

AMENDMENTS ADOPTED TO THE  
DEFENSE APPROPRIATIONS BILL  
FOR FY 2015

Full Committee Markup  
House Appropriations Committee  
Tuesday, June 10, 2014

#1

AG 1467 D  
JJ

**FRELINGHUYSEN #1**

Committee on Appropriations  
Subcommittee on Defense

Fiscal Year 2015 Department of Defense Appropriations Bill  
Full Committee Markup

**MANAGER'S AMENDMENT**  
Offered by Mr. Frelinghuysen of New Jersey

Amendments to the bill:

On page 111, line 11, strike "\$547,100,000" and insert "\$545,100,000".

On page 125, line 4, after "Defense" insert "": *Provided further*, That funds may not be made available for a school unless its enrollment of Department of Defense-connected children is greater than 50 percent"

On page 126, line 16, strike "prohibition" and insert "prohibitions"; and on line 17, strike "proviso" and insert "provisos".

Amendments to the report:

On page 64, before “Operation and Maintenance, Navy” insert:

DEFENSE GENERATOR AND RAIL EQUIPMENT CENTER AT HILL AIR FORCE BASE

The Committee understands that the Defense Generator and Rail Equipment Center (DGRC), located at Hill Air Force Base (AFB), needs significant renovations to address deficiencies, including some necessary for improved health and safety. Further, while DGRC is currently located within the boundaries of Hill AFB, the Committee is aware that after completion of the enhanced use lease project DGRC could be located outside of the boundaries and if so, would be required to provide its own force protection which would increase operational costs. The Committee urges the Secretary of the Army to work with the Secretary of the Air Force and relevant state and local stakeholders to address concerns raised by the current DGRC location and to reach an agreement acceptable to all parties on the future status and location of the DGRC. The Committee is also concerned that obligating funds to perform non-safety related renovations of the DGRC before a consensus is reached would not be a good use of limited resources. Therefore, the Committee encourages the Secretary of the Army to limit renovations to those required only for health and safety until such an agreement is reached and to keep the congressional defense committees informed of all safety-related renovations performed, as well as a justification for why the renovations are required.

On page 97, before “Operation and Maintenance, Army Reserve” insert:

#### TRANSPORTATION COSTS FOR COMMISSARY GOODS

The Committee supports the Defense Commissary system and the benefits it yields to servicemembers worldwide. Historically, the Department of Defense has subsidized the secondary transportation costs for commissary goods shipped overseas. The Committee now understands that the Defense Commissary Agency plans to re-compete the contracts for delivery of fresh fruits and vegetables and will require that proposed prices for goods include secondary transportation costs, thereby passing the costs for these goods on to commissary customers.

The Committee directs the Secretary of Defense to submit a report to the congressional defense committees on the proposed change in procurement and transportation policies for commissary goods. Further, the Committee directs that the current policies and procedures associated with second destination shipping for commissaries cannot be modified until the report is delivered and the committees have 30 days to review and approve the proposed changes included in the report.

On page 117, before “Department of Defense Acquisition Workforce Development Fund” insert:

#### ASSISTANCE TO UKRAINE

The Committee recognizes that the Department of Defense has been involved with assisting the people of Ukraine through funding provided in the Cooperative Threat Reduction Account. Additionally, the Committee notes the continued suffering of the Ukrainian people. The Committee therefore directs the

Secretary of Defense to submit a report to the congressional defense committees not later than 60 days after the enactment of this Act describing additional assistance that the Department may provide to Ukraine.

On page 213, before “Research, Development, Test and Evaluation, Army” insert:

#### MULTISPECTRAL SIGNATURE MANAGEMENT

The Committee is aware of the emerging threat posed by shortwave infrared detection systems that are increasingly available in the civilian marketplace and may be deployed by adversaries. In many cases, the passive signature management systems currently deployed by the Department of Defense do not provide adequate protection against these advanced sensors. In order to mitigate this increased vulnerability, the Committee recommends the development and procurement of passive multispectral protection, and encourages the Secretary of Defense to pursue domestically-produced, cost effective solutions that provide visual, near-infrared, thermal infrared, and broad-band radar threat mitigation capabilities. The Committee urges the Secretary of Defense to develop solutions that address the Department’s demonstrated need for urban and aviation signature management systems, as well as to identify a suitable replacement for outdated arctic signature management systems.

On page 225, before “Research, Development, Test and Evaluation, Navy” insert:

#### BATTLEFIELD MAPPING AND CHARTING

The BuckEye and Joint Airborne Lidar Bathymetry Technical Center of Expertise (JALBTCX) provide valuable engineering, mapping, and charting information to support planning, training, and operations to maintain maritime navigation. BuckEye provides imagery intelligence, geospatial intelligence, and geospatial foundation data for battlefield intelligence from manned and unmanned platforms over a range of altitudes, while JALBTCX provides coastal and underwater high resolution elevations and imagery which provides data fusion products required to help manage navigable waters of the United States. The Committee recognizes the military value these programs provide to combatant commanders and coalition and host nation forces, and expects that the President's budget request for Overseas Contingency Operations will request full funding for these important programs.

On page 256, before "Research, Development, Test and Evaluation, Defense-Wide" insert:

#### EJECTION SEAT SAFETY/SUSTAINABILITY IMPROVEMENT PROGRAM

The Committee is concerned by Air Force data that indicate safety concerns with legacy ejection seat technology for aircrews using helmet mounted displays. The Committee recommendation includes \$6,000,000 for improvements or replacement of legacy aircraft ejection seats that address documented safety concerns and requirements. In implementing this program, the Secretary of the Air Force should consider all technology used or approved in current Department of Defense programs to ensure that these ejection seat improvements or replacements are achieved through a full and open acquisition process.

## COST SHARING OF FORWARD-DEPLOYED NUCLEAR WEAPONS

The United States currently provides the vast majority of the funding necessary to sustain forward-deployed nuclear weapons in Europe. In light of the growing costs of this mission, the Committee directs the Secretary of Defense to submit a report to the congressional defense committees outlining the proportional contributions of NATO members to the cost of sustaining forward-deployed nuclear weapons. This report should include the effects of NATO proportional cost-sharing on the Department's five year costs of maintaining forward-deployed nuclear weapons and shall be submitted not later than 180 days after the enactment of this Act.

On page 288, before "Chemical Agents and Munitions Destruction, Defense" insert:

## NON-OPIOID PAIN MANAGEMENT DEVELOPMENT

The Committee remains concerned with pain management prescription medication dependency and addiction among servicemembers. Many servicemembers have endured physical and emotional wounds associated with combat and have relied on prescription opioids, sometimes for years, to manage their pain. While over-prescription of narcotics is a problem that must be addressed, the Committee believes that all patients have the right to effective relief of both acute and chronic pain. Narcotic abuse requires a multi-pronged approach, but the development of non-narcotic pain relief strategies is an essential component. Therefore, the Committee encourages the Assistant Secretary of



Defense (Health Affairs) to establish a peer-reviewed research program to research and develop alternatives to opioid-based pain management.

#2

AJ001 T20  
33-13

**FRELINGHUYSEN #2**

Committee on Appropriations  
Subcommittee on Defense

Fiscal Year 2015 Department of Defense Appropriations Bill  
Full Committee Markup

AMENDMENT

Offered by Mr. Frelinghuysen of New Jersey

Amendments to the bill:

On page 126, line 21, before Title IX, insert the following:

“Sec. 8139. None of the funds appropriated or otherwise made available by this Act or any other Act may be used in contravention of Sec. 1035 of the National Defense Authorization Act for Fiscal Year 2014.”

On page 139, line 11, before Title X, insert the following:

“Sec. 9015. No more than 15 percent of the funds made available in Title IX may be obligated, until the Secretary provides the congressional defense and intelligence committees with a detailed spend plan for the funds provided, including an assurance that no funds will be used in contravention of Sec. 1035 of the National Defense Authorization Act for Fiscal Year 2014.”

Amendments to the report:

On page 53, after the first full paragraph (before Service Audit Agency Validation) insert:

RELEASE OF DETAINEES

The Committee is deeply concerned with the Administration’s handling of the recent transfer of five senior level Taliban leaders detained at United States Naval Station, Guantanamo Bay, Cuba. It is clear that the Department violated Section 1035 of the fiscal year 2014 National Defense Authorization Act, which requires a 30 day prior notification to the transfer of any detainees to a foreign country. While the debate of negotiating with terrorists will continue for some time, the violation of trust between the Department and Congress to use funds in violation of current law cannot be easily overlooked. In fact, the restriction on foreign transfers of detainees, which has been in place for five years, was modified in good faith on Congress’ part just last year. Further, any notion that exigent circumstances prevented proper congressional notification rings hollow when the Administration clearly has been negotiating this transfer for several years. The

Committee understands the unique nature of the events that led to this transfer, but believes that is exactly the reason why prior notification is so important. The decision to negotiate with terrorists for the release of prisoners is a dangerous precedent, one that has implications far beyond the Department of Defense, and one that Congress should have a voice in deciding. Therefore, to further clarify Congressional prerogatives which were ignored, the Committee includes a general provision which prohibits the Secretary from spending any funds in violation of Section 1035 of the fiscal year 2014 National Defense Authorization Act.

#3

Lee Accepted  
#1W

**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. \_\_\_\_\_. None of the funds made available by this  
2 Act may be used to implement the changes to hair stand-  
3 ards and grooming policies for female members of the  
4 Armed Forces, as contained in paragraph 3-2 of Army  
5 Regulation 670-1, issued on March 31, 2014.

#10

DeLauro  
AC Delauro  
VV

**AMENDMENT TO DEFENSE APPROPRIATIONS BILL  
OFFERED BY MS. DELAURO OF CONNECTICUT**

Strike section 8116 and insert the following:

1       SEC. 8116. (a) None of the funds made available by  
2 this Act may be used to enter into a contract (or sub-  
3 contract at any tier under such a contract), memorandum  
4 of understanding, or cooperative agreement with, to make  
5 a grant to, or to provide a loan or loan guarantee to  
6 Rosoboronexport.

7       (b) The Secretary of Defense may waive the limita-  
8 tion in subsection (a) if the Secretary, in consultation with  
9 the Secretary of State and the Director of National Intel-  
10 ligence, certifies in writing to the congressional defense  
11 committees, to the best of the Secretary's knowledge, the  
12 following:

13           (1) Rosoboronexport has ceased the transfer of  
14 lethal military equipment to, and the maintenance of  
15 existing lethal military equipment for, the Govern-  
16 ment of the Syrian Arab Republic.

17           (2) The armed forces of the Russian Federation  
18 have withdrawn from Crimea, other than armed  
19 forces present on military bases subject to agree-

1           ments in force between the Government of the Rus-  
2           sian Federation and the Government of Ukraine.

3           (3) The Government of the Russian Federation  
4           has withdrawn substantially all of the armed forces  
5           of the Russian Federation from the immediate vicini-  
6           ty of the eastern border of Ukraine.

7           (4) Agents of the Russian Federation have  
8           ceased taking active measures to destabilize the con-  
9           trol of the Government of Ukraine over eastern  
10          Ukraine.

11          (c)(1) The Inspector General of the Department of  
12          Defense shall conduct a review of any action involving  
13          Rosoboronexport with respect to which a waiver is issued  
14          by the Secretary of Defense pursuant to subsection (b).

15          (2) A review conducted under paragraph (1) shall as-  
16          sess the accuracy of the factual and legal conclusions made  
17          by the Secretary of Defense in the waiver covered by the  
18          review, including—

19                 (A) whether there is any viable alternative to  
20                 Rosoboronexport for carrying out the functions for  
21                 which funds will be obligated;

22                 (B) whether the Secretary has previously used  
23                 an alternative vendor for carrying out the same  
24                 functions regarding the military equipment in ques-  
25                 tion, and what vendor was previously used;

1 (C) whether other explanations for the issuance  
2 of the waiver are supportable; and

3 (D) any other matter with respect to the waiver  
4 the Inspector General considers appropriate.

5 (3) Not later than 90 days after the date on which  
6 a waiver is issued by the Secretary of Defense pursuant  
7 to subsection (b), the Inspector General shall submit to  
8 the congressional defense committees a report containing  
9 the results of the review conducted under paragraph (1)  
10 with respect to such waiver.

