FORM OF SUBMISSION OF NOTICE.—

18 The notice required by subsections (a) and (b) may be sub-  
19 mitted to Congress only as part of the budget justification  
20 materials submitted by the Secretary of Defense to Con-  
21 gress in support of the budget for a fiscal year submitted  
22 under section 1105 of title 31.”.

23 (d) DEFINITIONS.—Such section is further amended  
24 by adding at the end the following new subsection:

25 “(e) DEFINITIONS.—In this section:



1           “(1) The term ‘direct reduction’ means a reduc-  
2           tion involving one or more members of a unit.

3           “(2) The term ‘indirect reduction’ means subse-  
4           quent planned reductions or relocations in base oper-  
5           ations support services and personnel able to occur  
6           due to the direct reductions.

7           “(3) The term ‘military installation’ means a  
8           base, camp, post, station, yard, center, homeport fa-  
9           cility for any ship, or other activity under the juris-  
10          diction of the Department of Defense, including any  
11          leased facility, which is located within any of the  
12          several States, the District of Columbia, the Com-  
13          monwealth of Puerto Rico, American Samoa, the  
14          Virgin Islands, the Commonwealth of the Northern  
15          Mariana Islands, or Guam. Such term does not in-  
16          clude any facility used primarily for civil works, riv-  
17          ers and harbors projects, or flood control projects.

18          “(4) The term ‘unit’ means a unit of the armed  
19          forces at the battalion, squadron, or an equivalent  
20          level (or a higher level).”.



137. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
TSONGAS OF MASSACHUSETTS OR HER DESIGNEE,  
DEBATABLE FOR 10 MINUTES

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MS. TSONGAS OF MASSACHUSETTS**

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

1 **SEC. 28\_\_ . MASSACHUSETTS INSTITUTE OF TECH-**  
2 **NOLOGY—LINCOLN LABORATORY IMPROVE-**  
3 **MENT PROJECT.**

4 (a) **IMPROVEMENT AND MODERNIZATION**  
5 **PROJECT.**—The Secretary of the Air Force may enter into  
6 discussions with the Massachusetts Institute of Tech-  
7 nology for a project to improve and modernize the Lincoln  
8 Laboratory complex at Hanscom Air Force Base, Massa-  
9 chusetts. The project may include modifications and addi-  
10 tions to research laboratories, office spaces, and sup-  
11 porting facilities necessary to carry out the mission of the  
12 Lincoln Laboratory as a Federally Funded Research and  
13 Development Center (in this section referred to as  
14 “FFRDC”). Supporting facilities under the project may  
15 include infrastructure for utilities.

16 (b) **USE OF FACILITIES.**—The right of the Massachu-  
17 setts Institute of Technology to use such facilities and  
18 equipment shall be as provided by the FFRDC Sponsoring

1 Agreement and FFRDC contract between the Department  
2 of Defense and the Massachusetts Institute of Technology.

3 (c) RULE OF CONSTRUCTION REGARDING CON-  
4 STRUCTION AUTHORITY.—Nothing in this section shall be  
5 construed to authorize the Secretary of the Air Force to  
6 carry out a construction project at Hanscom Air Force  
7 Base, Massachusetts, unless such project is otherwise au-  
8 thorized by law.

9 (d) ADDITIONAL TERMS AND CONDITIONS.—The  
10 Secretary may require such additional terms and condi-  
11 tions in the FFRDC Sponsoring Agreement and the  
12 FFRDC contract as the Secretary of the Air Force con-  
13 siders appropriate to protect the interests of the United  
14 States.



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

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**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. LUJÁN OF NEW MEXICO**

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

1 **SEC. 3146. STUDY ON A MULTI-AGENCY GOVERNANCE**  
2 **MODEL FOR NATIONAL SECURITY LABORA-**  
3 **TORIES.**

4 (a) INDEPENDENT ASSESSMENT.—

5 (1) IN GENERAL.—The Administrator for Nu-  
6 clear Security shall commission an independent as-  
7 sessment regarding the transition of the national se-  
8 curity laboratories to multi-agency federally funded  
9 research and development centers with direct  
10 sustainment and sponsorship by multiple national  
11 security agencies. The assessment shall be conducted  
12 by an independent, non-governmental institute which  
13 is described in section 501(c)(3) of the Internal Rev-  
14 enue Code of 1986 and exempt from tax under sec-  
15 tion 501(a) of such Code, and has recognized cre-  
16 dentials and expertise in national security science  
17 and engineering laboratories and with ready access  
18 to policy experts throughout the United States.



1           (2) BACKGROUND MATERIAL.—The assessment  
2 shall leverage previous studies, including—

3           (A) the report published in 2009 by the  
4 Stimson Center titled “Leveraging Science for  
5 Security: A Strategy for the Nuclear Weapons  
6 Laboratories in the 21st Century”; and

7           (B) the Phase 1 report published in 2012  
8 by the National Academy of Sciences titled  
9 “Managing for High-Quality Science and Engi-  
10 neering at the NNSA National Security labora-  
11 tories”.

12          (3) ELEMENTS.—The assessment conducted  
13 pursuant to paragraph (1) shall include the fol-  
14 lowing elements:

15          (A) An assessment of a new governance  
16 structure that—

17           (i) gives multiple national security  
18 agencies, including the Department of De-  
19 fense, the Department of Homeland Secu-  
20 rity, the Department of Energy, and the  
21 intelligence community, direct sponsorship  
22 of the national security laboratories as fed-  
23 erally funded research and development  
24 centers so that such agencies have more di-  
25 rect and rapid access to the assets avail-



1           able at the laboratories and the responsi-  
2           bility to provide sustainable support for the  
3           science and technology needs of the agen-  
4           cies at the laboratories;

5                   (ii) reduces costs to the Federal Gov-  
6                   ernment for the use of the resources of the  
7                   laboratories, while enhancing the steward-  
8                   ship of these national resources and maxi-  
9                   mizing their service to the nation;

10                   (iii) enhances the overall quality of  
11                   the scientific research and engineering ca-  
12                   pability of the laboratories, including their  
13                   ability to recruit and retain top scientists  
14                   and engineers; and

15                   (iv) maintains as paramount the capa-  
16                   bilities required to support the nuclear  
17                   stockpile stewardship and related nuclear  
18                   missions.

19                   (B) A recommendation as to which, if any,  
20                   other laboratories associated with any national  
21                   security agency should be included in the new  
22                   governance structure.

23                   (C) Options for implementing the new gov-  
24                   ernance structure that minimize disruption of

1 performance and costs to the government while  
2 rapidly achieving anticipated gains.

3 (D) Legislative changes and executive ac-  
4 tions that would need to be made in order to  
5 implement the new governance structure.

6 (b) REPORT.—

7 (1) IN GENERAL.—Not later than January 1,  
8 2014, the designated private entity shall submit to  
9 the Administrator and the congressional defense  
10 committees a report that contains the findings of the  
11 assessment.

12 (2) FORM.—The report under paragraph (1)  
13 shall be submitted in unclassified form, but may in-  
14 clude a classified annex.

15 (c) DEFINITION.—In this section, the term “national  
16 security laboratory” has the meaning given that term in  
17 section 3281 of the National Nuclear Security Administra-  
18 tion Act (50 U.S.C. 2471).



139. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
LANDRY OF LOUISIANA OR HIS DESIGNEE, DEBATABLE FOR 10  
MINUTES

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**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. LANDRY OF LOUISIANA**

Strike section 3503.



140. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
CUMMINGS OF MARYLAND OR HIS DESIGNEE, DEBATABLE  
FOR 10 MINUTES

~~B~~ Revised  
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**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 4310  
OFFERED BY MR. CUMMINGS OF MARYLAND**

At the end of title XXXV add the following:

1 **SEC. 35\_\_\_.** **IDENTIFICATION OF ACTIONS TO ENABLE**  
2 **QUALIFIED UNITED STATES FLAG CAPACITY**  
3 **TO MEET NATIONAL DEFENSE REQUIRE-**  
4 **MENTS.**

5 (a) IDENTIFICATION OF ACTIONS.—Section 501(b) of  
6 title 46, United States Code, is amended—

7 (1) by inserting “(1)” before “When the head”;

8 and

9 (2) by adding at the end the following:

10 “(2) The Administrator of the Maritime Administra-  
11 tion shall—

12 “(A) in each determination referred to in para-  
13 graph (1), identify any actions that could be taken  
14 to enable qualified United States flag capacity to  
15 meet national defense requirements;

16 “(B) provide each such determination to the  
17 Secretary of Transportation and the head of the  
18 agency referred to in paragraph (1) for which the  
19 determination is made; and

1           “(C) publish each such determination on the  
2 Internet site of the Department of Transportation  
3 within 48 hours after it is provided to the Secretary  
4 of Transportation.

5           “(3)(A) The Secretary of Transportation, in con-  
6 sultation with the Secretary of Homeland Security, shall  
7 notify the Committees on Appropriations, Transportation  
8 and Infrastructure, and Armed Services of the House of  
9 Representatives and the Committees on Appropriations,  
10 Commerce, Science, and Transportation, and Armed Serv-  
11 ices of the Senate—

12           “(i) of any request for a waiver of the naviga-  
13 tion or vessel-inspection laws under this section not  
14 later than 48 hours after receiving the request; and

15           “(ii) of the issuance of any waiver of compli-  
16 ance of such a law not later than 48 hours after  
17 such issuance.

18           “(B) The Secretary shall include in each notification  
19 under subparagraph (A)(ii) an explanation of—

20           “(i) the reasons the waiver is necessary; and

21           “(ii) the reasons actions referred to in subpara-  
22 graph (A) are not feasible.”.





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

**AMENDMENT TO H.R. 4310, AS REPORTED  
OFFERED BY MR. YOUNG OF ALASKA**

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

1 **SEC. 35** \_\_\_. **DEPARTMENT OF DEFENSE NATIONAL STRA-**  
2 **TEGIC PORTS STUDY AND COMPTROLLER**  
3 **GENERAL STUDIES AND REPORTS ON STRA-**  
4 **TEGIC PORTS.**

5 (a) SENSE OF CONGRESS ON COMPLETION OF DOD  
6 REPORT.—It is the sense of Congress that the Secretary  
7 of Defense should expedite completion of the study of stra-  
8 tegic ports in the United States called for in the con-  
9 ference report to accompany the National Defense Author-  
10 ization Act for Fiscal Year 2012 (Conference Report 112-  
11 329) so that it can be submitted to Congress before Sep-  
12 tember 30, 2012.

13 (b) SUBMISSION OF REPORT TO COMPTROLLER GEN-  
14 ERAL.—In addition to submitting the report referred to  
15 in subsection (a) to Congress, the Secretary of Defense  
16 shall submit the report to the Comptroller General of the  
17 United States for consideration under subsection (c).

18 (c) COMPTROLLER GENERAL STUDIES AND REPORTS  
19 ON STRATEGIC PORTS.—

1           (1) COMPTROLLER GENERAL REVIEW.—Not  
2 later than 90 days after receipt of the report re-  
3 ferred to in subsection (a), the Comptroller General  
4 shall conduct an assessment of the report and sub-  
5 mit to the congressional defense committees a report  
6 of such assessment.

7           (2) COMPTROLLER GENERAL STUDY AND RE-  
8 PORT.—Not later than 270 days after the enactment  
9 of this Act, the Comptroller General of the United  
10 States shall conduct a study of the Department of  
11 Defense's programs and efforts related to the state  
12 of strategic ports with respect to the Department's  
13 operational and readiness requirements, and report  
14 to the congressional defense committees on the find-  
15 ings of such study. The report should include an as-  
16 sessment of—

17                   (A) the extent to which the facilities at  
18 strategic ports meet the Department of De-  
19 fense's requirements;

20                   (B) the extent to which the Department  
21 has identified gaps in the ability of existing  
22 strategic ports to meet its needs and identified  
23 and undertaken efforts to address any gaps;  
24 and

1                   (C) the Department's ability to oversee, co-  
2                   ordinate, and provide security for military de-  
3                   ployments through strategic ports.

4           (d) STRATEGIC SEAPORT DEFINED.—In this section,  
5 the term “strategic port” means a United States port des-  
6 ignated by the Secretary of Defense as a significant trans-  
7 portation hub important to the readiness and cargo  
8 throughput capacity of the Department of Defense.

