

AMENDMENTS ADOPTED TO THE DEFENSE APPROPRIATIONS

BILL FOR FY 2018

Full Committee Markup
House Appropriations Committee
Thursday, June 29, 2017

(H)

MS. GRANGER

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Defense

FY 2018 Appropriations Act

Managers' Amendment

Offered by Ms. Granger of Texas

BILL

In the bill:

On page 18, beginning on line 17, strike “; *Provided*,” and all that follows through “heading,” on line 18, and insert the following:

“: *Provided*, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: *Provided further*, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: *Provided further*, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: *Provided further*, That”

On page 19, beginning on line 4, strike “; *Provided*” and all that follows through “therefor” on line 9.

On page 32, line 6, strike “; *Provided*,” and all that follows through “heading,” on line 7, and insert the following:

“: *Provided*, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: *Provided further*, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: *Provided further*, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: *Provided further*, That”

On page 32, line 18, strike “; *Provided*” and all that follows through “therefor” on line 24.

On page 35, beginning on line 23, strike “; *Provided*,” and all that follows through “heading,” on line 24 and insert the following:

“: *Provided*, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: *Provided further*, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: *Provided further*, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: *Provided further*, That”

On page 36, line 10, strike “; *Provided*” and all that follows through “therefor” on line 16.

On page 91, line 21, strike “\$345,000,000” and insert “\$289,000,000”.

On page 117, after line 22, insert the following:

“SEC. 8XXX. In carrying out the program described in the memorandum on the subject of “Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members” issued by the Assistant Secretary of Defense for Health Affairs on April 3, 2012, and the guidance issued to implement such memorandum, the Secretary of Defense shall apply such policy and guidance, except that –

- (1) the limitation on periods regarding embryo cryopreservation and storage set forth in part III(G) and in part IV(H) of such memorandum shall not apply; and
- (2) the term “assisted reproductive technology” shall include embryo cryopreservation and storage without limitation on the duration of such cryopreservation and storage.”

On page 121, beginning on line 6, strike “: *Pro-*” and all that follows through “ing,” on line 8 and insert the following:

“: *Provided*, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: *Provided further*, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: *Provided further*, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: *Provided further*, That”

On page 121, beginning on line 18, strike “; *Provided*” and all that follows through “therefor;” on line 24 and insert a colon.

On page 127, beginning on line 7, strike “; *Provided*,” and all that follows through “heading,” on line 8 and insert the following:

“: *Provided*, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: *Provided further*, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: *Provided further*, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: *Provided further*, That”

On page 127, beginning on line 19, strike “; *Provided*” and all that follows through “therefor;” on line 24 and insert a colon.

On page 140, beginning on line 18, strike “*Pro-*” and all that follows through “heading,” on line 19 and insert the following:

“: *Provided*, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: *Provided further*, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: *Provided further*, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: *Provided further*, That”

On page 141, beginning on line 5, strike “; *Provided*” and all that follows through “therefor;” on line 11 and insert a colon.

On page 143, beginning on line 12, strike “; *Provided*” and all that follows through “heading,” on line 13 and insert the following:

“: *Provided*, That such funds provided under this heading shall only be available for programs, projects and activities necessary to implement the 2018 National Defense Strategy: *Provided further*, That such funds shall not be available for transfer until 30 days after the Secretary has submitted, and the congressional defense committees have approved, the proposed allocation plan for the use of such funds to implement such strategy: *Provided further*, That such allocation plan shall include a detailed justification for the use of such funds and a description of how such investments are necessary to implement the strategy: *Provided further*, That”

On page 143, beginning on line 24, strike “; *Provided*” and all that follows through “therefor;” on line 5 of page 144 and insert a colon.

REPORT LANGUAGE

On page 4 of the report, before the header “Definition of Program, Project, and Activity”, insert the following:

“NATIONAL DEFENSE RESTORATION FUND

Pursuant to the concerns of the Committee regarding the state of the military and the risks to national security, the Committee recommendation includes \$28,600,000,000 for a National Defense Restoration Fund. These funds are allocated to military personnel, operation and maintenance, procurement, and research, development, test and evaluation accounts. The Committee expects that the Department of Defense will complete a new National Defense Strategy later in 2017, which will inform the Department’s budget requests for fiscal year 2019 and beyond. The Committee strongly believes that it is necessary to complete the new strategy to inform the allocation of additional funding above the President’s budget request, and that it is imperative that funding be available sooner to implement the new strategy upon completion in fiscal year 2018. The Committee therefore directs that the additional resources provided for the National Defense Restoration Fund be used to further this strategy as the Secretary of Defense determines in consultation with Congress. The Committee recommendation does not prejudice the use of the National Defense Restoration Fund by allocating funds to specific programs or projects, but requires the Secretary of Defense to submit allocation plans for the use of these funds, including a detailed budget justification for the use of such funds and a description of how such investments are necessary to implement the strategy, not fewer than 30 days prior to making transfers from the funds.”

On page 8 of the report, before the header “Cyberspace Activities”, insert the following:

“SERVICE UNFUNDED REQUIREMENTS LISTS

The Committee recognizes that each military Service submits an annual unfunded requirements list to the congressional defense committees. These lists allow the Committee to gain greater insight into the Services requirements that may have been excluded from the budget request due to budgetary constraints. However, the Committee is dismayed that the military Services did not each provide one consolidated list of requirements for fiscal year 2018, instead providing categorized lists of items, thereby obscuring the true prioritization of the requests. The Committee directs the Chiefs of Staff of the Army, Navy, Marine Corps, and Air Force to provide their individual Service unfunded requirements in one consolidated priority list for fiscal year 2019 and in subsequent budget submissions.”

On page 11 of the report, after the paragraph titled "Quarterly Cyber Operations Briefing", insert the following:

"PERSISTENT CYBER TRAINING ENVIRONMENT

The Committee recognizes that the Army is the executive agent of the persistent cyber training environment for the Department of Defense and the recommendation fully funds the budget request for fiscal year 2018. The Committee supports efforts associated with the rapid development of an up-to-date cyber training curriculum, cyber toolsets, and a realistic threat environment as well as efforts to create an adaptive cyber threat environment that accurately emulates enemy capabilities based on the latest data from the Intelligence Community.

BIG DATA ANALYTICS STRATEGY

The Committee recognizes that data is an invaluable asset to the Department of Defense. Modern technology tools gained through hyper-scale cloud computing like big data analytics, machine-learning technologies, and artificial intelligence software represent an unprecedented opportunity to leverage this data, stay ahead of adversaries, and enable both offensive and defensive capabilities for the warfighter. The Committee directs the Secretary of Defense to conduct a review of the adoption of hyper-scale cloud computing in the Department of Defense and to provide a report detailing the results of the review to the congressional defense committees not later than 60 days after the enactment of this Act."

On page 18 of the Committee report, before the header "Military Personnel, Army", insert the following:

"RESERVE COMPONENTS FULL-TIME SUPPORT

The Committee recognizes the important role performed by full-time support personnel in the National Guard and reserve components. The Committee directs the Secretary of Defense, in coordination with the Chief of the National Guard Bureau, to submit a report to the congressional defense committees not later than 180 days after the enactment of this Act that describes how the number of full-time support personnel in the National Guard impacts the readiness of each reserve component."

On page 109 of the report, under the header “Operation and Maintenance, National Defense Restoration Fund”, strike all after the first sentence and insert the following:

“The Committee directs that the funding be used to meet the requirements necessary to implement the 2018 National Defense Strategy. The Secretary of Defense is directed to submit to the congressional defense committees a proposed allocation plan, including a detailed budget justification for the use of such funds and a description of how such investments are necessary to implement the strategy, not fewer than 30 days prior to making transfers from the fund. Transfers from the fund are subject to prior approval from the congressional defense committees.”

On page 114 of the report, before the header "Aircraft Procurement, Army", insert the following:

"SUPPORT FOR INDUSTRIAL BASE DIVERSITY

The Committee supports competition and a strong industrial base for the procurement of defense end items to reduce reliance on sole-source acquisitions. The Committee encourages the Secretary of Defense to promote the maintenance of a diverse and robust industrial base of suppliers for significant procurement items, within current law and available levels of funding."

On page 141 of the report, before the header "Aircraft Procurement, Navy", insert the following:

"SOLDIER BORNE SENSOR

The Committee supports the establishment of a soldier borne sensor program to develop a squad-level situational awareness tool that provides near real-time, high-fidelity video feeds. This capability may reduce warfighter exposure to threats while enhancing squad maneuvers. The Committee is concerned that the Army's proposed single year acquisition strategy for the soldier borne sensor will result in higher unit costs. The Committee directs the Secretary of the Army to provide a report to the House Appropriations Committee not later than August 15, 2017 on the acquisition approach the Army is pursuing and the rationale for the option selected."

On page 162 of the report, before the header "Other Procurement, Navy", insert the following:

"ICEBREAKERS

The Committee remains concerned with the increasing Russian military expansion in the Arctic region. As Russia continues to reopen Cold War era bases and conduct military exercises in the region, the Committee urges the Secretary of Defense to make countering Russian aggression in the Arctic a priority. The Committee encourages the Secretary of Defense to work with the Secretary of Homeland Security on a strategy for the future procurement of icebreakers, which are essential to the maritime security interests of the United States and allies in the region.

DDG-51 DESTROYER

The Committee understands that the two DDG-51 destroyers included in the recommendation for fiscal year 2018 are of the Flight III configuration. However, the Committee reiterates the position, as stated previously in the Consolidated Appropriations Act, 2017, that the Secretary of the Navy should award and complete the additional DDG-51 ship that was fully funded by Congress in fiscal years 2016 and 2017, as an additional DDG-51 Flight IIA ship and that this should be awarded expeditiously."

On page 208 of the report, under the header “Procurement, National Defense Restoration Fund”, strike all after the first sentence and insert the following:

“The Committee directs that the funding be used to meet the requirements necessary to implement the 2018 National Defense Strategy. The Secretary of Defense is directed to submit to the congressional defense committees a proposed allocation plan, including a detailed budget justification for the use of such funds and a description of how such investments are necessary to implement the strategy, not fewer than 30 days prior to making transfers from the fund. Transfers from the fund are subject to prior approval from the congressional defense committees.”

On page 228 of the report, before the header "Research, Development, Test and Evaluation, Navy", insert the following:

"ENHANCED NON-DESTRUCTIVE TESTING CAPACITY

The Committee is aware that the Army's Engineer Research and Development Center (ERDC) plays a leading role in researching survivability and protective structures for the warfighter. The Committee recognizes that the ERDC often partners with university research centers which offer enhanced capacity for non-destructive testing and corrosion resistance for protective structures research. The Committee encourages the Secretary of the Army to continue its partnership between the ERDC and university researchers who may help accelerate this vital research.

HUMAN SIMULATION RESEARCH

The Committee recognizes that a foundational research effort that couples applied research in human simulation with physics-based survivability analysis models could lead to substantial insight that enhance warfighter mobility, survivability, welfare, and training. The Committee encourages the Secretary of the Army to support research and integration of physics-based human simulation with existing government models of survivability, lethality, and human performance analysis to create a holistic model.

JOINT MULTI-ROLE PROGRAM

The Committee acknowledges that the development of a helicopter emergency oil system under the Joint Multi-Role program may increase the combat survivability of the platforms under development. Such a system could potentially slow the engine oil drain-out from sixty seconds to six minutes, providing additional flight time and offering the pilot and passengers the necessary time to carry out evasive landing maneuvers to safely land the rotary wing aircraft. The Committee encourages the Secretary of the Army to consider investing in the further development of this technology."

On page 272 of the report, before the header “Operational Test and Evaluation, Defense”, insert the following:

“CONVENTIONAL PROMPT GLOBAL STRIKE WEAPON SYSTEM

The Committee encourages the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, to brief the Committee not later than December 1, 2017 on the plan to reach early operational capability for the conventional prompt global strike weapon system.”

On page 272 of the report, under the header “Research, Development, Test and Evaluation, National Defense Restoration Fund”, strike all after the first sentence and insert the following:

“The Committee directs that the funding be used to meet the requirements necessary to implement the 2018 National Defense Strategy. The Secretary of Defense is directed to submit to the congressional defense committees a proposed allocation plan, including a detailed budget justification for the use of such funds and a description of how such investments are necessary to implement the strategy, not fewer than 30 days prior to making transfers from the fund. Transfers from the fund are subject to prior approval from the congressional defense committees.”

On page 304 of the report, under the header “Military Personnel, National Defense Restoration Fund”, strike all after the first sentence and insert the following:

“The Committee directs that the funding be used to meet the requirements necessary to implement the 2018 National Defense Strategy. The Secretary of Defense is directed to submit to the congressional defense committees a proposed allocation plan, including a detailed budget justification for the use of such funds and a description of how such investments are necessary to implement the strategy, not fewer than 30 days prior to making transfers from the fund. Transfers from the fund are subject to prior approval from the congressional defense committees.”

On page 313 of the report, under the header “Operation and Maintenance, National Defense Restoration Fund”, strike all after the first sentence and insert the following:

“The Committee directs that the funding be used to meet the requirements necessary to implement the 2018 National Defense Strategy. The Secretary of Defense is directed to submit to the congressional defense committees a proposed allocation plan, including a detailed budget justification for the use of such funds and a description of how such investments are necessary to implement the strategy, not fewer than 30 days prior to making transfers from the fund. Transfers from the fund are subject to prior approval from the congressional defense committees.”

On page 323 of the report, under the header “Procurement, National Defense Restoration Fund”, strike all after the first sentence and insert the following:

“The Committee directs that the funding be used to meet the requirements necessary to implement the 2018 National Defense Strategy. The Secretary of Defense is directed to submit to the congressional defense committees a proposed allocation plan, including a detailed budget justification for the use of such funds and a description of how such investments are necessary to implement the strategy, not fewer than 30 days prior to making transfers from the fund. Transfers from the fund are subject to prior approval from the congressional defense committees.”

On page 327 of the report, under the header "Research, Development, Test and Evaluation, National Defense Restoration Fund", strike all after the first sentence and insert the following:

"The Committee directs that the funding be used to meet the requirements necessary to implement the 2018 National Defense Strategy. The Secretary of Defense is directed to submit to the congressional defense committees a proposed allocation plan, including a detailed budget justification for the use of such funds and a description of how such investments are necessary to implement the strategy, not fewer than 30 days prior to making transfers from the fund. Transfers from the fund are subject to prior approval from the congressional defense committees."

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Lee Defense #1
Agreed to W

**AMENDMENT TO DEFENSE APPROPRIATIONS BILL
OFFERED BY MS. LEE OF CALIFORNIA**

At the end of the bill (before the spending reduction account), insert the following:

1 SEC. __. (a) The Authorization for Use of Military
2 Force (Public Law 107-40; 50 U.S.C. 1541 note) is here-
3 by repealed.

4 (b) The repeal contained in subsection (a)—

5 (1) takes effect on the date that is 240 days
6 after the date of the enactment of this Act; and

7 (2) applies with respect to each operation or
8 other action that is being carried out pursuant to
9 the Authorization for Use of Military Force initiated
10 before such effective date.

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