CONGRESSIONAL RECORD — HOUSE
May 21, 2014

Mr. CROWLEY and Mr. ENGEL changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 1189

Mr. HOLT. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 1189, a bill originally introduced by Representative MARKELY of Massachusetts, for the purposes of adding co-sponsors and requesting reprintings pursuant to section 2.

The SPEAKER pro tempore (Mr. HULTGREN). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COPSPONSOR OF H.R. 4286

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to be removed as a co-sponsor of H.R. 4286.

The SPEAKER pro tempore (Mr. HULTGREN). Is there objection to the request of the gentleman from North Dakota?

There was no objection.

HOWARD P. “BUCK” MCKEON NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2015

The SPEAKER pro tempore (Mr. MILLER of Florida). Pursuant to House Resolution 590 and rule XVIII, the Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

1. The end of subtitle B of title III, insert the following:

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

None of the funds authorized to be appropriated or otherwise made available by this Act may be used to implement the U.S. Global Change Research Program National Climate Change Assessment, the Intergovernmental Panel on Climate Change’s Fifth Assessment Report, the United Nations’ Agenda 21 sustainable development plan, or the May 2013 Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866.

The Acting CHAIR. Pursuant to House Resolution 590, the gentleman from West Virginia (Mr. MCKEENLEY) and a Member opposed each control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKEENLEY. Mr. Chairman, this amendment would prohibit the Department of Defense from spending money on climate change policies forced upon them by the Obama administration.

We shouldn’t be diverting our financial resources away from the primary missions of our military and our national security in pursuit of an ideology.

For example, earlier this year, the President diverted crucial funding on rural sewer and water line grants to promote his climate change initiatives.

Let’s make it clear. I acknowledge that climate change is occurring. The climate has always been changing. The question is whether or not, given the global unrest from these rogue nations and our war on terrorism, whether we...
should be diverting our funds to support an ideology instead of maximizing our investments in national security.

Now, climate change alarmists contend that man-made CO₂ is the cause of climate change. Most people may not realize that 96 percent of all the CO₂ emissions occur naturally. Currently, America’s CO₂ emissions’ contribution to the global community is actually less than 1 percent, Mr. Chairman. But even with these facts, decarbonizing America’s economy is still a long-term goal of the climate change movement. But to what end?

If America totally stopped burning coal—I mean this, Mr. Chairman. If every coal-fired powerhouse, factory, school, institution, if every institution in America stopped burning coal today, we would reduce the emissions of CO₂ in the globe around the world by 0.2 percent. Think about that, Mr. Chair, 0.2 percent. Within 5 years, the rest of the world’s CO₂ emissions would make up the difference while our entire economy has been turned upside down. We would have gained nothing in America at considerable cost to our country’s economy.

Yesterday, Secretary of State John Kerry was quoted saying: “If we make the crucial efforts to address climate change, and supposing we are wrong, what’s the worst that can happen?”

“What’s the worst that can happen?” What about spending trillions of dollars, millions of jobs, more expensive electric bills, and making our economy less competitive?

People like this talk about these issues as if there is no downside or cost to what they are advocating, Mr. Chairman, you and I know that is not the case.

Germany is switching back to coal-fired power, and China and India are building coal-fired power plants every week. America is the only industrialized nation that is discouraging the use of coal and other fossil fuels.

Leadership expert John Maxwell once said: “He who thinks he leads but has no followers is only taking a walk.”

The President should look around. He is alone on this issue. We shouldn’t be putting our funds for the military and our defense at risk by diverting funds for an ideologically motivated agenda.

If this administration truly wishes to address the problem of CO₂ emissions, they must help the rest of the world tackle the deforestation of our tropical rain forests.

Al Gore and the Sierra Club acknowledge that deforestation in Africa and the Amazon is five to six times more of a polluter than the combination of every coal-fired powerhouse in America—five to six times worse. These tropical forests are being destroyed because developing nations don’t have access to affordable electricity for heating and cooking and clean water. And unfortunately, the debate on this issue has turned to name-calling. One of my colleagues today has called those of us who disagree with the President over this issue “irresponsible,” “Republic science deniers,” and “members of the Flat Earth Society.”

Al Gore called people who question climate change policies “immoral, unethical, and despicable.”

Mr. Chairman, you and I are old enough to know that bullying and name-calling are just childish tactics and don’t have a place in this debate. Let’s stop the name-calling. It is time for an adult conversation.

We should be looking at our economy and our national security by diverting funds in pursuit of an ideological crusade. This is not the time to divert our financial resources from our military for climate change purposes when we are confronting Syria, Iran, Russia, Libya, and other terror groups promoting instability and threatening liberty and freedom around the world.

My constituents thought this amendment will ensure we maximize our military might without diverting funds for a politically motivated agenda. I urge all of my colleagues to support this amendment.

The Acting CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. I yield myself 3 minutes.

Mr. Chairman, the McKinley amendment provides that the Department of Defense may not make decisions based on science. Imagine, the Department of Defense should not make decisions based on science. They should ignore that there may be a cost from climate change. This amendment waves a magic wand and decrees that climate change impacts are all. Therefore, they would block the Defense Department from recognizing the damage caused by climate change.

This is incredible, because the 2010 Quadrennial Defense Review called climate change “an accelerant of instability or conflict” that “could have significant geopolitical impacts around the world, contributing to poverty, environmental degradation, and the further weakening of fragile governments.” But the McKinley amendment tells the DOD to ignore these impacts. Numerous national security experts with impeccable credentials—Democrats and Republicans alike—have warned that climate change threatens our national security. Just this month, a panel of retired three- and four-star generals and admirals released a report calling for action to address this problem.

It will be too late for action when they see some of their facilities being overwhelmed by the increase in rising seas or by storms that may destroy some of our defense installations. But according to this amendment, they can’t look at that. They can’t make decisions based on the science that may come from these governmental and other scientific agencies.

Well, I think that is science denial at its worst to say that the Defense Department cannot recognize damage caused by climate change. It looks like it is trying to overturn the laws of nature.

So we would tie the hands of the Defense Department and say that even though we might have exacerbated heat waves, droughts, wildfires, floods, water- and vector-borne diseases, diseases which will pose greater risk to human health and lives around the world, and wheat and corn yields are already experiencing the negative impact and we have a larger risk of food security globally and regionally, if scientists tell us that, we are not allowed to have our Defense Department pay any heed to it.

Well, Mr. Chairman, I am not going to call anybody names, but I think this is a seriously flawed amendment, and I urge my colleagues to oppose it.

And I now yield the balance of my time to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Chairman, the Catholic Church is still trying to live down condemning Galileo for suggesting that the Sun, instead of the Earth, was the center of the universe. But fortunately, our military and our President is on the right side of history and science.

Our military is listening to the facts and acting on the fact of climate change by ensuring that its assets are capable of withstanding more frequent and severe weather conditions, building resiliency in their command and control structures, planning military responses to natural disasters, and responding to the effects of climate change.

Climate change is a national security concern. It is a new form of stress on military readiness. The Navy, for example, just last week identified 128 naval installations that are going to be underwater in the near future if we don’t take steps now to deal with it. It is a catalyst for instability and conflict around the world.

As my friend from California mentioned, the military’s Quadrennial Defense Review states that “the pressures caused by climate change will influence resource competition while placing additional burdens on economies, societies, and governance institutions on this region around the world.”

The results will be a higher demand for American troops abroad, even as we struggle to deal with the devastating impacts caused by flooding and extreme weather events at home. We have volatile regions around the world that are going to be driven to desperation and resort to terrorist activity in...
response to the impacts of climate change and the resulting resource competition.

This is what the military is telling us. Climate change’s ‘effects are threat multipliers that will aggravate stresses arising from such poverty, environmental degradation, political instability, and social tensions.” It is a catalyst for conflict.

For the sake of our military, for the sake of national security, we have got to oppose this amendment.

Mr. WAXMAN. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. McKinley).

The question was taken; and the Acting CHAIR announced that the ayes appeared to have it.

Mr. WAXMAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from West Virginia will be postponed.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Chairman, pursuant to H. Res. 590, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 2, 3, 5, 12, 16, 18, 19, 20, 22, 23, 32, 33, 60, 72, 82, 86, 100, 113, and 147 printed in part A of House Report No. 113–460, offered by Mr. MCKEON of California:

AMENDMENT NO. 2 OFFERED BY MR. GOSAR OF ARIZONA

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

SEC. 3. OFF-INSTALLATION DEPARTMENT OF DEFENSE NATURAL RESOURCES PROJECTS COMPLIANCE WITH INTEGRATED NATURAL RESOURCE MANAGEMENT PLANS.

Section 103A of the Stikes Act (16 U.S.C. 670c–1) is amended by adding at the end the following new subsection:

(d) COMPLIANCE WITH INTEGRATED NATURAL RESOURCE MANAGEMENT PLAN.—In the case of a cooperative agreement or interagency agreement under subsection (a) for the maintenance and improvement of natural resources located off of a military installation or State-owned National Guard installation, funds referred to in subsection (b) may be used only pursuant to an approved integrated natural resources management plan.

AMENDMENT NO. 3 OFFERED BY MR. WELCH OF VERMONT

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

SEC. 3. RECOMMENDATION ON AIR FORCE ENERGY CONSERVATION MEASURES.

Congress recommends that the Secretary of the Air Force take action on identified energy conservation measures in a comprehensive and timely manner using an array of available funding mechanisms.

AMENDMENT NO. 4 OFFERED BY MR. LAMBORN OF COLORADO

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

SEC. 5. REVISED REGULATIONS FOR RELIABLE SECURITY SERVICES.

(a) Revision of Department of Defense Instruction 1300.17.

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

(b) PURPOSE.—The revision of Department of Defense Instruction 1300.17 shall address the Congressional intent and content of section 332 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 759), to ensure that verbal and written expressions of an individual’s religious beliefs are protected by the commander as an essential part of the free exercise of religion by a member of the Armed Forces.

(c) AUTHORITY TO ENHANCE COMMEMORATIVE WORK.—
At the appropriate place in subtitle D of title XII, insert the following:

SEC. 1107. PAY PARITY FOR DEPARTMENT OF DEFENSE EMPLOYEES EMPLOYED AT JOINT BASES.

(a) Definitions.—For purposes of this section—
(1) the term ‘‘joint military installation’’ means 2 or more military installations reorganized or otherwise operated as a single military installation;
(2) the term ‘‘locality’’ or ‘‘pay locality’’ has the meaning given that term by section 5902(b) of title 5, United States Code; and
(3) the term ‘‘locality pay’’ refers to any amount payable under section 5304 or 5304a of title 5, United States Code.

(b) Pay Parity.—Whenever 2 or more military installations are reorganized or otherwise associated as a single joint military installation, but the constituent installations are not all located within the same pay locality, all Department of Defense employees of the respective installations constituting the joint installation (who are otherwise entitled to locality pay) shall receive locality pay at a uniform percentage equal to the percentage which is payable with respect to the locality which includes the constituent installations receiving the highest locality pay (expressed as a percentage).

(c) Regulations.—The Office of Personnel Management shall prescribe regulations to carry out this section.

(d) Effective Date; applicability.—
(1) Effective date.—This section shall be effective—
(A) on or after the date of enactment of this title, and
(B) during any 2 or more periods beginning on or after such date (not later than 1 year after the date of enactment of this section) as the Secretary of Defense shall determine in consultation with the Office of Personnel Management.

(2) Applicability.—This section shall apply to any joint military installation created as a result of the Department of Defense Base Closure and Realignment Commission in the 2005 base closure round.

AMENDMENT NO. 18 OFFERED BY MR. TURNER OF OHIO

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

SEC. 1108. PAY PARITY FOR DEPARTMENT OF DEFENSE EMPLOYEES EMPLOYED AT JOINT BASES.

(a) Definitions.—For purposes of this section—
(1) the term ‘‘joint military installation’’ means 2 or more military installations reorganized or otherwise operated as a single military installation;
(2) the term ‘‘locality’’ or ‘‘pay locality’’ has the meaning given that term by section 5902(b) of title 5, United States Code; and
(3) the term ‘‘locality pay’’ refers to any amount payable under section 5304 or 5304a of title 5, United States Code.

(b) Pay Parity.—Whenever 2 or more military installations are reorganized or otherwise associated as a single joint military installation, but the constituent installations are not all located within the same pay locality, all Department of Defense employees of the respective installations constituting the joint installation (who are otherwise entitled to locality pay) shall receive locality pay at a uniform percentage equal to the percentage which is payable with respect to the locality which includes the constituent installations receiving the highest locality pay (expressed as a percentage).

(c) Regulations.—The Office of Personnel Management shall prescribe regulations to carry out this section.

(d) Effective Date; applicability.—
(1) Effective date.—This section shall be effective—
(A) on or after the date of enactment of this title, and
(B) during any 2 or more periods beginning on or after such date (not later than 1 year after the date of enactment of this section) as the Secretary of Defense shall determine in consultation with the Office of Personnel Management.

(2) Applicability.—This section shall apply to any joint military installation created as a result of the Department of Defense Base Closure and Realignment Commission in the 2005 base closure round.

AMENDMENT NO. 19 OFFERED BY MR. HUNTER OF CALIFORNIA

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

SEC. REPORT, DETERMINATION, AND STRATEGIC REGARDING THE TERRORISTS RESPONSIBLE FOR THE ATTACK AGAINST UNITED STATES PERSONNEL IN BENGHAZI, LIBY, AND OTHER REGIONAL TERRORIST THREATS.

(a) FINDINGS.—Congress finds the following:

(1) On September 11, 2012, United States facilities in Benghazi, Libya, were attacked by an organized group of armed terrorists, killing United States Ambassador Chris Stevens, Sean Smith, Glen Doherty, and Tyrone Woods.

(2) On September 14, 2012, President Obama stated that: ‘‘We will bring to justice those who took them from us...making it clear that the justice will come to those who harm Americans.’’

(3) On May 1, 2014, White House spokesman Jay Carney stated that: ‘‘I can assure you that the President’s friends and family members of Osama bin Laden.’’

(4) In testimony before Congress in October 2013, the Chairman of the Joint Chiefs of Staff General Martin Dempsey asserted that the President lacks the authority to use military force to find and kill the Benghazii attackers.

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

(6) No terrorist responsible for the Benghazii attacks has been brought to justice.
(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

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

(2) the failure to hold any individual responsible for these terrorist attacks is a travesty of justice, and undermines the national security of the United States; and

(3) the uncertainty surrounding the authority of the President to use force against the terrorist organizations responsible for the attack on United States personnel in Benghazi, Libya on September 11 and 12, 2012; the uncertainty surrounding the President's ability to use the United States Armed Forces into hostilities, or into hostilities as clearly indicated by the circumstances, is exercising only pursuant to (1) a declaration of war, (2) specific statutory authorization, or (3) national emergency created by attack upon the United States, its territories or possessions, or its armed forces; and

(4) With respect to United States military intervention in Syria, President Obama said, "But having made my decision as Commander-in-Chief based on what I am convinced our interests, I'm also mindful that I'm the President of the world's oldest constitutional democracy. I've long believed that our power is rooted not in the people, and for the people. And that's why I've made a second decision: I will seek authorization for the use of force from the American people's representatives in Congress."

(5) In the Resolution Of Advice And Consent To The Treaty on the New START Treaty, the United States should retain a smaller Triad of SLBMs [submarine launched ballistic missiles], ICBMs [intercontinental ballistic missiles], and heavy bombers. Retaining all three 'Triad legs will best maintain strategic stability at reasonable cost, while helping reduce potential technical problems or vulnerabilities.'

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

(A) A description of initiatives undertaken by the Department of Defense to ensure accountability for violations of internationally recognized human rights and crimes against humanity perpetrated against the people of Nigeria by Boko Haram and al-Qaeda affiliates and other jihadists in Nigeria, including—

(i) a description of initiatives that the United States has undertaken to train Nige- rian investigators on how to document, investigate, and develop findings of crimes against humanity; and

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

(b) REPORT.—

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

SEC. 1536. FINDINGS AND STATEMENT OF POLICY ON THE NUCLEAR TRIAD.

(a) FINDINGS.—Congress finds the following:

(1) The April 2010 Nuclear Posture Review stated—"After considering a wide range of possible options for the U.S. strategic nuclear posture, including some that involved elimin- ing a leg of the Triad, the NPR concluded that for planned reductions under New START, the United States should retain a smaller Triad of SLBMs [submarine launched ballistic missiles], ICBMs [intercontinental ballistic missiles], and heavy bombers. Retaining all three 'Triad legs will best maintain strategic stability at reasonable cost, while helping reduce potential technical problems or vulnerabilities.'

(2) ICBMs provide significant advantages to the U.S. nuclear force posture, including extremely secure command and control, high readiness rates, and relatively low operating costs.'

(3) A survivable U.S. response force requires continuous at-sea deployments of SSBNs [ballistic missile submarines] in both the Atlantic and Pacific Oceans, as well as the ability to surge additional submarines in crisis.'

(4) Nuclear-capable bombers—

(i) "[provide] a rapid and effective hedge against technical challenges with another leg of the 'Triad, as well as geopolitical uncer- tainties'; and

(ii) "are important to extended deterrence of potential attacks on U.S. allies and part- ners.'

(5) In a letter to the Senate on February 2, 2011, regarding the New START Treaty, President Obama stated: "It is the sense of the Senate that United States deter- rence and flexibility is assured by a robust
triaid of strategic delivery vehicles. To this end, the United States is committed to accomplishing the modernization and replacement of its strategic nuclear delivery vehicles, and the continuous viability of United States conventional and nuclear delivery systems.

(4) On June 19, 2013, the Secretary of Defense, in a statement, stated, “First, we will maintain a ready and credible deterrent. Second, we will retain a triad of bombers, ICBMs, and ballistic missile submarines. Third, we need to ensure that our nuclear weapons remain safe, secure, and effective.”


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

(B) “Congress supports the modernization or replacement of the triad of strategic nuclear delivery systems consisting of a heavy bomber and air-launched cruise missile, an intercontinental ballistic missile, and a ballistic missile submarine and submarine launched ballistic missile.”

(c) Section 709 of the Chairman of the Joint Chiefs of Staff, General Martin Dempsey, testified to the Committee on Armed Services of the House of Representatives that “The Joint Chiefs of Staff have determined that ‘our recommendation is to remain firmly committed to the triad, the three legs of the nuclear capability, and that any further reduction should be done only through negotiations, not unilaterally, and that we should commit to modernizing the stockpile while we have it.”

(7) On April 2, 2014, the Commander of United States Strategic Command, Admiral Cecil Haney, testified to the Committee on Armed Services of the House of Representatives that “I think it is important that we as a country realize just how important and foundational our strategic deterrent is today for us and well into the future. As you have mentioned, there is a need for modernization in a variety of areas. When you look at the credible strategic deterrent we have today, that includes every weapon from the intercontinental warfarer, to the command and control and communication structure that goes all the way from the control center down to the bomber and what we are working on is that it is to carry this over to the intercontinental ballistic missile, the submarines, and the bombers—each providing its unique aspect of deterrence.”

(a) In carrying out research, development, test, and evaluation activities with respect to breast cancer, the Secretary of Defense shall implement the recommendations of the Interagency Breast Cancer and Environmental Research Coordinating Committee to prioritize prevention and increase the study of chemical and physical factors in breast cancer.

(c) For the Department of Defense:

(A) ENVIRONMENTAL RESTORATION AT FORMER NAVAL AIR STATION CHINCOTEAGUE, VIRGINIA.

(a) GENERAL.—The environmental restoration project at the former administrative jurisdiction of the Administrator of the National Aeronautics and Space Administration over the Wallops Flight Facility, Virginia, shall continue and be completed.

(b) WRAP UP.—The National Aeronautics and Space Administration shall complete the environmental restoration project in the area formerly known as the Naval Air Station Chincoteague, Virginia. Any such project may be undertaken jointly or in conjunction with an environmental restoration project of the Administrator.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) by inserting before “If a cemetery” the following:—

(a) Removal Authority.—Section 1488 of title 10, United States Code, is amended by adding at the end the following new subsection:

(2) The Secretary of the Army, with the concurrence of the Secretary of Veterans Affairs, may authorize the removal of any member of the armed forces who has no known next of kin and is buried in an Army National Military Cemetery from the Army National Military Cemetery to any other cemetery.

(c) By inserting before “With respect to” the following:

(b) Removal From Temporary Internment or Abandoned Grave or Cemetery.—

AMENDMENT NO. 72 OFFERED BY MS. SPEIER OF CALIFORNIA

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

SEC. 7. RESEARCH REGARDING BREAST CANCER.

In carrying out research, development, test, and evaluation activities with respect to breast cancer, the Secretary of Defense shall implement the recommendations of the Interagency Breast Cancer and Environmental Research Coordinating Committee to prioritize prevention and increase the study of chemical and physical factors in breast cancer.

AMENDMENT NO. 82 OFFERED BY MS. SPEIER OF CALIFORNIA

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

SEC. 8. SOLE SOURCE CONTRACTS FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.
is amended by adding at the end the following new section:

SEC. 924. PUBLIC RELEASE BY INSPECTORS GENERAL OF REPORTS OF MISCONDUCT.

(a) Release of Inspector General of the Department of Defense Administrative Misconduct Reports.—Section 141 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(c)(1) Within 60 days after issuing a final report, the Inspector General of the Department of Defense shall publicly release any reports of administrative investigations that confirm misconduct, including violations of Federal law and violations of policies of the Department of Defense, of any member of the Senior Executive Service, political appointee, or commissioned officer in the Armed Forces in pay grades O–6 or above. In releasing the report, the Inspector General shall ensure that information that would be protected under section 552(a) of title 5 (commonly known as the ‘Freedom of Information Act’), section 552a of title 5 (commonly known as the ‘Privacy Act of 1974’), or section 6103 of the Internal Revenue Code of 1986 is not disclosed.

(2) In this subsection, the term ‘political appointee’ means any individual who is—

(A) employed in a position described under section 3132(a)(5) of title 5, United States Code, (relating to the Executive Schedule);

(B) a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a)(5) of title 5, United States Code; or

(C) employed in a position of a confidentiality or policy-determining character under schedule C of part 213 of title 5 of the Code of Federal Regulations.''

(b) Reporting on Goals for Sole Source Contracts for Small Business Concerns Owned and Controlled by Women.—Clause (vii) of subsection (b)(2)(E) of such Act is amended—

(1) in the case of a contract opportunity for a small business concern owned and controlled by women, by adding the following new subparagraph:

"(ii) $4,000,000, in the case of any other contract opportunity; and"

(2) by inserting the following new subparagraph:

"(iii) $6,500,000, in the case of a contract opportunity for a small business concern owned and controlled by women which is in an industry in which small businesses are substantially underrepresented as determined by the Administrator or—"

(3) in the case of any other contract opportunity; and

(c) Release of Inspector General of the Army Administrative Misconduct Reports.—Section 920 of such title is amended by adding at the end the following new subsection:

"(d) Within 60 days after issuing a final report, the Inspector General of the Army, in the case of a contract opportunity, the contract award can be made at a fair and reasonable price.''

(d) Deadline for Report on Substantially Rights-Protected Industries. Accelerated.—Paragraph (2) of section 1406 of such Act is amended by striking "5 years after the date of enactment" and inserting "2 years after the date of enactment."

AMENDMENT NO. 14 OFFERED BY MR. SPEIER OF CALIFORNIA

At the end of title IX, insert the following new section:

SEC. 924. PUBLIC RELEASE BY INSPECTORS GENERAL OF REPORTS OF MISCONDUCT.

(a) Release of Inspector General of the Department of Defense Administrative Misconduct Reports.—Section 141 of title 10, United States Code, is amended by adding at the end the following new section:

"(c)(1) Within 60 days after issuing a final report, the Inspector General of the Department of Defense shall publicly release any reports of administrative investigations that confirm misconduct, including violations of Federal law and violations of policies of the Department of Defense, of any member of the Senior Executive Service, political appointee, or commissioned officer in the Armed Forces in pay grades O–6 or above. In releasing the reports, the Inspector General shall ensure that information that would be protected under section 552(a) of title 5 (commonly known as the ‘Freedom of Information Act’), section 552a of title 5 (commonly known as the ‘Privacy Act of 1974’), or section 6103 of the Internal Revenue Code of 1986 is not disclosed.

(2) In this subsection, the term ‘political appointee’ means any individual who is—

(A) employed in a position described under section 3132(a)(5) of title 5, United States Code, (relating to the Executive Schedule);

(B) a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a)(5) of title 5, United States Code; or

(C) employed in a position of a confidentiality or policy-determining character under schedule C of part 213 of title 5 of the Code of Federal Regulations.''

(b) Reporting on Goals for Sole Source Contracts for Small Business Concerns Owned and Controlled by Women.—Clause (vii) of subsection (b)(2)(E) of such Act is amended—

(1) in the case of a contract opportunity for a small business concern owned and controlled by women, by adding the following new subparagraph:

"(ii) $4,000,000, in the case of any other contract opportunity; and"

(2) by inserting the following new subparagraph:

"(iii) $6,500,000, in the case of a contract opportunity for a small business concern owned and controlled by women which is in an industry in which small businesses are substantially underrepresented as determined by the Administrator or—"

(3) in the case of any other contract opportunity; and

(c) Release of Inspector General of the Army Administrative Misconduct Reports.—Section 920 of such title is amended by adding at the end the following new subsection:

"(d) Within 60 days after issuing a final report, the Inspector General of the Army, in the case of a contract opportunity, the contract award can be made at a fair and reasonable price.''

(d) Deadline for Report on Substantially Rights-Protected Industries. Accelerated.—Paragraph (2) of section 1406 of such Act is amended by striking "5 years after the date of enactment" and inserting "2 years after the date of enactment."

AMENDMENT NO. 86 OFFERED BY MS. SPEIER OF CALIFORNIA

At the end of title XI, add the following:

SEC. 1121. RATE OF OVERTIME PAY FOR DEPARTMENT OF THE NAVY EMPLOYEES PERFORMING WORK ABOARD OR DOCKSIDE IN SUPPORT OF THE NUCLEAR AIRCRAFT CARRIER FOR WAR DEPLOYMENT.

Section 5524(a)(6)(B) of title 5, United States Code, is amended by striking ‘‘2014’’ and inserting ‘‘2015’’.
The Acting CHAIR. Pursuant to House Resolution 590, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The CHAIR recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I urge the committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. RIGELL), my friend and colleague, who is a member of the Armed Services Committee.

Mr. RIGELL. I thank my friend from California, Chairman MCKEON, for yielding.

Mr. Chairman, in 1793, George Washington said: "The Constitution vests the power of declaring war in Congress; therefore, no offensive expedition of importance can be undertaken until after they shall have deliberated upon the object and authorized such a measure."

In a letter to Thomas Jefferson in 1798, James Madison wrote: "The Constitution supposes what the history of all governments demonstrate, that the executive branch of power most interested in war, and prone to it. It has accordingly with studied care vested the question of war to the legislature.

That is why it is right for President Obama to announce in the Rose Garden that he would seek congressional authorization before taking any military action against Syria. He said: "I've long believed that our power is rooted not just in our military might, but in our example as a government of the people, by the people, and for the people. And that's why I've made a second decision: I will seek authorization for the use of force from the American people's representatives in Congress."

It is deeply encouraging tonight, Mr. Chairman, to see such strong bipartisan support for my amendment, which advances the just cause of ensuring that the Obama administration and future administrations adhere to the Constitution and the grave matter of engaging U.S. forces in hostilities.

Mr. SMITH of Washington. Mr. Chair, I yield 2 minutes to the gentleman from Washington (Mr. KILMER).

Mr. KILMER. I thank the gentleman for yielding.

Mr. Chairman, this amendment includes two provisions that I authored. The first provision ensures that Navy employees, like those in Puget Sound Naval Shipyard, can continue to earn the overtime pay that they deserve when working overseas.

This amendment supports our national security and ensures that we are standing up for our civilian workforce. It allowed nuclear engineers to earn the same amount of money when they work in Japan as they would when they work in the United States.

Without that authorization to pay overtime to the civilian personnel serving in Japan as they would when they work in the United States, we will lose the ability to attract and retain qualified and experienced men and women to step up and serve in this capacity. The inclusion of this provision helps ensure our Navy's readiness and fairness to our civilian employees.

Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. SMITH), who are cosponsors.

Mr. SMITH of Washington. Mr. Chair, I yield 1 minute to the gentleman from Missouri (Mr. CLEAVER).

Mr. CLEAVER. Speaker, before you is a picture, a contemporary picture of the World War I monument in Kansas City, Missouri, the tallest and most majestic of the World War I monuments. Today, we are here in an unprecedented show of bipartisanship on this amendment, the World War I Memorial Act. This is the product of both sides of the aisle working together to do what is right to honor the memory of veterans who served long ago.

I especially want to thank Congressmen TED POE, Representative ELEANOR HOLMES NORTON, the National Park Service, and the entire Missouri delegation for their work on this amendment.

Mr. MCKEON. Mr. Chairman, at this time, I yield 2 minutes to the gentleman from Florida (Mr. MICA) for the purpose of a colloquy.

Mr. MICA. I want to thank you, Chairman MCKEON, Ranking Member SMITH, and the Armed Services Committee staff for your fine efforts in bringing this important measure to the floor for our military.

I also want to take a moment, and this opportunity, to highlight the importance of modeling and simulation and the role it plays in maintaining our military readiness while being, of course, most cost effective.

Last year, in fact, in the National Defense Authorization Act, we put in language, report language, that highlighted modeling and simulation as a cost-effective tool in maintaining a high level of readiness for our military. In response, our armed services have followed suit in utilizing modeling and simulation effectively and continue to do so in current and future programs.

While that report language does not appear in this bill, it is important that our military continue utilizing this most cost-effective tool for manpower training.

As our Nation faces future threats, it is also critical that we are able to meet those threats with a force that is more capable and more ready for the challenge. Modeling and simulation enables our Nation's fighting men and women to do so, while decreasing costs during a time of budget uncertainty.

Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. MCKEON).

Mr. MCKEON. Will the gentleman yield?

Mr. MICA. I yield to the gentleman from California.
Mr. MCKEON. I want to assure my good friend from Florida that I look forward to working with you to ensure that modeling and simulation remains an essential part in maintaining our military readiness.

Mr. MICA. Thank you, Mr. Chairman. Mr. Smith and staff. I look forward to working with the committee and you and others ensuring that modeling and simulation remains being utilized as a cost-effective tool for our military readiness.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentlelady from California (Ms. Speier).

Ms. SPEIER. Thank you to the ranking member and to Chairman Mckeon for this opportunity.

Mr. Chairman, I just want to highlight three amendments that have been accepted en bloc. One is the public release of substantiated reports of misconduct. These reports that show substantiated misconduct by the highest-ranking officials in the Department of Defense are only released when there is a leak or there are tips to reporters. It is incumbent upon us to make sure that the public knows when the Department’s highest level officials commit misconduct. These reports that show substantiated misconduct should not depend on leaks for accountability.

The second amendment is a significant amendment for women-owned businesses in this country. For 20 years now, we have set a governmentwide goal of 5 percent. For 20 years, we have not met that 5 percent. This particular amendment takes away the extra obstacle that is imposed on women-owned businesses and not on others when sole-source contracting is provided.

The third amendment provides for breast cancer research. The Interagency Breast Cancer and Environmental Research Coordinating Committee has recommended prioritizing prevention and intensifying the study of chemical and physical factors. This amendment urges that implementation.

A 2009 study at Walter Reed Medical Center found that breast cancer rates among military women are significantly higher—in fact, 20 to 40 percent higher—than they are in women in similar age groups. This is also a problem at Camp Lejune, where we found that 85 men also were impacted by breast cancer because of contaminated drinking water.

Mr. MCKEON. Mr. Chairman, at this time, I yield 2 minutes to the gentlewoman from North Carolina for the purpose of a colloquy.

Mrs. ELLMERS. Mr. Chairman, I thank the gentleman for yielding time as well.

Mr. Chairman, I want to thank Chairman Mckeon for allowing me to come before you today to speak on the necessity of preserving Pope Airfield’s 440th Airlift Wing.

I introduce this amendment because of the incredible support the 440th Airlift Wing provides to our military and the necessity of its mission in maintaining readiness. The Department of Defense repeatedly says that they need flexibility, certainty, and time to complete their missions and maintain readiness. The 440th provides all of these, yet the Pentagon is attempting to deactivate the Pentagon that provides these three crucial elements.

Fort Bragg is home to the airborne and special operations forces. The proposal to remove every C-130 from this base contradicts its important mission. And even our President, Mr. Chairman, noted that we will be shifting more of our focus to special operations.

I thank the chairman for his continued support to address this ongoing issue and look forward to working with the committee to address this very important issue.

Mr. MCKEON. I thank the gentlelady for her passionate and well-articulated arguments supporting the 440th Airlift Wing which provides airlift to our Nation’s paratroopers, including the storied 82nd Airborne. The 1,200 men and women who comprise the 440th Airlift Wing do an incredible job each and every day providing the airlift necessary to do their complex and challenging missions.

This provision highlights the difficulty we face as the top line budget has decreased and sequestration remains the law of the land.

We have been forced to make choices as we consider the defense bill that will come from this committee and we have attempted to balance competing interests and minimize risk to the greatest extent possible.

That being said, the budget simply doesn’t provide sufficient funding to meet the requirements identified in our Nation’s defense strategy. I will continue to work with Representative ELLMERS and others to preserve assets like the 440th Airlift Wing, and most critically, on the true cost of our problem, sequestration.

Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Washington. I now yield 1 minute to the gentlelady from Texas (Ms. Jackson Lee) to talk about her very important amendment dealing with Boko Haram, as we all know, a significant problem that needs to be addressed.

Ms. JACKSON LEE. I thank the distinguished ranking member and the gentleman for their courtesies and as well my fellow cosponsors of this amendment, Congresswoman BARBARA LEE from California and Congresswoman FREDERICA WILSON from Florida.

This is a crisis. A couple of weeks ago, as you well know, across America we were stating these words, to find the girls, bring the girls back, #bringthegirlsback. Now we come some weeks later and we recognize that Boko Haram has to be a priority for the world.

This amendment causes this issue to be a priority listed in the Defense Department to determine the extent of the crimes against humanity committed by Boko Haram in Nigeria. But as you can see, this is a larger issue, and now we face the idea of where these girls might be. So, in essence, this amendment expands the opportunity for the United States to work with clean battalions and Rangers that we know are established in Nigeria but also other resources around to rescue the girls but to also deal with the emerging terrorism of Boko Haram.

This is a crucial issue, and if anyone knows many of the stories, one that I know of is where a little girl was placed between two dead bodies.

The Acting Chair. The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield the gentlelady an additional 30 seconds.

Ms. JACKSON LEE. A little girl that I met today tells her story all the way from Nigeria, where her father was killed refusing to deny his faith, the brother was killed because they thought he might become a pastor, and the little girl was placed between the two bodies.

The killing is going on, 300, 118—this amendment will focus our Nation and allow and continue the resources to collaborate with Nigeria and these other nations to bring the girls back to their families.

It is a crisis. It is a crisis for the United States as it is for this entire region because Boko Haram is a terrorist group, and they must be brought to justice. The girls must be found. My amendment establishes that priority today, and I ask my colleagues to support it.

I thank Chairman Mckeon and Ranking Member Smith for their work on this bill and their devotion to the men and women of the Armed Forces.

I also thank them for including in En Bloc Amendment No. 1 the Jackson Lee-Wilson-Lee Amendment, which makes three important contributions to the bill:

1. First, it strongly condemns the ongoing violence and the systematic human rights violations against the people of Nigeria carried out by the militant organization Boko Haram, especially the kidnapping of the more than 200 young schoolgirls kidnapped from the Chibok School by Boko Haram;

2. Second, it expresses support for the people of Nigeria who wish to live in a peaceful, economically prosperous, and democratic Nigeria; and

3. Third, it requires that not later than 90 days after the date of the enactment, the Secretary of Defense submit a report to Congress on the nature and extent of the crimes against humanity committed by Boko Haram in Nigeria.

This is about religious oppression and killing innocent women, men, and children. Since 2013, more than 4,500 men, women, and children have been slaughtered by Boko Haram. Boko Haram kills because of religion and holds little girls as slaves.

The victims include Christians, Muslims, journalists, health care providers, relief workers, and schoolchildren.

I am confident that the international community working with the African Union will assist

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the Government of Nigeria in bringing and end to Boko Haram’s reign of terror and ensuring that its crimes against humanity are documented so its leaders can be held accountable.

The Jackson Lee-Wilson-Lee Amendment affirms that the United States stands with the civilized world in solidarity with the people of Nigeria.

The Jackson Lee-Wilson-Lee Amendment affirms that the United States is fully committed to the fundamental principle that women and girls have the right to be free, to live without fear, and should not be forced to risk their lives to get the education they want and deserve.

The violent modern day slavery and killing must end. I thank the Chairman and Ranking Member for including this amendment in En Bloc Amendment #1 and all Members to support it.

CONGRESS OF THE UNITED STATES,

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CONGRESS OF THE UNITED STATES,
from Georgia (Mr. WESTMORELAND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WESTMORELAND. Mr. Chairman, I rise today to offer my amendment to ensure that the C-17 aircraft stays in flight and provides our troops with the same reliability it has provided for the last 20 years.

Tonight, I join my friend, Mr. COURTNEY of Connecticut, in offering this amendment. We want to ensure that this program is sustained and will continue in the best possible way, and right now, I seek a colloquy with the chairman of the Armed Services Committee, the gentleman from California. Mr. Chairman, the F-117 engine is a history of successful performance through a performance-based contract, and I believe that it is important that we keep these successful tenets available as we move forward in the next phase of the contract.

While I support cost visibility in this performance-based contract, I believe it is important that we do no harm to the success of the program.

Mr. Chairman, I yield to the gentleman from Georgia.

Mr. WESTMORELAND. I yield to the chairman of the Armed Services Committee.

Mr. MCKEON. Mr. Chairman, I thank the gentleman, and I appreciate the gentleman’s concern. We agree that we must ensure the successful sustainment of this critical engine. I look forward to working with the gentleman as we move forward to consider amendments to the bill on this point to ensure that we achieve both improved visibility and cost-efficiency for the government, as well as keeping a successful model for engine sustainment.

Mr. WESTMORELAND. I thank the chairman for that.

Mr. SHIMKUS. Mr. Chair, I rise in support of the Westmoreland amendment to the fiscal year 2015 National Defense Authorization Act. It strikes section 341 which would negatively impact the venerable and highly effective F117 engine that powers the C-17 aircraft. The existing language requires disclosure of proprietary information which would hamper contract negotiations, having the potential of posing a detrimental impact to the readiness of the fleet.

Today, F117 engines are sustained through an award-winning performance-based logistics contract that minimizes life cycle costs with fixed fees based on flight cycles. This contract type requires comprehensive understanding and investment by the service provider along with the engineering design expertise to develop and implement improvements in response to actual mission experience. It is vital that practical means of providing for the defense of this country and the protection of our warfighters, including the appropriate use of competition and any other contracting method.

In fact, the Air Force has already taken steps to ensure these outcomes are achieved on the C-17 sustainment contract. Just last year, the Air Force held a competitive bidding process for the F117 and there was only one bidder. Under the current structure, the F117 service provider is incentivized to reduce total maintenance cost by improving reliability, increasing time on wing, and controlling shop visit cost. All of these factors have been good for the Air Force by minimizing operational disruption and reducing maintenance crew requirements and logistics infrastructure.

Section 341 of this bill jeopardizes the efficiencies and success the F117 performance-based logistics contract has achieved. This language could be interpreted as requiring the Air Force to significantly change contract structure for maintenance requesting a robust price reasonableness assessment as is already required by procurement regulations. Changes in the F117 maintenance structure could be less effective in supporting the C-17 and may result in higher costs and lower readiness. For these reasons, I urge my colleagues to support this amendment.

Mr. WESTMORELAND. Mr. Chairman, I now ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Pursuant to a previous order of the House, the Clerk will designate the amendment. The text of the amendment is as follows:

Page 370, after line 23, insert the following:

SEC. 1082. NTIA RETENTION OF DNS RESPONSIBILITIES PENDING GAO REPORT.

(a) RETENTION OF RESPONSIBILITIES.—Until the Comptroller General of the United States submits the report required by subsection (b), the Assistant Secretary of Commerce for Communications and Information may not relinquish or agree to any proposal relating to the relinquishment of the responsibility of the National Telecommunications and Information Administration (in this section referred to as ‘‘NTIA’’) over Internet domain name system functions, including responsibility with respect to the authoritative root zone file, the Internet Assigned Numbers Authority functions, and related root zone management functions; and

(b) REPORT.—Not later than 1 year after the date on which the NTIA receives a proposal requiring the NTIA to relinquish or agree to any proposal relating to the relinquishment of the responsibility of the NTIA over Internet domain name system functions that was developed in a process convened by the Internet Corporation for Assigned Names and Numbers at the request of the NTIA, the Comptroller General of the United States shall submit to Congress a report on the role of the NTIA with respect to the Internet domain name system. Such report shall include—
is the harm, Mr. Chairman, in taking this slow, deliberate process and making sure that we get this right? I urge my colleagues to support this amendment.

I yield 1 minute to the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. Mr. Chairman, I thank the gentleman from Illinois and the gentlelady from Tennessee for allowing me to help write this important amendment.

The President’s unilateral handoff of key Internet functions to a multistakeholder community, without the consent of Congress, lacks a clear plan for how and what that community would look like and what authority it would have.

Now, we can debate later about whether Congress would actually ever give such consent, but for now, we are offering this amendment because Americans deserve to know that due diligence has occurred and that a clear plan—now matters.

America has proven, throughout history, that we are the vanguards of freedom, and we have an obligation to protect the Internet. The Internet is an unsurpassed vehicle for the free exchange of ideas; it is more than just freedom. It is also about American interests.

The Internet is the single greatest economic machine created in the last 50 years—and perhaps ever—and its full potential to be realized. America’s role in its success is a shining example of our American exceptionalism.

It is not in our national interest to relinquish control of such a resource, especially without a clear path that will protect Internet freedom and American interests, but against the interest of individuals in the world who can’t appreciate such freedom and the blessing, really, that this technology is.

So pass this amendment, I urge my colleagues, so we can give this issue the due diligence it deserves. The self-proclaimed “most transparent administration ever” should want nothing less when it comes to this important issue.

Mr. WELCH. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Vermont is recognized for 5 minutes.

Mr. WELCH. Mr. Chairman, I rise in strong opposition to the Shimkus amendment. The amendment is identical to H.R. 4342, the DOTCOM Act of 2014. It would arbitrarily delay the transition of the United States’ role in the management of the global Internet domain name system to the multistakeholder community.

It really does represent a very drastic departure from the support Members of this body have expressed for the multistakeholder model of Internet governance. In fact, despite the House of Representatives already voting unanimously three times in the past 2 years calling on the Obama administration to commit to a global Internet free from government control, the Shimkus amendment sends the exact opposite message by raising doubts about the strength and credibility of the multistakeholder approach.

NTIA’s recent transition announcement is the culmination of years of effort to move management of the domain name system away from governments and into the private sector.

This objective has been the linchpin of U.S. policy, bipartisan through the Clinton, Bush, and Obama administrations, and the entire rationale for having ICANN, a private U.S.-based nonprofit organization created in 1998 to assume key responsibilities for Internet functions on behalf of the Internet’s multistakeholder community.

Some of my colleagues raise the specter of Russia or China taking over the Internet as a reason for supporting this amendment. These threats against Internet openness are real, but claiming this amendment does anything to address this situation.

In fact, by creating an artificial delay in the implementation of the consensus transition plan produced by ICANN, the Shimkus amendment suggests governmental meddling in the multistakeholder process is entirely appropriate.

The reverse is true. Authoritarian regimes are already using the U.S. Government’s stewardship of technical Internet functions as evidence for a need to involve the kind of governmental role actually is or a lack of confidence in the multistakeholder model and its ability to resist governmental control. Both serve to weaken our role in the global stage, not strengthen it.

The best defense we have against a governmental takeover of the domain system is to empower our allies in the multistakeholder community. Our diplomats, who have fought hard to preserve an Internet free from governmental control in global forums, tell us that having this transition is a critical continuation of our efforts to build upon the success of the multistakeholder model.

Now is the time to continue our unwavering support of that model. I strongly urge my colleagues to oppose the Shimkus amendment.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Let me just say, as I try to wait for a few more colleagues, I would ask my colleagues to define multistakeholder. They can’t. The Internet community says it is us. The international community, the Russians and the Chinas say it is us.

So all we are asking is for a Government Accountability Office, the IG, nonpartisan, to whatever the agreement comes from NTIA, to say look at it. Do some due diligence. Make sure that this is in our national interest.

But the most curious debate I have ever seen. Go slow. ICANN and NTIA say they want to go slow. What is the harm of having additional eyes on this process?

So the real debate is define multistakeholder. No one can do that because they don’t know what that is.

The Internet community says it is us, and we are going to have control, and all our net folks are going to drive this, and it is going to be okay. While our friends—or not friends—Vladimir Putin and China say: this is a way in.

I would rather make sure that, when we relinquish this, we know what the agreement actually is.

I reserve the balance of my time.

Mr. WELCH. Mr. Chairman, I thank the gentleman from Illinois.

You know, we are pretty proud of the Internet. We want it free and nongovernmental control. Multistakeholder basically means all of the stakeholders who have a stake in the Internet are going to be at the table having discussions about how we are going to resolve this situation.

There is an apprehension that I don’t think is well-founded that is reflected in this amendment. It is really, essentially, about delaying the process of this ongoing negotiation that has to occur in a very complicated global system which is called the Internet.

So the House has voted on this three times before. It has indicated its support through the Clinton, the Bush, and the Obama administrations. Every one of those Presidents, I think, shares the concern that every one of us in this House have about maintaining a free and open Internet. We have got to get on with the job.

Our view is that the Shimkus amendment would create confusion and delay and impede our ability to get to an end result that will make the Internet more secure, more open.

I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chairman, the Shimkus amendment would require the Government Accountability Office to look at this agreement, to make sure it is in our national interest.

The Shimkus amendment would ask the Government Accountability Office to look at this agreement to ensure that it is in our national interest. That is what this amendment is about.

The world has significantly changed since our vote of last year, and for anyone to say that it has not is not reading the paper. You have got Russia, you have got China, you have got Iran, you have got Turkey—all making a move to usurp and get involved in the World Wide Web. We should not relinquish this unless it is in our national interest.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. SHIMKUS).
The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. WELCH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 113–460.

It is now in order to consider amendment No. 8 printed in part A of House Report 113–460.

It is now in order to consider amendment No. 9 printed in part A of House Report 113–460.

AMENDMENT NO. 10 OFFERED BY MR. SMITH OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part A of House Report 113–460.

Mr. SMITH of Washington. Mr. Chair, I offer the amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 1032 and 1033 and insert the following:

SEC. 1032. GUANTANAMO BAY DETENTION FACILITY CLOSURE ACT OF 2014.

(a) Short Title.—This section may be cited as the “Guantanamo Bay Detention Facility Closure Act of 2014”.

(b) USE OF FUNDS.—Notwithstanding any other provision of law, amounts authorized to be appropriated by this Act or otherwise made available to the Department of Defense may be used to—

(1) construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment; and

(2) transfer, or assist in the transfer, to or within the United States, its territories, or possessions of any individual detained at Guantanamo;

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

(1) notice of the proposed transfer; and

(2) the assessment of the Secretary of Defense and the intelligence community under the meaning given such term section 3(4) of the National Security Act of 1947 (50 U.S.C. 403d), and any other sources available to the Department of Defense to determine—

(a) whether the transfer would enhance the safety of the United States or its citizens or nationals; and

(b) whether the transfer is consistent with the national interest of the United States;

(d) PROHIBITION ON USE OF FUNDS.—No amounts authorized to be appropriated by this Act or otherwise made available to the Department of Defense may be used after December 31, 2016, for the detention facility or detention operations at United States Naval Station, Guantanamo Bay, Cuba.

(e) PERIODIC REVIEW BOARDS.—The Secretary of Defense shall ensure that each periodic review board established pursuant to Executive Order No. 13567 or section 1023 of the NDAA for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1564; 10 U.S.C. 801 note) is completed by not later than 60 days after the date of the enactment of this Act.

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

(i) The steps to transfer individuals detained at Guantanamo who have been identified for continued detention or prosecution.

(ii) The individuals detained at Guantanamo whom the President seeks to transfer to overseas locations, the overseas locations to which the President seeks to transfer such individuals, and the conditions under which the President would transfer such individuals to such locations.

(iii) The proposal of the President for the treatment and detention of individuals captured overseas in the future who are suspected of being terrorists.

(iv) The proposal of the President regarding the disposition of the individuals detained at the detention facility at Parwan, Afghanistan, who have been identified as enduring security threats to the United States.

(v) For any location in the United States to which the President seeks to transfer such an individual or an individual detained at Guantanamo, estimates of each of the following:

(A) The costs of constructing infrastructure to support detention operations or prosecution at such location.

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

(C) The costs of military personnel, civilian personnel, and contractors associated with the detention operations or prosecution at such location, including any costs likely to be incurred by other Federal departments or agencies or State or local governments.

(D) Any other costs associated with supporting the detention operations or prosecution at such location.

(vi) The estimated security costs associated with trying such individuals in courts established under Article III of the Constitution or in military commissions conducted in the United States, including the costs of military personnel, civilian personnel, and contractors associated with representation of such an individual, including any costs likely to be incurred by other Federal departments or agencies or State or local governments.

(vii) A plan by the Attorney General, in consultation with the Secretary of Defense, the Secretary of State, the Director of National Intelligence, and the heads of other relevant departments and agencies, identifying a disposition, other than continued detention at United States Naval Station, Guantanamo Bay, Cuba, for each individual detained at Guantanamo as of the date of the enactment of this Act, who is designated for continued detention or prosecution.

(viii) A plan by the Attorney General, in consultation with the Secretary of Defense, the Secretary of State, the Director of National Intelligence, and the heads of other relevant departments and agencies, identifying a disposition, other than continued detention at United States Naval Station, Guantanamo Bay, Cuba, for each individual detained at Guantanamo as of the date of the enactment of this Act, who is designated for continued detention or prosecution.

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

(i) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(ii) has been determined by the Secretary of Defense, the Attorney General, or the Commandant of the United States Naval Academy to be an individual detained at Guantanamo Bay.

(h) FUNDING.—

(1) REDUCTION.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4961 for military construction, Army, as specified in the corresponding funding table in section 4601, for a high value determinate facility at Guantanamo Bay is hereby reduced by $69,000,000.

(2) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4961 for military construction, Defense-wide, as specified in the corresponding funding table in section 4601, for planning and design for the Missile Defense Agency is hereby increased by $19,000,000.

(3) REDUCTION OF GENERAL REDUCTIONS.—Notwithstanding the amounts set forth in the funding tables in division D, the amount specified in section 4961 for General Reductions, as specified in the corresponding funding table in section 4601, is hereby reduced by $49,000,000.

(4) REDUCTION IN AMOUNT FOR GUANTANAMO BAY.—In the item relating to Guantanamo Bay in the table in section 2101(b), strike “$2,760,000” and insert “$2,700,000”.

Mr. SMITH of Washington. Mr. Chair, this is the amendment that will enable us to eventually close the Guantanamo Bay prison. There are several compelling reasons to do this.

First of all, we have reached a point where we are now spending $2.7 million per inmate at Guantanamo Bay. To contrast that, an inmate at a supermax Federal prison facility here in the U.S. costs roughly $78,000 a year. This is only going to become more expensive as the temporary facility at Guantanamo Bay is forced to last longer and longer. So the cost alone is reason, I believe, to close it.

Also, we have the larger issue. President George W. Bush wanted to close Guantanamo Bay, as did Secretary Gates, as did Senator MCCAIN. Many very conservative Republicans came out in favor of closing Guantanamo back in 2008. Why? Because the military told them that it was harming our ability to effectively fight al Qaeda and affiliated forces, that the presence of Guantanamo Bay was recognized as an international eyesore that undermined U.S. credibility with our allies abroad and it proved to be a great fit.

There is no need for Guantanamo. So argument number one is all of the problems with it.

Argument number two is that there is no need for it, because what we could do instead would be—154 inmates who are in Guantanamo Bay, first of all, some number of them, I think it is roughly half, have been deemed not to be a threat to the United States. We just don’t have anyplace to send them. So we can do foreign transfers, which we are beginning to work on. The rest of them that are a threat can be housed in supermax facilities in the United States of America.
Now, we constantly hear the argument that we can’t bring terrorists to the United States. The way that argument is stated, it is like we are bringing them here and setting them free. We are not. We are going to lock them up and hold them. In fact, there was a recent memo from the Department of Justice that clear those inmates would not be freed in the United States under any set of circumstances.

In addition to that, we have the ability in the United States of America to hold accused people. I will submit to you that if we didn’t have that ability, we would be in a whole lot of trouble regardless of the people at Guantanamo Bay.

We currently house over 300 terrorists here in the United States, including Ramzi Yousef, The Blind Sheikh, and a number of others. We have been able to successfully hold terrorists in the United States. We also hold mass murderers and gang leaders and mobsters. We have been able to safely hold these people in the United States of America. So there is no downside to doing this.

The upside is to finally do what President George W. Bush recognized back in 2007 and 2008 that we needed to do, to Guantanamo Bay because of the international perception that it goes against our values and because of the very fact that it does go against our values to have people locked away in a prison that was originally set up to house people that somehow would be able to avoid habeas corpus. Well, the Supreme Court said no. Guantanamo Bay is effectively under U.S. control, so habeas corpus applies anyway, so same amount of rights, same everything. It is simply an international eyesore that we keep open for no good reason.

This bill has prohibitions on closing it. My amendment would put in place a plan to close Guantanamo Bay by the end of 2016 and enable the steps necessary to do that. With that, I reserve the balance of my time.

Mr. WENSTRUP. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. WENSTRUP. I yield myself 2 minutes at this time.

Mr. Chair, I rise in strong opposition to this amendment. The Guantanamo facility is the most appropriate location for detainees to be held. Detainees at Guantanamo are held there because they were engaged in dangerous acts threatening the United States and its allies. Some orchestrated and celebrated the murders of thousands of innocent Americans.

As in previous conflicts, it is entirely appropriate to hold detainees until enemy forces are defeated. In this case, it is al Qaeda and their associates.

The Guantanamo facility is ideal for this purpose. It is secure. It is relatively distant from the United States. It is difficult to attack. I can promise you that the Cubans have no interest in freeing the prisoners there, but there are people in this world that want to do that. We saw it at Abu Ghraib last year where many members of al Qaeda were freed. That prison was attacked, and they were freed.

So the Guantanamo facility is ideal for this purpose. It is secure and it is safe. It also provides humane conditions for the detainees. They have access to health care, recreational activities, and educational materials.

Members of the House of Representatives routinely visit Guantanamo, and they have seen the humane conditions in which dangerous detainees are held.

Based upon these facts and the nature of the character of those held at Guantanamo, the cost already incurred in accommodating them, there is no reason to move the Guantanamo detainees to facilities in the United States.

At this time, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, may I inquire as to how much time is remaining on each side?

The Acting CHAIR. There is no time remaining.

Mr. SMITH of Washington. The gentleman from Washington has 1½ minutes remaining. The gentleman from Ohio has 3½ minutes remaining.

Mr. SMITH of Washington. I reserve the balance of my time.

Mr. WENSTRUP. Mr. Chair, I yield 1 minute to the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Chair, I thank the gentleman from Ohio, and I want to also thank the chairman, the gentleman from California, for his leadership in bringing the NDAA bill to the floor. Again, I want to salute Chairman McKEON on the tremendous work that he has displayed here and all that he has done in support of the men and women in uniform of our country. So I do rise today, Mr. Chairman, in support of the National Defense Authorization Act for Fiscal Year 2015.

Mr. Chairman, regretfully, events of the past year have demonstrated that the forces that threaten America’s national security, the stability of our allies, and seek to subject millions to a tyranny that violates the most basic of human rights are on the rise.

A desperate dictator in Syria has used chemical weapons, a strong man in Venezuela is consolidating power, and Iran is inching closer to nuclear weapons and funding terrorism. North Korea continues to threaten America and our Pacific allies, and Russia recently invaded Ukraine. Now is not the time for the United States to recede from the global arena. Now is the time to lead and to project the strength that has protected America’s interests for over half a century.

An America that leads is an America with military power that cannot be matched, because at all times we must be prepared to meet and confront challenges so that our homeland is protected, our allies are defended, and our enemies are defeated. On a congressional delegation I led to Asia last month, I saw firsthand just how important it is for America to be engaged on the world stage. While in Japan, we toured the aircraft carrier USS George Washington. While aboard the ship, we met with its crew and heard directly from its Naval commanders that the U.S. needs to have a constant carrier presence in the region. This provides our families with much-needed security and stability to a region that is threatened by a madman in North Korea and has seen China become more provocative and aggressive with its neighbors, particularly in the South China Sea.

The presence of our aircraft carrier is a vital part of guaranteeing that security which, in turn, guarantees America’s security. One of the admirals even stated: “In the world we are going to be operating in, we simply must have a constant presence to maintain, repel, and contain.”

In hundreds of other ways, today’s bill will provide our military with the resources it needs to remain the greatest fighting force in the world and keep America as a leader on the world stage. Since the time of George Washington, every President has been a leader in contributing to our Nation’s security. In addition to the thousands of Virginians who wear the uniform and those members of the military stationed in Virginia, tens of thousands of Virginians work in industries directly tied to supporting our Armed Forces and our national defense. I am pleased that this bill recognizes their efforts.

So today, let us stand together, pass this bill in a bipartisan fashion, and show the world that we are committed to being an America that leads.

Again, I want to thank the gentleman from California, Chairman Buck McKEON, for all of his hard work on this issue, along with his members of the Armed Services Committee. I urge my colleagues in the House to support this important bill.

Mr. SMITH of Washington. I yield 1 minute to the gentleman from New York, Mr. NADLER.

Mr. NADLER. Mr. Chairman, we are told in opposition to this amendment that terrorists have no constitutional rights. That is like saying rapists or murderers have no constitutional rights. But accused rapists and accused murderers do have rights until it is proven that they are guilty, and then their rights are taken away from them. The same must be true of accused terrorists.

For over 800 years since Magna Carta, we have denied the government the power to imprison and punish people on mere accusation. That is tyranny. The government’s labeling someone a terrorist...
doesn't make him one. The government must prove the accusation in court. That was always a bedrock American value until we opened Guantanamo. Now we imprison people indefinitely without trial. This must stop.

Guantanamo should be closed, and its inmates should be tried or released. Our Federal courts work. They have repeatedly tried, convicted, and sentenced terrorists to long prison terms. Prosecuting and imprisoning terrorists on U.S. soil has proven to be safer, less expensive, and less harmful to our national security.

I urge my colleagues to support our amendment to close the detention facility at Guantanamo Bay, end indefinite detention, and restore our national honor.

Mr. WENSTRUP. I yield 1 minute to the gentlewoman from Indiana (Mrs. WALORSKI).

Mrs. WALORSKI. Mr. Chairman, I rise to oppose the amendment as well. Transferring detainees to our home-land would require expensive new construction or renovation of existing facilities in the U.S. Current facilities at Gitmo already accommodate the detainees, their guards, all associated medical, recreational, and legal needs. Estimates for constructing or renovating similar facilities in the U.S. have ranged from $300 million to $500 million.

Meanwhile, the dangers are also clear. Moving detainees to the U.S. would allow the facility housing them to a terrorist target. For example, in 2010, New York City estimated it would cost $200 million a year to provide security when it was proposed some Gitmo detainees be moved to New York for trial.

In conclusion, there are no advantages of moving detainees to the U.S.; there are clear disadvantages.

I urge my colleagues to oppose this amendment.

Mr. SMITH of Washington. Mr. Chair, how much time is left in the debate on both sides?

The Acting CHAIR. The gentleman from Washington has 30 seconds remaining. The gentleman from Ohio has the right to close.

Mr. SMITH of Washington. I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Chair, Guantanamo is a rallying cry for extremists around the world. Until we transfer and try these detainees, it is hurting our national security, and Gitmo is expensive. We are spending about $2.7 million per detainee per year at Guantanamo compared to $34,000 per inmate at a high security prison in the United States. In fact, the Pentagon is going to spend $430 million this year in operations and personnel costs for this facility.

The reality is we have 300 individuals convicted of crimes related to international terrorism that are currently incarcerated in 98 Federal prisons with no escapes or attacks in attempts to free them.

When the Authorization for Use of Military Force in Afghanistan expires, we have no plans. What are we going to do with these prisoners of war? The Smith amendment should be passed.

The Acting CHAIR. The time of the gentleman has expired.

Mr. WENSTRUP. Mr. Chairman, at this time, I yield 1 minute to the gentleman from Texas (Mr. THORNBERY).

Mr. THORNBERY. Mr. Chairman, if the gentleman's amendment merely required the President to come up with a plan that Congress and the American people could look at on exactly what he would do and how he would do it to close Guantanamo, including what the costs would be, where he would move them, what the cost of security wherever he would move them would be, I might support that. The truth of the matter is in all the time since the President has been in office, he has not come up with a specific plan that has gotten the support of the American people or this Congress. Even when Democrats controlled both Houses of Congress, we were not able to pass any legislation to close Guantarno.

So if he can put a plan together that gets the support of the Congress, support of the American people, I think that may be a step forward. But to say we are going to close it and, oh, by the way, along the way you can tell us what you are doing and how you are doing it, that is putting the cart before the horse.

The President needs to get the support of the American people. So far he has not done that. The American people have been clear: they are uncomfortable with those detainees coming here. Therefore, it is premature to close it and this amendment should be rejected.

Mr. WENSTRUP. Mr. Chairman, I have heard Members from both sides of the aisle speak out against this very measure. They are against it. I might support that. But to say we are going to put these troops in the United States, pursuant to the Authorization for Use of Military Force, including what the costs would be, where he would move them, where he would do and how he would do it to close Guantanamo, including what the costs would be, where he would move them, what the cost of security wherever he would move them would be, I might support that.

Mr. SMITH of Washington. Mr. Chairman, I yield myself 2 minutes.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SMITH of Washington. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 294, after line 21, insert the following:

SEC. 1034. DISPOSITION OF DETAINED PERSONS DETAINED IN THE UNITED STATES PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE.

(a) SHORT TITLE.—This section may be cited as the "Due Process and Military Detention Amendments Act".

(b) DISPOSITION.—Section 1021 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-41; 125 Stat. 1562; 10 U.S.C. 1021) is amended—

(1) in subsection (c), by striking "The disposition" and inserting "Except as provided in subsection (g), the disposition"; and

(2) by adding at the end the following new subsections:

(1) Persons detained pursuant to the Authorization for Use of Military Force or the Fiscal Year 2012 National Defense Authorization Act may be transferred to the custody of the United States, pursuant to the Authorization for Use of Military Force or this Act, disposition under the law of war shall occur immediately upon the person coming into custody of the Federal Government, and shall only mean the immediate transfer of the person for trial and proceedings by a court established under Article III of the Constitution of the United States or by an appropriate State court. Such trial and proceedings shall have all the due process as provided for under the Constitution of the United States.

(2) Prohibition on transfer to military custody.—No person who is detained, captured, or arrested in the United States, or a territory or possession of the United States, pursuant to the Authorization for Use of Military Force or this Act, disposition under the law of war shall occur immediately upon the person coming into custody of the Federal Government and shall only mean the immediate transfer of the person for trial and proceedings by a court established under Article III of the Constitution of the United States or by an appropriate State court.

(c) REPEAL OF REQUIREMENT FOR MILITARY CUSTODY.—

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

(2) CONFORMING AMENDMENT.—Section 1229(b) of such Act is amended by striking "applies to" and all that follows through "any other person" and inserting "applies to any person".

The Acting CHAIR. Pursuant to House Resolution 590, the gentleman from Washington (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. SMITH of Washington. Mr. Chair, I yield myself 2 minutes.
This amendment would eliminate indefinite detention in the United States and its territories. So basically anybody who we captured who we suspected of terrorist activity would no longer be subject to indefinite detention, as is not currently the law.

The reason for this is our Constitution works, and we ought to value it and we ought to let the Constitution work. We have gone through article III courts to try, convict, and incarcerate terrorists successfully for decades. Yet, because we don’t have the books a law that would allow the President, any President now or in the future, to indefinitely detain any person in the United States if they determined that person is affiliated with al Qaeda or affiliated forces. If they are acting in support of those organizations, they would be subject to indefinite detention and would not be allowed to due process rights that are in our Constitution.

That is an enormous amount of power to give the Executive: to take someone and lock them up without due process. It is not necessary. This President has not used the authority. President George W. Bush did not use it after about 2002 and then only in a couple of instances. It is not necessary. It is an enormous amount of power to grant the Executive, and I believe places liberty and freedom at risk in this country.

We need to eliminate indefinite detention in the United States. This amendment would do that clearly and unequivocally, and I urge support.

I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. McKown), the distinguished chairman of the committee.

Mr. MCKOWN. Mr. Chairman, I thank the gentleman for yielding.

I have a great amount of respect for my colleague and friend, the ranking member, but I strongly oppose this amendment.

My friend talks a lot about how we shouldn’t limit the President’s options with regard to Guantanamo. I don’t think that we should be limiting our options in dealing with terrorists, and I can’t imagine anything more fundamentally to take away the option to question al Qaeda terrorists bent on killing American citizens in whatever is the most effective way possible, and consistent with the law, to stop future attacks.

In the fiscal year 2013 NDAA, we addressed any misconceptions about the detention authority provided by the Authorization for Use of Military Force. We included the following language in the conference report:

Nothing in the Authorization for Use of Military Force or the National Defense Authorization Act for Fiscal Year 2012 shall be construed to deny the availability of the writ of habeas corpus or to deny any constitutional rights in a court ordained or established by or under article III of the Constitution to any person inside the United States who was not entitled to the availability of such writ or to such rights in the absence of such laws.

The NDAA has changed nothing with regard to the laws of war, our values, or our Constitution. Our Supreme Court has agreed that appropriate detention and interrogation of al Qaeda terrorists is entirely lawful. It is false to imply that this is not the case or to something not in line with our values.

In fact, it has gone well beyond the traditional attachment of rights to our enemies and has extended the constitutional right of habeas corpus to foreign detainees held at Guantanamo Bay. This amendment would be the first time we self-imposed such a sweeping change to the conduct of war and our ability to gather intelligence.

Despite what any of us may want, al Qaeda hasn’t been defeated. Far from it. The threat is evolving, but unfortunately for all of us, it continues.

We must oppose this amendment and preserve every lawful option in our arsenal.

Mr. SMITH of Washington. Mr. Chairman, I yield myself 1 minute.

The language within the NDAA about preserving rights is very confusing. I think it is very clear that the President does have the power right now to indefinitely detain people. So arguing that rights are protected, they are not. Indefinite detention is the law of the land. The President has the power to do that. Habeas corpus is one right. It is not due process. This law currently allows for due process to be ignored and for the Executive to indefinitely detain people.

The other big problem with this is it goes on forever. We have at different points in our Nation’s history suspended habeas corpus—during the Civil War and other times of extreme danger. But in this case, al Qaeda and terrorism have been with us for a while. They are going to be with us for a long time to come in some form or another.

So to grant the President the power to indefinitely detain people is a long, long-term issue. Again, it is not necessary. Our article III courts have arrested, tried, convicted, and incarcerated hundreds of terrorists. It works.

We don’t need to give the President the power to throw out portions of the Constitution.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield myself the balance of my time.

Second. The Supreme Court has held that this right of detention goes hand-in-hand with an authorization for the use of force. I believe probably constitutionally the only way that authority when he has the authority to use military force. So trying to take it away not only limits the options, it is impractical in this case.

It is, of course, true that everybody has described that they want to keep habeas corpus to contest their detention in front of an article III court, as the gentleman said, even those foreigners held in Guantanamo. But to say that everybody immediately goes into the court system I think would be compromising our security.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment has previously been defeated in the House. Members have voted on it before, and I think it should be defeated again.

This is the underwears bomber case. A foreign terrorist flies into the U.S. in order to kill as many Americans as possible. The bomb malfunctions, the terrorist is captured, he is immediately given under the amendment American constitutional rights, including the right to remain silent.

Now, in fact, the underwears bomber was questioned for about 50 minutes before the FBI gave him his Miranda rights and he quit talking. But meanwhile, when he knows he has the right to remain silent, he quits talking, we have no idea how many more bombers there may be, or how we may be attacked again.

Actually, this amendment goes further than the Obama administration even wants to, because the administration has admitted that there are seven terrorists in Guantanamo that cannot be tried in article III courts and are too dangerous to release. So what happens to them under this amendment? If they can’t be tried, they are released.

Especially if you put this amendment with the previous amendment, they come here to the United States, they can’t be tried in article III courts because it reveals too much information, so what do you do with them? That is precisely the problem with this flexibility for indefinite detention.

Secondly, the Supreme Court has held that this right of detention goes hand-in-hand with an authorization for the use of force. I believe probably constitutionally the only way that authority when he has the authority to use military force. So trying to take it away not only limits the options, it is impractical in this case.

First of all, Guantanamo Bay would not apply in this case. None of the people being held at Guantanamo Bay were captured in the United States, so this would have nothing to do with that. That is a vexing and difficult question. This applies to people captured from this point forward in the United States. It would not apply to Guantanamo Bay inmates.

Second, I want to deal with this argument about intelligence. It is an argument that has been repeatedly made that does not make any sense. This notion that somehow under the normal judicial process, under the normal law enforcement model you cannot collect any intelligence. Well, that would be a surprise to the FBI. It would be a surprise to every law enforcement agency in the United States of America that has been giving suspects Miranda rights, investigating crimes, and gathering intelligence for decades. Just because you tell someone they have the right to remain silent doesn’t mean that they will, first of all.

Second of all, even if you don’t tell them, everybody is aware of the fact...
that they don’t have to talk. We have used Miranda successfully to gather intelligence in a variety of different ways repeatedly. You will not lose that ability if you go through article III courts using Miranda rights.

Again, I want to emphasize, the idea that when you capture a terrorist, it never occurs to them that they don’t have to give up information until you give them Miranda rights makes no sense whatsoever; number one.

Number two, over and over and over again in domestic law enforcement officials have been able to give Miranda rights and gather an enormous amount of intelligence. That is a red herring in this argument.

Again, we come back to what the law does. The law gives the President of the United States the power to indefinitely detain people without due process. The Republican Party is always talking about freedom from government intrusion. They are concerned about streamlining, they are concerned about all manner of different things. This is a law that gives the President the power to lock you up and take away your basic freedom without due process. It strikes me that nothing could be more fundamental to those basic freedoms from government intrusion that we always hear about from the other side of the aisle than this issue.

I urge Republicans and Democrats alike to support this amendment. Take away the President’s ability to lock people up indefinitely without due process. That is a gross, gross violation and an individual right that none of us in this country should stand for any longer.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, admittedly, there are some difficult issues involved in detention, particularly with this war against terrorism. But we have got to look at the bigger picture, and part of what one needs to look at is how one is going to deal with these situations. We just debated an amendment where the argument was close Guantanamo. Now we have an amendment on the other hand that says everybody that is here, including the people presumably that we would bring back from Guantanamo when it was closed, automatically and immediately goes to article III courts. But you have got to look at the bigger picture, and part of what one needs to look at is how one is going to deal with these situations. We just debated an amendment where the argument was close Guantanamo. Now we have an amendment on the other hand that says everybody that is here, including the people presumably that we would bring back from Guantanamo when it was closed, automatically and immediately goes to article III courts. That is what the administration tells us.

So how does this fit together?

It doesn’t, not without releasing very dangerous people out into society or into the world.

Secondly, when it is clear that you have greater rights when you come to the United States, rather than if you attack us from some other place, the incentive is to come to the United States because that is where you are given the greater rights. That is the perverse incentive under this amendment. It would be a mistake.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. SMITH). The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SMITH of Washington. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

AMENDMENT NO. 3 offered by Mr. HECK of WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part A of House Report 113-460.

Mr. HECK of Washington. Mr. Chairman, I have an amendment at the desk. The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

SEC. 1011. MILITARY COMMUNITY INFRASTRUCTURE PROGRAM.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this section, the Secretary shall establish a Military Community Infrastructure Program under which the Secretary may grant to eligible entities for transportation infrastructure improvement projects in military communities.

(b) AMOUNT.—To be eligible for a grant under the Program, an eligible entity shall submit to the Secretary an application at such time, in such form, and containing such information as the Secretary may require.

(c) ELIGIBLE PROJECTS.—

(1) IN GENERAL.—Grants awarded under the Program may be used for transportation infrastructure improvement projects, including—

(i) the construction of roads;

(ii) the construction of mass transit;

(iii) the construction of, or upgrades to, pedestrian access and bicycle access; and

(iv) upgrades to public transportation systems.

(2) LOCATION.—To be eligible for a grant under the Program, a project described in subparagraph (A) shall be—

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

(ii) in a location that is—

(I) within or abutting an urbanized area (as designated by the Bureau of the Census); and

(II) designated as a growth community by the Office of Economic Adjustment.

(d) CONSIDERATION.—In awarding grants under the Program, the Secretary shall give consideration to—

(A) the magnitude of the problem addressed by the project;

(B) the extent of the problem addressed by the project that is caused by military installation growth since the year 2000;

(C) the number of service members affected by the project;

(D) the size of the community affected by the project; and

(E) the ability of the relevant eligible entity to execute a viable project.

(f) The extent to which the project resolves the transportation problem addressed.
brandnew 10th Congressional District in Washington State, I have the privilege to represent Joint Base Lewis-McChord, which is the largest joint operating base in America. It is in the vicinity of Joint Base Lewis-McChord, Interstate 5, which is the most heavily traveled north-south freight corridor in our State. Nearly 80 percent of the traffic to and from JBLM relies on that interstate freeway. Local travelers in neighboring cities have absolutely no other option except to use I-5 as an arterial, and when incidents occur, trust me, it can take hours to recover.

Around the country, military installations like JBLM are still adapting to base realignment and short-term growth caused by troops passing through before being deployed. Installation growth has had a significant effect on regional transportation, particularly when an installation is located in urban area.

Even acknowledging the potential for drawdowns on military bases, those reductions would not nearly come close to alleviating the problem—not nearly. Surrounding roads play an important role in preserving military readiness. Our Armed Forces need to instantly deploy, and we need functional roads in order to do that. If military personnel are caught in a jam and if nobody moves, efficiency goes out the window. That is the domino effect of delays due to congestion, therefore, literally, impairs our national security. This leaves not only military activities on base stranded, but also commerce in the congested area, and when we don’t have a reliable roadway, economic activity halts. Goods don’t move, and companies can’t make money.

It is a cascading inaction, which affects our productivity and balance sheets, and it puts a strain on business owners.

To be clear, the military is not to blame for this. Bases have come up with innovative approaches to ease the pain, but the problem remains severe and unavoidable without more investment. It is a Band-Aid over a wound that needs stitches.

The only existing DOD program that provides funding for public highway improvements is the Defense Access Roads Program. However, the DAR Program is hampered by outdated and restrictive eligibility criteria and was deigned when bases were only expected to be located in relatively undeveloped areas, which is clearly no longer the case.

DAR needs to be replaced with a separate DOD program to fund the transit services necessary to meet military needs.

I know being stuck in traffic is not something unknown to most Americans, but are all too familiar with the horrible feeling of approaching an unexpected slow crawl on the road, but when this affects our military’s ability to get to base, to do the job, and to be ready for anything, that is when we can’t just sit and wait for it to get better. We can and should do more.

Mr. Chairman, I plan to withdraw my amendment, but I will soon introduce a bill that embodies its concept, entitled the “COMMUTE Act,” and it will address these issues.

I hope, beyond hope, that I can look forward to working with the members and my colleagues on the Armed Services Committee on this plan to meet this very important need.

Mr. SMITH of Washington. Will the gentleman yield?

Mr. HECK of Washington. I yield to the gentleman.

Mr. SMITH of Washington. Mr. Chairman, I just want to quickly agree with Congressman HECK.

I used to represent Joint Base Lewis-McChord. It is the worst traffic in the State of Washington. The base more than doubled over the course of 7 to 8 years. It is a significant quality of life issue for our men and women and their families who are serving on Joint Base Lewis-McChord, and I am sure this is a situation that is repeated around many bases across the country.

So I strongly support his efforts to try and do something. This is something that directly impacts our troops and their families. I thank him for his effort.

Mr. McKEON. Will the gentleman yield?

Mr. HECK of Washington. I yield to the gentleman from California.

Mr. McKEON. I, likewise, would be interested in working with you on this thing.

In southern California, I know a major highway runs right through Camp Pendleton, and there is a lot of traffic. With Congressman SMITH, I was able to visit Lewis-McChord, and I think you would find that a lot of people on both sides of the aisle would be willing to work with you on this bill. And I hope you can be successful.

Mr. HECK of Washington. Thank you, sir.

As is characteristic to both of you, thank you for your graciousness and for your positive remarks.

Mr. Chairman, let me just conclude by saying that there are some estimates that the Interstate 5 corridor around Joint Base Lewis-McChord—remember, I-5 extends from Canada to Tijuana—is the most congested chokepoint.

With that, Mr. Chairman, I withdraw my amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was none.

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part A of House Report 113–460.

AMENDMENT NO. 15 OFFERED BY MS. JENKINS

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part A of House Report 113–460.

Ms. JENKINS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title XI, add the following:

SEC. 1107. PROHIBITION ON CONVERTING THE PERFORMANCE OF CERTAIN FUNCTIONS FROM CONTRACTOR PERFORMANCE TO PERFORMANCE BY FEDERAL EMPLOYEES.

(a) Prohibitions.

(1) In general.—Nothing in subsection (a) of section 602 of the Act (Public Law 105–270; 31 U.S.C. 3101 note) shall apply to a function that is an inherently governmental function as that term is defined in section 5 of the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 31 U.S.C. 3101 note).

(b) Exceptions.—The prohibition in this section shall not apply to a function that is an inherently governmental function as that term is defined in section 5 of the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 31 U.S.C. 3101 note).

(c) Public-Private Competition Required.—Before any Federal department or agency may convert any function from performance by a civilian employee of the department or agency to contract performance, the department or agency shall conduct a public-private competition similar to a public-private competition conducted under Office of Management and Budget Circular A–76 that examines the cost of performance of the function by civilian employees and the cost of performance of the function by one or more contractors to demonstrate whether converting to performance by civilian employees will result in savings to the Government over the life cycle of the contract. Upon completion of the competition, the Federal department or agency shall select the option that is determined pursuant to the competition to result in the most savings to the Government.

The Acting CHAIR. Pursuant to House Resolution 590, the gentlewoman from Kansas (Ms. JENKINS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Kansas.

Ms. JENKINS. Mr. Chairman, I yield myself such time as I may consume.

In 2008, Congress passed legislation to suspend public-private competitions at the DOD through the OMB Circular A–76. That moratorium remains in place today. In 2009, the OMB issued a memorandum which regulated the move to insourcing at the DOD.

Today, nearly half of the Federal Government owns and operates thousands of activities that are commercial in nature. These functions are not inherent or unique to government; rather, they can be found in small and Main Street businesses across the Nation.

Not only are these Federal agencies duplicating private business, but many engage in unfair government competition with the private sector.

Any amendment seeks to place a moratorium on the insourcing of previously contracted activities within the DOD. Exceptions would be made, number one, if the activity were inherently governmental and, thereby, should never have been contracted out in the first place, or, number two, if the DOD would employ a reverse A–76 to itemize specific costs saved to the taxpayer, should the DOD be able to...
perform the commercial activity more efficiently for the taxpayer.

According to the OMB, the act of conducting the A–76 competition alone can generate a savings of 10 to 40 percent on average. That is just the average degenerated from simply going through the process.

While the A–76 process is not perfect, it is the best opportunity we have for a cost comparison. As an accountant, I understand the importance of a cost comparison. This amendment is just the first step. Studies also show that utilizing the A–76 public-private cost comparisons can save up to $27 billion per year. Again, this is just by implementing the cost comparison tool.

In 2011, the Department of Defense completed a report in response to section 325 of the NDAA for fiscal year 2010, which concluded with two major recommendations to Congress, the first of which is to lift the suspension on A–76 competitions. This is the recommendation from the DOD.

This amendment will provide the DOD with the flexibility to use the private sector for commercial activities and save valuable taxpayer money. I encourage a “yes” vote on this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. LOEBSACK. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Iowa is recognized for 5 minutes.

Mr. LOEBSACK. Mr. Chairman, I yield myself such time as I may consume.

I rise this evening in strong opposition to this amendment.

Put simply, this amendment would cost taxpayers. It would not be in the best interests of our military readiness, and it is not supported by the Department of Defense. This amendment is extreme in its intention.

It overrides every other law on the books in terms of the management of the national workload by prohibiting the transfer of the workload from the private sector to the public sector.

For years now, Congress and the DOD have established statutes, regulations, and policies for determining the correct mix of the workforce between military contractor and civilian.

As the cochair of the Depot and Arsenal Caucus, I am deeply concerned that this amendment would put back into the private sector what we have retroactively eliminated from the private sector. That is simply going to undermine the defense workforce.

Mr. LOEBSACK. Mr. Chairman, at this time, I would like to yield 1 minute to the gentleman from Georgia (Mr. AUSTIN SCOTT).

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I also rise in opposition to the amendment of my colleague’s from Kansas.

Our military has three workforces. We have the uniformed, we have the civilian, and we have the contractor. All three are vital to the national security of this country. The defense workforce must be managed in what makes the most long-term sense for both the mission of national security and the taxpayer.

This amendment would prohibit the insourcing of contracted services, even though it would make sense for the taxpayer and would save money. By disrupting the Department of Defense’s management practice, this amendment would impair military readiness. The Department did not ask for this proposed change, and it is against this amendment.

I believe that this amendment is bad for the long-term security of the Nation, and I would ask that you oppose it.

Ms. JENKINS. Mr. Chairman, I continue to reserve the balance of my time.

Mr. LOEBSACK. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. Mr. Chairman, I have enormous respect for my friends from Kansas. We usually agree, but in this case, we don’t.

I represent Tinker Air Force Base, which has 15,000 Federal civilian defense employees, along with thousands of private employees, working in contract facilities on and around the base.

Usually, they work together, but sometimes, they compete for work. When they do, that work should go to whom ever can do the work better and cheaper.

This amendment overrides every other law in the book, in terms of managing the defense workload by prohibiting the transfer of the workload from the private sector to the public sector, even when the public sector can do it better and cheaper.

That, in my view, is inefficient, it is counterproductive, and ultimately it is unfair. We should allow the work to flow to those best able to complete it, and we should rely on the services to actually make the decisions in this regard.

So I urge the rejection of the amendment.

Ms. JENKINS. Mr. Chairman, opponents may argue that this is a burden to place on the DOD when they are seeking to insource, but I believe that ensuring taxpayer dollars are well spent and that taxpayers are getting the best value for their money is hardly a burden.

A formal, documented process which shows the cost savings will make sure that this is fair for the small businesses who depend on these contracts to thrive.

The American Legion approves of this proposed amendment. They stated: “The practice of converting functions and services that have been performed by contractors with government employees limits the amount of contracts that can go to the private sector to stimulate and grow the veteran small business industrial base. When the government takes a couple of positions away from a small business, they are essentially crippling the small business’ ability to succeed in the private sector. These practices primarily affect small businesses, as large contractors are rarely affected by insourcing policy because of their size and number of employees.”

Mr. Chairman, I reserve the balance of my time.

Mr. LOEBSACK. Mr. Chairman, I yield the balance of my time to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Chairman, this chart—for those with keen eyesight—kind of puts this in perspective.

The blue is what we spend on the civilian workforce. The green is what has been spent over the last decade on military personnel. The yellow is on contract services. And the white is the rest of it.

The premise of this amendment is that the blue is too big.

There are times when competition, especially on acquisition, is extremely helpful. There are times, however, where competition on sustainment or maintenance has a habit of unintentionally hurting our readiness, at least that was the result of the GAO study in 2010.

So the committee has wisely tried to strike a balance between those two modalities. I am sure that there is competition when it makes sense, all of which is defined in title X of our code, which demands a core workload be established.
by the military of what our needs are and what is most cost-effective.

Unfortunately, the first line of the amendment which says that “notwithstanding any other provision of law” simply turns all of that on its head. This takes precedence over the entire code. The presumption is on the reason DOD communicated the Defense Department does not want this amendment.

I yield back the balance of my time.

Ms. JENKINS. Mr. Chair, I understand that the TRSA, MAPPS, the Business Coalition for Fair Competition, and the American Conservative Union.

Mr. Chairman, I will submit their statements in support for the Record.

Submit statements in support of Jenkins Amendment #135.

Textile Rental Services Association (TRSA): In its 1996 examination of the issue, the Center for Naval Analyses likewise found benefits of competing work. The visibility and identification of alternate providers were beneficial aspects of the process identified by the Center. As a bottom line, the Center concludes determined the average savings resulted from this beneficial focus on competition, with savings persisting over time. A leaner, more efficient government is a worthy goal, and Rep. Jenkins (KS) Amendment #135 is a means to achieve this goal.

MAPPS: We have seen insourcing take place beyond ‘hierarchically governmental’ activities such as commercial activities like mapping and geospatial activities. The Jenkins Amendment is the fairest approach by helping protect opportunities for the private sector, including small business. Business Coalition for Fair Competition (BCFC): The Jenkins Amendment is the ‘yellow pages test’ personalized. This amendment 1) prevents the outright conversion of ‘commercial activities’ from private sector firms into DOD performance; 2) requires an official cost accounting be performed and documented to identify whether DOD performance is more cost effective than the private sector contractor; and 3) helps protect private enterprise sources of small business, from losing contracts taken away unfairly by the Federal government.

American Conservative Union (ACU): The Jenkins Amendment is essential to stopping the government goliath from gobbling up jobs that belong in the private sector. Rather than whinging our hands over slow growth and the lack of good paying jobs, we should start by protecting existing private sector jobs from further ‘insourcing’ by this Administration. This amendment will help do that.

Ms. JENKINS. In closing, my amendment supports the TRSA, MAPPS, the Business Coalition for Fair Competition, and the American Conservative Union.

Mr. Chairman, I will submit their statements in support for the Record.

Submit statements in support of Jenkins Amendment #135.

The Acting CHAIR. The Clerk will read the following statements in support of Jenkins Amendment #135 to H.R. 4435.

American Conservative Union: The Jenkins Amendment is the ‘yellow pages test’ personalized. This amendment prevents the outright conversion of ‘commercial activities’ from private sector firms into DOD performance; requires an official cost accounting be performed and documented to identify whether DOD performance is more cost effective than the private sector contractor; and helps protect private enterprise sources of small business, from losing contracts taken away unfairly by the Federal government.

Business Coalition for Fair Competition: The Jenkins Amendment is the ‘yellow pages test’ personalized. This amendment prevents the outright conversion of ‘commercial activities’ from private sector firms into DOD performance; requires an official cost accounting be performed and documented to identify whether DOD performance is more cost effective than the private sector contractor; and helps protect private enterprise sources of small business, from losing contracts taken away unfairly by the Federal government.

Textile Rental Services Association: In its 1996 examination of the issue, the Center for Naval Analyses likewise found benefits of competing work. The visibility and identification of alternate providers were beneficial aspects of the process identified by the Center. As a bottom line, the Center concludes determined the average savings resulted from this beneficial focus on competition, with savings persisting over time. A leaner, more efficient government is a worthy goal, and Rep. Jenkins (KS) Amendment #135 is a means to achieve this goal.

Mr. LAMBORN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

**SEC. 133. LIMITATION ON FUNDS FOR IMPLEMENTATION OF THE NEW START TREATY.**

(a) LIMITATION.—None of the funds appropriated or otherwise made available for fiscal year 2010 for the Department of Defense may be used for implement the New Strategic Arms Reduction Treaty (New START Treaty) until the Secretary of Defense, in consultation with the Secretary of State, certifies to the appropriate congressional committees that—

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

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

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

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

(5) there have been no inconsistencies by the Russian Federation with New START Treaty requirements.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

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


(c) EFFECTIVE DATE.—This section takes effect on the date of the enactment of this Act and applies with respect to funds described in subsection (a) that are obligated after such date of enactment.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Kansas will be postponed.

AMENDMENT NO. 17 OFFERED BY MR. LAMBORN

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in part A of the bill on page 113-450. Mr. LAMBORN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

**SEC. 133. LIMITATION ON FUNDS FOR IMPLEMENTATION OF THE NEW START TREATY.**

(a) LIMITATION.—None of the funds appropriated or otherwise made available for fiscal year 2010 for the Department of Defense may be used for implement the New Strategic Arms Reduction Treaty (New START Treaty) until the Secretary of Defense, in consultation with the Secretary of State, certifies to the appropriate congressional committees that—

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

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

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

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

(5) there have been no inconsistencies by the Russian Federation with New START Treaty requirements.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

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


(c) EFFECTIVE DATE.—This section takes effect on the date of the enactment of this Act and applies with respect to funds described in subsection (a) that are obligated after such date of enactment.
Is the Russian government trustworthy?

The answer is clearly no.

The question for us tonight under my amendment is whether it makes sense for us to spend money on reducing our nuclear deterrent when the other party to the New START Treaty is not trustworthy. If you trust Vladimir Putin and the Russian government, vote against this amendment. But if you, like me, don’t want to put our national security in the hands of a serial treaty violator, please vote for this amendment.

We should not be spending money implementing the New START Treaty, which reduces our nuclear forces, unless and until Russia makes it clear that they are a responsible actor and will abide by the agreements they make.

Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 15 minutes.

Mr. SMITH of Washington. Mr. Chairman, I yield myself 2 minutes.

First of all, on the trust issue, you wouldn’t have to negotiate with people that you trusted.

Unfortunately, regrettably, we have to negotiate with people all the time who are not entirely trustworthy. That is why Ronald Reagan always said, “Trust but verify,” which I think was wrong. Let’s verify. Trust is a very difficult thing.

Obviously, Russia has proven itself untrustworthy, but they have consistently reduced their nuclear weapons arsenal as a result of treaties that were first negotiated by Ronald Reagan, and many others.

They have also worked cooperatively with us to contain nuclear material, which has been enormously important. They would be a huge terrorist threat if they were to ever get their hands on nuclear material.

They have also cooperated in our efforts to contain and reduce the number of nuclear weapons that Russia has and to contain and control the fissile material that they have. But we certainly don’t trust them. The question is: is the START Treaty, an effort to contain and control the fissile material that they have not been in our best interest?

It is. And we should negotiate that.

Certainly, what Putin is doing in the Ukraine is reprehensible and violates all manner of treaties. I support the President and the efforts of others to condemn and sanction them as a result.

But to walk away from an effort to contain nuclear weapons I don’t believe is in the best interest of the U.S. It is not a matter of whether you trust Russia; it is a matter of what it is in our best interest. I believe it is in our best interest to try to control nuclear fissile material available out there in the world. START is one way to do that. We don’t do this just because we don’t trust Putin—and we don’t—is not sound policy.

I urge opposition to this amendment, and I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I want to respond to my colleague by saying there is a flaw in the New START Treaty, in my opinion, that it originally called for reductions in U.S. nuclear forces and allowed Russia to increase its nuclear forces.

So that right there I think is a problem. But when you have serial violations by the Russian Federation invading Ukraine, in violation of the 1994 Budapest Memorandum, the INF Treaty, and the CFE Treaty, they are not a reliable partner in these treaties.

And so to reduce our forces, how can that be in our interest when the other party to the treaty is not someone who is performing on these other treaties? There could be questions on whether they are ever going to be complying with the New START Treaty.

Mr. Chairman, I will enter into the RECORD an article from The New York Times dated January 29 of this year detailing some of their violations of the INF Treaty.

(From The New York Times, Jan. 29, 2014)

U.S. SAYS RUSSIA TESTED MISSILE DESPITE TREATY

WASHINGTON.—The United States informed its NATO allies this month that Russia had tested a new ground-launched cruise missile, raising concerns about Moscow’s compliance with a landmark arms control accord.

American officials believe Russia began conducting such tests as early as 2008. But the administration says it was not ready to formally accuse Moscow of violating the INF Treaty until it had gathered enough evidence.

The INF Treaty, which reduces nuclear forces, was a key achievement of the Reagan administration, the Then-President’s foreign minister, proposed that the two sides re-evaluate its strategy, the Kremlin denounced the INF Treaty.

But in the view of American analysts, Russia has also mounted a determined effort to strengthen its nuclear capabilities to compensate for the weakness of its conventional, nonnuclear forces.

At the same time, in his State of the Union address last year, Mr. Obama vowed to “seek further reductions in our nuclear arsenals,” a national security strategy that he hoped might form part of Mr. Obama’s legacy.

But administration officials and experts outside government say Congress is highly unlikely to approve an agreement mandating more cuts unless the question of Russian compliance with the medium-range treaty is resolved.

“If the Russian government has made a considered decision to field a prohibited system,” Franklin C. Miller, a former defense official at the White House and the Pentagon, said, “then it is in the strongest indication to date that they are not interested in pursuing any arms control, at least through the framework of President Obama.”

It took years for American intelligence to gather information on Russia’s new missile system, but by the end of 2011, officials say it was clear that there was a compliance concern.

There have been repeated rumors over the last year that Russia may have violated provisions of the 1987 treaty. But the nature of that violation has not previously been disclosed, and some news reports have focused on the wrong system: a modern two-stage missile called the RS-26. The Russians have flight-tested it at medium range, according to intelligence assessments, and the prevailing view among Western officials is that it is intended for use in Russia’s medium-range missile capabilities that resulted from the 1987 treaty. The
treaty defines medium-range missiles as ground-launched ballistic or cruise missiles capable of flying 300 to 3,400 miles. But because Russia has conducted a small number of launches of RS-26 at intercontinental range, it technically qualifies as a long-range system and will be counted under the treaty known as New Start, which was negotiated by the Obama administration. And so it is generally considered by Western officials to be a circumspection, but not a violation, of the 1987 treaty.

One member of Congress who was said to have raised concerns that the suspected arms control violation might endanger future arms control is Senator John Kerry. As a former Secretary of State and chairman of the Foreign Relations Committee, he received a classified briefing on the matter in November 2012 that dealt with compliance concerns, according to a report in The Daily Beast.

As secretary of state, Mr. Kerry has not raised concerns over the cruise missile tests with his Russian counterpart, Sergey V. Lavrov, but he has emphasized the importance of complying with arms accords, a State Department official said.

Republican lawmakers, however, have urged the administration to be more aggressive.

"Briefings provided by your administration have agreed with our assessment that Russian actions are serious and troubling, but have failed to offer any assurance of any concrete action to address these Russian actions," wrote Howard McKeon, Republican of California and chairman of the Armed Services Committee, and Representative Mike Rogers, the Michigan Republican who heads an intelligence committee, said in an April letter to Mr. Obama.

And Senator Jim Risch, Republican of Idaho, and 16 other Republican senators recently proposed legislation that would require the White House to report to Congress on what intelligence the United States has shared with NATO allies on suspected violations of the 1987 treaty.

Republican members of the Senate Foreign Relations Committee have also cited the issue in blocking up Ms. Gottemoeller’s confirmation as undersecretary of state for arms control and international security.

It was against this backdrop that the so-called “ asynciva group,” an interagency panel led by Antony Blinken, Mr. Obama’s deputy national security adviser, decided that Ms. Gottemoeller should inform NATO’s 28 member states about what intelligence the United States has about Russian compliance with the treaty.

On Jan. 17, Ms. Gottemoeller discussed the missile tests in a closed-door meeting of NATO’s Arms Control, Disarmament and Non-Proliferation Committee that she led in Brussels.

The Obama administration, she said, had not given up on diplomacy. But she warned that, if the administration is not sure of compliance, it cannot share with other countries what it does not know about in the Ukraine right now.

But when it comes to trying to contain these other treaties.

Don’t trust them. Don’t think of them as a partner. Whatever evil things you want to say about Russia, that is fine, but let’s not do things that are contrary to our own best interest.

There are other ways to punish Russia for the treaties that they have violated, for the horrible things that they are doing in Ukraine.

Walking away from the START Treaty undermines our interests. That is why, again, a bipartisan group of United States Senators voted for and put into the law the START Treaty because it is in the United States’ best interest.

So, as much as I am opposed to what Russia is doing in many areas and agree with the gentleman on that, this amendment is the wrong way to go about dealing with those changes, and I urge opposition.

Mr. SMITH of Washington. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is taken; and the Act of Congress is approved.

Mr. BISHOP of Utah. Mr. Chairman, again, I yield back my time to join my friends from Colorado on this particular issue.

When you have a partner, which is Russia, who is already engaged in a cyberattack against Estonia, they have invaded and declared independent the two northern provinces of Georgia, and they also have done everything we know about in the Ukraine right now, and, in addition, have violated the existing INF Treaty—and we can talk about that because it was quoted on the front page of The New York Times; they have violated that—it is in the best interest of the United States to wait until we have a more profitable, reliable partner before launching into another endeavor.

With that, I actually support this amendment. I think it is well-timed, well-placed.

Mr. SMITH of Washington. Mr. Chairman, I yield myself 1 1/2 minutes.

First of all, just for everybody’s information, you cannot actually reveal classified information, even if it has showed up in the newspaper, because then you are confirming it. So you are not supposed to do that.

Second of all, Mr. Chairman, if you don’t like the START Treaty, that is one thing. We can have that debate. We had that debate when it was signed with the Soviet Union because we thought it was in our own interest, so there are different reasons for doing those things.

Again, let me just emphasize the point. If we have an agreement with Russia that enables us to better control nuclear weapons, I think that is a good thing.

Don’t trust them. Don’t think of them as a partner. Whatever evil things you want to say about Russia, that is fine, but let’s not do things that are contrary to our own best interest.

There are other ways to punish Russia for the treaties that they have violated, for the horrible things that they are doing in Ukraine.

Walking away from the START Treaty undermines our interests. That is why, again, a bipartisan group of United States Senators voted for and put into the law the START Treaty because it is in the United States’ best interest.

So, as much as I am opposed to what Russia is doing in many areas and agree with the gentleman on that, this amendment is the wrong way to go about dealing with those changes, and I urge opposition.

Mr. SMITH of Washington. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. LAMBORN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SmiTH of Washington. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by
the gentleman from Colorado will be postponed.

AMENDMENT NO. 21 OFFERED BY MR. SCHIFF

The Acting CHAIR. It is now in order to consider amendment No. 21, printed in part A of House Report 113–460.

Mr. SCHIFF. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. 2. SUNSET OF AUTHORIZATION FOR USE OF MILITARY FORCE.

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

(b) EFFECTIVE DATE.—This section shall take effect on the date that is one year after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 590, the gentleman from Colorado will be recognized for 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SCHIFF. Mr. Chairman, when Congress passed the Authorization for Use of Military Force just days after 9/11, it provided the President with the broad authority to strike against those who "planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, or harbored them." That authorization no longer properly encompasses the scope of military action that we are taking in the ongoing fight against terrorism. While the AUMF was originally directed at a fairly narrow range of actors, it has been used to sanction targeted strikes against groups and militants with little relation to the individuals who actually planned, authorized, and perpetrated the attacks on 9/11.

Article I, section 8 of the Constitution invests Congress with the power to declare war. It is our most awesome responsibility, and it is central to the success of our military efforts overseas. We owe it to the men and women we send into combat to properly define and authorize their mission.

This amendment would not immediately repeal the 2001 AUMF. Instead, it would sunset one year from the date of enactment, providing time for Congress and the administration to consider if this authority is needed to protect the Nation.

I think a more narrow authorization, constrained in focus and duration, may very well be necessary, but let's be clear. Even in the absence of an AUMF, the administration would retain the necessary authority to respond to threats from al Qaeda.

At a hearing in the Senate Foreign Relations Committee this morning, Stephen Preston, General Counsel for the Department of Defense, testified:

The AUMF is not the only authority the President has to use force to keep us safe. The President has authority, under the Constitution, to use military force as needed to defend the Nation against armed attacks and imminent threat of armed attack.

Over the course of the last year, there has been a growing recognition of the outdated nature of the current AUMF. In Syria, for example, one of the most violent groups on the ground is the Islamic State of Iraq and the Levant, ISIL, which grew out of al Qaeda in Iraq.

Though originally part of the al Qaeda brand, ISIL has since been excommunicated from al Qaeda, and recent months have seen intense fighting between ISIL and the Nusra Front, al Qaeda's preferred jihadi group.

That raises the question of whether action against ISIL would be covered by the current AUMF, and if it is not, do we really want to be in a situation where Ayman al-Zawahiri is able to chose which groups are subject to the authorization for the use of force by the United States and which are not? That is not something I think we want to delegate to our enemies.

Last year, during consideration of the defense appropriations bill, I offered an amendment that gained the bipartisan support of 185 Members of the House, indicating strong support on both sides of the aisle, for bringing our actions into conformity with the law.

Since then, the legally precarious nature of our military actions under the AUMF has only become more pronounced. This amendment will force Congress and the administration to do something about it.

Madam Chair, I reserve the balance of my time.

Mr. THORNBERY. Madam Chair, I claim the time in opposition.

The Acting CHAIR (Ms. FOXX). The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERY. Madam Chair, I yield myself 3 minutes.

Madam Chair, as the gentleman indicated, Congress passed the AUMF last year, and it failed, and I believe it should fail again.

As the gentleman knows, I believe very strongly that the AUMF should be updated. In fact, this House has voted twice to update it, but then the Senate failed to take any action whatsoever, and I don't think there is any reason to believe that there is any more likely prospect of the Senate acting now than before.

So what this amendment would do, it would be to repeal the AUMF against terrorists, without anything, anything at all to replace it and, frankly, without any prospect of having anything to replace it, at least in this Congress, so we would be left with no authority to take action against terrorists bent on killing Americans.

I can't help but note, Madam Chair, that they just opened the 9/11 museum in New York in the last few days. Have we forgotten so quickly about what this AUMF is all about?

One other factor, the President has made some comments about engaging Congress on this issue, but he has exercised absolutely no leadership whatsoever in doing so. What does the President propose, if he proposes an update to the AUMF?

We have no idea. Unfortunately, that lack of leadership is all too common for this administration.

Meanwhile, what is happening in the world? Well, terrorism is growing, and it is getting more dangerous. I note there was a New York Times story just 3 days ago, where the new director of the FBI says that, before he was sworn in and got access to the latest information, he underestimated the terrorist threat.

"I didn't have anywhere near the appreciation I got after I came into this job just how virulent those affiliates had become," Mr. Comey said. "There are many more than I appreciated, and they are stronger than I appreciated."

Yet the Obama administration, Mr. Chairman, wants us to believe that terrorism is done: we have got them on the run. Everybody's going to live happily ever after. That sort of wishful thinking is not only unrealistic, it is dangerous.

As a matter of fact, Richard Haass, the president of the Council on Foreign Relations, has written within the last month that:

American foreign policy is in troubling disarray.

David Brooks wrote in The New York Times:

All around, the fabric of peace and order is fraying.

I would suggest that a substantial part of that disarray and fraying is the sort of wishful thinking that we can wish terrorism and other problems away and go along and the world is not going to bother us.

In other words, short-term political messaging is taking precedence over longer-term strategic interests; so repealing the current authority that allows the military protect us against terrorism, without something to take its place, is exactly that kind of wishful thinking.

Madam Chair, I reserve the balance of my time.

Mr. SCHIFF. Madam Chair, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Madam Chair, let me thank Congressman SCHIFF for offering this amendment. As this body knows, I have been offering an amendment to repeal the Authorization for Use of Military Force for many, many years. Congressman SCHIFF, this is such an important—a very important amendment, which is critical to stopping this endless war.

Unfortunately, the Rules Committee refused to allow my bipartisan amendment, taken from my bill, the War Authorization Review and Determination Act, to even be considered.

For those who were not here on that sorrowful day, just 3 days after 9/11, let me just read from that short sentence—one sentence, mind you—that
passed the House with just 1 hour of debate, with 420 ayes and one no.

The President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001.

I voted against this resolution. Of course, it was the most difficult vote of my career, but I knew then what I know now. It was too broad, and it is open-ended.

Unfortunately, the Republican leadership has allowed a mere—what is it—10 minutes now to debate this serious and dangerous authorization.

Supporting this amendment would be an important step to ensuring that the President does not have a blank check to conduct endless war.

Congress must exercise its constitutional authority.

Mr. THORNBERRY. Madam Chair, I reserve the balance of my time to close.

Mr. SCHIFF. Madam Chair, I want to respond to a couple of the points that have been made in opposition, the first, that if the sunset goes into effect and nothing happens subsequently, there will be no authority to take action against our enemies.

That ignores the President’s authority under article II, or it is a very, very constrained view of the President’s authority under article II as Commander in Chief, one not shared by this President, one certainly not shared by President Bush and, indeed, one not shared by any President, I think, in U.S. history.

This is not an effort to legislate away the threats that we face. That cannot be done, but it is an effort to compel Congress and the administration to bring our use of force into conformity with the laws passed by Congress and to restore our responsibility as the body with the power to declare war and to define the scope of any conflict.

Without a sunset, I am convinced that, a year from now, we will be exactly where we are today, continuing to rely on an increasingly legally unreliable AUMF, and I have confidence that, spurred on by the necessity of acting—and we are not requiring that we act tomorrow, we give a deadline of a year from an enactment—that should not be too much to ask of this Congress; Congress will step up to its responsibility.

The Acting CHAIR. The time of the gentleman has expired.

Mr. THORNBERRY. Madam Chair, I yield myself the balance of my time.

Mr. SCHIFF. Madam Chair, the gentleman argues that, oh, we don’t really need these authorities, that there are other authorities.

Well, either they are important, or they are not. Either article I, section 1 makes a difference. In what the President is doing under this country, or it is all superfluous, and I don’t know why we continue to have these debates and declare war.

Obviously, there are different views about how far a President’s power under article II goes, but most people believe article I, section 8 means something and that for the Congress to authorize the use of military force means something.

I would say, parenthetically, the last thing we need is to get all balled up in court arguing about this after we have repealed the AUMF, but have nothing to take its place.

Secondly, the gentleman argues that: well, we are not going to do anything unless we make a deadline. I hate to remind us all, but we have had deadlines before that we have not exactly met. Unfortunately, repealing something so serious without something to take its place is a dangerous game. I think, to play.

The evolution of al Qaeda is a very serious issue, Madam Chair. We should be having a conversation about how to update the Authorization for Use of Military Force, but we still have to protect the country while we are having that discussion.

Unfortunately, this puts the cart before the horse, deciding to repeal before we know what will be used to replace it.

This amendment is not about Afghanistan, Yemen, Mali, Somalia, or anywhere else. This amendment is about us. This is about protecting Americans, and when the President and the military have the authority that the Constitution allows us to give them to protect the country, we should not abandon that lightly.

The world is still dangerous. The terrorists are still coming for us. We need to keep this in place unless and until there is a more updated AUMF to replace it.

Madam Chairman, I oppose the amendment and yield back the balance of my time.

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The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. Schiff).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SCHIFF. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 32 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. It is now in order to consider amendment No. 32 printed in part A of House Report 113-460.

Mr. BLUMENAUER. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. 1638. ANNUAL CONGRESSIONAL BUDGET OFFICE REVIEW OF COST ESTIMATES FOR NUCLEAR WEAPONS.

Section 3041(b) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 112-239; 126 Stat. 1931) is amended—

(1) in the subsection heading, by inserting “ANNUAL” before “CBO”; and

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

The Acting CHAIR. Pursuant to House Resolution 590, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Madam Chair, we all agree that transparency and nonpartisan oversight strengthens our democracy and promotes greater efficiency and effectiveness in government, especially in monitoring government spending. This amendment provides every Member with an opportunity to promote this efficiency and effectiveness through increased transparency. The amendment would simply require the Congressional Budget Office to update, each year, their report on the projected costs of the United States’ nuclear forces over the 10-year budget window.

This report initially was required in the last reauthorization as a one-time look at U.S. spending on our nuclear forces. It was released last December and has since proven to be incredibly valuable for Members, staff, and civil society organizations. I am sure it was referenced by many people on the committee as this bill before us was crafted.

The CBO’s report provided an unbiased and more realistic forecast of spending. It found that the administration’s own estimates for the costs of our nuclear weapons over the next decade were understated by nearly $150 billion. With tight budgets, we can’t afford to rely on partial or inaccurate information, let alone such a significant disparity.

If the United States is likely committing—at some level—to refurbishing the nuclear triad, we all deserve to know the long-term costs to make the strategic, effective decisions and to appreciate any trade-offs that might be required.

Despite everyone’s best intentions, these projects have a history of egregious cost overruns, and it is better suited to help Congress monitor these projected costs as they change and fluctuate than the Congressional Budget Office. The amendment provides Congress with the information that we need to make the difficult decisions.

We are scheduled to spend between one-half and two-thirds of a trillion dollars over the next 10 years for our nuclear forces and related programs. This spending, adjusted for inflation, is higher than we spent at the height of the cold war.

But we can and should debate the merits of that spending. There should be no objection from anyone about...
knowing how much the projects will cost. It will be valuable if you want to increase the programs. It will be valuable if you want to decrease them. It will be valuable if you just want to fund the existing program.

This amendment focuses on increased transparency and oversight. I urge my colleagues to adopt it, and I reserve the balance of my time.

Mr. ROGERS of Alabama. Madam Chair, I rise in opposition to his amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Madam Chair, the Blumenauer amendment is a continuation of the gentleman’s efforts to suggest that this Nation cannot afford its nuclear deterrent requirements, which are actually the Obama administration’s requirements based on the President’s personal promises.

The gentleman, notwithstanding the views of the military leadership, the senior civilian leadership, wants to unilaterally cut our nuclear forces. He has earlier offered a proposal to try to put Members of this body at odds with the National Guard in an attempt to cut nuclear force modernization. He has offered the REIN-IN Act to gut the U.S. nuclear deterrent, which is relied upon by 31 American allies, despite the expanding nuclear weapons programs of Russia, China, Iran, North Korea, Pakistan, and others.

It is as if the gentleman missed Vladimir Putin’s massive and unplanned nuclear weapons exercise just over a week ago and his invasion of Ukraine and his violation of the INF Treaty and his questionable implementation of the New START Treaty.

Perhaps the gentleman should have heard Secretary Hagel’s testimony before the Armed Services Committee this March when he said: “Most everybody realizes that our ability to possess nuclear weapons and the capability that has brought us has probably done as much to deter aggression—nuclear deterrence and the start of World War III as any one thing.”

Or, Chairman Dempsey’s testimony when he was asked if, despite the disarmament echo chamber in this town, the debate about the U.S. nuclear posture and our strategic triad is over, he said: “For the record, I can speak for myself and the Joint Chiefs, and you are correct.”

But here we are again today and again this year with a new effort to disarm this country’s deterrent. It looks harmless: Let’s ask for a CBO report.

Has the gentleman asked the CBO if it can do this annual report? I did. They don’t have the resources to do such a report.

Is the gentleman aware of the current annual report we receive? We have the Obama administration submit an annual report detailing these costs. It is called the section 1043 report. We get it every year. We then have the GAO audit that report each and every year.

These are hundreds and thousands of man-hours to produce and at great expense each and every year. Yet let’s add a third report, the gentleman says: Why? Because maybe this report will tell us something different than the other two reports?

What have they all shown us? They have all shown us that, by any reasonable and informed estimate, we are spending more than 1 percent of the defense budget on our nuclear forces, less than 5 percent. It is a historical low.

We will spend approximately $6 trillion on defense spending over the next 10 years. We will spend over $30 trillion, including the whole Federal Government. How much on our nuclear forces? According to these reports, approximately $300 billion.

I am happy to debate the gentleman on the merits of our nuclear forces. What I am not prepared to accept is wasteful, unnecessary annual reports just so the nuclear disarmament crowd can throw another argument against the wall in hopes that maybe something will finally stick that supports its favorite position that we should be unilaterally reducing U.S. nuclear forces without regard to this Nation’s security interests or those of our allies.

I urge the defeat of this amendment and the return to common sense.

With that, I yield back the balance of my time.

Mr. BLUMENAUER. Madam Chair, I am listening to my good friend from Alabama, and I don’t know if he has actually read my amendment.

I, too, am happy to have a debate on the level of our nuclear spending. That is not what this amendment says. The amendment says that we ought to have a report every year from the CBO that shows what the accurate projections are going to be for the next 10 years.

The gentleman didn’t dispute what I said, that the report that the committee requested last year showed that it is underestimated by $150 billion.

Why don’t you want the American people to know good information every year? I am mystified by this.

If you want to increase nuclear spending, you should know the facts. If you want to decrease nuclear spending, you deserve to have the facts. If you just want to fund what we have got, you need to have the facts.

The CBO showed that the Obama administration’s plan for maintaining and upgrading the nuclear arsenal is likely to cost some $66 per cent more over the next decade than senior Pentagon officials have predicted. Virtually every major project under the National Nuclear Security Administration’s oversight is behind schedule and over budget.

If I am correct if the facts are inconvenient for the gentleman, but he should know that if he supports the nuclear program, there will be a day of reckoning. There is no excuse not to have the best information available. This would simply make sure that we are requesting it from the CBO.

And when we are talking about sums on this order of magnitude, to pretend that the CBO can’t do this analysis is silly. Of course there is something we should do it. And if we approve this amendment, it is more likely that we will have it.

I respectfully request that this amendment be approved, whether you want to cut nuclear weapons, reduce nuclear weapons, or just fund what we have got. I look forward to the day that we have a robust debate on the floor of the House about what course we should take, but in the meantime, there is no excuse not to have good information.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BLUMENAUER. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. MCKEON

Mr. MCKEON, Madam Chairman, pursuant to House Resolution 2, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 14, 25, 29, 30, 31, 34, 35, 36, 37, 38, 39, 43, 81, 97, 105, 122, 140, 143, 144, 146, 148, and 161 printed in part A of House Report No. 113–460, offered by Mr. MCKEON of California:

AMENDMENT NO. 14 OFFERED BY MR. KILDER OF MICHIGAN

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

SEC. 1082. IMPROVEMENT OF FINANCIAL LITERACY.

(a) In General.—The Secretary of Defense shall develop and implement a training program to increase and improve financial literacy training for incoming and outgoing military personnel.

(b) Funding.—

(1) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D—

(A) the amounts authorized to be appropriated in section 4901 for operation and maintenance, as specified in the corresponding funding table in section 4901, for each military department (including the Marine Corps) is hereby increased by $2,500,000.

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

(A) the amounts authorized to be appropriated in section 101 for shipbuilding and conversion, Navy, as specified in the corresponding funding table in section 401, is hereby reduced by $5,000,000; and

(B) the amounts authorized to be appropriated in division C for weapons activities, as specified in the corresponding funding table in section 4901, is hereby reduced by $2,500,000.
AMENDMENT NO. 25 OFFERED BY MR. ROGERS OF ALABAMA

Page 520, after line 2, insert the following:

SEC. 1643. PROCUREMENT AUTHORITY FOR SPECIFIC MILITARY AIR SHOW OR OPEN HOUSE.

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

(b) AVAILABILITY OF FUNDS.—Notwithstanding section 1502(a) of title 31, United States Code, of the amounts authorized to be appropriated for fiscal year 2015 by section 101 and available for Missile Procurement, Air Force, as specified in the funding table in section 403, $4,500,000 shall be available for the procurement of covered parts pursuant to contracts entered into under subsection (a).

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

AMENDMENT NO. 29 OFFERED BY MS. LINDA T. SÁNCHEZ OF CALIFORNIA

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

SEC. 28. LAND CONVEYANCE, FORMER AIR FORCE NORWALK DEFENSE FUEL SUPPLY POINT, NORWALK, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration or reimbursement, to the City of Norwalk, California (in this section referred to as the ‘City’), all right, title, and interest of the United States in and to the real property, consisting of approximately 15 acres at the former Norwalk Defense Fuel Supply Point for public purposes.

(b) APPLICATION OF ENVIRONMENTAL LAWS.—Nothing in this section shall affect the applicability of Federal, State, or local environmental laws and regulations, including the Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), to the Department of the Air Force.

(c) PAYMENT OF COST OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Air Force shall require the City to cover costs associated with the conveyance under this section, including any improvements thereon, consisting of approximately 15 acres at the former Norwalk Defense Fuel Supply Point for public purposes.

(2) TREATMENT OF AMOUNTS RECEIVED.—

(A) Subject to subparagraph (B), amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance or, if the period of availability for obligations for that appropriation has expired, to the appropriations or fund that is currently available to the Secretary for the same purpose to credit amounts reimbursed shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(B) Amounts received as reimbursement under paragraph (1) are subject to appropriations.

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

(e) ADDITIONAL TERMS.—The Secretary of the Air Force shall add appropriate terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

AMENDMENT NO. 38 OFFERED BY MR. YOUNG OF ALASKA

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

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

(a) FINDINGS.—Congress makes the following findings:

(1) The Department of Defense has begun its process of permanently stationing the F-35 at installations in the Continental United States (in this section referred to as ‘CONUS’) and forward-basing Outside the Continental United States (in this section referred to as ‘OCONUS’).

(2) The Secretary of the Air Force is assessing operation of the F-35A to support Pacific Air Forces, which includes two United States candidate bases in Alaska and three foreign OCONUS candidate bases.

(b) SENSE OF CONGRESS.—Congress makes the following findings:

(1) The Secretary of the Air Force, in the strategic basing process for the F-35A, should place emphasis on the benefits derived from United States bases stationed in CONUS.

(2) The Secretary of the Air Force is assessing the OCONUS basing strategy in terms of operational and cost savings.

AMENDMENT NO. 43 OFFERED BY MR. SWALLWELL OF CALIFORNIA

Page 72, after line 21, insert the following:

SEC. 302. INCREASING IN FUNDING FOR CIVIL MILITARY PROGRAMS.

(a) FUNDING.—Notwithstanding the amounts set forth in the funding tables in division B, the amounts set forth in the funding table in section 4301 for operation and maintenance, Defense-wide, as specified in the corresponding funding table in section 403, for Civil Military Programs, is hereby increased by $55,000,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4301 for operation and maintenance, as specified in the corresponding funding table in section 401, for Civil Military Programs, is hereby reduced by $55,000,000.

AMENDMENT NO. 36 OFFERED BY MR. CONAWAY OF TEXAS

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

SEC. 5. DEFERRED RETIREMENT OF CHAPLAINS.—

Section 12303 of title 10, United States Code, is amended by adding at the end the following new subsection:

(3) DEFERRED RETIREMENT OF CHAPLAINS.—(1) The Secretary of the military department concerned may, subject to paragraphs (2) and (3), defer the retirement under subsection (a) of an officer who is appointed or designated as a chaplain if the Secretary determines that such deferral is in the best interest of the military department concerned.

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

(3) The Secretary of the military department concerned may extend a deferment under this subsection beyond the day referred to in paragraph (2) if the Secretary determines that extension of the deferment is necessary for the needs of the military department concerned.

AMENDMENT NO. 37 OFFERED BY MS. GRIFFITH OF VIRGINIA

At the end of subtitle A of title V, insert the following:
SEC. 514. COMPLIANCE WITH EFFICIENCIES DI-
RECTIVE.
By not later than December 31, 2015, the Secretary shall ensure that the number of flag officers and generals are re-
duced to comply with the Department of De-
fense efficiencies directive dated March 14, 2011.

AMENDMENT NO. 38 OFFERED BY MR. MCKINLEY
OF WEST VIRGINIA
At the end of subtitle B of title V, add the following new section:

SEC. 519. ELABORATORIES TRACKING OF CERTAIN
RESERVE DUTY.

The Secretary of Defense shall establish an electronic means by which members of the Ready Reserve of the Armed Forces can track their operational active-duty service performed after January 28, 2008, under section 12306(a), 12306(d), 12306(g), 12302, or 12304 of title 10, United States Code. The tour calcul-
sator shall specify early retirement credit authorized for each qualifying tour of active duty, as well as cumulative early reserve re-
tirement credit authorized to date under sec-
tion 12731(f) of such title.

AMENDMENT NO. 39 OFFERED BY MR. ISRAEL
OF NEW YORK
At the end of subtitle B of title V, add the following new section:

SEC. 5. NATIONAL GUARD CYBER PROTEC-
TION TEAMS.

(a) Provisions Required.—Not later than 90
days after the date of the enactment of this Act, the Chief of the National Guard Bureau shall submit to the congressional defense committees a report on the progress made by the Army National Guard to establish 10 Cyber Protection Teams composed of members of the National Guard to perform duties relating to analysis and protection in support of programs to prepare for and respond to emergencies involving an attack or natural disaster involving a computer, elec-
tronic, or cyber network.

(b) ELEMENTS.—The report required by sub-
section (a) shall include the following:

(1) A timeline of when stationing of the Cyber Protection Teams will be finalized.

(2) A timeframe of activation of the Cyber Protection Teams and whether the teams will be activated at the same time or staggered over time.

(3) A description of what manning and bas-
ning requirements have been established.

(4) The location of nominations received for a Cyber Protection Team and the activation date estimate provided in each nomination.

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

(6) An assessment of any identified pat-
terns regarding ease or difficulty of staffing individuals with required credentials within particular regions.

(7) Any additional information deemed rel-
vant by the Chief of the National Guard Bu-
reau.

(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

AMENDMENT NO. 43 OFFERED BY MR. GRAYSON
OF FLORIDA
At the end of subtitle D of title V, add the following new section:

SEC. 5. REVISION TO REQUIREMENTS RELAT-
ING TO DEPARTMENT OF DEFENSE PRO-
TECTION halten ON COMPLETION OF REL-
ATED PROCEEDINGS.

Section 586 of the National Defense Au-
thorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1435; 10 U.S.C. 1561 note) is amended by adding at the end the fol-
lowing new subsection:

“(c) RETURN OF PERSONAL PROPERTY UPON
COMPLETION OF RELATED PROCEEDINGS.—Not-
withstanding subsection (c)(4)(A), personal property retained as evidence in connection with an incident involving a member of the Armed Forces may be re-
turned to the rightful owner of such property after the conclusion of all legal, adverse ac-
ction, and administrative proceedings related to such incident.”.

AMENDMENT NO. 49 OFFERED BY MR. ISRAEL
OF NEW YORK
Page 195, after line 7, add the following new section:

SEC. 720. SENSE OF CONGRESS REGARDING AC-
CESS TO MENTAL HEALTH SERVICES BY MEMBERS OF THE ARMED FORCES.

It is the sense of Congress that—

(1) mental health and substance use dis-
orders, traumatic brain injury, and suicide are being experienced at alarming levels among members of the Armed Forces;

(2) members of the Armed Forces should have adequate access to the support and care they need;

(3) public-private mental health partner-
ships can provide the Department of Defense with an enhanced and unique capability to treat members of the Armed Forces;

(4) the Department should fully implement the pilot program authorized under section 706 of the National Defense Au-
thorization Act for Fiscal Year 2013 (12 U.S.C. 10101 note) for pur-
poses of enhancing the efforts of the Depart-
ment of Defense in research, treatment, edu-
cation, and outreach on mental health and substance use disorders and traumatic brain injury in members of the National Guard and Reserves.

AMENDMENT NO. 50 OFFERED BY MR. GRAYSON
OF FLORIDA
At the end of title VIII, add the following new section:

SEC. 827. DEBARMENT REQUIRED OF PERSONS
CONVICTED OF FRAUDULENT USE OF "DEFENSE" LABELS.

(a) DEBARMENT REQUIRED.—Subsection (a) of section 2410f of title 10, United States Code, is amended by striking “the Secretary shall” and all that follows through the period and inserting “the Secretary may waive a debarment required by subsection (a) if the Secretary determines that the exercise of such a waiver would be in the national security interests of the United States”.

(b) WAIVER NOTIFICATION REQUIREMENT.—Subsection (c) of such title is further amended—

(1) by redesignating subsection (b) as sub-
section (d); and

(2) by inserting after subsection (a) the fol-
lowing new subsection:

“(b) WAIVER FOR NATIONAL SECURITY.—The Secretary may waive a debarment required by subsection (a) if the Secretary determines that the exercise of such a waiver would be in the national security interests of the United States”.

(c) TECHNICAL AMENDMENTS.—Section 2410f of such title is further amended—

(1) in subsection (a), by inserting “DEBAR-
MENT REQUIRED.—” after “(a)” and

(2) in subsection (d), as redesignated by subsection (b), by inserting “DEFINITION.—” before “In this sec-

AMENDMENT NO. 97 OFFERED BY MR. YOUNG
OF ALASKA
At the end of subtitle F of title X, insert the following:

SEC. 1065. BUSINESS CASE ANALYSIS OF THE
CREATION OF AN ACTIVE DUTY AS-
SOCIATION FOR THE 68TH AIR RE-
FUELING WING.

(a) BUSINESS CASE ANALYSIS.—The Sec-
retary of the Air Force shall conduct a busi-
ness case analysis of the creation of a 4-PAA (Power-Only KC-135R) active association with the 168th Air Refueling Wing. Such analysis shall include consideration of—

(1) any efficiencies and cost savings achieved assuming the 168th Air Refueling Wing meets 100 percent of current air refueling require-
ments after the active association is in place;

(2) improvements to the mission require-
ments of the 168th Air Refueling Wing and Air Mobility Command; and

(3) effects on the operations of Air Mobility Command.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the business case analysis conducted under subsection (a).

AMENDMENT NO. 106 OFFERED BY MR. ROGERS
OF ALABAMA
At the appropriate place in title X, insert the following new section:

SEC. 9. REPORT ON CERTAIN INFORMATION
TECHNOLOGY SYSTEMS AND TECH-
NOLOGY AND CRITICAL NATIONAL
SECURITY INFRASTRUCTURE.

(a) NOTIFICATION REQUIRED.—The Secretary of Defense and the Director of National In-
telligence shall each submit to the appro-
priate congressional committees a notification of each instance in which the Secretary or the Director determines through analysis or reporting that an information technology or telecommunications component from a company suspected of being owned by a foreign country, or a suspected affiliate of such a company, is competing for or has been awarded a contract to include the technol-
ogy of such company or such affiliate into a covered network.

(b) TIME OF NOTIFICATION.—Each notifi-
cation required under subsection (a) shall be submitted not later than 30 days after the date on which the Secretary or the Director makes a determination described in such subsection.

(c) ELEMENTS OF NOTIFICATION.—Each notifi-
cation submitted under subsection (a) shall include—

(1) a description of the instance described in subsection (a), including an identification of the company of interest and the covered network affected;

(2) an analysis of the potential risks and the actions that can be taken to mitigate such risks; and

(3) a description of any follow up or other response actions to be taken.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMIT-
TEES.—The term “appropriate congressional committees” means—

(A) the congressional defense committees;

(B) the Permanent Select Committee on Intelligence of the House of Representatives; and

(C) the Select Committee on Intelligence of the Senate.

(2) COVERED NETWORK.—The term “covered network” includes—

(A) information technology or tele-
communications networks of the Depart-
ment of Defense or the intelligence commu-
nity; and

(B) information technology or tele-
communications networks of network oper-
ators supporting systems in proximity to De-
partment of Defense or intelligence commu-
nity facilities.

(3) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning
given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

AMENDMENT NO. 122 OFFERED BY MR. ROGERS OF ALABAMA

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

SEC. 1636. REPORTS AND BRIEFINGS OF STRATEGIC ADVISORY GROUP.

Not later than 30 days after the date on which the President transmits to Congress under section 1105 of title 31, United States Code, a budget for a fiscal year after fiscal year 2015, the Commander of the United States Strategic Command shall submit to the congressional defense committees each report and briefing provided by the Strategic Advisory Group established pursuant to the Federal Advisory Committee Act (5 U.S.C. App. I., including any subgroup thereof and any successor advisory group, to the Commander during the one-year period preceding the date the report and briefing are made available may include with each such submission any additional views the Commander determines appropriate.

AMENDMENT NO. 136 OFFERED BY MR. ISRAEL OF NEW YORK

Page 508, after line 9, add the following new section:

SEC. 1672. SENSE OF CONGRESS REGARDING ROLE OF NATIONAL GUARD IN DEFENSE OF UNITED STATES AGAINST CYBER ATTACKS.

It is the sense of Congress that—

(1) members of the National Guard may possess knowledge of critical infrastructure in the States in which the members serve that may be of value for purposes of defending such infrastructure against cyber threats;

(2) traditional members of the National Guard and National Guard technicians may have experience in both the private and public sector that could benefit the readiness of the Department of Defense’s cyber force and the development of cyber capabilities;

(3) the long-standing relationship the National Guard has with local and civil authorities may be beneficial for purposes of providing for a coordinated response to a cyber attack and defending against cyber threats;

(4) the States are already working to establish cyber partnerships with the National Guard; and

(5) the National Guard has a role in the defense of the United States against cyber threats and consideration should be given to how the National Guard might be integrated into a comprehensive national approach for cyber defense.

AMENDMENT NO. 148 OFFERED BY MR. GRAYSON OF FLORIDA

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

SEC. 1641. PLAN TO COUNTER CERTAIN GROUND-LAUNCHED BALLISTIC MISSILES AND CRUISE MISSILES.

(a) FINDINGS.—Congress finds the following:

(1) On March 5, 2014, the Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy testified before the Committee on Armed Services of the Senate that “[w]e are currently a tool that will have to be dealt with. . . . We would not judge how the alliance will choose to react, but I would say that they will have to consider what to do about it. . . . It can’t go unanswered.”.

(2) The Director of the Missile Defense Agency stated on March 25, 2014, that Aegis Ashore missile defense capabilities that are to be deployed in the Republic of Poland and the Republic of Romania, could be reconfigured to deal with the threat of intermediate-range ground-launched missiles with modest changes to “the software, [and] with a minor hardware addition.”

(3) The “Report on Conventional Prompt Global Strike Options if Exempt from the Restrictions of the Intermediate-Range Nuclear Forces Treaty Between the United States of America and the Union of Soviet Socialist Republics” Committee on Armed Services of the House of Representatives in September 2013 by the Chairman of the Joint Chiefs of Staff stated: “[I]n the absence of the INF Treaty, four types of weapons systems could Close existing the JROC-validated capability gap: (1) Modifications to existing short range or tactical weapon systems to extend range; (2) Forward-based, ground-launched cruise missiles (GLCMs); (3) Forward-based, ground-launched intermediate-bane ballistic missiles (IRBM) and forward-based, ground-launched intermediate-range missiles with trajectory-shaping vehicles (TSVs).

(4) The report further stated that, “[b]ecause of INF restrictions, examination of prohibited concepts has not been performed by industry or the Services. Trade studies regarding capability, affordability, and development timelines would have to be completed prior to providing for a comprehensive national approach for cyber defense. Extensive knowledge could be leveraged from past and current land- and sea-based systems to assist in achieving a comprehensive national approach for cyber defense.”

(5) President Obama stated in Prague in April 2009 that “Rules must be binding. Violations must be punished. Words must mean something.”.

(6) The Nuclear Posture Review of 2010 stated, “it is not enough to detect non-compliance; violators must know that they will face consequences when they are caught.”

(7) The July 2010 Verifiability Assessment report by the Department of Defense in the New START Treaty, and as quoted in a hearing of the Committee on Armed Services of the Senate, stated: “[T]he costs and risks of Russian cheating or breakout, on the other hand, would likely be higher and that the Russian Federation would be unlikely to cheat because of the ‘financial and international political costs of such an action.’

(b) PLAN FOR TESTING OF AEGIS ASHORE.—

(1) IN GENERAL.—The Director of the Missile Defense Agency shall develop a plan to test Aegis Ashore missile defense capabilities that are to be deployed in the Republic of Poland and the Republic of Romania, could be reconfigured to deal with the threat of intermediate-range ground-launched missiles with modest changes to “the software, [and] with a minor hardware addition.”

(2) SUBMISSION.—Not later than 120 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees the plan under paragraph (1), including, if determined appropriate by the Director, whether the Director determines that such plan should be implemented.

(c) PLAN TO DEVELOP CERTAIN GROUND- LAUNCHED BALLISTIC MISSILES AND CRUISE MISSILES.—If, as of the date of the enactment of this Act, the Russian Federation is not in complete and verifiable compliance with
with its obligations under the INF Treaty. The Secretary of Defense shall—

(1) develop a plan for the research and development of intermediate range ballistic and cruise missiles; and

(2) submit to the congressional defense committees the plan developed under paragraph (1), including, if determined appropriate by the Secretary, whether the Secretary determines that such plan should be implemented.

(d) In any event, the funding table in section 4501, is hereby reduced by $10,000,000.

AMENDMENT NO. 161 OFFERED BY MR. KILDEE OF MICHIGAN

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

SEC. 729. EVALUATION OF WOUNDED WARRIOR CARE AND TRANSITION PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that new ideas and an objective perspective are critical to addressing issues regarding the treatment of wounded warriors.

(b) EVALUATION.—The Secretary of Defense shall undertake a contract with a private organization to evaluate the wounded warrior care and transition program of the Department of Defense. Such evaluation shall identify deficiencies in the treatment of wounded warriors and offer recommendations for improvements to such program. The Secretary of Defense shall seek to enter into a contract with a private organization to carry out such evaluation unless the private organization received less than 20 percent of the annual revenue of the organization during the previous five years from contracts with the Department of Defense or the Department of Veterans Affairs.

(c) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts set forth in the funding table in division D, the amount authorized to be appropriated in section 1045 for the Defense Health Program, as specified in the corresponding funding table in section 4501, is hereby increased by $20,000,000.

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

(A) the amounts authorized to be appropriated in section 1045 for shipbuilding and conversion, Navy, as specified in the corresponding funding table in section 4501, is hereby reduced by $20,000,000; and

(B) the amounts authorized to be appropriated in division C for weapons activities, as specified in the corresponding funding table in section 4501, is hereby reduced by $5,000,000.

The Acting CHAIR. Pursuant to House Resolution 590, the gentleman from California (Mr. MEEKON) and the gentleman from California (Mr. SWALWELL) each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. MEEKON).

Mr. MEEKON. Madam Chair, I rise today to express a minor language change that would require DOD’s procurement process to comply with the Buy American Act for electricity that is exclusively used by the Department of Defense or is generated from solar devices located on government property.

I would like to thank the chairmen of both the House Armed Services Committee and the House Appropriations Committee for their leadership on this issue.

I am pleased to join in the efforts to advance our nation’s energy independence and to increase our support for American energy production.

I would like to thank the ranking member of the Armed Services Committee, Mr. ROGERS of Michigan, for his support on this issue.

I also recognize the importance of this proposal in creating jobs and enhancing our national security.

I am proud to represent a state that is on the cutting edge of renewable energy development.

I would like to thank the ranking member of the Appropriations Committee, Mr. MOORE of Alabama, for his support on this issue.

In conclusion, I would like to thank the committee for their support on this important issue.

Ms. BONAMICI. I thank the gentleman from Oregon (Ms. BONAMICI).

I rise today to express support for domestic solar manufacturing in America.

Recently, we have witnessed the development of large-scale solar installations that are not located on government property, though the electricity produced is still exclusively used by the Department of Defense. I support a minor language change that would require DOD’s procurement process to comply with the Buy American Act for electricity that is exclusively used by the Department of Defense or is generated from solar devices located on government property.

I am proud to represent a state that is on the cutting edge of renewable energy development.

I would like to thank the committee for their support on this issue.

I also recognize the importance of this proposal in creating jobs and enhancing our national security.

I would like to thank the ranking member of the Appropriations Committee, Mr. MOORE of Alabama, for his support on this issue.

In conclusion, I would like to thank the committee for their support on this important issue.

Mr. MEEKON. Madam Chair, I thank the gentlewoman for her work in this.
area, and I appreciate her efforts to advance U.S. manufacturing and our industrial base, and I thank her, again, for her hard work on this issue. I look forward to working with you as we move forward on this.

I reserve the balance of my time.

Mr. SWALWELL of California, Madam Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. Kildee).

Mr. KILDEE. Madam Chairman, I thank my good friend for yielding.

I would like to address two amendments that I offered that are included in the en bloc amendment, one that deals with expanding financial resources and tools for service members and one that funds an independent study to improve wounded warrior care.

For too long, unscrupulous lenders have targeted service members on military bases with financial products that could have long-term negative impacts on their family’s financial security. Inadequate financial understanding or literacy training on some of these financial products can lead to financial difficulty for service members. Many service members often require security clearance, which can hinder their performance of their duties, and financial difficulties and the loss of a clearance can have an enormous impact on military combat readiness.

This first amendment that I offer would allocate $10 million to expand financial services for incoming and transitioning service members to ensure that they are not unfairly targeted by predatory lenders.

The other amendment that is included is an important one to fund an independent study to improve wounded warrior care. While the DOD is still confronting significant challenges and issues regarding its care and transition of wounded warriors, and while improvements have been made, it is obvious that wounded warriors are still falling to receive the care that they need and that they deserve. Caring for these individuals who have served honorably should—and I know always will be—one of our most solemn duties.

For this reason, a review, a comprehensive review, an independent and comprehensive review and study of this type should be awarded to an entity that is free of any current obligation; 20 percent of its revenues in the last several years would not have come from contracts from the DOD or the VA, ensuring independence. It is really important that we take a close look at how we are providing services to these service members, and this independent study would do so.

Mr. MCKEON, Madam Chairman, I continue to reserve the balance of my time.

Mr. SWALWELL of California, Madam Chair, I yield 1 minute to the gentleman from California (Ms. Linda T. Sanchez).

Ms. LINDA T. SÁNCHEZ of California, Madam Chairman, I rise today in support of my amendment to H.R. 4435, the National Defense Authorization Act for Fiscal Year 2015.

It facilitates the transfer of a portion of the U.S. Air Force Norwalk Defense Fuel Supply Point, also known as the Norwalk Tank Farm, to the city of Norwalk. It would allow 15 acres of the 51-acre area to be designated for public purposes and transferred to city hands. City officials have worked tirelessly for over a decade, and this amendment is a reflection of the compromise reached by the U.S. Air Force and the city of Norwalk.

My amendment is of significant importance for my district. Once this land is transferred, this currently blighted property will mean real opportunity for the city of Norwalk and the surrounding communities. This property is currently located next to an elementary school and a child care learning center. Once the land has been completely cleaned and remediated and the park is open, children will have somewhere safe to go after school and on weekends.

I urge my colleagues to vote “yes” on my amendment.

Mr. MCKEON. Madam Chair, I continue to reserve the balance of my time.

Mr. SWALWELL of California, Madam Chair, I yield 2 minutes to the gentleman from New Mexico (Mr. Ben Ray Luján).

Mr. BEN RAY LUJÁN of New Mexico. Madam Chairman, the ability of our national labs to meet their mission relies on the strength of their foundational support. I submitted an amendment that would give the Directors of our national laboratories the authority to accept grant funding from nonprofits and foundations for scientific research that supports the core missions of these labs.

After discussion with the committee staff, rather than offering this amendment tonight, I look forward to working with Chairman ROGERS of the Strategic Forces Subcommittee, Ranking Member MCKEON and Ranking Member SMITH of the Armed Services Committee to find an acceptable solution on this issue.

I also want to thank Mr. McKeon for his service and his time. It has really been an honor to get to know him, and I continue to look forward to working with him for many years to come.

Mr. ROGERS of Alabama. Will the gentleman yield?

Mr. BEN RAY LUJÁN of New Mexico. Madam Chair, I yield to the gentleman.

Mr. ROGERS of Alabama. I thank the gentleman from New Mexico. I agree with the importance of the national labs. I look forward to working with him to strengthen their capabilities and meet their important missions. I expect we will be able to find a way to ensure nonprofits have access to our national laboratories without using defense funding to subsidize such work.

Mr. BEN RAY LUJÁN of New Mexico. Madam Chairman, I appreciate all the staff’s time on this.

Mr. MCKEON. Madam Chairman, I continue to reserve the balance of my time.

Mr. SWALWELL of California, Madam Chair, I yield 1 minute to the gentleman from Minnesota (Mr. Nolan).

Mr. NOLAN. Madam Chairman, my amendment prohibits construction of any projects in Afghanistan over $500,000—unless the U.S. Government can conduct proper audits, inspection, and oversight.

Up to $79 billion has been authorized for new projects in this bill, most of which are outside the area in which our personnel can travel and operate safely, and therefore will most likely go un inspected and un audited. To date, $60 billion of the $100 billion of these so-called nation-building projects are completely unaccounted for.

The blue area here in this first chart shows where our military and civilian personnel were allowed to travel and operate safely in the year 2009. The blue area in the second chart shows how dramatically the safe areas have been reduced.

Moreover, since traditional banking services do not exist in these non-blue, non-safe areas, contracts are financed with truckloads of cash. It is the perfect recipe for fraud, graft, and abuse. It is time to stop it.

Mr. SWALWELL of California, Madam Chairman, I yield back the balance of my time.

Mr. MCKEON. Madam Chair, I rise in support of my amendment to fix the Department of Defense (DoD) policy with respect to military bands.

I want to thank my friend, Congressman PATRICK MEEHAN, for cosponsoring this important amendment I also want to thank Chairman MCKEON and Ranking Member SMITH for their support.

For decades, military musical units have accepted assistance from community organizations to travel and perform at public events such as parades and picture events. Our amendment prohibits construction of any projects in Afghanistan over $500,000—unless the U.S. Government can conduct proper audits, inspection, and oversight.

Up to $79 billion has been authorized for new projects in this bill, most of which are outside the area in which our personnel can travel and operate safely, and therefore will most likely go un inspected and un audited. To date, $60 billion of the $100 billion of these so-called nation-building projects are completely unaccounted for.

The blue area here in this first chart shows where our military and civilian personnel were allowed to travel and operate safely in the year 2009. The blue area in the second chart shows how dramatically the safe areas have been reduced.

Moreover, since traditional banking services do not exist in these non-blue, non-safe areas, contracts are financed with truckloads of cash. It is the perfect recipe for fraud, graft, and abuse. It is time to stop it.

Our Nation’s taxpayers and our soldiers deserve better.

Madam Chairman, Members of the House, I urge adoption of the amendment.

Mr. MCKEON. Madam Chair, I yield back the balance of my time.

Mr. SWALWELL of California, Madam Chair, I yield back the balance of my time.
Despite the intent of the amendment, it has come to our attention that, although the Secretary of Defense is allowed to accept outside donations, his office likely will continue the status quo and prevent military musical units from receiving assistance from outside organizations.

It is hard to believe that during a time of tight budgets DoD would reject assistance from community organizations to facilitate band performances.

It would be in the financial interest of DoD to continue to allow military bands, such as the Marine bands, to travel with the assistance of community organizations.

Additionally, public performances by military bands bring a sense of patriotism and community to our cities and towns.

It also increases goodwill and helps to enliven community events, increasing attendance and economic activity.

The intent behind the Section 351 of Public Law 133–66 is clear—to allow bands, like the Marine Band, to perform at community events at no cost to taxpayers.

The Marine Band, to perform at community events at no cost to taxpayers.

I urge all Members to support the amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. MCKEON).

The en bloc amendments were agreed to.

The Acting CHAIR. The Chair understands that amendment No. 26 will not be offered.

The Chair understands that amendment No. 27 will not be offered.

AMENDMENT NO. 28 OFFERED BY MR. HASTINGS OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 28 printed in part A of House Report 113–460.

Mr. HASTINGS of Washington. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. 3143. BUDGET INCREASE FOR DEFENSE ENVIRONMENTAL CLEANUP.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in this title for weapons activities, as specified in the corresponding funding table in section 4701, for Inertial confinement fusion ignition and high yield campaign is hereby reduced by $20,000,000.

(b) AMENDMENT.—Notwithstanding the amounts set forth in the funding tables in division D, the amounts authorized to be appropriated
my colleagues to support this amendment.
I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentle-
leman from Washington (Mr. Has-
tings).

The amendment was agreed to.

AMENDMENTS EN BLOC NO. 3 OFFERED BY MR. MCKEON

Mr. MCKEON. Madam Chairman, pur-
suant to House Resolution 590, I offer
amendments en bloc.

The Acting CHAIR. The Clerk will
designate the amendments en bloc.

Amendment No. 3 consists of amend-
ments Nos. 40, 42, 44, 45, 46, 47,
48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 130,
133, 139, and 141 printed in part A of
House Report No. 113–460, offered by
Mr. MCKEON of California.

AMENDMENT NO. 40 OFFERED BY MR. COFFMAN
OF COLORADO

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

SEC. 5. ENHANCEMENT OF PARTICIPATION OF MENTAL HEALTH PROFESSIONALS ON BOARDS FOR CORRECTION OF MILITARY RECORDS AND BOARDS FOR REVIEW OF DISCHARGE OR DISMISSAL OF MEMBERS OF THE ARMED FORCES.

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

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection (g):

"(g) Any medical advisory opinion issued to a board established under subsection (a)(1) with respect to a member or former member of the armed forces who was diagnosed while serving in the armed forces as experiencing a mental health disorder shall include the opinion of a clinical psychologist or psychiat-
rist if the request for correction of records concerned relates to a mental health dis-
order.";

(b) BOARDS FOR REVIEW OF DISCHARGE OR DISMISSAL.—

(1) REVIEW FOR CERTAIN FORMER MEMBERS WITH PTSD OR TBI.—Subsection (d)(1) of section 1553 of such title is amended by striking "physician (or psychologist, psychiatrist, or psychia-
trist)" the second place it appears and insert-
ing "clinical psychologist or psychiatrist, or a
physician with training on mental health issues connected with post-traumatic stress disorder or traumatic brain injury (as applicable)".

(2) REVIEW FOR CERTAIN FORMER MEMBERS WITH MENTAL HEALTH DISORDERS.—Such sub-
section is further amended by adding at the end the following new subsection:

"(e) In the case of a former member of the armed forces (other than a former member covered by subsection (d)) who was diagnosed while serving in the armed forces as experiencing a mental health disorder, a board es-

tablished under this section to review the former member’s discharge or dismissal shall include a member who is a clinical psychol-

ogy or psychiatrist, or a physician with spec-
ial training in mental health disorders."

AMENDMENT NO. 42 OFFERED BY MR. THOMPSON OF PENNSYLVANIA

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

SEC. 5. ESTABLISHMENT OF PHONE SERVICE FOR PROMPT REPORTING OF HAZING INVOLVING A MEMBER OF THE ARMED FORCES.

(a) ESTABLISHMENT REQUIRED.—The Sec-


tary of Defense shall develop and implement a phone service through which an individual can anony-
mously report incidents of hazing in branch of the Armed Forces.

(b) HAZING DESCRIBED.—For purposes of carrying out this section, the Secretary of Defense (and the Secretary of the Depart-

ment in which the Coast Guard operates) shall use the definition of hazing contained in section 204 of the National Defense Protection Act (99 Stat. 1690).

AMENDMENT NO. 44 OFFERED BY MS. VELAZQUEZ OF NEW YORK

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

SEC. 5. ENHANCEMENT OF PARTICIPATION OF MENTAL HEALTH PROFESSIONALS ON BOARDS FOR CORRECTION OF MILITARY RECORDS AND BOARDS FOR REVIEW OF DISCHARGE OR DISMISSAL OF MEMBERS OF THE ARMED FORCES.

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

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection (g):

"(g) Any medical advisory opinion issued to a board established under subsection (a)(1) with respect to a member or former member of the armed forces who was diagnosed while serving in the armed forces as experiencing a mental health disorder shall include the opinion of a clinical psychologist or psychiat-
rist if the request for correction of records concerned relates to a mental health dis-
order.";

(b) BOARDS FOR REVIEW OF DISCHARGE OR DISMISSAL.—

(1) REVIEW FOR CERTAIN FORMER MEMBERS WITH PTSD OR TBI.—Subsection (d)(1) of section 1553 of such title is amended by striking "physician (or psychologist, psychiatrist, or psychia-
trist)" the second place it appears and insert-
ing "clinical psychologist or psychiatrist, or a
physician with training on mental health issues connected with post-traumatic stress disorder or traumatic brain injury (as applicable)".

(2) REVIEW FOR CERTAIN FORMER MEMBERS WITH MENTAL HEALTH DISORDERS.—Such sub-
section is further amended by adding at the end the following new subsection:

"(e) In the case of a former member of the armed forces (other than a former member covered by subsection (d)) who was diagnosed while serving in the armed forces as experiencing a mental health disorder, a board es-

tablished under this section to review the former member’s discharge or dismissal shall include a member who is a clinical psychol-

ogy or psychiatrist, or a physician with spec-
ial training in mental health disorders."

AMENDMENT NO. 45 OFFERED BY MRS. MCMORRIS RODGERS OF WASHINGTON

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

SEC. 5. ROLE OF MILITARY SPOUSE EMPLOYMENT PROGRAMS IN ADDRESSING UNDEREMPLOYMENT OF MILITARY SPOUSES AND THEIR CIVILIAN COUNTERPARTS.

(a) FINDINGS.—Congress makes the fol-

lowing findings:

(1) Members of the Armed Forces and their

families make enormous sacrifices in defense of
the United States.

(2) Military spouses face a unique lifestyle
demanded by frequent moves, increased family responsibilities during deployments, and limited career opportunities in certain geographic locations.

(3) These circumstances present significant challenges to military spouses who desire to build a portable career commensurate with their skills, including education and experience.

(4) According to a recent Department of Defense survey, the unemployment rate for civilians married to a military member is 25 percent, but the unemployment rate for spouses of junior enlisted mem-

bers. The same survey revealed that 85 per-
cent of military spouses want or need to work.

(5) A recent Military Officers Association of America (MOAA)/Institute for Veterans and Military Families (IVMF) Military Spouse Employment Report revealed that an overwhelming ninety percent of female mili-
tary spouses are underemployed.

(6) The Department of Defense has de-

monstrated its commitment to helping military spouses obtain employment by creating the Military Spouse Employment Partnership (MSEP), the Military Spouse Career Center, and the Military Spouse Career Ad-

vancement Account. Accounts of more than 61,000 military spouses have been hired as part of the Military Spouse Employment Partnership (MSEP) since the MSEP launch in 2001.

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

(1) The Secretary of Defense should con-

inue to work to reduce the unemployment and underemployment of spouses of members of the Armed Forces (in this section referred to as ‘‘military spouses’’) and support clos-
ing the wage gap between military spouses and their civilian counterparts;

(2) In this process, the Secretary should prioritize efforts that assist military spouses in pursuing portable careers that match their skill set, including education and expe-

rience; and

(3) In evaluating the effectiveness of mili-
tary spouse employment programs, the Sec-

retary should collect information that pro-

vides a comprehensive assessment of the pro-

gram, including whether program goals are being achieved.

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

(1) DATA COLLECTION REQUIRED.—In addi-
tion to monitoring the number of military spouses who obtain employment through military spouse employment programs, the Secretary of Defense shall collect data to evaluate the effectiveness of military spouse
employment programs in addressing the underemployment of military spouses and in closing the wage gap between military spouses and their civilian counterparts. In order to close such gaps, the Secretary of Defense shall include programs designed to address the underemployment of military spouses through military spouse employment programs which match their education and experience.

Page 127, line 10, insert after the period the following: “In establishing the eligibility requirements to be used by the program manager for the selection of the civilian employment services, the Secretary of Defense shall also take into account civilian employment staffing agencies, the Secretary of Defense under this section. The Secretary may enter into agreements with the Corporation for the purpose of supporting the athletic programs of the Academy. Notwithstanding section 2304(k) of this title, the Secretary may enter into contracts or cooperative agreements on a sole source basis pursuant to section 2304(c)(5) of this title. Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property, services, or travel for the direct benefit or use of the Academy and athletic programs.”

Page 272, line 11, add at the end of subsection (c) the following: “(2) Limitation on total fiscal-year obligations. — The total amount obligated by the Secretary of Defense to carry out the pilot program for any fiscal year may not exceed $20,000,000.”

Page 281, line 4, insert “. . . unless the Secretary of Defense shall prepare and enter into contracts or cooperative agreements with the State to provide job placement assistance to members of the reserve components.”

Page 285, line 3, add “. . . in such a program.”

Page 305, line 3, insert “. . . in such a program.”

Page 320, line 2, insert “. . . in such a program.”

Page 342, line 6, add “. . . in such a program.”

Page 374, line 2, add “. . . in such a program.”

Page 439, line 2, add “. . . in such a program.”

Page 453, line 3, add “. . . in such a program.”

Page 486, line 3, add “. . . in such a program.”

Page 517, line 3, add “. . . in such a program.”

Page 552, line 3, add “. . . in such a program.”

Page 581, line 3, add “. . . in such a program.”

Page 604, line 3, add “. . . in such a program.”

Page 629, line 3, add “. . . in such a program.”

Page 652, line 3, add “. . . in such a program.”

Page 684, line 3, add “. . . in such a program.”

Page 701, line 3, add “. . . in such a program.”

Page 724, line 3, add “. . . in such a program.”

Page 748, line 3, add “. . . in such a program.”

Page 762, line 3, add “. . . in such a program.”
require all service members to wait a period of 1 year before becoming eligible for the Army's tuition assistance program.

AMENDMENT NO. 50 OFFERED BY MR. SEAN PATRICK MALONEY OF NEW YORK
Page 132, lines 18 and 19, strike “4-year” and insert “5-year”.
Page 133, lines 9 and 10, strike “4-year” and insert “5-year”.

AMENDMENT NO. 51 OFFERED BY MR. GERTLICH OF PENNSYLVANIA
At the end of subtitle H of title V, add the following new section:

SEC. 5. RECOGNITION OF WERETH MASTACRE OF 11 AFRICAN-AMERICAN SOLDIERS OF THE UNITED STATES ARMY DURING THE BATTLE OF THE BULGE.

Congress officially recognizes the dedicated service and ultimate sacrifice on behalf of the United States of the 11 African-American soldiers of the 333rd Field Artillery Battalion of the United States Army who were massacred in Wereth, Belgium, during the Battle of the Bulge on December 17, 1944.

AMENDMENT NO. 52 OFFERED BY MRS. BUSTOS OF ILLINOIS
At the end of subtitle H of title V, add the following new section:

SEC. 574. REPORT ON ARMY REVIEW, FINDINGS, AND ACTIONS PERTAINING TO MEDAL OF HONOR NOMINATION OF CAPTAIN WILLIAM L. ALBRACHT.

Not later than 30 days after the date of the enactment of this Act, the Secretary of the Army shall:
(1) conduct a review of the initial review, findings, and actions undertaken by the Army in connection with the Medal of Honor nomination of Captain William L. Albracht; and
(2) submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing the results of that review required by this section, including an accounting of all evidence submitted with regard to the nomination.

AMENDMENT NO. 53 OFFERED BY MR. CHU OF CALIFORNIA
At the end of the enacting clause of title V, add the following new section:

SEC. 5 . COMPTROLLER GENERAL AND MILITARY ACADEMY REPORTS ON HAZING IN THE ARMED FORCES.

(a) COMPTROLLER GENERAL REPORT.—
(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the designated congressional committees a report on the policies to prevent and respond to incidents of hazing, including the number of alleged and substantiated incidents of hazing over the last five years for each Armed Force, the nature of these cases and actions taken to address such matters through non-judicial and judicial action.
(2) ELEMENTS.—The report required by paragraph (1) shall include the following:
(A) A discussion of the policies of the Armed Forces for preventing and responding to incidents of hazing, including discussion of any changes or newly implemented policies since the submission of the reports required by section 534 of the National Defense Authorization Act for Fiscal Year 2013.
(B) An assessment by the Secretary submitting such report of the impact of the policies of the Armed Forces from military service to civilian life.
(C) An assessment by the Secretary submitting such report of the extent to which the Armed Forces are providing the information described in subsection (b) on members of the Armed Forces who are separating from the Armed Forces to State veterans agencies as a means of facilitating the transition of the Armed Forces from military service to civilian life.

(b) MILITARY DEPARTMENT REPORTS.—
(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, each Secretary of a military department, in consultation with the Chief of Staff of the Armed Force under the jurisdiction of such Secretary, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing an update to the hazing reports required by section 534 of the National Defense Authorization Act for Fiscal Year 2013.
(2) ELEMENTS.—Each report on an Armed Force required by paragraph (1) shall include the following:
(A) A discussion of the policies of the Armed Force for preventing and responding to incidents of hazing, including discussion of any changes or newly implemented policies since the submission of the reports required by section 534 of the National Defense Authorization Act for Fiscal Year 2013.
(B) An assessment by the Secretary submitting such report of the impact of the policies of the Armed Forces from military service to civilian life.
(C) An assessment by the Secretary submitting such report of the extent to which the Armed Forces are providing the information described in subsection (b) on members of the Armed Forces who are separating from the Armed Forces to State veterans agencies as a means of facilitating the transition of the Armed Forces from military service to civilian life.

AMENDMENT NO. 54 OFFERED BY MR. LANGIEVIN OF RHODE ISLAND
At the end of subtitle I of title V, add the following new section:

SEC. 5 . NATIONAL INSTITUTE OF MENTAL HEALTH STUDY OF RISK AND RESILIENCE OF UNITED STATES SPECIAL OPERATIONS COMMAND'S PRESERVATION OF THE FORCE AND FAMILIES PROGRAM.

(a) STUDY REQUIRED.—The Secretary of the National Institute of Mental Health shall conduct a study of the risk and resiliency of the United States Special Operations Command’s Preservation of the Force and Families Program on reducing risk and increasing resiliency.
(b) ELEMENTS OF THE STUDY.—The study conducted under subsection (a) shall specifically include an assessment of each of the following:
(1) The mental, behavioral, and psychological health of the United States Special Operations Command’s Preservation of the Force and Families Program’s focus on physical development to address the mental, behavioral, and psychological health of the United States Special Operations Forces, including measurements of effectiveness on reducing suicide and other mental, behavioral and psychological risks, and increasing resiliency of the United States Special Operations Forces.
(2) The United States Special Operations Command’s Human Performance Program, including measurements of effectiveness on reducing risk and increasing resiliency of United States Special Operations Forces.
(3) Such other matters as the Director of the National Institute of Mental Health considers appropriate.
(c) SUBMISSION OF REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of the National Institute of Mental Health shall submit to the congressional defense committees a report containing the results of the study conducted under subsection (a).

AMENDMENT NO. 55 OFFERED BY MR. LAMALFA OF CALIFORNIA
At the end of subtitle J of title V, insert the following:

SEC. 594. ACCESS OF CONGRESSIONAL CASEWORKERS TO INFORMATION ABOUT DEPARTMENT OF VETERANS AFFAIRS CASEWORKERS CATEGORIZED AS PROTECTED TO OTHER OFFICES OF THE DEPARTMENT.

If Department of Veterans Affairs casework is brokered out to another office of the Department from its original submission site, a caseworker in a congressional office may contact the brokered office to receive an update on the constituent’s case, and that office of the Department is required to update the congressional staffer regardless of their thoughts on jurisdiction.

AMENDMENT NO. 56 OFFERED BY MR. WALBERG OF MICHIGAN
At the end of subtitle J of title V (page 162, after line 18) add the following:

SEC. 5. NON-FEDERAL PROGRAMS FOR THE PROVISION OF CERTAIN INFORMATION TO STATE VETERANS AGENCIES TO FACILITATE THE TRANSITION OF MEMBERS OF THE ARMED FORCES FROM MILITARY SERVICE TO CIVILIAN LIFE.

(a) PILOT PROGRAM REQUIRED.—Commencing not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of providing the information described in subsection (b) on members of the Armed Forces who are separating from the Armed Forces to State veterans agencies as a means of facilitating the transition of the Armed Forces from military service to civilian life.

(b) STUDY REQUIRED.—The Secretary of the Department of Veterans Affairs shall conduct a study of the risk and resiliency of the United States Special Operations Command’s Preservation of the Force and Families Program on reducing risk and increasing resiliency.

(c) SUBMISSION OF REPORT.—The study conducted under subsection (a) shall specifically include an assessment of each of the following:
(1) The mental, behavioral, and psychological health of the United States Special Operations Command’s Preservation of the Force and Families Program’s focus on physical development to address the mental, behavioral, and psychological health of the United States Special Operations Forces, including measurements of effectiveness on reducing suicide and other mental, behavioral and psychological risks, and increasing resiliency of the United States Special Operations Forces.
(2) The United States Special Operations Command’s Human Performance Program, including measurements of effectiveness on reducing risk and increasing resiliency of United States Special Operations Forces.
(3) Such other matters as the Director of the National Institute of Mental Health considers appropriate.

(b) COVERED INFORMATION.—The information described in this subsection with respect to a member is as follows:
(1) Department of Defense Form DD 214.
(2) Personal email address.
(3) A personal telephone number.
(4) A mailing address.
(c) VOLUNTARY PARTICIPATION.—The participation in the pilot program shall be at the election of the member.
(d) FORM OF PROVISION OF INFORMATION.—Information shall be provided to State veterans agencies under the pilot program in digitized electronic form.
(e) USE OF INFORMATION.—Information provided to State veterans agencies under the pilot program may be shared by such agencies with appropriate county veterans service offices in such manner and for such purposes as the Secretary shall specify for purposes of the pilot program.
(f) REPORT.—Not later than 15 months after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the pilot program. The report shall include a description of the pilot program and such recommendations, including recommendations for continuing or expanding the pilot program, as the Secretary considers appropriate in light of the pilot program.

AMENDMENT NO. 58 OFFERED BY MR. BISHOP OF NEW YORK
Page 162, after line 18, insert the following:

SEC. 594. SENSE OF CONGRESS REGARDING THE RECOVERY OF THE REMAINS OF CERTAIN MEMBERS OF THE ARMED FORCES KILLED IN THURSTON ISLAND, ANTARCTICA.

(a) FINDINGS.—Congress makes the following findings:
(1) Outgoing August 26, 1946, though late February 1947 the United States Navy Antarctic Development Program Task Force 68, codenamed “Operation Highjump” initiated the largest over-the-date exploration of the Antarctic continent.
(2) The primary mission of Task Force 68 organized by Rear Admiral Richard E. Byrd Jr. USN, (Ret) and led by Rear Admiral Richard H. Cruzen, USN, was to do the following:
(A) Establish the Antarctic research base Little America IV.
(B) In the defense of the United States of America from possible hostile aggression from abroad - to achieve personnel test equipment, develop techniques for establishing, maintaining and utilizing air bases on ice, with applicability comparable to interior Greenland where conditions are similar to those of the Antarctic.
(C) Map and photograph a full two-thirds of the Antarctic Continent during the classified, hazardous duty/volunteer-only operation involving 4700 sailors, 23 aircraft and 13 ships including the first submarine the U.S.S. Senet, and the aircraft carrier the U.S.S. Valley Forge as the largest over-the-date exploration of the Antarctic.
(D) Consolidate and extend United States sovereignty over the largest practicable area of the Antarctic continent.
(E) Determine the feasibility of establishing, maintaining and utilizing bases in the Antarctic and investigating possible base sites.
(F) While on a hazardous duty/volunteer mission vital to the interests of National Security, at the eastern Antarctica coastline known as the Phantom Coast, the PBM-5 Martin Mariner “Flying Boat” George 1 entered a whiteout over Thurston Island. As the pilot attempted to climb, the aircraft grazed the glacier’s ridgeline and exploded within 5 seconds instantly killing Ensign Maxwell Lopez, Navigator and Wendell “Bud” Hendersin, Aviation Machinists Mate 1st Class while Frederick Williams, Aviation Radioman 1st Class died hours later. Six other survivors including the Captain of the “George 1”’s seaplane tender U.S.S. Pine Island.
(4) The bodies of the dead were protected from predation of Antarctic scavenging birds (Skuas) by the surviving crew wrapping the bodies and temporarily burying the men under the starboard wing engine nacelle.
(5) Rescued survivors of the “George 1” survivors forced the abandonment of their crewmate’s bodies.
(6) Condition prior to the departure of Task Force 68 precluded a return to the area to recover the bodies.
(7) For nearly 60 years Navy promised the families that recovered the men: “If the safety, logistical, and operational prerequisites allow a mission in the future, every effort will be made to bring our sailors home.”
(8) The Joint POW/MIA Accounting Command twice offered to recover the bodies of this crew for Navy.
(9) A 2004 NASA ground penetrating radar overflight commissioned by Navy relocated the crash site three miles from its crash position.
(10) The Joint POW/MIA Accounting Command offered to undergo the cost of an aerial ground penetrating radar (GPR) survey of the crash site in May 2007.
(11) The Joint POW/MIA Accounting Command studied the recovery with the recognized recovery authorities and national scientists and determined that the recovery is only “medium risk”.
(12) National Science Foundation and scientists from the University of Texas, Austin, regularly visit the area.
(13) The crash site is classified as a “perishable site”, meaning a glacier that will calve into the Bellinghausen Sea.
(14) The National Science Foundation maintains a presence in area - of the Pine Island Glacier.
(15) The National Science Foundation Director of Polar Operations will assist and provide assets for the recovery upon the request of Congress.
(16) The United States Coast Guard is presently pursuing the recovery of 3 WWII aircrews from similar circumstances in Greenland.
(17) On Memorial Day, May 25, 2009, President Barack Obama declared: “...the support of our veterans is a sacred trust...we need to serve them as they have served us...” that means bringing home all our POWs and MIAs....
(18) The policies and laws of the United States of America require that our armed service personnel be patriots.
(19) The fullest possible accounting of United States fallen military personnel means repatriating living American POWs and MIAs, accounting for, identifying, and recovering the remains of the personnel who were killed in the line of duty, or providing convincing evidence as to why such a repatriation, accounting, identification, or recovery is not possible.
(20) It is the responsibility of the Federal Government to return to the United States for proper burial and respect all members of the Armed Forces killed in the line of duty who lie in lost graves.
(b) SENSE OF CONGRESS.—In light of the findings under paragraph (a), Congress—
(1) reaffirms its support for the recovery and return to the United States, the remains and bodies of all members of the Armed Forces who have perished in or as a result of efforts by the Joint POW-MIA Accounting Command to recover the remains of members of the Armed Forces from all wars, conflicts and missions;
(2) recognizes the courage and sacrifice of all members of the Armed Forces who participated in Operation Highjump and all missions vital to the national security of the United States of America;
(3) acknowledges the dedicated research and work by the United States, the National Science Foundation, the Joint POW/MIA Accounting Command, the Fallen American Veterans Foundation and all pertinent organizations to identify, locate, and advocate for, from their temporary Antarctic grave, the recovery of the well-preserved frozen bodies of Ensign Maxwell Lopez, Navigator, Aviation Machinist’s Mate 1ST Class, Wendell Hendersin, Aviation Radioman 1ST Class of the “George 1” explosion and crash; and
(4) encourages the Department of Defense to review the facts, research and to pursue new efforts to undertake all feasible efforts to recover, identify, and return the well-preserved frozen bodies of Ensign Maxwell 1ST 1” crew from Antarctica’s Thurston Island.

AMENDMENT NO. 59 OFFERED BY MR. FARR OF CALIFORNIA
Page 162, after line 18, insert the following:

SEC. 594. SENSE OF THE CONGRESS REGARDING THE RECOVERY OF THE REMAINS OF CERTAIN MEMBERS OF THE ARMED FORCES KILLED IN THURSTON ISLAND, ANTARCTICA.

(a) DESIGNATION.—The Department of Veterans Affairs and Department of Defense Joint outpatient clinic to be constructed at the intersection of the proposed Ninth Street and the proposed First Avenue in Marina, California, shall be known and designated as the “Major General William H. Gourley VA-DO outpatient Clinic”.
(b) REFERENCE.—Any reference in a law, regulation, map, document, record, or other paper of the United States to the Department of Veterans Affairs and Department of Defense joint outpatient clinic referred to in subsection (a) shall be deemed to be a reference to the “Major General William H. Gourley VA-DO outpatient Clinic”.

AMENDMENT NO. 123 OFFERED BY MR. KELLY OF PENNSYLVANIA
At the appropriate place in subtitle E of title XII of division A, insert the following:

SEC. 4. LIMITATION ON AVAILABILITY OF FUNDS TO IMPLEMENT THE ARMS TRADE TREATY.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise available to the Department of Defense may be obligated or expended to implement the Arms Trade Treaty, or to make any change to existing programs, projects, or activities as approved by Congress in furtherance of, pursuant to, or otherwise to implement the Arms Trade Treaty, unless the Arms Trade Treaty has received the advice and consent of the Senate and has been the subject of implementing legislation, as required, by the Congress.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude the Department of Defense from assisting foreign countries in bringing their laws and regulations up to United States standards.

AMENDMENT NO. 123 OFFERED BY MR. KELLY OF PENNSYLVANIA
At the end of subtitle P of title XII of division A, add the following:

SEC. 5. SENSE OF CONGRESS REGARDING THE NAVAL CAPABILITIES OF THE RUSSIAN FEDERATION.

It is the sense of Congress that—
(1) Mistral class amphibious assault warships and/or other large ships, capable of carrying 16 helicopters, up to 700 soldiers, four landing craft, 60 armored vehicles, and 13
At the end of subtitle C of title XV, insert the following:

SEC. 1523. LIMITATION ON USE OF FUNDS FOR THE AFGHANISTAN INFRASTRUCTURE FUND.

None of the funds authorized to be appropriated or otherwise made available by this Act may be used for the Afghanistan Infrastructure Fund until all funds appropriated for the Infrastructure Fund are spent in accordance with the fiscal year 2012 appropriation for such fund before the date of the enactment of this Act are obligated or expended.

AMENDMENT NO. 139 OFFERED BY MR. WALBERG OF MICHIGAN

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

SEC. 16. REPORT ON GOVERNANCE AND CORRUPTION IN THE RUSSIAN FEDERATION.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the Committees on Foreign Relations and the Committee on Armed Services of the Senate a report on the status of governance and democratization in the Russian Federation.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) a description of the extent of political and economic corruption among the senior leadership of the Russian Federation;

(2) an analysis of the assets of the senior leadership of the Russian Federation, with a particular focus on the illegal attainment and misuse of assets, including the use of family or friends to hide assets.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) PUBLIC AVAILABILITY.—The Director of National Intelligence shall make publicly available on the Internet the unclassified portion of the report required under subsection (a).

The Acting CHAIR. Pursuant to House Resolution 590, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

Mr. MCKEON. Madam Chair, I urge the committee to adopt the amendment in bloc, all of which have been examined by the majority and the minority.

At this time, I yield 3 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Madam Chair, I thank the chairman.

I rise in strong support of my amendment to H.R. 4435, the FY15 NDAA, to renew a 1-year ban on the Obama administration from using any Department of Defense funds to implement the United Nations Arms Trade Treaty.

This language is identical to the version of my amendment that was enacted into law FY14 NDAA and reflects the overwhelming, bipartisan view that the American people and the unified position of Congress in opposition to this misguided and dangerous treaty.

Renewal of this ban is timely and necessary. In January, the Obama administration unexpectedly and without consultation, issued a new arms export control policy, which has not been changed since 1995.

The administration’s new policy clearly seeks to implement the ATT and is based on the most dangerous part of the treaty, the international human rights law/international humanitarian law standard, that can be readily politicized by bad actors to stop the U.S. from providing arms to our friends and allies, including Israel. The current administration has been so brazen about this that, in a speech to CSIS on April 23, Assistant Secretary of State Thomas Countryman openly stated: We’re already implementing the treaty.

Amazingly, in that same speech, Mr. Countryman stated: We don’t have to change any laws to implement the treaty.

That is not up to him or the administration to decide. It is up to the Senate to provide its advice and consent on the treaty, and the House and Senate to pass the necessary implementing legislation.

This President’s assertion is deeply disrespectful to the Senate and the House and to the Constitution he is sworn to uphold. I urge my colleagues to stand with me in support of the Senate Amendment, our Nation’s sovereign, and vote in support of this amendment to renew the annual ban on funding the ATT.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MCKEON. I yield an additional 2 minutes to the gentleman.

Mr. KELLY of Pennsylvania. Madam Chair, I rise in strong support of my amendment to H.R. 4435 to express the sense of Congress against France’s impending sale of Mistral class helicopter amphibious assault warships to Russia and urging the President and the Secretaries of State and Defense to seek to stop this sale.

Zoos often have signs posted that say don’t feed the bears because it is just common sense. Similarly, I would like to say now, especially, don’t feed the Russian bear; but with the sale of these advanced warships, France isn’t just feeding the Russian bear, it is serving up fine dining on a silver plate.

A Mistral is no mere civilian hull, as France’s Defense Minister claims. Just one Mistral class warship has the capacity to carry 16 helicopters, up to 700 soldiers, four landing craft, 60 armored vehicles, and 13 tanks and has the advanced communications capabilities that make it capable of operating as a command and control vessel.

France wants to send Russia two of them—Vladivostok and Sevastopol—which just happens to be the name of the naval base in Crimea, which Russia has just annexed from Ukraine. These warships would allow the Russian navy to expand its naval presence in the region, augmenting its capabilities against Ukraine, Georgia, and Baltic members of NATO, but don’t take my word for it. Admiral Vysotsky, former head of Russia’s navy, boasted that Russia would have won its war against Georgia in 2008 in just 40 minutes, instead of 26 hours, if it just had these ships back then.

It makes no sense for France to provide these warships to Russia when it is occupying Georgia and amassing troops on Ukraine’s border. France’s support of Russia’s navy is unbecoming of a close NATO ally, and it has got to stop.

I urge my colleagues to stand with me in support of this commonsense amendment for the sake of our allies and our friends in Europe.

Mr. SMITH of Washington. I yield 2 minutes to the gentleman from Oregon (Ms. BONAMICI).

Ms. BONAMICI. Madam Chair, I thank the ranking member for yielding, and I rise in support of the en bloc amendment, which includes the amendment I offered with the gentleman from Oregon (Mr. WALDEN), to call attention to an important issue facing the Army National Guard.

Soldiers join the National Guard to serve their country. Often, they choose the National Guard because they want to balance service with civilian careers or postsecondary education. The Army’s tuition assistance program is a valuable benefit for soldiers who want to pursue opportunities for professional growth or attend college while on duty.

In January of 2014, the Army changed its tuition assistance program, and now, all soldiers must wait one full year after initial training before becoming eligible for tuition assistance. This change affects all soldiers, but it may disproportionately harm those in the National Guard.

Nonprior service soldiers in the National Guard, some of whom attend college full time, will have to wait at least two years, and perhaps much longer, depending on the availability of training courses before they get help paying for their education.

The Bonamici-Walden amendment asks the Secretary of the Army to study how this across-the-board change to tuition assistance could affect citizens-soldiers enrolled in education programs.

I would like to thank Chairman Mica, Ranking Member Smith, and their staffs for their willingness to accept this important amendment to help protect education benefits and ensure a strong citizen-soldier force.
Mr. McKEON. Madam Chair, I yield 2 minutes to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Madam Chair, first of all, I want to thank Chairman McKean for his service on this committee and in this chamber as a colleague; and quite frankly, on behalf of my wife Penny and I, as military parents, thank you for your service to those who serve.

I want to thank you, also, for allowing me to stand and change this amendment and have it as part of this en bloc. My amendment will institute a preliminary mental health assessment for all incoming military recruits. A recent Army study found:

Nearly one in five Army soldiers enters the service with a mental disorder, and nearly half of all soldiers who have tried suicide first attempted it before enlisting.

In March, Representative Tim Ryan of Ohio, and I introduced the bipartisan H.R. 4905, the Medical Evaluation Parity for Veterans Act of 2014, which is the exact language of this amendment.

This small but subsequent change to current law will bring mental health parity with physical health during entrance procedures. A preliminary evaluation will also have the purpose of serving as a baseline to identify changes in behavioral health, including traumatic brain injury and/or posttraumatic stress injury throughout an individual's military career.

Protecting individual privacy was taken into the utmost consideration when putting this amendment together. While the MEPS Act is not a cure-all, it will be a significant step in further understanding a well-documented gap in behavioral health information that exists among our service branches; and of equal importance, it will assist with the mental wellness of our servicemembers and veterans.

Similarly, the MEPS Act has garnered over 35 bipartisan cosponsors and the support of over 40 major military, veteran, and health advocacy groups.

I thank all those who supported this legislation and worked with me and my staff to put this together. I ask for your support as we pass this important piece of legislation.

Mr. SMITH of Washington. Madam Chair, I yield 1 minute to the gentleman from Wisconsin (Mr. SCHIFF).

Mr. SCHIFF. Madam Chair, I want to thank Rules Committee Chairman Pete Sessions for making this amendment in order, and I want to thank Chairman McKean for his service and for allowing this amendment to be part of this en bloc.

My amendment adds the voice of the House to those of many Americans, including Navy Secretary Ray Mabus, who would like to see the names of the 74 sailors lost aboard the USS Frank E. Evans added to the Vietnam Memorial.

The USS Frank Evans, a destroyer, was launched near the end of World War II and was recommissioned for the Korea and Vietnam conflicts. After participating in combat off the coast of Vietnam, the Evans was deployed for the Operation Sea Spirit training exercise in the South China Sea.

On the morning of June 3, 1969, the Evans was training with an Australian navy carrier when the two ships collided.

The Melbourne ripped the American destroyer in two. The bow sank in just 3 minutes, leaving only a stern section afloat. Seventy-four sailors perished.

Although they were in the South China Sea, these names have been excluded from the Vietnam Memorial because the Evans was outside the designated combat zone which determines inclusion on the wall.

My amendment adds the voice of this House to those of many Americans, including Navy Secretary Ray Mabus, who would like to see the names of the 74 sailors lost aboard the USS Frank E. Evans added to the Vietnam Memorial.

The USS Frank E. Evans, a destroyer, was launched near the end of World War II and was recommissioned for the Operation Sea Spirit training exercise in the South China Sea.

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The USS Frank E. Evans, a destroyer, was launched near the end of World War II and was recommissioned for the Operation Sea Spirit training exercise in the South China Sea.

Mr. McKEON. Madam Chair, I yield 2 minutes to the gentleman from Michigan (Mr. WALBERG), my friend and colleague.

Mr. WALBERG. Madam Chair, I want to thank the chairman for including this amendment en bloc.

For our men and women transition out of the Armed Forces, they are confronted with a number of challenges as they reintegrate into civilian life. My amendment offers a simple change to current DOD policy that I believe will greatly benefit our servicemembers as they return home.

Based on bipartisan legislation I have introduced, the Servicemembers Transition Improvement Act, this amendment would require DOD to transmit a comprehensive copy of a servicemember’s information to State veterans agencies.

Veterans service agencies are a powerhouse resource, helping veterans through job assistance programs and navigating the benefits they have earned. This legislation will enable veterans service offices to assist separating servicemembers who reside in their communities and confirms that care for our men and women in uniform does not end when they leave military service.

Also, Madam Chairman, I rise today in support of my bipartisan amendment with Mr. Cornyn of Tennessee to prohibit new funds for the Afghanistan infrastructure fund and ensure American tax dollars are invested wisely.

We have already spent billions of dollars toward rebuilding the infrastructure of Afghanistan and on projects that are underway and behind schedule for years away from completion.

Without any assurance that these projects are needed or can be completed, let’s focus these funds on growing our economy, investing in American infrastructure, and paying off our debt.

I want to thank Chairman McKean for accepting this amendment in the en bloc and would encourage my colleagues to vote in support of it.

Mr. SMITH of Washington. Madam Chair, I yield 2 minutes to the gentleman from Illinois (Ms. DUCKWORTH).

Ms. DUCKWORTH. Madam Chair, I rise in support of the en bloc package, including my amendment which will strengthen our military families.

Madam Chair, Madam Chair’s Day I traveled to Afghanistan with a bipartisan group of Members of Congress. We heard firsthand about the difficult mental and physical challenges our brave service men and women must overcome. Our service members faced their maternity leave policy, which is not in line with the Family and Medical Leave Act.
Currently, the Department of Defense permits Active Duty mothers to take 6 weeks of maternity leave. This is 6 weeks less than mandated by the Family and Medical Leave Act.

My amendment, which is based on my widely supported bipartisan bill to improve the Military Opportunities for Mothers, or MOM, Act, would give servicemembers the option of extending leave to the same amount that is guaranteed to their civilian sisters. It has received widespread support because my colleagues from female servicemembers and veterans on how bad this policy of just 6 weeks is for the treatment of talented women, morale, and mental health.

I urge my colleagues to support this amendment and give our military mothers a chance at a healthier, stronger future for their families and our country. Extending maternity leave for these women is the least we can do for those who sacrifice so much for our country.

Mr. MCKEON. Madam Chair, I yield 2 minutes to the gentleman from Colorado (Mr. COFFMAN), my friend and colleague, a member of the Committee on Armed Services.

Mr. COFFMAN. Mr. Chairman, thank you for your service to our Nation as the chairman of the House Armed Services Committee. As a veteran, I deeply appreciate all you have done and will do until the end of your term.

I rise in support of this en bloc amendment to the National Defense Authorization Act because it contains an amendment I offered which provides servicemembers diagnosed with a mental health condition who have been discharged access to a physician with special mental health training to provide an additional level of expert review on appeal.

According to the Congressional Research Service, from 2001 to 2011, over 40,000 servicemembers were diagnosed with at least one mental health condition. While the majority of those diagnosed were able to continue serving, many were ultimately discharged from the military either directly for their mental health issues or for conduct linked to those diagnoses.

Current law insufficiently equips servicemembers diagnosed with a mental health disorder during appeal of a discharge. My amendment corrects this injustice and ensures fairness for those suffering from mental health issues as a result of their service to our Nation.

I urge my colleagues to support this en bloc amendment.

Mr. SMITH of Washington. Madam Chair, I yield 1 minute to the gentleman from Florida (Mr. MURPHY).

Mr. MURPHY of Florida. Madam Chair, I want to thank the gentleman from Washington for yielding. I want to thank the chairman for his efforts on this evening’s work.

I rise today to support of my amendment to improve mental health and suicide prevention for our Nation’s veterans.

Every day our country loses 22 of our Nation’s heroes to suicide. This heart-breaking statistic remains a devastating reality that should shake every Member in this House. Truly providing our heroes with the respect and care they deserve means treating not only physical, but invisible wounds as well.

With devastating reports about the VA failing our veterans and our country, my amendment insist on more accountability by requiring an independent third-party evaluation of existing suicide prevention efforts to improve coordination and integration between the DOD and the VA.

Outcomes of member and veteran suicide prevention programs are too important to be left to government agencies, particularly ones embroiled in scandal.

I urge my colleagues to support my amendment. Our Nation must not continue to fail those who served us so bravely.

The Acting CHAIR. The gentleman from California has 1 minute remaining. The gentleman from Washington has 5 minutes remaining.

Mr. MCKEON. Madam Chair, I continue to reserve the balance of my time.

Mr. SMITH of Washington. Madam Chair, I yield 1 minute to the gentleman from Illinois (Ms. DUCKWORTH).

Ms. DUCKWORTH. Madam Chair, I rise in support of my amendment which is included in the next en bloc amendment, which will strengthen small business participation in government contracts.

In my district and across the country, small businesses are the backbone of our economy. They innovate, know how to operate on a tight budget, and create good-paying jobs. My small businesses in Elgin, Illinois, should be able to win government contracts from the Department of Defense because I know they will do more with taxpayer dollars and provide superior products and services for our military.

This amendment would raise the small business subcontracting goal from 23 percent to 25 percent and establish a subcontracting goal of 40 percent. It would allow small businesses to reap $10 billion annually in new business work. These steps will ensure small businesses are able to compete, remain a powerful employment source, and save taxpayers money.

Small businesses are a vital part of Illinois’ Eighth Congressional District. That is why last year I came to the House floor to speak on behalf of small business amendments that I offered in the past. This time I am happy to partner with my colleague, the chairman of the Small Business Committee, to fight for this critical pillar of our country.

I urge my colleagues to support this amendment.

Mr. MCKEON. I reserve the balance of my time.

Mr. SMITH of Washington. Madam Chair, I yield 1 minute to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Madam Chair, I rise in strong support of the en bloc package that is before us tonight, which includes my amendment that will finally recognize the valiant service of merchant mariners who operated during the critical years during World War II.

Ensuring that individuals who sacrificed so much in service to our country receive the recognition they deserve is one of the most important jobs we have as Members of Congress.

I am grateful for the bipartisan support my amendment has received from colleagues like my good friend JANICE HAHN from California and WALTER JONES from North Carolina. With support for my amendment coast to coast, I am proud to stand here today one step closer to correcting an injustice that has remained for over 70 years. Madam Chair, after 70 long years, these mariners deserve to receive recognition for their service to our country.

I thank the chairman, I thank the ranking member for including this amendment in the en bloc package this evening, and I ask my colleagues to support final passage.

Mr. SMITH of Washington. Madam Chair, I have no further speakers, and I yield back the balance of my time.

Mr. MCKEON. Madam Chair, I encourage our colleagues to support the en bloc amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. MCKEON).

The en bloc amendments were agreed to.

Amendments en bloc No. 4 offered by Mr. MCKEON

Mr. MCKEON. Madam Chair, pursuant to House Resolution 590, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 4 consisting of amendment Nos. 41, 61, 62, 63, 64, 66, 69, 70, 71, 73, 74, 75, 76, 110, 112, 125, 138, 156, 157, and 160 printed in part A of House Report No. 113-460, offered by Mr. McKENZIE of California.

AMENDMENT NO. 4 OFFERED BY MS. DUCKWORTH OF ILLINOIS

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

SEC. 5. AVAILABILITY OF ADDITIONAL LEAVE FOR MEMBERS OF THE ARMED FORCES IN CONNECTION WITH THE BIRTH OF A CHILD.

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

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

(2) by inserting after ‘(1)’ the following new paragraph (1):

‘(1) Under regulations prescribed by the Secretary concerned, a member of the armed forces who gives birth to a child shall receive 42 days of convalescent leave to be used in connection with the birth of the child. At the discretion of the member, the member shall be allowed up to 42 additional days in a leave of absence status in connection with the birth of the child upon the expiration of the convalescent leave granted under this subsection.’

‘(A) a member who uses this additional leave is not entitled to basic pay for any day
on which such additional leave is used, but
shall be considered to be on active duty for
all other purposes; and
(2) by inserting after subsection (i) the fol-
dowing new subsection:
"(I) Special Priority for Certain Dis-
abled Veterans.—(1) The Secretary of De-
fense shall ensure that, no later than the end of the
90-day period beginning on the date of enactment
of this Act, the Secretary shall provide
transportation under the travel program to
members of the Armed Forces who
serve on active duty;.
"(2) by redesignating subsection (j) as sub-
section (i); and
"(3) in subsection (k), in paragraph (1), by
inserting the following paragraphs:—
"(A) The Secretary of Defense shall
provide transportation under the travel program to
members of the Armed Forces who
serve on active duty;.
"(B) by inserting after subsection (b) the fol-
dowing new subsection (c):
"(1) in paragraph (1), in subparagraph (I), by
inserting the following paragraphs:
"(A) in paragraph (1), by redesignating sub-
section (f) as subsection (e) and inserting the
following new subsection (f):
"(2) by inserting after subsection (e) the fol-
dowing new subsection (f):
"(3) The requirement to provide transport-
ation on Department of Defense aircraft on
a space-available basis for members other than
the armed forces entitled to retired or retainer
pay.
"(4) In this subsection, the term "space-
available" means that transportation
shall be provided on Department of Defense aircraft
on a space-available basis.
"SEC. 6. — TRANSPORTATION ON MILITARY AIR-
CRAFT ON A SPACE-AVAILABLE BASIS FOR DISABLED VETERANS WITH A SERVICE-CONNECTED, PER-
MANENT DISABILITY RATED AS TOTAL.
"(a) Availability of Transportation.—
Section 2641b of title 10, United States Code, is
amended—
"(1) by redesignating subsection (f) as sub-
section (g); and
"(2) by inserting after subsection (e) the fol-
dowing new subsection (f):
"(1) Special Priority for Certain Dis-
abled Veterans.—(1) The Secretary of De-
fense shall provide, at no additional cost to
the Department of Defense and with no air-
craft modifications, transportation on sched-
uled and unscheduled military flights within
the continental United States and on sched-
uled overseas flights operated by the Air Mo-
tility Command on a space-available basis for
veterans with a service-connected, permanent disability rated as total.
"(2) Notwithstanding subsection (d)(1), in
establishing space-available transportation priorities
under the travel program and in
transportation on Department of Defense aircraft
on a space-available basis on the priority basis
described in paragraph (2) to veterans cov-
ered by this subsection applies whether or not
the travel program is established under
this section.
"(3) The requirement to provide transport-
ation on Department of Defense aircraft on
a space-available basis on the priority basis
described in paragraph (2) to veterans cov-
ered by this subsection applies whether or not
the travel program is established under
this section.
"(4) In this subsection, the terms "veteran" and
"service-connected" have the meanings given to
these terms in section 101 of title 10.
"(b) Effective Date.—Subsection (f) of sec-
tion 2641b of title 10, United States Code, as
added by subsection (a), shall take effect at the
time of the approval of the travel program on the
date of enactment of the Act.
AMENDMENT NO. 62 OFFERED BY MR. ROSS OF
FLORIDA
At the end of subtitle D of title VI, insert the follow-
ing:—
SEC. 634. PROHIBITION ON THE USE OF FUNDS
to Close Commissary Stores.
None of the funds authorized to be appro-
priated or otherwise made available by this Act
may be used to close any commissary store.
AMENDMENT NO. 63 OFFERED BY MR. HANNA OF
NEW YORK
Page 175, after line 12, insert the following:
SEC. 642. AVAILABILITY FOR PURCHASE OF DE-
PARTMENT OF VETERANS AFFAIRS MEMORIAL HEADSTONES AND MARKERS FOR MEMBERS OF THE SERVICE COMPONENT who PER-
SIST IN TRAINING.
Section 2306 of title 38, United States Code,
is amended by adding at the end the fol-
dowing new subsection:
"(1) The Secretary shall make available for purchase a memorial headstone or marker
for the marked or unmarked grave of an
individual described in paragraph (2) or for
the purpose of commemorating such an indi-
vidual whose remains are unavailable.
"(2) An individual described in this para-
graph, to the extent that the change covered by the notification,
(2) by the Secretary of Defense, is an individual described in paragraph (2) or for
the purpose of commemorating such an indi-
vidual whose remains are unavailable.
(2) An individual described in this para-
graph, to the extent that the change covered by the notification,
(2) by the Secretary of Defense, is an individual described in paragraph (2) or for
the purpose of commemorating such an indi-
vidual whose remains are unavailable.
"(A) in paragraphs (1) and (2).
"(B) by requiring the Secretary to provide
notice under paragraph (1) for beneficiaries of a
program to cover beneficiaries, the Secretary shall
provide individuals described in paragraph (2)
with written notice explaining such changes
(2) The individuals described by this para-
graph are covered beneficiaries and providers participating in the TRICARE program who
are covered beneficiaries and providers participating in the TRICARE program who
may be affected by a significant change in
benefits.
"(3) The Secretary shall provide notice under paragraph (1) through electronic
means.
"(b) Timing of Notice.—The Secretary shall provide notice under paragraph (1) of
subsection (a) by the earlier of the following
dates:
"(1) The date that the Secretary deter-
mines would afford individuals described in
paragraph (2) of such subsection adequate
time to understand the change covered by
the notification.
"(2) The date that is 90 days before the
date of enactment of the Act, or to which the change covered by the not-
ification becomes effective.
"(3) The effective date of a significant
change that is required by law.
"SEC. 7. — PRIMARY BLAST INJURY RESEARCH.
"(a) Report.—Not later than 180 days after
the date of the enactment of this Act, the
Secretary shall submit to the congress-
ional defense committees a report on what steps the Secretary is taking to ensure
that members of the Armed Forces and the
dependents of such members have access to
reproductive counseling and a full spectrum of treatments for infertility, including in
vitro fertilization.
subsection: consistent with the purposes and objectives of the two-phase selection procedures.

2. The Director shall prepare an annual report containing the information provided by each executive agency under subsection (d) and inserting the following: "The maximum number specified in the solicitation that a number greater than 5 is consistent with the purposes and objectives of the two-phase selection procedures.

3. by adding at the end the following new subsection:

   "(g) REPORT.—(1) The Director of the Office of Management and Budget shall require the head of each agency to appoint an individual who shall provide to the Director an annual report containing the information provided by the agency on the award of a contract pursuant to this section in which—

   (A) more than 5 offerors were selected to submit competitive proposals pursuant to subsection (c)(4); or

   (B) the contract was awarded without using the two-phase selection procedures described in subsection (c).

   (2) The Director shall submit to Congress the report prepared under subparagraph (B) for the fiscal year during which this subsection is enacted and each of the next 4 fiscal years, not later than 60 days after the end of each such fiscal year.

   (3) The Director shall submit to Congress the report prepared under subparagraph (B) for the fiscal year during which this subsection is enacted and each of the next 4 fiscal years, not later than 60 days after the end of each such fiscal year.

Page 197, after line 16, insert the following new section:

SEC. 805. PERMANENT AUTHORITY FOR USE OF SIMPLIFIED ACQUISITION PROCEDURES FOR CERTAIN COMMERCIAL ITEMS.

Section 4220 of the Clinger-Cohen Act of 1996 (division D of Public Law 104-106; 10 U.S.C. 2304 note) is amended by striking subsection (e).

AMENDMENT NO. 76 OFFERED BY MR. HANNA OF NEW YORK

Page 218, strike lines 17 through 20 and insert the following (and conform the table of contents accordingly):

SEC. 818. IMPROVING FEDERAL SURETY BONDS.

(a) Surety Bond Requirements.—Chapter 95 of subtitle VI of title 31, United States Code, is amended—

(1) by adding at the end the following:

   "(c) SBA Surety Bond Guarantee.—Sec- tion 111(c)(1) of the Small Business Invest- ment Act of 1958 (15 U.S.C. 69(d)(c)(1)) is amended by striking "70" and inserting "90".

   (d) Report.—The Comptroller General of the United States shall carry out a study on the affect of contracts awarded as part of the Federal Strategic Sourcing Initiative.

Page 314, after line 9, insert after ""terms."" the following:

"(c) definition.—For purposes of this sec- tion, the term ‘a contract awarded as part of the Federal Strategic Sourcing Initiative’ shall mean a contract awarded pursuant to the process established by the Interagency Strategic Sourcing Executive Council that was created by the Office of Management and Budget pursuant to Memorandum M-13-02 issued on December 5, 2012.

"(d) Scope.—For each North American Industrial Classification System code in the federal procurement marketplace prior to the award of a contract awarded as part of the Federal Strategic Sourcing Initiative.

"(e) The number of small business concerns participating as prime contractors in that North American Industrial Classification System code in the federal procurement marketplace prior to the award of a contract awarded as part of the Federal Strategic Sourcing Initiative.

"(f) Report.—Not later than 12 months after initiating the study required by subsection (a), the Comptroller General of the United States shall report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on the results from such study and, if warranted, any recommendations on how to mitigate any negative affects on small business industrial base or the sustainability of savings.

AMENDMENT NO. 9310. INDIVIDUAL SURETIES.

If another applicable law or regulation permits the acceptance of a bond from a surety that is not subject to sections 9306 and 9306 and is based on a pledge of assets by the surety, the assets pledged by such surety shall—

(1) consist of eligible obligations described under section 9303(a); and

(2) be submitted to the official of the Government required to approve or accept the bond, who shall deposit the assets with a depository described under section 9303(b); and

AMENDMENT NO. 9316. Individual sureties.

(b) Surety Bond Guarantee.—Section 111(c)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 69(d)(c)(1)) is amended by striking "70" and inserting "90".

(c) Report.—The Comptroller General of the United States shall carry out a study on the affect of contracts awarded as part of the Federal Strategic Sourcing Initiative.

"(a) STUDY.—The Comptroller General of the United States shall initiate a study on the affect of contracts awarded as part of the Federal Strategic Sourcing Initiative on the small business industrial base.

"(b) Scope.—For each North American Industrial Classification System code in the federal procurement marketplace prior to the award of a contract awarded as part of the Federal Strategic Sourcing Initiative.

"(c) The number of small business concerns participating as prime contractors in that North American Industrial Classification System code in the federal procurement marketplace prior to the award of a contract awarded as part of the Federal Strategic Sourcing Initiative.

"(d) Report.—Not later than 12 months after initiating the study required by subsection (a), the Comptroller General of the United States shall report to the Committee on Small Business and Entrepreneurship of the Senate on the results from such study and, if warranted, any recommendations on how to mitigate any negative affects on small business industrial base or the sustainability of savings.

"(e) definition.—For purposes of this sec- tion, the term ‘a contract awarded as part of the Federal Strategic Sourcing Initiative’ shall mean a contract awarded pursuant to the process established by the Interagency Strategic Sourcing Executive Council that was created by the Office of Management and Budget pursuant to Memorandum M-13-02 issued on December 5, 2012.

"(f) Scope.—For each North American Industrial Classification System code in the federal procurement marketplace prior to the award of a contract awarded as part of the Federal Strategic Sourcing Initiative.

"(g) Report.—(1) The Director of the Office of Management and Budget shall require the head of each agency to appoint an individual who shall provide to the Director an annual report containing the information provided by the agency on the award of a contract pursuant to this section in which—

   (A) more than 5 offerors were selected to submit competitive proposals pursuant to subsection (c)(4); or

   (B) the contract was awarded without using the two-phase selection procedures described in subsection (c).

   (2) The Director shall submit to Congress the report prepared under subparagraph (B) for the fiscal year during which this subsection is enacted and each of the next 4 fiscal years, not later than 60 days after the end of each such fiscal year.

   (3) The Director shall submit to Congress the report prepared under subparagraph (B) for the fiscal year during which this subsection is enacted and each of the next 4 fiscal years, not later than 60 days after the end of each such fiscal year.

Page 197, after line 16, insert the following new section:

SEC. 805. PERMANENT AUTHORITY FOR USE OF SIMPLIFIED ACQUISITION PROCEDURES FOR CERTAIN COMMERCIAL ITEMS.

Section 4220 of the Clinger-Cohen Act of 1996 (division D of Public Law 104-106; 10 U.S.C. 2304 note) is amended by striking subsection (e).

AMENDMENT NO. 76 OFFERED BY MR. HANNA OF NEW YORK

Page 218, strike lines 17 through 20 and insert the following (and conform the table of contents accordingly):

SEC. 818. IMPROVING FEDERAL SURETY BONDS.

(a) Surety Bond Requirements.—Chapter 95 of subtitle VI of title 31, United States Code, is amended—

(1) by adding at the end the following:

   "(c) SBA Surety Bond Guarantee.—Sec- tion 111(c)(1) of the Small Business Invest-
which a surety bond proposed or issued by a surety in connection with a Federal project was—

(i) rejected by a Federal contracting officer; or

(ii) accepted by a Federal contracting officer, but was later found to have been backed by insufficient collateral or to be otherwise deficient in respect to which the surety did not perform.

(B) The consequences to the Federal Government, subcontractors, and suppliers of the instances described under paragraph (1).

(2) REPORT.—Not later than the end of the 3-year period beginning on the date of enactment of this Act, the Comptroller General of the United States shall issue a report to the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives on any regional office that failed to meet its administrative goals during the period following the date of enactment of this Act, and an assessment of the impact of this Act and the amendments made by this Act upon such percentages.

(3) INCLUSION.—Not later than the end of the year following the date of enactment of this Act, the Secretary of Defense shall issue a report to the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives that includes an analysis of the performance of any regional office that fails to meet its administrative goals.

AMENDMENT NO. 125 OFFERED BY MR. CONNOLLY OF VIRGINIA

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

SEC. 125. DEFINITIONS.—For purposes of this section:

(1) disadvantageous business enterprise.—The term "disadvantageous business enterprise" has the meaning given that term under section 8112 of title 41, United States Code.

(2) new startup business.—The term "new startup business" means a business that was formed in the 2-year period ending on the date on which the business bids on a Federal contract that requires giving a surety bond.

(3) small disadvantageous business.—The term "small disadvantageous business" has the meaning given that term under section 8112(b) of title 41, United States Code.

AMENDMENT NO. 110 OFFERED BY MR. MINO OF NEW YORK

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

SEC. 1094. ANNUAL REPORT ON PERFORMANCE OF REGIONAL OFFICES OF THE DEPARTMENT OF VETERANS AFFAIRS.

Section 7734 of title 38, United States Code, is amended—

(1) in the first sentence, by inserting before the period the following: "and on the performance of any regional office that fails to meet its administrative goals"; and

(2) in paragraph (4), by redesigning paragraph (4) as paragraph (3) and (4), by inserting after paragraph (2) the following new paragraph (3):

"(3) in the case of any regional office that, for the year covered by the report, did not meet the administrative goal of no claim pending for more than 125 days and an accuracy rating of 98 percent—

(A) a signed statement prepared by the individual serving as director of the regional office as of the date of the submittal of the report containing—

(i) a description of the reasons for which the regional office did not meet the goal;

(ii) a description of the additional resources needed to enable the regional office to reach the goal; and

(iii) a description of any additional actions planned for the subsequent year that are proposed to enable the regional office to meet the goal; and

(B) a statement prepared by the Under Secretary for Benefits explaining how the failure of operations office to meet the goal affected the performance evaluation of the director of the regional office; and"

AMENDMENT NO. 112 OFFERED BY MR. CONNOLLY OF NEW YORK

At the end of title XI, add the following:

SEC. 1107. EXTENSION OF PART-TIME REEMPLOYMENT AUTHORITY.

(a) CSRS.—Section 4721(d)(7) of title 5, United States Code, is amended by strike "5 years" and inserting "10 years".

(b) FERS.—Section 8402(d)(7) of such title is amended by striking "5 years" and inserting "10 years".

AMENDMENT NO. 125 OFFERED BY MR. CONNOLLY OF VIRGINIA

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

SEC. 125. SALE OF F-16 AIRCRAFT TO TAIWAN.

The President shall carry out the sale of no fewer than 66 F-16/C/D multirole fighter aircraft to Taiwan.

AMENDMENT NO. 118 OFFERED BY MR. MULVANEY OF SOUTH CAROLINA

Page 541, after line 12, insert the following:

SEC. 1523. CONFERENCE OFFICE OF MANAGEMEN AND BUDGET CRITERIA.

The Secretary of Defense shall implement the following criteria in requests for overseas contingency operations funding, the geographic areas in which combat or direct combat support operations occur are: Iraq, Afghanistan, Pakistan, Kazakhstan, Tajikistan, Kyrgyzstan, the Horn of Africa, Persian Gulf and Gulf nations, Arabian Sea, the Indian Ocean, the Philippines, and other countries on a case-by-case basis.

(1) Geographic Area Covered.—For theater operations for non-classified war overseas contingency operations funding, the geographic areas in which combat or direct combat support operations occur are:

(A) the Indian Ocean, the Philippines, and other countries on a case-by-case basis;

(B) the Persian Gulf and Gulf nations, Arabian Sea, the Indian Ocean, the Philippines, and other countries on a case-by-case basis;

(C) Afghanistan, Pakistan, Kazakhstan, Tajikistan, Kyrgyzstan, the Horn of Africa, Persian Gulf and Gulf nations, Arabian Sea, the Indian Ocean, the Philippines, and other countries on a case-by-case basis.

(2) Permitted Inclusions in the Overseas Contingency Operation Budget

(A) Major Equipment

(i) Replacement of losses that have occurred but only for items not already programmed for replacement in the Future Years Defense Plan (FYDP), but not including accelerations, which must be made in the base budget.

(ii) Replacement or repair to original capability (to upgraded capability if that is currently available) of equipment returning from combat or direct combat operations.

(iii) Indirect war costs incurred outside the theater of operations.

(iv) Cover the operational costs of coalition partners supporting US military missions, as mutually agreed.

(v) Cover the operational costs of coalition partners supporting US military missions, as mutually agreed.

(vi) Incremental special pays and allowances for Reserve Component personnel mobilized to support war missions.

(vii) Purchase of specialized, theater-specific equipment.

(B) Ground Equipment Replacement

(i) For combat losses and returning equipment that is not economical to repair, the replacement equipment may be given to coalition partners, if consistent with approved policy.

(ii) In-theater stocks above customary equipping levels on a case-by-case basis.

(C) Equipment Modifications

(i) Operationally-required modifications to equipment used in theater or in direct support of combat operations and that is not already programmed in FYDP.

(ii) Funding for equipment modifications must be able to be obligated in 12 months.

(D) Munitions

(i) Replenishment of munitions expended in combat operations in theater.

(ii) Training ammunition for theater-unique training.

(iii) While forecasted expenditures are not permitted, a case-by-case assessment for munitions where existing stocks are insufficient to sustain theater combat operations.

(E) Aircraft Replacement

(i) Combat losses by accident that occur in the theater of operations.

(ii) Combat losses by enemy action that occur in the theater of operations.

(F) Military Construction

(i) Facilities and infrastructure in the theater of operations in direct support of combat operations.

The level of construction should be the minimum to meet operational requirements.

(ii) At non-enduring locations, facilities and infrastructure for temporary use.

(iii) At enduring locations, facilities and infrastructure for temporary use.

(iv) At enduring locations, construction requirements must be tied to surge operations or major changes in operational requirements and will be considered on a case-by-case basis.

(G) Research and development projects for combat operations in these specific theaters that can be delivered in 12 months.

(H) Operations

(i) Direct War costs:

(1) Transport of personnel, equipment, and supplies to, from and within the theater of operations.

(2) Deployment-specific training and preparation for units and personnel (military and civilian) to assume their directed missions as defined in the orders for deployment into the theater of operations.

(i) Within the theater, the incremental costs above the funding programmed in the base budget to:

(1) Support commanders in the conduct of their directed missions (to include Emergent Response Programs).

(2) Build and maintain temporary facilities.

(3) Provide food, fuel, supplies, contracted services and other support.

(4) Cover the operational costs of coalition partners supporting US military missions, as mutually agreed.

(ii) Incremental pay, special pays and allowances for Reserve Component personnel mobilized to support war missions.

(k) Special Operations Command

(i) Operations that meet the criteria in this guidance.

(ii) Equipment that meets the criteria in this guidance.

(L) Prepositioned Supplies and equipment for resetting in-theater stocks of supplies and equipment to pre-war levels.

(M) Security force training to fund, equip, and sustain forces in Iraq and Afghan military and police forces.

(N) Fuel

(i) War fuel costs and funding to ensure that logistical support to combat operations is not degraded due to cash losses in the Department of Defense’s baseline fuel program.

(ii) Enough of any base fuel shortfall attributable to fuel price increases to maintain sufficient on-hand cash for the Defense Working Capital Funds to cover seven days disbursements.

Excluded items from Overseas Contingency Funding that must be funded from the base budget
DIVISION E—FEDERAL INFORMATION TECHNOLOGY ACQUISITION REFORM

SEC. 5001. SHORT TITLE.

This division may be cited as the “Federal Information Technology Acquisition Reform Act.”

SEC. 5002. TABLE OF CONTENTS.

The table of contents for this division is as follows:

DIVISION E—FEDERAL INFORMATION TECHNOLOGY ACQUISITION REFORM

Sec. 5001. Short title.
Sec. 5002. Table of contents.
Sec. 5003. Definitions.

TITLE LI—MANAGEMENT OF INFORMATION TECHNOLOGY WITHIN FEDERAL GOVERNMENT

Sec. 5101. Increased authority of agency Chief Information Officers over information technology.
Sec. 5102. Lead coordination role of Chief Information Officers Council.
Sec. 5103. Reports by Government Accountability Office.

TITLE LII—DATA CENTER OPTIMIZATION

Sec. 5201. Purpose.
Sec. 5202. Definitions.
Sec. 5203. Federal data center optimization initiative.
Sec. 5204. Performance requirements related to data center consolidation.
Sec. 5205. Cost savings related to data center optimization.
Sec. 5206. Reporting requirements to Congress and the Federal Chief Information Officer.

TITLE LIII—ELIMINATION OF DUPLICATION AND WASTE IN INFORMATION TECHNOLOGY ACQUISITION

Sec. 5301. Inventory of information technology software assets.
Sec. 5302. Web sickness consolidation and transparency.
Sec. 5303. Transition to the cloud.
Sec. 5304. Elimination of unnecessary duplication of contracts by requiring business case analysis.

TITLE LIV—STRENGTHENING IT ACQUISITION WORKFORCE

Sec. 5411. Expansion of training and use of information technology acquisition cadres.
Sec. 5412. Plan on strengthening program and project management performance.
Sec. 5413. Personnel awards for excellence in the acquisition of information systems and information technology.

TITLE LV—ADDITIONAL REFORMS

Sec. 5501. Maximizing the benefit of the Federal strategic sourcing initiative.
Sec. 5502. Governmentwide software purchasing program.
Sec. 5503. Promoting transparency of blanket purchase agreements.
Sec. 5504. Additional source selection technique in solicitations.
Sec. 5505. Enhanced transparency in information technology investment decisions.
Sec. 5506. Enhanced communication between government and industry.
Sec. 5507. Clarification of current law with respect to technology neutrality in acquisition of software.
Sec. 5508. No additional funds authorized.

SEC. 5003. DEFINITIONS.

In this division:

(1) CHIEF ACQUISITION OFFICERS COUNCIL. The term “Chief Acquisition Officers Council” means the Chief Acquisition Officers Council established by section 1311(a) of title 41, United States Code.

(2) CHIEF INFORMATION OFFICER. The term “Chief Information Officer” means a Chief Information Officer (as designated under section 3506(a)(2) of title 44, United States Code) of an agency listed in section 901(b) of title 31, United States Code.

(3) CHIEF INFORMATION OFFICERS COUNCIL. The term “Chief Information Officers Council” or “CIO Council” means the Chief Information Officers Council established by section 3560(a) of title 44, United States Code.

(4) DIRECTOR. The term “Director” means the Director of the Office of Management and Budget.

(5) FEDERAL AGENCY. The term “Federal agency” means each agency listed in section 901(b) of title 31, United States Code.

(6) FEDERAL CHIEF INFORMATION OFFICER. The term “Federal Chief Information Officer” means the Administrator of the Office of the Electronic Government established under section 3562 of title 44, United States Code.

(7) INFORMATION TECHNOLOGY OR IT. The term “information technology” or “IT” has the meaning provided in section 11101(b) of title 40, United States Code.

(8) RELEVANT CONGRESSIONAL COMMITTEE. The term “relevant congressional committees” means each of the following:

(A) The Committee on Oversight and Government Reform and the Committee on Armed Services of the House of Representatives.

(B) The Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate.

DIVISION F—GENERAL AMENDMENTS

SEC. 5601. INCREASED AUTHORITY OF AGENCY CHIEF INFORMATION OFFICERS OVER INFORMATION TECHNOLOGY.

(a) PRESIDENTIAL APPOINTMENT OF CIOs OF CERTAIN AGENCIES.—

(1) IN GENERAL.—Section 11315 of title 40, United States Code, is amended—

(A) by redesignating subsection (a) as subsection (e) and moving such subsection to the following new subsection (a):

“(a) PRESIDENTIAL APPOINTMENT OF CHIEF INFORMATION OFFICER.—

“(1) IN GENERAL.—There shall be within each agency listed in section 901(b)(1) of title 31 an agency Chief Information Officer. Each agency Chief Information Officer shall—

“(A) be appointed by the President, or

“(B) be designated by the President, in consultation with the head of the agency, and

“(C) be appointed or designated, as applicable, from among individuals who possess demonstrated ability in general management of, and knowledge and of extensive practical experience in, information technology management practices in large governmental or business entities.

“(2) RESPONSIBILITIES.—An agency Chief Information Officer appointed or designated under this section shall report directly to the head of the agency and carry out, on a full-time basis, responsibilities as set forth in this section and in section 3506(a)(1) of title 44 for Chief Information Officers designated under paragraph (2) of section 205 of title 50.

(2) CONFORMING AMENDMENTS.—Section 3506(a)(2) of title 44, United States Code, is amended—

(A) by striking “(A) Except as provided under subparagraph (B), the head of each agency” and inserting “The head of each agency, other than an agency with a Presidential or designated Chief Information Officer appointed or designated Chief Information Officer under section 3506(a)(2) of title 44, as provided in section 11315(a)(1) of title 40,” and

(B) by adding “(B)” after paragraph (A) and inserting “(B) by striking subparagraph (B) of section 205 of title 50, and

(C) by striking “(C)” after paragraph (B) and inserting “(C) by striking subparagraph (B) of section 205 of title 50, and

(D) by adding “(D)” after paragraph (C) and inserting “(D) by striking paragraph (B) of section 205 of title 50.”
programs that include significant information technology or the agency in consultation with the Chief Financial Officer of the agency in consultation with the Chief Financial Officer of the agency shall allocate for any agency listed in section 901(b)(1) or other provision of law, amounts appropriated for section 3603(d) of title 44, United States Code, as added by section 5102, with particular focus on whether agencies are actively participating in the Council and hearing the Council’s advice and guidance.

(b) Requirements.—Not later than 1 year, 3 years, and 5 years after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the findings and recommendations of the Comptroller General from the examination required by subsection (a).

SEC. 5201. PURPOSE. The purpose of this title is to optimize Federal data center usage and efficiency.

SEC. 5202. DEFINITIONS. In this title:

(1) The closing of existing data centers that lack adequate server utilization, as determined by the Federal Chief Information Officer.

(6) Power supply efficiency.

(2) The use of power meters in facilities dedicated to data center operations to frequently measure power consumption over time.

(3) The establishment of power usage effectiveness goals for each data center.

(4) The adoption of best practices for managing power usage, such as temperature and airflow in facilities dedicated to data center operations; and

(5) Power supply efficiency.

(2) The construction of new data centers to increase server utilization rates.

(3) Any other method that the Federal Chief Information Officer, in consultation with the Chief information officers of covered agencies, determines necessary to optimize server utilization.

(5) The performance of power usage effectiveness to calculate data center energy efficiency.

(2) The use of power meters in facilities dedicated to data center operations to frequently measure power consumption over time.

(3) The establishment of power usage effectiveness goals for each data center.

(4) The adoption of best practices for managing power usage, such as temperature and airflow in facilities dedicated to data center operations; and

(5) Power supply efficiency.

(2) The construction of new data centers to increase server utilization rates.

(3) Any other method that the Federal Chief Information Officer, in consultation with the Chief information officers of covered agencies, determines necessary to optimize server utilization.

(5) The performance of power usage effectiveness to calculate data center energy efficiency.

(2) The use of power meters in facilities dedicated to data center operations to frequently measure power consumption over time.

(3) The establishment of power usage effectiveness goals for each data center.

(4) The adoption of best practices for managing power usage, such as temperature and airflow in facilities dedicated to data center operations; and

(5) Power supply efficiency.
(5) The implementation of any other method that the Federal Chief Information Officer, in consultation with the Chief Information Officers of covered agencies, determines necessary to optimize data center energy efficiency.

SEC. 5205. COST SAVINGS RELATED TO DATA CENTER OPTIMIZATION.

(a) REQUIREMENT TO TRACK COSTS.—

(1) IN GENERAL.—Each covered agency shall track costs resulting from implementation of the Federal Data Center Optimization Initiative within the agency and submit a report on those costs annually to the Federal Chief Information Officer. Covered agencies shall determine the net costs from data consolidation on an annual basis.

(2) FACTORS.—In calculating net savings each year under paragraph (1), a covered agency shall use the following factors:

(A) Energy costs.
(B) Personnel costs.
(C) Real estate costs.
(D) Software license expense costs.

(E) Maintenance and support costs such as operating subsystem, database, hardware, and software license expense costs.

(F) Other appropriate costs, as determined by the agency in consultation with the Federal Chief Information Officer.

(3) IN GENERAL.—Each covered agency shall track realized and projected savings resulting from implementation of the Federal Data Center Optimization Initiative within the agency and submit a report on those savings annually to the Federal Chief Information Officer. Covered agencies shall determine the net savings from data consolidation on an annual basis.

(b) REQUIREMENT TO TRACK SAVINGS.—

(1) IN GENERAL.—Each covered agency shall track realized and projected savings resulting from implementation of the Federal Data Center Optimization Initiative within the agency and submit a report on those savings annually to the Federal Chief Information Officer. Covered agencies shall determine the net savings from data consolidation on an annual basis.

(2) FACTORS.—In calculating net savings each year under paragraph (1), a covered agency shall use the following factors:

(A) Energy savings.
(B) Personnel savings.
(C) Real estate savings.
(D) Capital expense savings.

(E) Maintenance and support savings such as operating subsystem, database, hardware, and software license expense savings.

(F) Other appropriate savings, as determined by the agency in consultation with the Federal Chief Information Officer.

(3) IN GENERAL.—Each covered agency shall track realized and projected savings resulting from implementation of the Federal Data Center Optimization Initiative within the agency and submit a report on those savings annually to the Federal Chief Information Officer. Covered agencies shall determine the net savings from data consolidation on an annual basis.

SEC. 5304. ELIMINATION OF UNNECESSARY DUPLICATION OF CONTRACTS BY REQUIRING BUSINESS CASE ANALYSIS.

(a) PURPOSE.—The purpose of this section is to leverage the Government’s buying power and achieve administrative efficiencies and cost savings by eliminating unnecessary duplication of contracts.

(b) REQUIREMENT FOR BUSINESS CASE APPROVAL.—

(1) IN GENERAL.—Chapter 33 of title 41, United States Code, is amended by adding at the end the following new section:

“§ 3312. Requirement for business case approval for new Governmentwide contracts

(a) IN GENERAL.—An executive agency may not issue a solicitation for a covered Governmentwide contract unless the agency performs a business case analysis for the contract and obtains an approval of the business case analysis from the Administrator for Federal Procurement Policy.

(2) REVIEW OF BUSINESS CASE ANALYSIS.—
TITLE IV—STRENGTHENING IT ACQUISITION WORKFORCE

SEC. 5411. EXPANSION OF TRAINING AND USE OF INFORMATION TECHNOLOGY ACQUISITION CADRES.

(a) PURPOSE.—The purpose of this section is to ensure timely progress by Federal agencies toward developing, strengthening, and deploying an information technology acquisition workforce with highly specialized skills in information technology acquisition, including program and project managers, to be known as information technology acquisition cadres.

(b) REPORT TO CONGRESS.—Section 7014 of title 41, United States Code, is amended by adding at the end the following new subsection:

(4) STRATEGIC PLAN ON INFORMATION TECHNOLOGY ACQUISITION CADRES.—

(1) FIVE-YEAR STRATEGIC PLAN TO CONERGE.—Not later than June 1 following the date of the enactment of this subsection, the Director shall submit to the relevant congressional committees a 5-year strategic plan for developing, deploying, and administering such contract and the impact such contract will have on the ability of the Federal Government to leverage its purchasing power.

(b) DEFINITIONS.—In this section:

(1) COVERED GOVERNMENTWIDE CONTRACT.—The term ‘covered Governmentwide contract’ means any contract, blanket purchase agreement, or other contractual instrument for acquisition of information technology or other goods or services that allows for an indefinite number of orders to be placed under the contract, agreement, or instrument, and that is established by one executive agency for use by multiple executive agencies to acquire goods or services. The term does not include—

(A) a multiple award schedule contract awarded by the General Services Administration;

(B) a Governmentwide acquisition contract for information technology awarded pursuant to sections 1102(e) and 1106(a)(2) of title 41; or

(C) orders under Governmentwide contracts in existence before the effective date of this Act.

(2) ANY CONTRACT.—Any contract in an amount less than $10,000,000, determined on an average annual basis.

(3) EXECUTIVE AGENCY.—The term ‘executive agency’ has the meaning provided that term by section 105 of title 5.

(4) CLEVER AMENDMENT.—The table of sections for chapter 33 of title 41, United States Code, is amended by adding after the item relating to section 3311 the following new item:

“3312. Requirement for business case analysis pursuant to section 5411.”

(c) REPORT.—Not later than June 1 in each of the next 5 years following the date of the enactment of this Act, the Administrator for Federal Procurement Policy shall submit to the relevant congressional committees a report on the implementation of section 3312 of title 41, United States Code, as added by subsection (b), including a summary of the submissions, reviews, approvals, and disapprovals of business case analyses pursuant to such section.

(d) GUIDANCE.—The Administrator for Federal Procurement Policy shall issue guidance specifying the content for a business case analysis submitted pursuant to this section. At a minimum, the business case analysis shall include details on the administrative resources needed for such contract, including an analysis of all direct and indirect costs to the Federal Government of awarding and administering such contract and the impact such contract will have on the ability of the Federal Government to leverage its purchasing power.

(1) A multiple award schedule contract awarded by the General Services Administration.

(2) A Governmentwide acquisition contract for information technology awarded pursuant to sections 1102(e) and 1106(a)(2) of title 41.

(3) Any contract in an amount less than $10,000,000, determined on an average annual basis.

(4) The term ‘executive agency’ has the meaning provided that term by section 105 of title 5.

(5) DEFINITIONS.—In this subsection:

(A) The term ‘Federal agency’ means each Federal agency covered by the plan, and the specialized information technology acquisition workforce needed to effectively carry out such acquisitions.

(B) The development of a sustainable funding model to support efforts to hire, retain, and train information technology acquisition cadre of appropriate size and skill to effectively carry out the acquisition programs of the Federal agencies covered by the plan.

(C) The variety and complexity of information technology acquisitions conducted by each Federal agency covered by the plan, and how the Federal Government acquisition value, and by the Federal Acquisition Regulation.

(D) Any strategic human capital planning necessary to hire, retain, and train an information acquisition cadre of appropriate size and skill at each Federal agency covered by the plan.

(E) Governmentwide training standards and certification requirements necessary to enhance the mobility and career opportunities of the Federal information technology acquisition cadre within the Federal agencies covered by the plan.

(F) New and innovative approaches to workforce development and training, including cross-functional training, rotational development, and assignments both within and outside of the Government.

(G) Appropriate consideration and alignment with the needs and priorities of the acquisition intern programs.

(H) Assessment of the current workforce competency in designing and aligning performance goals, life cycle costs, and contract incentives.

(I) Assessment of the current workforce competency in avoiding brand-name preferences and using innovative contractual specifications to leverage open industry standards and competition.

(J) Use of integrated product teams, including fully dedicated Governmental teams, for each complex information technology investment.

(K) Proper assignment of recognition or accountability to the members of an integrated program team for both individual functional goals and overall program success or failure.

(L) The development of a technology fellows program that includes provisions for recruiting, for rotation of assignments, and for partnering directly with well-recognized information technology programs.

(M) The capability to properly manage other transaction authority (where such authority is granted), including ensuring that the use of the authority is warranted due to unique technical challenges, rapid adoption of innovative or noncommercial technologies, or other circumstances that cannot readily be satisfied using a contract, grant, or cooperative agreement in accordance with the law and the Federal Acquisition Regulation.

(N) The use of student internship and scholarship programs as a talent pool for potential hires and the impact of special hiring authorities and flexibilities to recruit diverse candidates.

(O) The assessment of hiring manager satisfaction with the hiring process and hiring outcomes, including satisfaction with the quality of applicants interviewed and hires made.

(P) The assessment of applicant satisfaction with the hiring process, including the clarity of the hiring announcement, the user-friendliness of the application process, communication from the hiring manager or agency regarding application status, and timeliness of the hiring decision.

(1) The assessment of new hire satisfaction with the onboarding process, including the orientation process, and investment in training and development for employees during their first year of employment submitted to the relevant congressional committees as an annual report outlining the progress made pursuant to the plan.

(R) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF THE PLAN AND ANNUAL REPORT.—

(1) Not later than 1 year after the submission of the plan required by paragraph (1), the Director shall submit to the relevant congressional committees an annual report outlining the progress made pursuant to the plan.

(2) The Director shall review the plan and submit to the relevant congressional committees a report on the review.

(3) Not later than 6 months after the submission of the report required by paragraph (1), the Comptroller General of the United States shall submit a report to the relevant congressional committees on the Comptroller General’s findings and recommendations to ensure that the objectives of the plan are accomplished.

(R) PROGRESS REPORTS.—

(1) The term ‘Federal agency’ means each agency listed in section 901(b) of title 31.

(2) The term ‘relevant congressional committees’ means—

(A) The Committee on Oversight and Government Reform and the Committee on

(H) Assessment of the current workforce competency in designing and aligning performance goals, life cycle costs, and contract incentives.

(J) Assessment of the current workforce competency in avoiding brand-name preferences and using innovative contractual specifications to leverage open industry standards and competition.

(K) Use of integrated product teams, including fully dedicated Governmental teams, for each complex information technology investment.

(L) Proper assignment of recognition or accountability to the members of an integrated program team for both individual functional goals and overall program success or failure.

(M) The development of a technology fellows program that includes provisions for recruiting, for rotation of assignments, and for partnering directly with well-recognized information technology programs.

(N) The capability to properly manage other transaction authority (where such authority is granted), including ensuring that the use of the authority is warranted due to unique technical challenges, rapid adoption of innovative or noncommercial technologies, or other circumstances that cannot readily be satisfied using a contract, grant, or cooperative agreement in accordance with the law and the Federal Acquisition Regulation.

(O) The use of student internship and scholarship programs as a talent pool for potential hires and the impact of special hiring authorities and flexibilities to recruit diverse candidates.

(P) The assessment of hiring manager satisfaction with the hiring process and hiring outcomes, including satisfaction with the quality of applicants interviewed and hires made.

(Q) The assessment of applicant satisfaction with the hiring process, including the clarity of the hiring announcement, the user-friendliness of the application process, communication from the hiring manager or agency regarding application status, and timeliness of the hiring decision.

(R) The assessment of new hire satisfaction with the onboarding process, including the orientation process, and investment in training and development for employees during their first year of employment submitted to the relevant congressional committees as an annual report outlining the progress made pursuant to the plan.

(S) Any other matters the Director considers appropriate.

(U) APPROPRIATIONS.—Not later than June 1 in each of the 5 years following the year of submission of the plan required by paragraph (1), the Director shall submit to the relevant congressional committees an annual report outlining the progress made pursuant to the plan.
Armed Services of the House of Representatives.

“(ii) The Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate.

SEC. 5412. PLAN ON STRENGTHENING PROGRAM AND PROJECT MANAGEMENT PERFORMANCE.—

(a) PLAN ON STRENGTHENING PROGRAM AND PROJECT MANAGEMENT PERFORMANCE.—Not later than June 1 following the date of the enactment of this Act, the Director, in consultation with the Director of the Office of Personnel Management, shall submit to the relevant congressional committees a plan for improving management of IT programs and projects.

(b) MATTERS COVERED.—The plan required by subsection (a) shall include, at a minimum—

(1) A creation of a specialized career path for program management.

(2) The development of a competency model for program management consistent with the IT project manager model.

(3) A career advancement model that requires appropriate expertise and experience for advancement.

(4) A career advancement model that is more competitive with the private sector and that recognizes both Government and private sector experience.

(c) COMBINATION WITH OTHER CADRES PLAN.—The Director may combine the plan required by subsection (a) with the IT Acquisition and Information Technology Modernization Act of 2005, as added by section 1704(j) of title 41, United States Code, as added by section 5411.

SEC. 5413. PERSONNEL AWARDS FOR EXCELLENCE IN THE ACQUISITION OF INFORMATION SYSTEMS AND INFORMATION TECHNOLOGY.—

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Personnel Management shall develop policy and guidance for agencies to develop a program to recognize excellent performance by Federal Government employees and teams of such employees in the acquisition of information systems and information technology for the agency.

(b) ELEMENTS.—The program referred to in subsection (a) shall, to the extent practicable—

(1) obtain objective outcome measures; and

(2) include procedures for—

(A) the nomination of Federal Government employees and teams of such employees for eligibility for recognition under the program; and

(B) the evaluation of nominations for recognition under the program by 1 or more agency panels of individuals from Government, academia, and the private sector who have such expertise, and are appointed in such a manner, as the Director of the Office of Personal Management shall establish for purposes of the program.

(c) AWARD OF CASH BONUSES AND OTHER INCENTIVES.—In carrying out the program referred to in subsection (a), the Director of the Office of Personnel Management, in consultation with the Director of the Office of Management and Budget, shall establish policies and guidance for agencies to reward any Federal Government employee or teams of such employees recognized pursuant to the program—

(1) with a cash bonus, to the extent that the performance of such individual or team warrants such bonus, and is authorized by any provision of law;

(2) through promotions and other nonmonetary awards;

(3) by public testimonial; and

(A) acquisition accomplishments by individual employees; and

(B) the tangible end benefits that resulted from such accomplishments, as appropriate; and

(4) through other awards, incentives, or bonuses that the head of the agency considers appropriate.

TITLE LV.—ADDITIONAL REFORMS

SEC. 5501. MAXIMIZING THE BENEFIT OF THE FEDERAL STRATEGIC SOURCING INITIATIVE.—

Not later than 180 days after the date of the enactment of this Act, the Administrator for Federal Procurement Policy shall prescribe guidelines or regulations to ensure that the Federal Government makes a purchase of services and supplies offered under the Federal Strategic Sourcing Initiative (managed by the Office of Federal Procurement Policy) but such regulations or guidelines do not apply where the purchase shall include a brief analysis of the comparative value, including price and nonprice factors, between the services and supplies offered under such Initiative and services and supplies offered under the source or sources used for the purchase.

SEC. 5502. GOVERNMENTWIDE SOFTWARE PURCHASING MODEL.—

(a) IN GENERAL.—The Administrator of General Services, in collaboration with the Department of Defense, shall identify and develop a standard and collaborative model to enhance Governmentwide acquisition, shared use, and dissemination of software, as well as compliance with end user license agreements.

(b) EXAMINATION OF METHODS.—In developing the initiative under subsection (a), the Administrator shall examine the use of real-time and predictive information and models supported by actual agency commitment to use the models, and supplier relationship management practices, to more effectively govern the Government’s acquisition of information technology.

(c) GOVERNMENTWIDE USER LICENSE AGREEMENT.—The Administrator, in developing the initiative under subsection (a), shall allow for the purchase of a license agreement that is available for use by all executive agencies as one user to the maximum extent practicable and as appropriate.

SEC. 5503. PROMOTING TRANSPARENCY OF BLANKET PURCHASE AGREEMENTS.—

(a) PRICE INFORMATION TO BE TREATED AS PUBLIC INFORMATION.—The final negotiated price offered by an awardee of a blanket purchase agreement shall be treated as public information.

(b) PUBLICATION OF BLANKET PURCHASE AGREEMENT INFORMATION.—Not later than 180 days after the date of the enactment of this Act, the Administrator of General Services shall make available to the public a list of all blanket purchase agreements entered into by Federal agencies under its Federal Supply Schedules contracts and the prices associated with those blanket purchase agreements. The list and price information shall be updated at least once every 6 months.

SEC. 5504. ADDITIONAL SOURCE SELECTION VEHICLE IMPLEMENTATION IN SOLICITATIONS.—

Section 3306(d) of title 41, United States Code, is amended—

(1) by striking “or” at the end of paragraph (1); and

(2) by striking the period and inserting “or” at the end of paragraph (2); and

(3) by adding at the end the following new paragraph:

“(3) stating in the solicitation that the award will be made using a fixed price technical competition, under which all offerors shall be compared on price and the fixed award price is pre-announced in the solicitation.”.

SEC. 5505. ENHANCED TRANSPARENCY IN INFORMATION TECHNOLOGY INVESTMENTS.—

(a) PUBLIC AVAILABILITY OF INFORMATION ABOUT IT INVESTMENTS.—Section 11302(c) of title 40, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

“(2) PUBLIC AVAILABILITY.—(A) IN GENERAL.—The Director shall make available to the public the cost, schedule, and performance data for all of the IT investments listed in subparagraph (B), notwithstanding whether the investments are for new IT acquisitions or for operations and maintenance of existing IT.

(B) INVESTMENTS LISTED.—The investments listed in this subparagraph are the following:

(i) At least 80 percent (by dollar value) of all information technology investments Governmentwide.

(ii) At least 60 percent (by dollar value) of all information technology investments in each Federal agency listed in section 901(b) of title 31.

(iii) Every major information technology investment (as defined by the Office of Management and Budget) in each Federal agency listed in section 901(b) of title 31.

(C) QUARTERLY REVIEW AND CERTIFICATION.—For each investment listed in subparagraph (B), the agency Chief Information Officer shall certify the program manager of the investment within the agency shall certify, at least once every quarter, that the information is current, accurate, and reflects the risk associated with each listed investment.

The Director shall conduct quarterly reviews and publicly identify agencies with an incomplete certification or with significant data quality issues.

(D) CONTINUOUS AVAILABILITY.—The information required under subparagraph (A), in its most updated form, shall be publicly available at all times.

(E) WAIVER OR LIMITATION AUTHORITY.—The applicability of subparagraph (A) may be waived or the extent of the information may be limited.

(i) by the Director, with respect to IT investments Governmentwide;

(ii) by the Chief Information Officer of a Federal agency, with respect to IT investments in that agency;

if the Director or the Chief Information Officer determines that such a waiver or limitation is in the national security interests of the United States.”.

(b) ADDITIONAL REPORT REQUIREMENTS.—

Paragraph (3) of section 11302(c) of such title, as redesignated by subsection (a), is amended by adding at the end the following: “The report shall include an analysis of agency trends reflected in the performance risk information required in paragraph (3).”.

SEC. 5506. ENHANCED COMMUNICATION BETWEEN GOVERNMENT AND INDUSTRY.

Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall prescribe a process and making clear that agency acquisition personnel are permitted and encouraged to engage in responsible and constructive exchanges with industry, so long as the exchanges are consistent with existing law and regulation and do not promote an unfair competitive advantage to particular firms.

SEC. 5507. CLARIFICATION OF CURRENT LAW WITH RESPECT TO TECHNOLOGY NEUTRALITY IN ACQUISITION OF SOFTWARE.

(a) PURPOSE.—The purpose of this section is to establish guidance and processes to
clarify that software acquisitions by the Federal Government are to be made using merit-based requirements development and evaluation processes that promote procurement choices—

(1) based on performance and value, including the long-term value proposition to the Federal Government;

(2) consistent with preferences based on how technology is developed, licensed, or distributed; and

(3) generally including the consideration of proprietary, open source, and mixed source software technologies.

(b) Technology Neutrality.—Nothing in this section shall be construed to modify the Federal Government’s long-standing policy of technology-neutrality principles and practices when selecting and acquiring information technology that best fits the needs of the Federal Government.

(c) Guidance.—Not later than 180 days after the enactment of this section, the Director, in consultation with the Chief Information Officers Council, shall issue guidance concerning the technology-neutral procurement and use of software within the Federal Government.

(d) Matters Covered.—In issuing guidance under subsection (c), the Director shall include, at a minimum, the following:

(1) an assessment of the effectiveness of the guidance; and

(2) an identification of barriers to widespread use by the Federal Government of specific software technologies; and

(3) such legislative recommendations as the Comptroller General considers appropriate to further the purposes of this section.

SEC. 5508. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this division and the amendments made by this division. Such requirements are to be carried out using amounts otherwise authorized or appropriated.

AMENDMENT NO. 19 Offered by Mr. CONNLiOY OF VIRGINIA

Page 459, line 15, strike “None” and insert “(a) People’s Republic of China.—None”.

Page 459, after line 21, insert the following new subsection:

(b) Russian Federation.—

(1) Sense of Congress.—It is the sense of Congress that the defense systems of the Russian Federation should not be integrated into the missile defense systems of the United States or the North Atlantic Treaty Organization if such integration undermines the security of the United States or NATO.

(2) Prohibition.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Department of Defense or for United States contributions to the North Atlantic Treaty Organization may be obligated or expended to integrate missile defense systems of the Russian Federation into missile defense systems of the United States if such integration undermines the security of the United States or NATO.

We are going to have substantially less money over the course of the next 10 years for defense than we thought we were going to have.

That is true even if sequestration goes away. If sequestration happens, we really face a challenge. So the question is how are we going to restructure our defense plans to deal with the fact we are going to have substantially less money than we had going forward. The answer in this bill is we are not going to deal with it this year, and we are going to hope things get better and maybe deal with it next year.

The administration, that is what this problem in a number of areas. I will walk through them. Number one, in the very controversial and difficult area of personnel costs, they found savings in health care by expanding what service members would have to pay for their health care, they reduced somewhat what the subsidy to our commissaries, they reduced the housing subsidy, and they also reduced the pay raise down to 1 percent and got rid of it for senior officers.

Except for the last part of that, we ducked all of those. That is $2 billion over 5 years that the administration was able to save. Nothing was offered, nothing was done on our part to deal with that.

In the Guard and Reserve, the Army has put together a plan to restructure their helicopters in a way that is way too complicated to explain, but that saves $12 billion over the course of 5 years. We put into our bill an amendment saying they can’t do that it all in 2015. Also added in one of the en bloc amendments was an amendment that says we are going to study it for a longer period of time even beyond that—that is another $12 billion—and we won’t make it up anywhere because that is over 5 years, so we can get away with that in 2015.

I mentioned the Navy issue: 14 ships that the Navy has said they will lay up
in order to save money. That is roughly $3.5 billion that they will save. Again, we got rid of that in order to pay for it in the short-term. We didn’t come up with more money or cut something else. We raided the ship modernization fund to fund the cuts in the short-term, which again does not deal or address the problem. DOD also proposed getting rid of the A-10 and getting rid of the U-2. We stopped them from doing both of those things.

We have not even blocked just about every single proposal the administration has made to save money over the long-term. In each one of those isolated incidents, there are strong arguments that tend to be mostly parochial. In other words, if it is in your district or in your neighborhood then you rise up in furious anger against it, but there may be arguments as to why that isn’t the best choice. But there was no alternative proposed. We simply got creative in our accounting to get through the cuts, and we were mostly looking for savings, so we can sort of stagger our way through 2015 and create a massive bow wave down the road that we are not at all prepared to deal with.

I am sorry I left out the big one: BRAC. As a result of this rigid interpretation, we don’t need. Absolutely the only argument that exists against doing another BRAC round, given how much we have drawn down our force structure and the fact that the military estimates that they are 25 percent over capacity in terms of their facilities, is that Members don’t want to run the risk of having a base be closed in their district. I get that. There are a ton of bases in the State of Washington. But we have to confront these issues because the money is not going to magically appear.

So the amendments that were disallowed, I was hoping to have the opportunity on those two amendments to have the broader debate about making the choices now. I don’t think we should simply rubberstamp what the White House has done. If we don’t like those cuts, let’s come up with another one. This is the conversation I had with my adjutant general in the State of Washington, who was concerned about the cuts to the Army Guard and the Air Force Guard. He was talking about everything he didn’t like about it. I said to him, in a parochial, give us an alternative that says here is how we are going to save $12 billion instead, and I am happy to look at it. But just to say: We don’t like the cuts, I get that. Nobody—well, there are some. Most people don’t like the cuts, but they are there. We passed the Budget Control Act, we shut down the government, we passed the budget agreement last year that set the levels for FY14 and FY15, and we still have on the books 8 more years of sequestration.

If Congress doesn’t want the administration to wind up making all these choices, then we have got to step up and make the decisions now rationally about where we are going to be in terms of the budget.

The final point I will make on that is that what happens when we don’t make those decisions is that readiness gets cut. In this bill, readiness is cut by $1.2 billion from the President’s request. Plus, there is another $633 billion that we take out of OCO to fund the A-10. That is probably readiness as well, because they use the OCO account to backfill some of the cuts in readiness. It’s $1.8 billion of the readiness account that was already depleted because of the shutdowns, because of the IRS.

Well, what is readiness? We had an interesting discussion about this in committee. Readiness is not the size of the force. Readiness is the capability of the force. Are the troops trained and equipped to perform the missions that we have asked them to do?

The chairman has quite eloquently on a number of occasions pointed to past wars: the Korean war and World War II, where we had to ramp up in a hurry and we sent troops over who were not ready to fight, and many of them were killed and injured because they were not ready to fight.

If we raid readiness accounts to protect personnel, to stop BRAC, to stop the Pentagon from cutting the U-2 or the A-10, or from shutting down a Guard unit, if we do that then we’ve got to raid preparedness as well. That is the easiest thing to do. You spend less on fuel, you don’t repair some equipment that is out there, you fly less, you drive less, you train less. What we wind up with is the hollow force that nobody wants.

So as we go into conference and as we go forward, it is an obligation of this Congress to say: What is our plan? Right now our plan is hope. I didn’t serve in the military, but I heard very early on in my time on the Armed Services Committee one of the sayings in the military is “hope is not a strategy.” We are hoping that the money will appear, we are hoping that somehow we magically won’t have to make those decisions.

I think we are past that point. The decisions are going to be made. They are either going to get made poorly if we ignore them, or preferably they will get made well so that we do our best to put together a force that no matter the size, is at land and ready to perform the missions that we might ask of them.

So ruling those amendments out of order I think was most unfortunate—that we weren’t able to have that debate. But rest assured as the chairman has pointed out, this is his last term, so I would say there is no ducking this, but I guess you can retire. You won’t be here. But the country will have to deal with those decisions one way or the other, and we thus far have not made them.

So I would urge us to start looking at this and saying if we are not going to do a BRAC, then what are we going to do. If we are not going to shrink the Guard this way, then what are we going to do.

Let’s get some concrete proposals on the table that are something other than, don’t cut anything in my backyard. Close a few yards, hoping that the problem will go away.

With that, I yield back the balance of my time.

Mr. McKON. Madam Chair, at this time I yield 2 minutes to the gentle-lady from Indiana (Mrs. WALORSKI), my friend and colleague, a member of the Armed Services Committee.

Mrs. WALORSKI. Madam Chair, I want to thank Chairman McKeon for including this amendment that I co-sponsor with Congressman ROSKAM.

Israel and the United States face common threats in the Middle East, from the ongoing civil war in Syria, continued rocket fire from terrorist organizations in the Gaza Strip, and the growing threat of a nuclear-armed Iran.

In particular, Iran’s brazen quest for nuclear weapons poses an existential threat to our ally Israel. A nuclear Iran would trigger an arms race in the Middle East, further destabilizing a region plagued by persistent volatility and, in the process, threatening U.S. national security and international stability.

Military action against Iran is an absolute last resort, only after we exhaust all peaceful options. However, it would be irresponsible not to prepare for a worst-case scenario.

This amendment would require the administration to certify that Israel maintains an independent capability to remove existential threats to its own security. Specifically, this report would ensure the smooth transfer to Israel of aerial refueling tankers, advanced bunker-buster munitions, and other capabilities and platforms critical to Israel’s self-defense.

This is an important amendment for the security of both the U.S. as well as our ally Israel.

Mr. McKON. Madam Chair, I encourage our colleagues to support the en bloc amendment, and I yield back the balance of my time.

Mr. PIERLUISI. Madam Chair, I rise in support of my amendment to enable DOD to re-open the unexplored ordnance from certain areas on the island of Culebra, Puerto Rico, which was used as a military training range for decades.

Under the FUDS program, the Army Corps of Engineers is decontaminating limited areas of Culebra. However, DOD asserts that a 1974 law prohibits the use of Federal funds to decontaminate land that constituted the bombardment zone. Approximately 400 acres of this land were conveyed to the government of Puerto Rico in 1982 for use as a public park. DOD contends that the 1974 law has not been superseded by Federal cleanup authorities enacted in 1986.

As a result of this rigid interpretation, Culebra is the only former defense site of several thousand across the United States that
DOOD claims it is barred by statute from decontaminating. The resulting state of affairs poses a direct threat to public safety, since this land encompasses popular beaches, campgrounds and a trail. In a congressionally-required study, DOOD reported that there have been many incidents where members of the public encountered unexploded munitions that could have caused serious harm.

My amendment would authorize the Corps of Engineers to decontaminate those areas within the 400-acre parcel where the risk to public safety is the greatest. It will ensure that the 1974 Act ceases to serve as an obstacle to implementation of current Federal policy, which provides that the federal government is responsible for cleaning lands that were contaminated as a result of its actions. The amendment ensures that Culebra will be treated the same—no better and no worse—than other formerly used defense sites.

The U.S. citizens living in Culebra sacrificed so that our military could receive the training it required. Congress, in turn, should now take this small step to enable DOD to remove unexploded munitions from the island.

I thank the Committee leadership and, in particular, the gentleman from Virginia, Mr. Wittman, for working with me on this issue.

Mr. CONNELLY. Madam Chair, I want to thank the Chairman and Ranking Member of the Armed Services Committee and their staff for working with me on a number of amendments to this bill.

In particular, I am proud to have worked with the Chairman of the Oversight Committee, Mr. Issa, to co-author the Federal Information Technology Acquisition Reform Act, or FITARA.

In the 21st century, effective governance is inextricably linked with how well government leverages technology to serve its citizens.

Yet current laws governing Federal IT procurement are antiquated and cumbersome.

Our bipartisan amendment would comprehensively streamline and strengthen the process.

It enhances CIO authorities to ensure agency heads have talented leaders to recruit and retain experienced IT staff and to oversee critical IT investments.

It accelerates data center optimization and strengthens the accountability and transparency of Federal IT programs.

If enacted, 80 percent of the approximately $50 billion spent annually on Federal IT investment would be posted online for public review, compared to the 50 percent or less today.

Again, I thank the Chair and Ranking Member for their support.

Mr. MCKEON. Madam Chair, this amendment is a modified version of language that was incorporated in the House-passed NDAA authorization bill last year, and that was adopted again by the House earlier this year as a standalone bill, H.R. 1232, the Federal Information Technology Acquisition Reform Act.

The amendment reforms—Government-wide—the process by which federal information technology is acquired and deployed.

It takes a streamlined and precise approach to solving a huge problem in Federal IT—the broken system by which the government purchases and deploys critical IT infrastructure.

President Barack Obama, on Nov. 14, 2013, stated “One of the things [the federal government] does not do well is information technology procurement. This is kind of a systematic problem that we have across the board.” I agree.

I commend the Administrations’ recent steps to strengthen IT management by strengthening the eGov office and focusing on duplications via what is called PortfolioStat reviews.

In its annual reports to Congress, GAO has identified duplicative IT investments as a significant problem. Our oversight hearings confirmed that despite spending more than $500 billion over the past decade, too often Federal IT investments run over budget, become behind schedule, or never deliver on the promised solution or functionality.

Indeed, industry experts have estimated that as much as 25 percent of the annual $90 billion spent on IT is attributable to mismanaged or duplicative IT investments.

In terms of potential cost savings, some in the industry have estimated that more than one trillion dollars could be saved over the next ten years if the government adopted the “proven” IT best practices currently in use by the private sector.

We need to enhance the best value to the taxpayer by aligning the cumbersome federal acquisition process to major trends in the IT industry.

FITARA accomplishes this by—

1. Creating a clear line of responsibility, authority, and accountability over IT investment and management decisions by empowering agency CIOs;

2. Accelerating the consolidation and optimization of the Federal Government’s proliferating data centers;

3. Increasing the accuracy and transparency of IT investment scorecards by requiring 80 percent of Government-wide IT spending be covered by a public website called the IT Dashboard; and

4. Ensuring procurement decisions give due consideration to all technologies—including open source—and that contracts are awarded based on long-term best value proposition.

This is a significant and timely reform that will enhance both defense and non-defense procurement. I urge all members to support this amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. Mckeen).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC. NO 5 OFFERED BY MR. MCKEON

Mr. MCKEON. Madam Chair, pursuant to House Resolution 590, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 5 consisting of amendment Nos. 77, 78, 79, 80, 83, 84, 85, 87, 88, 89, 92, 93, 96, 98, 107, 108, 109, 111, 116, and 135 printed in part A of House Report No. 113-460, offered by Mr. MCKEON of California:

AMENDMENT NO. 77 OFFERED BY MR. GRAVES OF GEORGIA

Page 218, after line 60, insert the following new section (and amend the table of contents accordingly):

SEC. 817. SMALL BUSINESS PRIME AND SUB-CONTRACTORS.

(a) PRIME CONTRACTING GOALS.—Section 15(g)(1)(A) of the Small Business Act (15 U.S.C. 64(j)(1)(A)) is amended—

(1) in clause (1), by striking “23 percent” and inserting “25 percent”;

(2) by adding at the end the following new clause:

(3) The Governmentwide goal for participation by small business concerns in sub-contract awards shall be established at not less than 40 percent of the total value of all sub-contract dollars awarded pursuant to subsection (d) of this Act for each fiscal year.”;

(b) DELAYED EFFECTIVE DATE.—The amendment made by subsection (a)(2) of this section shall take effect on the date on which the Administrator of the Small Business Administration has promulgated regulations necessary, and the Federal Acquisition Regulation has been revised, to implement section 1614 of the National Defense Authorization Act for Fiscal Year 2014 and the amendments made by such section.

(c) REPEAL OF CERTAIN PROVISION PERMITTED ACCOUNTING OF SUBCONTRACTORS.—Section 15(g)(2) of the Small Business Act (15 U.S.C. 64(j)(2)) is amended by striking paragraph (3)

AMENDMENT NO. 78 OFFERED BY MR. CARDENAS OF CALIFORNIA

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

SEC. 817. INNOVATIVE APPROACHES TO TECHNOLOGY ACQUISITION TRANSFER.

Section 8(d) of the Small Business Act (15 U.S.C. 638(d)) is amended to read as follows:

“(d) INNOVATIVE APPROACHES TO TECHNOLOGY ACQUISITION.

“(1) GRANT PROGRAM.

“(A) IN GENERAL.—Each Federal agency required by subsection (n) to establish an STTR program shall carry out a grant program to support innovative approaches to technology transfer at institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), nonprofit research institutions and Federal laboratories in order to improve or accelerate the commercialization of federal-funded research and development on small business concerns, including new businesses.

“(B) AWARDING OF GRANTS AND AWARDS.—

“(i) IN GENERAL.—Each Federal agency required by subparagraph (A) to participate in this program, shall award, through a competitive, merit-based process, grants, in the amounts listed in subparagraph (C) to institutions of higher education, technology transfer organizations that facilitate the commercialization of technologies developed by one or more such institutions of higher education, Federal laboratories, other public and private nonprofit entities, and consortia thereof, for initiatives that help identify high-quality, commercially viable federal-funded research and development, to facilitate and accelerate their transfer into the marketplace.
“(ii) USE OF FUNDS.—Activities supported by grants under this subsection may include—

“(I) providing early-stage proof of concept funding to smaller entities;

“(II) identifying research and technologies at institutions that have the potential for accelerated commercialization;

“(III) establishing new or expanding existing technology transfer offices or other mechanisms to support activities such as prototype construction, experiment analysis, product comparison, and collecting performance data;

“(IV) facilitating market research, clarifying intellectual property rights position and strategy, and investigating commercial and business opportunities;

“(V) programs to provide advice, mentor, and support entrepreneurial education, project management, and technology and business development expertise to innovators and recipients of technology transfer licenses to maximize commercialization potential; and

“(VI) conducting outreach to small business concerns as potential licensees of federally funded research and technologies, and providing technology transfer services to such small businesses.

“(iii) SELECTION PROCESS AND APPLICATIONS.—Program Oversight Boards shall adopt conflict of interest policies, and when seeking a grant under this subsection shall submit an application to a Federal agency required by subparagraph (A) to participate in this program in such manner and containing such information as the agency may require. The application shall include, at a minimum—

“(I) a description of innovative approaches to technology transfer, technology development, and commercial readiness that have the potential to increase or accelerate technology transfer outcomes and can be adopted by other qualifying institutions, or a demonstration of proven technology transfer and commercialization strategies, such as plans to implement proven technology transfer and commercialization strategies, that can achieve greater commercialization of federally funded research and technologies with relatively small expenditures; and

“(II) a description of how the qualifying institution will contribute to local and regional economic development efforts and a plan for sustainability beyond the duration of the funding award.

“(iv) PROGRAM OVERSIGHT BOARDS.—

“(I) Successful Proposals shall include a plan to assemble a Program Oversight Board, the members of which shall have technical, scientific, or business expertise related to technology transfer and commercialization strategies, which shall be drawn from industry, start-up companies, venture capital or other equity investment mechanism, technical enterprises, financial institutions, and business development organizations with a track record of success in commercializing innovations. Proposals may use oversight boards in existence on the date of the enactment of the Howard F. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 that meet the requirements of this subclause.

“(II) PROGRAM OVERSIGHT BOARDS RESPONSIBILITIES.—Program Oversight Boards shall—

“(aa) establish award programs for individual projects; and

“(bb) provide rigorous evaluation of project applications;

“(cc) determine which projects should receive funding; and

“(dd) establish milestones and associated award amounts for projects that reach milestones;

“(ee) determine whether awarded projects are achieving milestones; and

“(ff) develop a process to reallocate outstanding award amounts from projects that are not reaching milestones to other projects with more potential.

“(D) Grant and Award Amounts.—Program Oversight Boards shall be composed of members who do not have a conflict of interest. Boards shall adopt conflict of interest policies in accordance with the requirements of the subsection, and such programs are discouraged and proper recusal procedures are in place.

“(1) GRANT AND AWARD AMOUNTS.—Each qualifying institution that receives a grant under subsection (B) shall provide awards for individual projects of not more than $100,000, to be provided in phased amounts, based on reaching the milestones established by the qualifying institution’s Program Oversight Board.

“(2) AUTHORIZED EXPENDITURES FOR INNOVATIVE APPROACHES TO TECHNOLOGY TRANSFER PROGRAM.—

“(I) PERCENTAGE.—The percentage of the extramural budget for research, or research and development required by subsection (n) to establish an STTR program shall apply towards the agency’s expenditure requirements under subsection (n)."
AMENDMENT NO. 84 OFFERED BY MR. PORTENBERY OF NEBRASKA

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

SEC. 910. RESPONSIBILITIES RELATED TO NUCLEAR FORCES, DETERRENCE, NON-PROLIFERATION, AND TERRORISM.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report discussing how the Department of Defense will manage its mission with respect to issues related to nuclear forces, deterrence, nonproliferation, and terrorism.

AMENDMENT NO. 85 OFFERED BY MR. NUCCENTI OF NEW YORK

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

SEC. 923. MODIFICATIONS TO REQUIREMENTS FOR ACCOUNTING FOR MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES LISTED AS MISSING.

(a) DESIGNATION OF OFFICER.—Section 1501(a) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking "PERSONNEL," and inserting "PERSONS;"

(2) by striking paragraph (2);

(3) by deleting the second sentence of paragraph (1) as paragraph (2); and

(4) by striking the first sentence of paragraph (1) and inserting the following:

"(A) The Secretary of Defense shall designate a single organization within the Department of Defense to have responsibility for Department of Defense matters relating to missing persons, including accounting for missing persons and persons whose remains have not been recovered from the conflict in which they were lost.

"(B) The organization designated under this paragraph shall be a Defense Agency or other entity of the Department of Defense outside the military departments and is referred to in this chapter as the designated Agency Director.

"(C) The head of the organization designated under this paragraph is referred to in this chapter as the designated Agency Director.

(b) RESPONSIBILITIES.—Paragraph (2) of such section, as designated by subsection (a), is amended—

(1) in the matter preceding subparagraph (A), by striking "the official designated under this paragraph shall include—" and inserting "the Secretary shall designate an Agency Director under section 1588a(a)(9) of this title in consultation with the Secretary of State and the Secretary of Defense, the Armed Forces Medical Examiner, the Armed Forces component of the Armed Forces, and relevant joint and multinational military organizations, in order to achieve a single organization to fulfill the purposes of the Act.

"(A) in the subsection heading, by striking "Personnel," and inserting "Persons;"

(c) USE OF DEPARTMENT OF DEFENSE PERSONAL PROPERTY.—The Secretary shall provide a description of the personal property of the Department of Defense that is lost or destroyed in a war or other military operation.

(d) REGULATIONS.—

"(1) In general.—The Secretary shall prescribe regulations to implement this section.

"(2) LIMITATION.—Such regulations shall provide that solicitation of a gift, acceptance of a gift, and use of a gift under this section may not occur if the nature or circumstances of the solicitation, acceptance, or use would compromise the identity or the appearance of integrity, of any program of the Department of Defense or any individual involved in such program.

"(3) In carrying out the program, the designated Defense Agency shall coordinate all external communications and events associated with the program.

AMENDMENT NO. 86 OFFERED BY MR. BURGESS OF TEXAS

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

SEC. 1005. REPORT ON AUDITABLE FINANCIAL STATEMENTS.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report ranking all military departments and Defense Agencies in order of how advanced they are in achieving auditable financial statements as required.
by law. The report should not include information otherwise available in other reports to Congress.

AMENDMENT No. 8 OFFERED BY MR. TAKANO OF CALIFORNIA

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

SEC. 1055. REPORT ON IMPLEMENTING AUDIT REPORTING REQUIREMENTS.

Not later than 50 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the barriers to implementing audit reporting required under section 1003 of Public Law 111–84 and recommendations to ensure reporting deadlines are met.

AMENDMENT No. 8 OFFERED BY MR. MILLER OF FLORIDA

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

SEC. 1027. PROHIBITION ON USE OF FUNDS FOR CERTAIN PERMITTING ACTIVITIES UNDER THE SUNKEN MILITARY CRAFT ACT.

None of the funds authorized to be appropriated by this Act may be used to issue a regulation for permitting activities set forth in section 1403 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–77; 118 Stat. 2907; 10 U.S.C. 113 note).

AMENDMENT No. 90 OFFERED BY MR. ROSS OF FLORIDA

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

SEC. 1034. PROHIBITION ON THE USE OF FUNDS FOR RECREATIONAL FACILITIES FOR INDIVIDUALS DETAINED AT GUANTANAMO.

None of the funds authorized to be appropriated or otherwise available to the Department of Defense may be used to provide additional recreational facilities for individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

AMENDMENT No. 91 OFFERED BY MR. BRIDENSTINE OF OKLAHOMA

Page 306, line 12, strike “None of the” and insert “Not more than 50 percent of the”.

Page 301, line 2, insert before the period the following: “until the date that is 30 days after the date the Secretary delivers the certification required by subsection (a) to the congressional defense committees”.

AMENDMENT No. 98 OFFERED BY MR. HALEY OF IOWA

Add at the end of subtitle F of title X the following:

SEC. 1065. REPORT ON LONG-TERM COSTS OF OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.

(a) Report Requirement.—Not later than 90 days after the date of the enactment of this Act, the President, with contributions from the Secretary of Defense, the Secretary of State, and the Secretary of Veterans Affairs, shall submit to Congress a report containing an estimate of previous costs of Operation New Dawn (the successor contingency operation to Operation Iraqi Freedom) and the projected costs of Operation Enduring Freedom for a scenario, determined by the President and based on current contingency operation and withdrawal plans, that takes into account expected force levels and the expected length of time that members of the Armed Forces will be deployed in support of Operation Enduring Freedom.

(b) Information to be Used in Preparation of Report.—In preparing the report required by subsection (a), the President shall make estimates and projections through at least fiscal year 2024, and any dollar amounts appropriately for inflation, and take into account and specify each of the following:

1. The total number of members of the Armed Forces expected to be deployed in support of Operation Enduring Freedom, including—
   (A) the number of members of the Armed Forces actually deployed in Southwest Asia in support of Operation Enduring Freedom;
   (B) the number of members of reserve components who are called to active duty in the United States for the purpose of training for eventual deployment in Southwest Asia, backfilling for deployed forces during the course of Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom; and
   (C) the break-down of deployments of members of the regular and reserve components and activation of members of the reserve components.
2. The number of members of the Armed Forces, including members of the reserve components, who have previously served in support of Operation Iraqi Freedom, Operation New Dawn, or Operation Enduring Freedom and who are expected to serve multiple deployments.
3. The number of contractors and private military security firms that have been used and are expected to be used during the course of Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom.
4. The number of veterans currently suffering and expected to suffer from post-traumatic stress disorder, traumatic brain injury, or other mental injury.
5. The number of veterans currently in need of and expected to be in need of prosthetic care and treatment because of amputations incurred in support of Operation Iraqi Freedom, Operation New Dawn, or Operation Enduring Freedom.
6. The current number of pending Department of Veterans Affairs claims from veterans of military service in Iraq and Afghanistan, and the total number of such veterans expected to seek disability compensation from the Department of Veterans Affairs.
7. The total number of members of the Armed Forces who have been killed or wounded in Iraq or Afghanistan, including noncombat casualties, the total number of members expected to suffer injuries in Afghanistan, and the total number of members expected to be killed in Afghanistan, including noncombat casualties.
8. The amount of funds previously appropriated for the Department of Defense, the Department of State, and the Department of Veterans Affairs for OEF-OIF Operations, OEF-OIF Operations New Dawn, and Operation Enduring Freedom, including an account of the amount of funding from requirements of the Department of State, and Department of Veterans Affairs budgets that has gone and will go to costs associated with such operations.
9. Previous, current, and future operational expenditures associated with Operation Enduring Freedom and, when applicable, Operation Iraqi Freedom and Operation New Dawn;
   (A) funding for combat operations;
   (B) deploying, transporting, feeding, and housing members of the Armed Forces (including readiness costs);
   (C) activation and deployment of members of the reserve components of the Armed Forces;
   (D) equipment and training of Iraqi and Afghani forces;
   (E) purchasing, upgrading, and repairing weapons, munitions, and other equipment and supplies;
   (F) payments to other countries for logistical assistance in support of such operations.
10. Past, current, and future costs of entering into contracts with private military security firms and other contractors for the provision of goods and services associated with Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom.
11. Average annual cost for each member of the Armed Forces deployed in support of Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom, including room and board, equipment and body armor, transportation of troops and equipment (including fuel costs), and operational costs.
12. Current and future cost of combat-related special pays and benefits, including re-enlistment bonuses.
13. Current and future cost of calling or ordering members of the reserve components to active duty in support of Operation Enduring Freedom.
15. Current and future cost of bases and other infrastructure to support members of the Armed Forces serving in Operation Enduring Freedom.
   (A) the cost of mental health treatment for veterans suffering from post-traumatic stress disorder and traumatic brain injury, and other mental problems as a result of such service; and
   (B) the cost of lifetime prosthetics care and treatment for veterans suffering from amputations as a result of such service.
19. Cost of bringing members of the Armed Forces and equipment back to the United States upon the conclusion of Operation Enduring Freedom, including demobilization, transportation costs (including fuel costs), providing transition services for members of the Armed Forces transitioning from active duty to veteran status, transporting equipment, weapons, and munitions (including fuel costs), and an estimate of the value of equipment that will be left behind. Cost to restore and repair military equipment, including the equipment of the reserve components, to full strength after the conclusion of Operation Enduring Freedom.
21. Interest on money borrowed, including interest for money already borrowed and anticipated interest payments on future borrowing for Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom.

AMENDMENT No. 107 OFFERED BY MR. BUTTERFIELD OF NORTH CAROLINA

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

(F) payments to other countries for logistical assistance in support of such operations.
SEC. 1082. METHODS FOR VALIDATING CERTAIN SERVICE CONSIDERED TO BE ACTIVE SERVICE BY THE SECRETARY OF VETERANS AFFAIRS.

(a) In General.—For the purposes of verifying that an individual performed service under honorable conditions that satisfies the requirements of a coastwise merchant seaman who is recognized pursuant to section 401 of the GI Bill Improvement Act of 1977 (Public Law 95-232, 90 U.S.C. 106 note), the Secretary of Homeland Security shall accept the following:

(1) In the case of an individual who served on a coastwise merchant vessel seeking such recognition for whom no applicable Coast Guard shipping or discharge form, ship logbook, master's document of registery, card, or other official employment record is available, the Secretary shall provide such recognition on the basis of applicable Coast Guard Administration records submitted for or by the individual, together with validated testimony given by the individual or the primary next of kin of the individual that the individual performed such service during the period beginning on December 7, 1941, and ending on December 31, 1946.

(2) If an individual was served on a coastwise merchant vessel seeking such recognition for whom the applicable Coast Guard shipping or discharge form, ship logbook, master's document of registery, card, or other official employment record has been destroyed or otherwise become unavailable by reason of any action committed by a person responsible for the control and maintenance of such form, logbook, or record, the Secretary shall accept other official documentation demonstrating that the individual performed such service during the period beginning on December 7, 1941, and ending on December 31, 1946.

(b) Clerical Amendment.—The table of contents for title XII, insert the following:

SEC. 1046. OBSERVANCE OF VETERANS DAY.

(a) Two Minutes of Silence.—Chapter 1 of title X, section 131, United States Code, is amended by adding at the end the following new section:

*145. Veterans Day.

"The President shall issue each year a proclamation calling on the people of the United States to observe two minutes of silence on Veterans Day in honor of the service and sacrifice of veterans throughout the history of the Nation, beginning at—"

(1) 3:11 pm Atlantic standard time;

(2) 2:11 pm eastern standard time;

(3) 1:11 pm central standard time;

(4) 12:11 pm mountain standard time;

(5) 11:11 am Pacific standard time;

(6) 10:11 am Alaska standard time; and

(7) 9:11 am Hawaii-Aleutian standard time.

(b) Clerical Amendment.—The table of sections for chapter 1 of title X, United States Code, is amended by adding at the end the following new item:

"145. Veterans Day."

AMENDMENT NO. 111 OFFERED BY MR. SCHIFF OF CALIFORNIA

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

SEC. 109. FINDINGS;SENSE OF CONGRESS.

(a) Findings.—Congress finds the following:

(1) The Vietnam Veterans Memorial continues to be a popular and important place of remembrance for decades to have their loved ones added to the Memorial.

(2) Exceptions have been granted to in- secure the names of the Vietnam Veterans Memorial for other servicemembers who were killed outside of the designated combat zone, including in 1968 when President Ronald Reagan ordered that 68 Marines who died on a flight outside the combat zone be added to the wall.

(3) Secretary of the Navy Ray Mabus, in a letter dated December 15, 2010, expressed support for the addition of the 74 names of the men lost aboard the USS Frank E. Evans to the Vietnam Veterans Memorial.

(b) Sense of Congress.—It is the sense of Congress that the Secretary of Defense should order that the names of the 74 military personnel lost aboard the USS Frank E. Evans on June 3, 1969, be added to the Vietnam Veterans Memorial.

AMENDMENT NO. 116 OFFERED BY MR. POH OF TEXAS

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

SEC. 110. INDEPENDENT ASSESSMENT OF UNITED STATES EFFORTS TO DISRUPT, DISMANTLE, AND DEFeat AL QAEDA, ITS AFFILIATED GROUPS, ASSOCIATED GROUPS, AND ADHERENTS.

(a) Sense of Congress.—It is the sense of Congress that—

(1) al-Qaeda, its affiliated groups, associated groups, and adherents continue to pose a significant threat to United States national security interests;

(2) al-Qaeda continues to evolve and reorganize to adapt to United States counterterrorism measures; and

(3) al-Qaeda has become more decentralized and less hierarchical over the past decade.

(b) Independent Assessment.—

(1) In General.—The Secretary of Defense shall provide for the conduct of an independent assessment of the United States efforts to disrupt, dismantle, and defeat al-Qaeda, including its affiliated groups, associated groups, and adherents since May 2, 2011.

(2) Elements.—The assessment required by paragraph (1) shall include:

(A) An assessment of al-Qaeda core’s relationships with any and all affiliated groups, associated groups, and adherents.

(B) An assessment of the state’s objectives, and capabilities of al-Qaeda core and any and all affiliated groups, associated groups, and adherents.

(C) An assessment of the Administration’s efforts to combat al-Qaeda core and any and all affiliated groups, associated groups, and adherents.

(D) An assessment of the Authorization for the Use of Military Force (Public Law 107–40) and its relevance to the current structure and objectives of al-Qaeda core, its affiliated groups, associated groups, and adherents.

(E) A comprehensive order of battle for al-Qaeda core, its affiliated groups, associated groups, and adherents.

(F) A recommendation regarding the military strategy and efforts to disrupt, dismantle, and defeat al-Qaeda core, its affiliated groups, associated groups, and adherents.

(G) A recommendation regarding the military strategy and efforts to disrupt, dismantle, and defeat al-Qaeda core, its affiliated groups, associated groups, and adherents.

(b) Clerical Amendment.—The table of sections for chapter 1 of title X, United States Code, is amended by adding at the end the following new item:

*145. Veterans Day.

"The President shall issue each year a proclamation calling on the people of the United States to observe two minutes of silence on Veterans Day in honor of the service and sacrifice of veterans throughout the history of the Nation, beginning at—"

(1) 3:11 pm Atlantic standard time;

(2) 2:11 pm eastern standard time;

(3) 1:11 pm central standard time;

(4) 12:11 pm mountain standard time;

(5) 11:11 am Pacific standard time;

(6) 10:11 am Alaska standard time; and

(7) 9:11 am Hawaii-Aleutian standard time.

SEC. 105. METHODS FOR VALIDATING CERTAIN SERVICE CONSIDERED TO BE ACTIVE SERVICE BY THE SECRETARY OF VETERANS AFFAIRS.

(a) In General.—For the purposes of verifying that an individual performed service under honorable conditions that satisfies the requirements of a coastwise merchant seaman pursuant to this section without regard to the sex, age, or disability of the individual during the period in which the individual served as such a coastwise merchant seaman.

(b) Definitions.—In this section:

(1) The term “coastwise merchant seaman” means a seaman who served on one or more of the following:

(A) A vessel engaged in the transportation of war materials to and from ports located in combat zones, including in 1983 when President Ronald Reagan ordered that 68 Marines who died on a flight outside the combat zone be added to the wall.

(2) The term “prize of war” means a ship, vessel, or other military decoration based on such service.

(c) Benefits Allowed.—

(1) Burial Benefits Eligibility.—Service of an individual that is considered active duty pursuant to subsection (a) shall be considered as active duty service with respect to eligibility for benefits under chapters 23 and 24 of title 38, United States Code, to the individual.

(2) Medals, Ribbons, and Decorations.—An individual whose service is recognized as active duty pursuant to subsection (a) may be awarded an appropriate medal, ribbon, or other military decoration based on such service.

(d) Status of Veteran.—An individual whose service is recognized as active duty pursuant to subsection (a) shall be deemed to be in the active duty service of the merchant marine or discharging an individual from such service.

(e) Determination of Coastwise Merchant Seaman.—The Secretary of Homeland Security shall verify that an individual performed service under honorable conditions
At the end of subtitie F of title XII, add the following:

SEC. 12. REPORT ON COLLECTIVE AND NATIONAL SECURITY IMPLICATIONS OF CENTRAL ASIAN AND SOUTH CAUCASUS ENERGY DEVELOPMENT.

(a) FINDINGS.—Congress finds the following:

(1) Assured access to stable energy supplies is an enduring concern of both the United States and the North Atlantic Treaty Organization (NATO).

(b) REPORT.—

(1) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of Energy, submit to the appropriate congressional committees a detailed report on the implications of new energy resource development and distribution networks, both planned and under construction, in the areas surrounding the Caspian Sea for energy security strategies of the United States and NATO.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of the dependence of NATO members on a single oil or natural gas supplier or distribution network.

(B) An assessment of the potential of energy resources of the areas surrounding the Caspian Sea to mitigate such dependence on a single oil or gas supplier or distribution network.

(C) Recommendations, if any, for ways in which the United States can help support increased energy security for NATO members.

(3) Submittal of classified information.—The report under this subsection shall be submitted in unclassified form, but may contain a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

The Acting CHAIR. Pursuant to House Resolution 590, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

Mr. MCKEON. Madam Chair, I urge the committee to adopt the amendments to the NDAA that have been examined by both the majority and the minority, and I reserve the balance of my time.

Mr. SMITH of Washington. Madam Chair, I yield 2 minutes to the gentleman from Illinois (Mr. SHIMKUS), my friend and colleague.

Mr. SHIMKUS asked and was given permission to revise and extend his remarks.

Mr. SHIMKUS. Madam Chair, it is great to be here. I know it is at the end of the debate.

First, let me thank BUCK MCKEON for doing a great job as the chairman, and I know as Adam will do, will recognize his years of service, and this is a great bill. Adam, thank you for your friendship and support.

Part of this en bloc amendment is the Black Ribbon Day. I worked really closely with Congressman ENGEL to make sure that it was vetted and cleared.

The basic premise is the country has to understand the importance of knowing the past to survive in the world of the present.

Shimkus is ethnically Lithuanian. I deal with the Baltic issues and Eastern European causes, and the world has significantly changed, as I said earlier in this debate, about the threat from Russia.

So the Black Ribbon Day recognizes the victims of communism and the Holocaust and the gulags and the deportation and the Russification.

So when Vladimir Putin makes a claim protecting the Russian minority, it is because when World War II was they removed forcefully to Siberia and ended in Russians.

The world is not a safer place today. It is important for us to remember the events of the past so we can defend the freedoms of the future.

Mr. Chairman, thank you for including this in your en bloc amendment.

To my friend Adam from Washington State, thank you for your support. I don’t get a chance to talk about defense and NDAA. As you all know, I served in the military. I have great respect for what you have done in trying to strengthen the force and protect freedom. So thank you for the work you do. It is just an honor to get a chance to work with both of you.

Mr. MCKEON. Madam Chair, I encourage our colleagues to support the en bloc amendment, and I yield back the balance of my time.

Mr. POE of Texas. Madam Chair, I would like to thank Chairman MCKEON for supporting my amendment and allowing it to come to the floor.

This is not a new idea. DOD already has a program for distribution of surplus DOD equipment.

This amendment is common sense—why not allow excess military equipment to be used by state, local, and federal law enforcement for border security?

Our border sheriffs say they are outmanned, outrun and out-financed by the drug cartels.

Most of the U.S. and our allies, both at home and abroad.

Our intelligence services and our military have scored some real gains against al-Qaeda, but al Qaeda in Afghanistan and Pakistan is still able to provide tactical and ideological direction to its affiliates around the world.

Today al-Qaeda controls more territory than ever. The fight against al-Qaeda is far from over.

This amendment is necessary so we can have outside experts evaluate this Administration’s efforts against al-Qaeda and what we should do about it.

Mr. POE of Texas. Madam Chair, first, I would like to thank Chairman MCKEON for supporting my amendment and allowing it to come to the floor.

This amendment is simple, it urges the Secretary of Defense to make a reasonable effort to make excess intelligence surveillance and reconnaissance equipment, night vision goggles, and tactical wheeled vehicles returning from abroad available to State, Federal, and local law enforcement agencies for the purpose of strengthening border security along the international border between the United States and Mexico.

This amendment is common sense—why not allow excess military equipment to be used by state, local, and federal law enforcement for border security?

Our border sheriffs say they are outmanned, outgunned and out-financed by the drug cartels.

Ms. Smits, does she have the floor.

Ms. Smits. Mr. POE. Thanks you. I yield back.

Mr. MCKEON. Madam Chair, I would like to thank Chairman MCKEON for supporting my amendment and allowing it to come to the floor.
citizen of the United States.

The Department of Defense may use a drone to kill a

section of, or detailee or contractor to, the Depart-

ment shall carry out subsection (a) in a

for the Federal Government to kill any per-

authority, or expand any existing authority,

Se. 1065. REPORT ON THERMAL INJURY PRE-

The Director of the United States Army

AMENDMENT NO. 95 OFFERED BY MR. SCHIWICKT OF ARIZONA

Page 340, line 16, strike ''test

for each such ship that so operated—

program or other activities of similar nature

carried out the ship that was the

Page 340, beginning on line 18, strike “test

range program” and insert in its place “a

program”:

Page 341, beginning on line 5, strike “test

range”.

AMENDMENT NO. 101 OFFERED BY MR. GIBSON OF NEW YORK

At the end of subtitle G of title X, add the

following new section:

SEC. 1051. MODIFICATIONS TO OH–58D KIowa WARRIOR HELICOPTERS. (a) IN GENERAL.—Notwithstanding section 224A of title 10, United States Code, the Sec-

etary of the Army may implement engineer-

ing change proposals on OH–58D Kiowa War-

rior helicopters.

(b) MANNER OF MODIFICATIONS.—The Sec-

retary shall carry out subsection (a) in a

manner that ensures—

(1) the safety and survivability of the crews of the OH–58D Kiowa Warrior heli-

copters by expeditiously replacing or inte-

grating, or both, the mast-mounted sight en-

gineering change proposals to the current

OH–58D fleet;

(2) the safety of flight; and

(3) that the minimum requirements of the commands of the combatant commands are met.

(c) ENGINEERING CHANGE PROPOSALS DE-

FINED.—In this section, the term “engineer-

ing change proposal” means, with respect to OH–58D helicopters, engineering changes re-

lating to the following:

(1) Mast mounted sight laser pointer.

(2) Two-card system processor.

(3) Diode pump laser.

AMENDMENT NO. 94 OFFERED BY MR. BROWN OF GEORGIA

At the appropriate place in subtitle E of title X, insert the following new section:

SEC. 1052. REVIEW OF OPERATION OF CERTAIN SHIPS DURING THE VIETNAM ERA. (a) REVIEW REQUIRED.—By not later than one year after the date of enactment of this Act, the Secretary of Defense shall re-

view the logs of each ship under the author-

ity of the Secretary of the Navy that is known to have been operated in the waters near

Vietnam during the Vietnam Era (as that
term is defined in section 101(29) of title 38,
United States Code) to determine—

(1) whether each such ship operated in the

territorial waters of the Republic of Vietnam

during the period beginning on January 9,

1962, and ending on May 7, 1975; and

(2) for each such ship operated—

(A) the date or dates when the ship so oper-

ated; and

(B) the distance from the shore of the loca-

tion where the ship operated that was the

closest proximity to shore.

(b) PROVISION OF INFORMATION TO THE SEC-

RETARY OF VETERANS AFFAIRS.—Upon a de-

termination that any such ship so operated, the Secretary of Defense shall provide such determination, together with the informa-

tion described in subsection (a)(2) about the ship, to the Secretary of Veterans Affairs.

(c) PUBLIC AVAILABILITY OF INFORMATION.—

The Secretary of Veterans Affairs shall make the report required under subsection (b) unclassified information provided to the Secretary under subsection (b).

AMENDMENT NO. 102 OFFERED BY MR. LATTA OF OHIO

At the end of title X, add the following:

SEC. 10...SENSE OF CONGRESS RECOGNIZING THE 70TH ANNIVERSARY OF THE ALLIED AMPHIBIOUS LANDING ON D-DAY, JUNE 6, 1944, AT NORMANDY, FRANCE.

(a) FINDINGS.—Congress makes the fol-

lowing findings:

(1) June 6, 2014, marks the 70th anniversary of the Allied assault at Normandy, France, by American, British, and Canadian troops, which was known as Operation Overlord.

(2) Before Operation Overlord, the German Army had occupied France and the Nazi gov-

ernment still had access to the raw materi-

als and industrial capacity of Western Eu-

rope.

(3) The naval assault phase on Normandy was code-named “Neptune”, and the June

6th assault date is referred to as D-Day to
denote the day on which the combat attack was initiated.

(4) The D-Day landing was the largest sin-

gle amphibious assault in history, consisting of approximately 31,000 members of the United States Armed Forces, 153,000 mem-

bers of the Allied Expeditionary Force, 5,000 naval vessels, and more than 11,000 sorties by Allied aircraft.

(5) Soldiers of 6 divisions (3 American, 2 British, and 1 Canadian) stormed ashore in 5 main landing areas on beaches in Normandy, which were code-named “Utah”, “Omaha”, “Gold”, “Juno”, and “Sword”.

(6) Of the approximately 10,000 Allied casu-

alties incurred on the first day of the land-

ing, more than 6,000 casualties were members of the United States Armed Forces.

(7) The age of the remaining World War II veterans and the gradual disappearance of any living memory of World War II and the Normandy landings makes it necessary to in-

crease activities intended to pass on the his-

tory of these events, particularly to younger generations.

(8) The young people of Normandy and the United States have displayed unprecedented commitment to and involvement in cele-

brating the veterans of the Normandy land-

ings and the freedom that they brought with them in 1944.

(9) The significant material remains of the Normandy landing, such as shipwrecks and various items of military equipment found both on the Normandy beaches and at the bottom of the sea in French territorial waters, witness to the remarkable ma-

terial resources used by the Allied Armed Forces to execute the Normandy landings.

(10) Normandy beaches and a number of sites on the Normandy coast, including Pointe du Hoc, were the scene of the Nor-

mary landings, and constitute both now and for all time a unique piece of humanity’s world heritage, and a symbol of peace and freedom, whose unspoilt nature, integrity, and authenticity must be protected at all costs.

(11) The world owes a debt of gratitude to the members of the “greatest generation” who assumed the task of freeing the world from Nazi and Fascist regimes and restoring liberty to Europe.

(b) SENSE OF CONGRESS.—Congress—

(1) recognizes the 70th anniversary of the Allied amphibious landing on D-Day, June

6, 1944, at Normandy, France, during World War II;

(2) expresses gratitude and appreciation to the members of the United States Armed Forces who participated in the D-Day oper-

ations;

(3) thanks the young people of Normandy and the United States for their commitment in recognizing and celebrating the 70th Anni-

versary of the Normandy landings with the
aim of making future generations aware of the acts of heroism and sacrifice performed by the Allied forces.

(4) recognizes the efforts of the Government of the United States to liberate Europe.

At the end of title X, add the following:

SEC. 10... TRANSPORTATION OF SUPPLIES TO MEMBERS OF THE ARMED FORCES FROM NONPROFIT ORGANIZATIONS.

(a) In General.—Chapter 20 of title 10, United States Code, is amended by inserting after section 402 the following new section:

§ 403. Transportation of supplies from nonprofit organizations.

"(a) Authorization of Transportation.—(1) Notwithstanding any other provision of law, and subject to subsection (b), the Secretary of Defense is authorized to transport to any country, without charge, supplies that have been furnished by a nonprofit organization and that are intended for distribution to members of the armed forces.

"(2) Procedures.—The Secretary shall establish procedures for making the determination required under paragraph (1). Such procedures shall include the inspection of supplies before acceptance for transport.

"(b) Distribution.—The Secretary shall be responsible for the transportation of supplies under this section that ensure the supplies are suitable for transport and distribution.

"(b) Adequate Arrangements.—(1) The Secretary shall be responsible for making the determination that—

"(A) the transportation of the supplies is consistent with the policies of the United States.

"(B) the supplies are suitable for distribution to members of the armed forces and are in usable condition.

"(D) adequate arrangements have been made for the distribution and use of the supplies.

"(C) There is a legitimate need for the supplies by the members of the armed forces for whom they are intended.

"(D) Adequate arrangements have been made for the distribution and use of the supplies.

"(2) Procedures.—(a) The Secretary shall establish procedures to ensure the adequacy of arrangements for paragraphs (1) and (3). Such procedures shall include the inspection of supplies before acceptance for transport.

"(D) Distribution.—The Secretary shall be responsible for the transportation of supplies under this section that ensure the supplies are suitable for transport.

"(c) Distribution.—Supplies transported under this section may be distributed by the United States Government or a nonprofit organization.

"(d) Definition of Nonprofit Organization.—In this section, the term 'nonprofit organization' means an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

AMENDMENT NO. 135 OFFERED BY MRS. CICILLINE OF RHODE ISLAND

In section 1216(b), add at the end the following:

"(5) A description of efforts of the Secretary of Defense and the Secretary of State to ensure the availability of temporary increased opportunities related to equipping the ANSF.

AMENDMENT NO. 119 OFFERED BY MRS. DAVIS OF FLORIDA

At the end of title XII, add the following:

SEC. 1082. SENSE OF CONGRESS ON AIR FORCE CONCURRENT TRAINING AIRCRAFT.

(a) Findings.—Congress makes the following findings:

(1) The Air Force uses the T-1A aircraft to train Air Force pilots to operate tanker and transport aircraft.

(2) The Air Force is seeking a replacement aircraft for the T-1A, which is experiencing obsolescence issues and high costs.

(3) An effective way to mitigate the T-1A’s cost, obsolescence, and complexity issues is to provide an interim transport aircraft until a permanent replacement for the T-1A enters service, to utilize contractor-owned, contractor-operated modern aircraft in the very light jet category.

(4) Conducting very light jet training via a contractor-owned, contractor-operated contract vehicle could provide increased flexibility and reduce unnecessary ownership costs.


(6) The United States should continue to advocate for the right of women in Afghanistan to serve in the military in the long-term if a majority of its population advocate for the rights and participation of women in Afghanistan in all levels of government and society.

AMENDMENT NO. 119 OFFERED BY MR. JOHNSON OF MASSACHUSETTS

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

SEC. 12. LIMITATION ON FUNDS TO ESTABLISH PERMANENT STATIONING OF UNITED STATES MILITARY INSTALLATIONS OR BASES IN AFGHANISTAN.

None of the funds authorized to be appropriated by this Act may be obligated or expended for a construction project in Afghanistan in excess of $500,000 that cannot be audited and physically inspected by authorized United States Government civilian personnel or their designated representatives, in accordance generally-accepted auditing guidelines.

AMENDMENT NO. 120 OFFERED BY MR. NOLAN OF MINNESOTA

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

SEC. 12. REVIEW PROCESS FOR USE OF UNITED STATES MILITARY RESOURCES PROVIDED TO AFGHANISTAN.

(a) Prohibition.—(1) In general.—None of the funds authorized to be appropriated by this Act may be obligated or expended for a construction project in Afghanistan unless the Secretary of Defense ensures that the United States Government civilian personnel or their designated representatives, in accordance generally-accepted auditing guidelines, are responsible for the audit of funds used for the project.

(2) Applicability.—Paragraph (1) shall apply only with respect to a project that is initiated on or after the date of the enactment of this Act.

(b) Waiver.—(1) The prohibition in subsection (a) may be waived by the Secretary of Defense in the case of an emergency to prevent, manage, or resolve a threat to United States national security, economic, and social development, and international cooperation.

(2) Statement of policy.—It is the policy of the United States—

(1) to promote and support the security of women and girls in Afghanistan and in other countries in which they serve;

(2) to promote and support the security of women and girls in Afghanistan during the
security transition process and recognize that promoting security for Afghan women and girls must remain a priority of United States foreign policy, and (3) to maintain and improve the gains of women and girls in Afghanistan made since 2002, including in terms of their political participation and integration in security forces. (c) INDICATORS OF SUCCESS.—(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of State and the Administrator of the United States Agency for International Development, shall take such actions as may be necessary to ensure the indicators of success of the security transition process and establishment of an independent Afghan Government as described in paragraph (2) are achieved.

(2) INDICATORS OF SUCCESS.—The indicators of success referred to in paragraph (1) are the following:

(A) Support for human rights of women and girls in Afghanistan.

(B) Participation of women in Afghanistan at all levels of decision-making and governance in Afghanistan.

(C) Strategic integration of women in the Afghan National Security Forces.

(D) Building initiatives to prevent sexual and gender-based violence, including implementation of Afghanistan’s Elimination of Violence Against Women law and support for the Interior’s Family Response Units in the Afghan National Police.


(F) Recognition of the ability of women in Afghanistan to move freely and securely throughout Afghanistan.

(d) REPORT.—(1) IN GENERAL.—Except as provided in paragraph (2), not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense, the Secretary of State, and the Administrator of the United States Agency for International Development shall jointly submit to the appropriate congressional committees a report on efforts by the United States Government to support the human rights, participation, prevention of violence, existing frameworks, and security and mobility of respect to women and girls in Afghanistan.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

AMENDMENT NO. 123 OFFERED BY MS. DELAUR AND CONNECTICUT

At the end of subtitle C of title XII, add the following:

SEC. 1229. PROHIBITION ON USE OF FUNDS TO ENTER INTO CONTRACTS OR AGREEMENTS WITH ROSOBORONEXPORT.

(a) PROHIBITION.—None of the funds authorized to be appropriated for the Department of Defense for fiscal year 2015 may be used to enter into or obligate funds for a contract or subcontract at any tier under such a contract, memorandum of understanding, or cooperative agreement with, to make a grant to, or to provide a loan or guarantee to Rosoboronexport.

(b) NATIONAL SECURITY WAIVER AUTHORITY.—The Secretary of Defense may waive the applicability of subsection (a) if the Secretary of Defense, with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees, to the best of the Secretary's knowledge, the following:

(1) Rosoboronexport has ceased the transfer of lethal military equipment to, and the provision of lethal military equipment for, the Government of the Syrian Arab Republic.

(2) The armed forces of the Russian Federation have withdrawn substantially all of the armed forces of the Russian Federation from Crimea.

(3) The Government of the Russian Federation has withdrawn substantially all of the armed forces of the Russian Federation from the immediate vicinity of the eastern border of Ukraine.

(4) Agents of the Russian Federation have ceased taking active measures to destabilize the control of the Government of Ukraine over eastern Ukraine.

(c) DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW.

(1) IN GENERAL.—The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport for carrying out the waiver is issued by the Secretary of Defense pursuant to subsection (b).

(2) ELEMENTS.—The review conducted under paragraph (1) shall assess the accuracy of the factual and legal conclusions made by the Secretary of Defense in the waiver covered by the review, including—

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

(B) whether the Secretary has previously used or authorized carrying out the same functions regarding the military equipment in question, and what vendor was previously used;

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

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

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

AMENDMENT 124 OFFERED BY MR. ENGLE OF NEW YORK

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

SEC. 124. REQUIREMENTS RELATING TO CERTAIN DEFENSE TRANSFERS TO THE RUSSIAN FEDERATION.

(a) STATEMENT OF POLICY.—It is the policy of the United States to oppose the transfer of defense articles or defense services (as defined in the Arms Export Control Act) from the United States to any country that is a member of the North Atlantic Treaty Organization (NATO) to, or on behalf of, the Russian Federation, during a period in which the Russian Federation forcibly occupies the territory of Ukraine or of a NATO member country.

(b) REPORT.—The President shall submit to the appropriate committees of Congress within 5 days of the receipt of information indicating that a transfer described in paragraph (1) has occurred.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this paragraph, the term “appropriate committees of Congress” means—

(I) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(ii) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(d) LICENSING POLICY FOR CERTAIN DEFENSE TRANSFERS.—

(1) IN GENERAL.—If a NATO member country transfers, or allows a transfer by a person subject to its national jurisdiction of, a defense article or defense service on or after the date of the enactment of this Act that is contrary to the policy of the United States specified in subsection (a) and is identified pursuant to subsection (c), an application for a license or other authorization required under the Arms Export Control Act for the transfer of any defense article or service to, or on behalf of, that NATO member country shall be subject to a presumption of denial.

(2) EFFECTIVE PERIOD.—A presumption of denial shall apply to an application for a license or other authorization under paragraph (1) only during a period in which the Russian Federation forcibly occupies the territory of Ukraine or of a NATO member country.

(3) AMENDMENT TO ITR.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall amend the International Traffic in Arms Regulations for purposes of implementing this subsection.

AMENDMENT NO. 128 OFFERED BY MR. GIBSON OF NEW YORK

At the end of subtitle F of title XII, add the following:

SEC. 1266. FINDINGS AND SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) Protecting cultural property abroad is a vital part of United States cultural diplomacy, showing the respect of the United States for other cultures and the common heritage of humanity.

(2) Cultural property abroad has been lost, damaged, or destroyed due to political instability, armed conflict, natural disasters, and other threats.

(3) In Egypt, political instability has led to the ransacking of its museums, resulting in the destruction of countless ancient artifacts that will forever leave gaps in humanity’s knowledge of the ancient Egyptian civilization.

(4) In Syria, the ongoing civil war has resulted in the looting and destruction of archaeological sites, damage to World Heritage Sites, and the looting of museums and archaeological sites. Archaeological and historic sites and artifacts in Syria date back more than six millennia, and include some of the earliest examples of writing.
In Mali, the Al-Qaeda-affiliated terrorist group Ansar Dine destroyed tombs and shrines in the ancient city of Timbuktu, once a major center for Islamic learning and scholarship. In 2010, experts estimated 15,000 items. These included ancient amulets, sculptures, ivories, and cylinder seals. Many of these items remain unrecovered.

The destruction of these and other cultural properties represents an irreparable loss to humanity’s common cultural heritage, and therefore to all Americans.

The Armed Forces have played important roles in preserving and protecting cultural property. On June 23, 1943, President Franklin D. Roosevelt established the American Committee for the Protection and Salvage of Artistic and Historic Monuments in War Areas to provide expert advice to the military on the protection of cultural property. The Monuments, Fine Arts, and Archives (MFAA) teams which became part of the Civil Affairs Division of Military Government—Defense of the Allied armies. The individuals serving in the MFAA were known as the “Monuments Men” and have been credited with securing, cataloging, and returning hundreds of thousands of works of art stolen by the Nazis during World War II.

The U.S. Committee of the Blue Shield was founded in 2006 to support the implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, and to coordinate with the Armed Forces, other branches of the United States Government, and other cultural heritage nongovernmental organizations in preserving cultural property abroad threatened by political instability, armed conflict, or other disasters.

In Congress—It is the sense of Congress that—

The Armed Forces play an important role in protecting and preserving cultural property in countries at risk of destruction due to political instability, armed conflict, or natural or other disasters; and

The Armed Forces have taken to protect cultural property abroad, including efforts made to avoid damage, to the extent possible, to cultural property through construction activities, training to ensure deploying military personnel are able to identify, avoid, and protect cultural property abroad, and other efforts made to inform military personnel about the protection of cultural property as part of the law of war; and

This status and number of specialist personnel has been assigned to secure respect for cultural property abroad and to cooperate with civilian authorities responsible for safeguarding cultural property abroad, consistent with the policy established in the 1954 Hague Convention.

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

SEC. 1666. LIMITATION ON AVAILABILITY OF FUNDS FOR REMOVAL OR CONSOLIDATION OF DUAL-CAPABLE AIRCRAFT FROM EUROPE

(a) LIMITATION—

(1) In general.—None of the funds authorized to be appropriated by this Act or otherwise made available by the Appropriations Act, 2015 for the Department of Defense may be used for the removal or consolidation of dual-capable aircraft from the area of responsibility of the United States European Command until the Secretary of Defense, in consultation with the Secretary of State, certifies that such consolidation is in compliance with the CFE Treaty and has lifted its suspension of Russian observance of its treaty obligations.

(2) Exception.—The limitation in paragraph (1) shall not apply in instances where a dual-capable aircraft is being replaced by a F–35 aircraft.

(b) WAIVER.—The Secretary of Defense may waive the limitation in subsection (a)(1) if—

(1) the Secretary of Defense, in coordination with appropriate congressional committees, determines that such consolidation is in compliance with the CFE Treaty and has lifted its suspension of Russian observance of its treaty obligations;

(2) the Secretary of Defense may waive the limitation in subsection (a)(1) if—

(1) the Secretary of Defense, in coordination with appropriate congressional committees, determines that such consolidation is in compliance with the CFE Treaty and has lifted its suspension of Russian observance of its treaty obligations;


(4) The ‘‘dual-capable aircraft’’ means tactical fighter aircraft that can perform both conventional and nuclear missions.

(a) PLAN.—The President, in consultation with the Secretary of State, the Secretary of Defense, the Secretary of Energy, the Secretary of Homeland Security, and the Director of National Intelligence, shall develop an interagency plan for verification and monitoring, with respect to policy, operations, research, development, testing, and evaluation, including—

(1) identifying and integrating roles, responsibilities, and planning for such verification and monitoring;

(2) establishing and implementing policies, procedures, and requirements for such verification and monitoring.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ‘‘appropriate congressional committees’’ means—

(1) The congressional defense committees.

(2) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) The Committee on Foreign Relations of the Senate and the Committee on Homeland Security and Governmental Affairs of the Senate.

(4) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.


The Acting CHAIR. Pursuant to House Resolution 590, the gentleman from California (Mr. McKeon) and the
Mr. MCKEON. Madam Chair, I urge the Committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

I reserve the balance of my time.

Mr. SMITH of Washington. Madam Chair, I concur. We should adopt the en bloc amendments.

I yield back the balance of my time.

Mr. MCKEON. Madam Chair, I encourage our colleagues to support the en bloc amendments.

I yield back the balance of my time. Mr. ENGLE. Madam Chair, this en bloc includes two of my amendments. The first amendment provides an incentive for NATO member countries to align their policies on defense exports with the restrictions that the United States has imposed.

As of March 1st, the United States stopped approving licenses of munitions and dual-use items to Russia if they would be used by the Russian military. The U.S. restrictions would apply to sales, leases, and the transfer of arms of other countries if they contain U.S. components.

While several European governments have imposed restrictions similar to ours, neither NATO nor the European Union has moved to restrict defense exports to Russia that are not covered by the U.S. restrictions.

This raises the disturbing prospect that a NATO member country could transfer military items to Russia during this dangerous period when Russia forcibly occupies Ukrainian territory in Crimea or, worse, could seize territory in the Baltics, the Balkans or elsewhere in Eastern Europe.

The risk is real. For example, France has a contract to provide Russia with two Mistral-class helicopter assault ships, the first one to be delivered as early as this October. These warships would significantly strengthen Russia’s ability to launch an amphibious attack.

Under my amendment, if a NATO member country transfers significant defense items to Russia, inconsistent with the restrictions that the U.S. has imposed, then there would be a “presumption of denial” for applications to export U.S. defense items to that NATO country. This policy would be in effect during any period when Russia either occupies Ukrainian territory or the territory of a NATO member.

A “presumption of denial” is a well-established concept in U.S. export controls. It provides certainty to the Executive Branch to approve defense transfers, if the presumption of denial is over-riden by U.S. security interests.

If NATO countries continue to arm Russia at this dangerous time, we have to ask ourselves: “What kind of alliance is NATO?” My amendment is not a sanction; but it is a warning to our NATO allies that we have to stand together against Russian aggression, or risk arming a country that might become an adversary.

The en bloc also includes my amendment requiring the Secretary of Defense to do a one-time report on activities of the Department of Defense with regards to protecting cultural property abroad, including activities under-taken pursuant to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict.

War is inherently destructive, and all too often it results in the ruin of irreplaceable artifacts, monuments, and archeological sites.

In Egypt, political instability has led to the ransacking of its museums and destruction of countless ancient artifacts that will forever leave gaps in humanity’s knowledge of the ancient Egyptian civilization.

In Syria, the civil war has resulted in the shelling of medieval cities, damage to World Heritage Sites, and the looting of museums and archeological sites. Historic sites and artifacts in Syria date back more than six millennia and include some of the earliest examples of writing.

In Mali, the Al-Qaeda affiliated terrorist group Ansar Dine destroyed tombs and shrines in the ancient city of Timbuktu—once a major center for Islamic learning and scholarship in the 15th and 16th centuries—and threatened collections of ancient manuscripts.

In Afghanistan, the Taliban destroyed the Bamiyan Buddhas, ancient statues carved into a cliff, leading to worldwide condemnation.

In Iraq, after the fall of Saddam Hussein, thieves from the Iraqi army looted Baghdad, resulting in the loss of approximately 15,000 items. These included ancient amulets, sculptures, ivories, and cylinder seals. Many of these items remain unrecovered.

Threats to cultural property are not new. Just as Adolf Hitler and the Nazis aimed to eliminate entire groups of people from the planet, they also sought to erase culture by stealing or destroying Europe’s great works of art and other cultural property.

Protecting cultural property abroad is a vital part of United States cultural diplomacy, showing the respect of the United States for other cultures and the common heritage of humanity.

The Armed Forces have played and continue to play an important role in preserving and protecting cultural property in countries at risk of destruction due to political instability, armed conflict, or natural or other disasters.

On June 23, 1943, President Franklin D. Roosevelt established the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas to provide expert advice to the military on the protection of cultural property. The Commission formed Monuments, Fine Arts, and Archives (MFAA) teams which became part of the Civil Affairs Division of Military Government Section of the Allied armed. The individuals serving in the MFAA were known as the “Monuments Men” and have been credited with securing, cataloguing, and returning hundreds of thousands works of art stolen by the Nazis during World War II.

The amendment included in the en bloc requires the Secretary of Defense to do a one-time report on all Department of Defense activities related to the protection of cultural property abroad—including those taken pursuant to the Proclamation for the Protection of Cultural Property in the Event of Armed Conflict.

This report will not only highlight the Defense Department’s critical role in protecting cultural property and art, but will also help us determine what more the United States can do to ensure that priceless work produced over the ages will remain with us for generations to come.

I thank the managers for including both of my amendments in the en bloc.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. MCKEON).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 7 OFFERED BY MR. MCKEON

Mr. MCKEON. Madam Chairman, pursuant to House Resolution 590, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 7 consisting of amendment Nos. 57, 65, 67, 106, 114, 117, 126, 127, 129, 131, 132, 134, 137, 142, 149, 150, 151, 152, 153, 154, 158, 159, and 162 printed in part A of House Report 113–460, offered by Mr. MCKEON of California:

AMENDMENT NO. 57 OFFERED BY MR. GINGREY OF GEORGIA

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

SEC. 5. SENSE OF CONGRESS REGARDING PRESERVATION OF SECOND AMENDMENT RIGHTS OF ACTIVE DUTY MILITARY PERSONNEL STATIONED OR RESIDING IN THE DISTRICT OF COLUMBIA.

(a) FINDINGS.—Congress finds the following:

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

(2) Approximately 40,000 servicemen and women across all branches of the Armed Forces either live in or are stationed on active duty within the District of Columbia, metropolitan area, and may be attributed in part to previous local laws prohibiting possession of firearms by law-abiding persons who would have otherwise been able to defend themselves and their loved ones in their own homes and businesses.

(3) Military personnel, despite being extensively trained in the proper and safe use of firearms, are therefore deprived by the laws of the District of Columbia of handguns, rifles, and shotguns that are commonly kept by law-abiding persons throughout the United States for sporting use and for lawful defense of their persons, homes, businesses, and families.

(4) The District of Columbia has one of the highest per capita murder rates in the Nation which may be attributed in part to previous local laws prohibiting possession of firearms by law-abiding persons who would have otherwise been able to defend themselves and their loved ones in their own homes and businesses.

(5) The Gun Control Act of 1968 (as amended by the Firearms Owners’ Protection Act) and the District of Columbia Handgun Ban, a federal prohibition on the possession and illegal use of firearms by violent criminals and felons. Consequently, there is no need for local laws that only affect and disarm law-abiding citizens.

(6) On June 26, 2008, the Supreme Court of the United States in the case of District of Columbia v. Heller held that the Second Amendment protects an individual’s right to possess a firearm for traditionally lawful purposes, and thus ruled that the District of Columbia’s handgun ban and requirements that rifles and shotguns in the home be kept unloaded and disassembled or outfitted with a trigger lock be unconstitutional.
SEC. 703. BEHAVIORAL HEALTH TREATMENT OF DEVELOPMENTAL DISABILITIES UNDER THE TRICARE PROGRAM.

(a) BEHAVIORAL HEALTH TREATMENT OF DEVELOPMENTAL DISABILITIES UNDER TRICARE.—Section 1077 of title 10, United States Code, is amended by adding at the end the following new subsection:

``(g)(1) Subject to paragraph (4), in providing health care under subsection (a), the treatment of developmental disabilities (as defined by section 102(b) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002(b)), including autism spectrum disorder, shall include behavioral health treatment, including applied behavioral analysis, when prescribed by a physician or psychologist.

``(2) In carrying out this subsection, the Secretary shall ensure that—

``(A) except as provided by subparagraph (B), behavioral health treatment is provided pursuant to this subsection—

``(i) in the case of such treatment provided in a State that requires licensing or certification, by a person described in subparagraph (A) if the individual or individual who is licensed or certified to practice applied behavioral analysis, when prescribed by a physician or psychologist.

``(ii) in the case of such treatment provided in a State other than a State described in paragraph (1), by an individual who is licensed or certified to practice applied behavioral analysis, when prescribed by a physician or psychologist.

``(B) Nothing in this subsection shall be construed as limiting or otherwise affecting behavioral health treatment that can be used to treat active duty members of the Armed Forces for traumatic brain injury and post-traumatic stress disorder.

``(B) FUNDING MATTERS.—

``(1) IN GENERAL.—Section 1100 of title 10, United States Code, is amended—

``(A) by redesignating subsection (c) as subsection (d); and

``(B) by inserting after subsection (b) the following new subsection:

``(c) BEHAVIORAL HEALTH TREATMENT OF DEVELOPMENTAL DISABILITIES.—Funds for treatment under section 1077(g) of this title may be derived only from the Defense Health Program Account. Notwithstanding any other provision of law, such funds may not be reimbursed from any account that would otherwise provide funds for the treatment of retired members of the Coast Guard, the Commissioned Corps of the National Oceanic and Atmospheric Administration, or the Commissioned Corps of the Public Health Service, or dependents of any such retired members.

``(2) As provided for in paragraph (4) of section 1077(g), with respect to retired members of the Coast Guard, the Commissioned Corps of the National Oceanic and Atmospheric Administration, or the Commissioned Corps of the Public Health Service, or dependents of any such retired members.

``(3) If such treatment is provided by a military medical doctor; and

``(4) if such treatment is provided by a non-military medical doctor.

``(B) post-traumatic stress disorder is the primary reason for the visit between February 2013 and April 2014.

``(C) the National Hospital Camp Lejeune, which had a total of approximately 600,000 eligible beneficiaries who were eligible to visit during the period to treat active duty members of the Armed Forces for traumatic brain injury and post-traumatic stress disorder.

``(A) such treatment is provided by a military medical doctor; and

``(B) a non-military chamber that is owned by the Department of Defense and cleared for clinical use is locally available; and

``(2) the Secretary of Defense should increase awareness among members of the Armed Forces, including military medical doctors, of the importance of providing such treatment to treat traumatic brain injury and post-traumatic stress disorder.

``(C) in providing such treatment to treat traumatic brain injury and post-traumatic stress disorder.

``(D) the Secretary of Defense should be reimbursed from any account that would otherwise provide funds for the treatment of the Armed Forces for traumatic brain injury and post-traumatic stress disorder.

``(B) the Naval Hospital Camp Lejeune, which had a total of approximately 600,000 eligible beneficiaries who were eligible to visit during the period to treat active duty members of the Armed Forces for traumatic brain injury and post-traumatic stress disorder.

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``(B) a non-military chamber that is owned by the Department of Defense and cleared for clinical use is locally available; and

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``(2) the Secretary of Defense should increase awareness among members of the Armed Forces, including military medical doctors, of the importance of providing such treatment to treat traumatic brain injury and post-traumatic stress disorder.
and unconscionable situation which calls for the United States to take all necessary steps to ensure that Israel possessess and maintains an independent capability to remove any existential threat posed by the Iranian nuclear program and defend its vital national interests.

Dr. Afridi in a politically motivated, spurious detention impediment to the United States' maintenance by Israel of an independent capability to remove existential security threats, including nuclear and ballistic missile facilities in Iran, and defend its vital national interests.

The Secretary of Defense is authorized to deploy assets, personnel, and resources to the Joint Interagency Task Force South, in coordination with SOUTHCOM, to combat the following by supplying sufficient intelligence capabilities:

(1) Transnational criminal organizations.
(2) Drug trafficking.
(3) Bulk shipments of narcotics or currency.
(4) Narco-terrorism.
(5) Human trafficking.
(6) The Iranian presence in the Western Hemisphere.

The United States again generously and unconditionally provided assistance to Pakistan following the 2010 Pakistan flood, in addition to the one billion United States military aircraft, approximately 1,000 United States military personnel, including medical specialists, thousands of tents, blankets, water containers and a variety of other emergency equipment.

The United States again generously and swiftly contributed approximately $150 million in emergency aid to Pakistan following the 2010 Pakistan flood, in addition to the service of nearly twenty United States military helicopters, their flight crews, and other resources to assist the Pakistan Army’s relief efforts.

The United States continues to work tirelessly to support Pakistan’s economic development, including millions of dollars allocated towards the development of Pakistan’s energy infrastructure, health services and education system.

Pakistan and Pakistan continue to have many critical shared interests, both economic and security related, which could be the foundation for a positive and mutually beneficial partnership.

Dr. Shakil Afridi, a Pakistani physician, is a hero to whom the people of the United States, Pakistan and the world owe a debt of gratitude for his help in finally locating Osama bin Laden before more innocent American, Pakistani and other lives were lost to this terrorist leader.

The terrorist group known as “Boko Haram,” which translates to “Western education is forbidden,” perpetrates violent attacks in Nigeria and has grown in strength and sophistication since its founding in 2002.

Boko Haram kidnapped over 200 female students on April 14, 2014, killed over 50 male students on February 25, 2014, and continues to violently attack innocent civilians throughout Nigeria.

Boko Haram has previously attacked Western interests, burning down the United Nations building in Abuja on August 26, 2011, and was affiliated with taking Western hostages in Bauchi on February 16, 2013, and later killing seven hostages.

As stated by United States Ambassador to Nigeria Terrence F. McCulley in 2012, the threat of Boko Haram is growing: “We’ve seen an increase in sophistication, we’ve seen increased lethality. We saw at least a part of the group has decided it’s in their interest to attack the international community.”

In June 2012, the Department of State added three leaders of Boko Haram, Abubakar Shekau, Abubakar Adam Kambir, and Khalid al-Barnawi, to the Specially Designated Global Terrorist list.

In November 2013, the Department of State designated Boko Haram its splinter group Ansaru, as Foreign Terrorist Organizations.

Boko Haram shares the ideological designs of al Qaeda, and has made public statements of support to Osama bin Laden, al-Qaeda, and al-Shabaab.

Boko Haram poses a broader threat to interests in Nigeria, the Sahel, Europe, and the United States.

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(5) Human trafficking.
(6) The Iranian presence in the Western Hemisphere.

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

SEC. 1259. COMPREHENSIVE THROUGH INTEL-LIGENCE CAPABILITIES.

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Boko Haram shares the ideological designs of al Qaeda, and has made public statements of support to Osama bin Laden, al-Qaeda, and al-Shabaab.

Boko Haram poses a broader threat to interests in Nigeria, the Sahel, Europe, and the United States.

At the end of subtitle F of title XII, add the following Division A the following:

SEC. 1266. SENSE OF CONGRESS ON NIGERIA AND BOKO HARAM.

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

SEC. 1266. SENSE OF CONGRESS ON NIGERIA AND BOKO HARAM.

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

SEC. 1266. SENSE OF CONGRESS ON NIGERIA AND BOKO HARAM.
sense of Congress that the Secretary of Defense should—
(1) take appropriate action with allies and partners of the United States to fight Boko Haram and its ideology;
(2) partner with Nigeria’s regional neighbors to counter Boko Haram’s cross-border activity and respond to emerging threats; and
(3) develop a long-term, interagency strategy to combat Boko Haram and Ansaru, assess United States assistance to Nigeria, and brief Congress on this strategy.

AMENDMENT NO. 134 OFFERED BY MR. SHIMKUS OF ILLINOIS
At the end of subtitle F of title XII insert the following section:

SEC. 1266. RECOGNITION OF VICTIMS OF SOVIET COMMUNIST AND NAZI REGIMES.

(a) FINDINGS.—Congress makes the following findings:

(1) On August 13, 1941, President Franklin D. Roosevelt and Prime Minister Winston Churchill issued a joint declaration “of certain common principles in the national policies of their respective countries on which they based their hopes for a better future for the world” and “the right of all peoples to choose the form of government under which they will live of their own free and responsible will, that have been forcibly deprived of them” and that the people of countries may live in freedom.

(2) The United States Government has actively advocated for and continued to support the principles of the United Nations Universal Declaration of Human Rights and the United Nations General Assembly resolution 260 (III) of December 9, 1948.

(3) Captive Nations Week, signed into law by President Dwight D. Eisenhower in 1959, raised public awareness of the oppression of nations under the control of Communist and other nondemocratic governments.


(5) The extreme forms of totalitarian rule practiced by the Soviet Communist and Nazi regimes led to premeditated and vast crimes committed against millions of human beings and their basic and inalienable rights on a scale exceeding history.

(6) Fleeing the Nazi and Soviet Communist regimes, hundreds of thousands of people sought and found refuge in the United States.

(7) August 23 would be an appropriate date to designate as “Black Ribbon Day” to remember and never forget the terror millions of citizens of Central and Eastern Europe experienced for more than 40 years by ruthless military, economic, and political repression of the people through arbitrary executions, mass deportations, the suppression of free speech, confiscation of private property, and the destruction of cultural and moral identity and their society, all of which deprived the vast majority of the peoples of Central and Eastern Europe of their basic human rights and dignity, separating them from the free world by means of the Iron Curtain and the Berlin Wall.

(8) The memories of Europe’s tragic past cannot be forgotten in order to honor the victims, condemn their perpetrators, and lay the foundation for reconciliation based on truth and remembering.

(b) RECOGNITION.—Congress supports the designation of August 23 as “Black Ribbon Day” to recognize the victims of Soviet Communist and Nazi regimes.

AMENDMENT NO. 177 OFFERED BY MS. KELLY OF ILLINOIS
At the end of title XII, insert the following:

SEC. 1643. STUDY ON TESTING PROGRAM OF GROUND-BASED MIDCOURSE MISSILE DEFENSE SYSTEM.

(a) STUDY.—The Secretary of Defense shall enter into an arrangement with the Institute for Defense Analyses under which the Institute shall conduct a study on the testing program of the ground-based midcourse missile defense system.

(b) ELEMENTS.—The study shall include the following:

(1) An assessment of whether the testing program described in subsection (a) has established, as of the date of the report, that the ground-based midcourse missile defense system will perform reliably and effectively under realistic operational conditions, including an explanation of confidence supporting such assessment.

(2) An assessment of whether the currently planned testing program, if implemented, is sufficient to establish the effectiveness and reliability of the ground-based midcourse missile defense system.

AMENDMENT NO. 151 OFFERED BY MS. CASTOR OF FLORIDA
At the end of subtitle C of title XVI, insert the following new section:

SEC. 1622. DIRECTOR OF NATIONAL INTELLIGENCE CERTIFICATIONS WITH RESPECT TO THE MISSION ANALYSIS FOR CYBER OPERATIONS OF DEPARTMENT OF DEFENSE.

Section 933 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 992) relating to Saipan for the construction of a maintenance facility, a hazardous cargo port, or an airport storage facility in the Commonwealth of the Northern Mariana Islands, the Secretary of the Air Force shall carry out the flight training on Andersen Air Force Base, and construction at any suitable location in the Northern Mariana Islands.

AMENDMENT NO. 152 OFFERED BY MS. BORDALLO OF GUAM
At the end of subtitle A of title XXVIII, insert the following new section:

SEC. 2805. REPORT ON PREVALENCE OF BLACK MOLD IN BUILDINGS LOCATED ON MILITARY INSTALLATIONS.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall report to Congress on the prevalence of black mold in buildings located on military installations.

(b) ACTION REQUIRED.—Based on the report required under subsection (a), buildings identified in such report as containing black mold shall be added to the appropriate branch’s construction priority list for building replacement or renovation.

AMENDMENT NO. 153 OFFERED BY MS. BORDALLO OF GUAM
At the end of subtitle C of title XXVIII, insert the following new section:

SEC. 2832. ESTABLISHMENT OF SURFACE DANGER ZONE, RIDITAN UNIT, GUAM NATIONAL WILDLIFE REFUGE.

(a) AGREEMENT TO ESTABLISH.—In order to accommodate the operation of a live-fire training range complex on Andersen Air Force Base—Northwest Field and the management of the adjacent Riditan Unit of the Guam National Wildlife Refuge, the Secretary of the Navy and the Secretary of the Interior, notwithstanding the National Wildlife Refuge System Administration Act of
1966 (15 U.S.C. 688d et seq.), may enter into an agreement providing for the establishment and operation of a surface danger zone which overlies a portion of the Ritidian Unit of the Guam National Wildlife Refuge shall include—

(a) IN GENERAL.—The Secretary of the Interior may enter into cooperative agreements to facilitate access to the summit of Mount Rattlesnake in the Hanford Reach National Monument for educational, recreational, historical, scientific, cultural, and other purposes, including—

(1) measures to maintain the purposes of the Refuge and

(2) as appropriate, measures, funded by the Secretary of the Navy from funds appropriated prior to the date of enactment of this Act and otherwise available to the Secretary, for the following purposes:

(A) Relocation and reconstruction of structures and facilities of the Refuge in existence as of the date of the enactment of this Act.

(B) Mitigation of impacts to wildlife species present on the Refuge or to be reintroduced into the future in accordance with applicable laws.

(C) Use of Department of Defense personnel to undertake conservation activities within the Refuge, locally performed by Department of the Interior personnel, including habitat maintenance, maintaining the boundary fence, and conducting the brown tree snake program.

(D) Openings and closures of the surface danger zone to the public as may be necessary.

AMENDMENT NO. 73 OFFERED BY MR. GRAVES OF MISSOURI

At the end of title X, add the following:

Title II—National Commission on the Future of the Army

SEC. 1091. NATIONAL COMMISSION ON THE FUTURE OF THE ARMY.

(a) ESTABLISHMENT.—There is established the National Commission on the Future of the Army in this subtitle referred to as the “Commission”).

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of eight members, of whom—

(A) four shall be appointed by the President;

(B) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(C) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives; and

(D) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives.

(2) APPOINTMENT DATE.—The appointments of the members of the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(c) EFFECT OF LACK OF APPOINTMENT BY APPOINTMENT DATE.—If one or more appointees under subparagraph (A) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make such appointment or appointments shall expire, and the number of members of the Commission reduced by the number equal to the number of appointments so not made. If an appointment under sub-paragraph (B), (C), (D), or (E) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make an appointment under such subparagraph shall expire, and the number of members of the Commission reduced by the number equal to the number otherwise appointable under such subparagraph.

(d) EXPERTISE.—If making appointments under this subsection, consideration should be given to individuals with expertise in reserve force policy.

(e) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(f) CHAIR AND VICE CHAIR.—The Commission shall select a Chair and Vice Chair from among its members.

(g) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission are appointed, the Commission shall hold its initial meeting.

(h) MEETINGS.—The Commission shall meet at the call of the Chair and Vice Chair.

(i) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

Administrative and procedural authorities.—The following provisions of law shall apply to the Commission:

(1) Section 3161 of title 5, United States Code;

(2) the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 1092. DUTIES OF THE COMMISSION.

(a) STUDY ON STRUCTURE OF THE ARMY.—

(1) IN GENERAL.—The Commission shall undertake a comprehensive study of the structure of the Army, and policy assumptions related to the size and force mixture of the Army, to—

(A) determine the proper size and force mixture of the regular component of the Army and the reserve components of the Army, and

(B) make recommendations on how the structure should be modified to best fulfill current and anticipated mission requirements for the Army in a manner consistent with available resources and anticipated future resources.

(2) CONSIDERATIONS.—In undertaking the study required by subsection (a), the Commission shall give particular consideration to the following:

(A) An evaluation and identification of a structure for the Army that—

(i) has the depth and scalability to meet current and anticipated requirements of the combatant commands;

(ii) achieves a cost-efficiency balance between the regular and reserve components of the Army, taking advantage of the unique strengths and capabilities of each, with a particular focus on full formed and lifecycle cost of Army personnel;

(iii) ensures that the regular and reserve components of the Army have the capacity to support current and anticipated homeland defense and disaster assistance missions in the United States;

(iv) provides for sufficient numbers of regular members of the Army to provide a base of trained personnel from which the personnel of the reserve components of the Army could be recruited; and

(v) maximizes and appropriately balances affordability, efficiency, effectiveness, capability, and readiness.

(B) An evaluation and identification of force generation policies for the Army with respect to size and force mixture in order to best fulfill current and anticipated mission requirements for the Army in a manner consistent with available resources and anticipated future resources, including policies in connection with—

(i) readiness;

(ii) training;

(iii) equipment;

(iv) personnel; and

(v) maintenance of the reserve components in an operational state in order to maintain the level of expertise and experience developed since September 11, 2001.

(3) FINAL REPORT.—Not later than February 1, 2016, the Commission shall submit to the President and the congressional defense committees a report setting forth a detailed statement of the findings and conclusions of the Commission as a result of the study required by subsection (a), together with its recommendations for such legislation and administrative action as the Commission considers appropriate in light of the results of the study.

SEC. 1093. POWERS OF THE COMMISSION

(a) HEARINGS.—The Commission shall hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out its duties under this Act.
At the end of subtitle E of title XVI, add the following new section:

SEC. 1642. RECONCILIATION FOR AEgis BALLISTIC MISSILE DEFENSE.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amounts authorized to be appropriated in section 101 for procurement, defense-wide, as specified in the corresponding funding table in section 4101, for AEgis BMD (Line 020) is hereby reduced by $1,500,000.00.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D—

(1) the amounts authorized to be appropriated in section 101 for procurement, Army, as specified in the corresponding funding table in section 4101, for Aerial Common Sensor (Line 003) is hereby reduced by $75,300,000; and

(2) the amounts authorized to be appropriated in section 101 for procurement, Marine Corps, as specified in the corresponding funding table in section 4101, for BQ-21 UAS (Line 023) is hereby reduced by $23,700,000.

AMENDMENT NO. 162 OFFERED BY MR. YOUNG OF INDIANA

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

SEC. 28. INDEMNIFICATION OF TRANSFERS OF PROPERTY AT MILITARY INSTALLATIONS CLOSED SINCE OCTOBER 24, 1988, THAT REMAIN UNDER THE JURISDICTION OF THE DEPARTMENT OF DEFENSE.

Section 330(a) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 2307 note) is amended—

(1) in paragraph (1)—

(A) by striking "paragraph (3)" and inserting "paragraph (4)"; and

(B) by striking "paragraph (2) and inserting "paragraph (2)"; and

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) in paragraph (4), as redesignated by striking "paragraph (2) contributed to any such release or threatened release, paragraph (1)" and inserting "paragraph (3) contributed to any such release or threatened release, paragraph (1)" and (2); and

(4) by inserting after paragraph (1) the following new paragraph (2):—

"(2) The responsibility of the Secretary of Defense, in accordance with the indemnification in full certain persons and entities described in paragraph (3) also applies with respect to any military installation (or portion thereof) that was closed during the period beginning on October 24, 1988, and ending on the date of the enactment of this paragraph.".

MODIFICATION TO AMENDMENT NO. 134 OFFERED BY MR. MCKEON

Mr. MCKEON. Madam Chair, I ask unanimous consent that amendment No. 134 be modified in the form I have before the gentleman from California?

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. Is there objection to the modification?

There was no objection.
Mr. MCKEON. Madam Chair, I ask unanimous consent that amendment No. 159 be modified in the form I have placed at the ready.

The Acting CHAIR. The Clerk will report the modification.

The Clerk reads as follows:

The amendment as modified is as follows:

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

SEC. 1643. BUDGET INCREASE FOR AEGIS BALISTIC MISSILE DEFENSE.

(a) INCREASE.—Notwithstanding the amounts authorized in the corresponding funding tables in division D, the amount authorized to be appropriated in section 101 for procurement, Defense-wide, as specified in the corresponding funding table in section 4501, for Aegis BMD (Line 030) is hereby increased by $90,000,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D—

(1) the amounts authorized to be appropriated in section 101 for aircraft procurement, Army, as specified in the corresponding funding table in section 4501, for Aerial Laser Weapon System (Line 065) is hereby reduced by $75,300,000; and

(2) the amounts authorized to be appropriated in section 1405 for the Defense Health Program, as specified in the corresponding funding table in section 4501, for operation and maintenance pertaining to implementation of benefit reform proposals, is hereby reduced by $23,700,000.

Mr. MCKEON (during the reading).

Mr. MCKEON. Madam Chair, I ask unanimous consent that the reading of the modification be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. Is there objection to the modification?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 590, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Acting CHAIR recognizes the gentleman from California.

Mr. MCKEON. Madam Chair, I urge the committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

I reserve the balance of my time.

Mr. SMITH of Washington. Madam Chair, I yield myself such time as I may consume.

Again, I concur in support for the en bloc amendments. This is the last amendment, and I just want to say thank you again to Chairman Mckee.

I think it is right that this bill is named after him. As I have said, he has done a fabulous job on our committee. I appreciate his hard work and for, once again, putting together this product.

I also want to thank the staff. This is a very large bill. Lots of amendments are offered both on the committee level and on the House level. Staff has to pour through all of that and make sense of it and keep us informed. They do an incredible job and an incredible service to our country and to the men and women who serve in the military by making sure that this bill gets done every year, so I very much appreciate that.

I want to particularly recognize Debra Wada from the HASC staff, who will soon be leaving us. She has been promoted to be the Assistant Secretary of the Army for Manpower and Reserve Affairs. Debra has served for 15 years as staff on this committee and as an invaluable source of knowledge on personnel and on many, many other issues. It has been a joy working with her. We congratulate her on her appointment and wish her the best. Again, she is but one example of an absolutely fantastic staff and of the great work that they do to put this product together every single year.

So we thank you.

With that, I yield back the balance of my time.

Mr. MCKEON. Madam Chair, I yield 2 minutes to Mr. Young from Indiana (Mr. YOUNG), my friend and colleague.

Mr. YOUNG. Mr. Chairman, I appreciate his hard work and for, once again, putting together this product.

I think it is right that this bill is named after him. As I have said, he has done a fabulous job on our committee. I appreciate his hard work and for, once again, putting together this product.

The Acting CHAIR. Pursuant to

With that, Madam Chair, I encourage our colleagues to support the en bloc amendments, and I just want to say thank you to Mckeean for this work once again in putting together this NDAA. I would also like to thank him and his staff for working with our office to draft this amendment and include it as part of this amendment package.

Mr. MCKEON. Madam Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. PERRY), my friend and colleague.

Mr. PERRY. Madam Chair, I would like to thank Mr. Graves from Missouri for taking the lead on this amendment, and I would like to thank Chairman MCKEON for including this amendment in this en bloc package.

After 12 years of combat coming to a close and shifting security priorities, a commission to evaluate Army force structure is, indeed, appropriate. The Pentagon is still operating with assumptions, metrics and policies from the early 2000s. What we need to be is looking at shaping the force of the future. What the future missions and force mixture between active- guard-reserve should be is a question that should be thoroughly assessed.

To determine how the future of our to the Army will be shaped to come, we should select the more comprehensive commission and take the additional few months to do a comprehensive analysis with the best personnel and minds available.

The security of the Nation depends upon it.

Mr. MCKEON. Madam Chair, I think we are about done.

At this time, I would like to thank my partner. For 4 years, we have hag the opportunity of leading this committee, and I could not have had a better person to be working with than Mr. SMITH from Washington. He is straightforward; he is honest; he is hard-working, and we just, I think, have had a really good working relationship. I consider him—and I will always consider him—a friend.

Likewise, I want to echo the things he said about the committee. I want to thank them. We get all of the plaudits. People get up and thank us and say we have done a good job, but it is these people behind us—our committee, our staff—that make it easy to do this. I mean, we could have been here until 1 or 2 o’clock this morning, but to make it into a good package that kind of smooth, they have been working on it for hours, for days, for weeks, and for months leading up to this point.

I don’t know much more to say other than “thank you.” You are great Americans.

People like to beat up on government workers. All I can say is that they are not paid enough for what they do. They can’t be paid enough. They are patriots. They are dedicated to this work and to our men and women in uniform and their families, and I thank them for that.

With that, Madam Chair, I encourage our colleagues to support the en bloc amendments.
amendments, and I yield back the balance of my time.

Ms. CASTOR of Florida. Madam Chair, I rise today in support of my amendment to the National Defense Authorization Act (NDAA) which requires a report to Congress on the prevalence of black mold in buildings located on military installations. Additionally, once the report is complete, buildings identified as containing black mold shall be added to the appropriate branch’s construction priority list for building replacement or renovations. I would like to thank Mr. NUGENT and Chairman MCKEON and Ranking Member SMITH for their support and agreeing to include my language in an en bloc amendment.

Taking care of our troops is one of our country’s foremost priorities. After these brave men and women have put themselves in harm’s way on the battlefield, it is essential that we ensure once they are back on base they are living and working in a safe nonhazardous environment. We must root out dangerous health hazards, including mold and mildew, that military families face due to the support and agreeing to include my language in an en bloc amendment.

Example one of where this is an issue is at MacDill Air Force Base in Tampa, Florida. MacDill is home to the 6th Air Mobility Wing and 39 Mission Teammates, including the United States Central Command, United States Special Operations Command. MacDill is home to over 13,000 military and civilian personnel and approximately 170,000 retirees live in the Tampa area and depend on the base for many necessary services. Black mold has been found on the first floor of the Mission Support Facility located on base. This building houses the mission support squadron and the ID services. Employees working in the Mission Support Facility are exposed to mold. The Department of the Navy must keep a critical eye out for problems like this and ensure that the health and safety of our personnel are doing the best they can and that they do not suffer.

We need the Guard—particularly in times of disaster.

After Hurricane Irene and Tropical Storm Lee in 2011, many of our citizens simply would not have made it without the help of our National Guard.

Ms. BORDALLO. Madam Chair, I rise in support of my amendment number 129 as part of an en bloc package 7. The overall intent of this amendment is to address potential legal impediment of allowing a surface danger zone (SDZ) over the Ritidian unit of the Guam National Wildlife Refuge. My amendment would allow the Secretary of the Navy and the Secretary of Interior to enter into agreement over the establishment of an SDZ over the refuge. It would also outline areas that would need to be mitigated if an SDZ were located over the Ritidian Unit. The amendment is similar to compromise language developed by Navy and Fish and Wildlife Service following an April 29, 2014 hearing in the House Committee on Natural Resources on this bill.

I believe this amendment will keep the Navy and the Fish and Wildlife Service talking about the potential impacts of a firing range on Northwest Field. In fact, I believe this amendment is important to keep the National Environmental Policy Act (NEPA) process on track so that these two agencies can discuss potential mitigations should this location ultimately be chosen as the location for a firing range on Guam. The Navy has just commenced the draft supplemental impact statement hearings (SEIS) so there is ample time to review all alternatives. The amendment does not prejudice the outcome of this NEPA process, indeed it is intended to keep the process on track so we do not suffer any unnecessary delays in the realignment of Marine Corps from Okinawa, Japan to Guam. As the Navy has testified and stated publicly, without H.R. 4402 in the National Defense Authorization Act for Fiscal Year 2015 the military build-up would likely suffer significant delays and could significant consequences for our bilateral relationship.

I fully respect and appreciate the Guam community’s close engagement on these issues and their participation during the draft SEIS public meetings this past week. I was able to hear directly from our community on this amendment over the past week, and community feedback is absolutely critical to the process. It provides the Navy and other stakeholders with important viewpoints to consider when decisions are made for the Record of Decision.

I would also like to underscore the importance of training to the overall readiness of Marines in the Asia-Pacific region. This importance is highlighted by Secretary of Defense Chuck Hagel in a letter to Congress stating a live-fire training range is critical to, “maintain the military training and readiness of Marine Corps personnel relocating to the island.” I have been and remain a staunch advocate for the military build-up on Guam. I believe that this bill keeps the environmental forward and ensures that we have no further unnecessary delays. The bottom line and undeniable fact is that without a live-fire training range on Guam, we will not have a military build-up.

Mr. HASTINGS of Washington. Madam Chair, I rise to speak in favor of my amendment, which directs the Department of the Interior to provide the Andrus Act reasonableness of motorized, non-motorized, and pedestrian access to the summit of Rattlesnake Mountain, located in the Hanford Reach National Monument. This 195,000-acre monument, designated by President Clinton in 2000, is near the Hanford Nuclear Site and is the only one in the continental United States managed by the U.S. Fish and Wildlife Service. Although administered by the U.S. Fish and Wildlife Service, the site itself remains under the ownership of the Department of Energy’s Office of Environmental Restoration.

At 3,600 feet, Rattlesnake Mountain is the highest point in the region, and it provides unparalleled views for miles around the monument, including the Hanford Site, the Snake River, the Columbia River, and the Yakima River. Unfortunately, it took the Fish and Wildlife Service eight years to write a management plan that effectively closed Rattlesnake Mountain to public access, despite the vast majority of public comments favoring just the opposite. When I first introduced this bill in 1999, the Fish and Wildlife Service offered two public tours for selected individuals and then suddenly reneged on the offer just days before the tours were to occur. During a 2011 committee hearing on the bill, the Interior Department’s testimony suggested that the Fish and Wildlife Service supports tours of Rattlesnake, but very carefully didn’t go the extra step of ensuring the Service would allow public access to the summit.

Finally, last summer, the Fish and Wildlife Service granted a few dozen people the opportunity to access the Rattlesnake Mountain summit over two tours. These were the first two public tours offered since the monument was designated. The seats for the 2013 tours were snapped up online in just 21 seconds of being made available. This year, the Fish and Wildlife Service is proposing tours on six days, and used a lottery system to distribute the tickets. While I appreciate the Interior Department’s tentative steps in recent years toward allowing the public access to this area, it’s clearly not enough, and even the limited opportunities being offered now can be reversed at any time.
My amendment is necessary to ensure reasonable and regular public access can be guaranteed by law to the citizens of that area. This language is supported by many stakeholders in the local area including the Benton County Commissioners, the Tri-Cities Development Council (TRIDEC), the Tri-City Regional Chamber of Commerce, the Tri-City Visitor and Convention Bureau, and the Back Country Horsemen of Washington.

I would also note that this amendment has passed this chamber previously as stand-alone legislation. Last year, in the previous Congress, this body approved this language on strong bipartisan votes with no votes in opposition.

I appreciate the Chair and Ranking Member of the Armed Services Committee and their staff for allowing this amendment to be adopted en bloc today. Hopefully, this will move us closer to ensuring the American people have access to special places on their public lands, like Rattlesnake Mountain.

The Acting Chair. The question is on the en bloc, as modified, offered by the gentleman from California (Mr. McKeon).

The en bloc amendments, as modified, were agreed to.

Mr. McKEON. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PERRY) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4435) to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereof.

HOUR OF MEETING ON TOMORROW

Ms. FOXX. Mr. Speaker, I ask unanimous consent that when the House adjours today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

AMERICA'S DEFENSE POLICY

Mr. FORTENBERRY asked and was given permission to address the House for 1 minute.

Mr. FORTENBERRY. Mr. Speaker, we just heard an extensive debate about the future of America's defense policy. I want to commend the chairman for including an important amendment that I offered that does address a serious, serious issue.

It is very hard to react to something that has not happened yet. Frankly, we are in a race between collaboration or catastrophe in regards to nuclear security and the threat of nuclear proliferation around the world. This technology is spreading very, very rapidly.

With the Department's effort at cost savings and reorganization, it is important that our nonproliferation efforts not slip, not become a second priority. It may be easy to do that because, again, when things don't happen, it appears that we are secure. This is one of the most grave difficulties facing not only the United States, but all of humanity.

So I am very grateful that in this bill we now have an effort to demand that the Department explain its important reorganization efforts and how it is going to address the future of nonproliferation issues as we work toward nuclear security, robust force strength, and deterrence. Nonproliferation gives hand-in-hand with those important national security elements.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HUELSKAMP (at the request of Mr. CASTOR) for today on account of attending a family event.

Ms. SLAUGHTER (at the request of Ms. PELOSI) for today and the balance of the week on account of a death in the family.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1209. An act to award a Congressional Gold Medal to the World War II members of the “Doolittle Tokyo Raiders”, for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

H.R. 685. An act to award a Congressional Gold Medal to the American Fighter Aces, collectively, in recognition of their heroic military service and defense of our country’s freedom throughout the history of aviation warfare.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 309. An act to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 21, 2014, she presented to the President of the United States, for his approval, the following bill:

H.R. 685. American Fighter Aces Congressional Gold Medal Act To award a Congressional Gold Medal to the American Fighter Aces, collectively, in recognition of their heroic military service and defense of our country’s freedom throughout the history of aviation warfare.

ADJOURNMENT

Mr. FORTENBERRY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o’clock and 44 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, May 22, 2014, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

Mr. FORTENBERRY, offered by the Administrator, Department of Agriculture, transmitting the Department’s final rule — Imported Crop Gooseberry From Colombia Into the United States [Docket No.: APHIS-2012-0038] (RIN: 0579-AD79) received May 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

Mr. FORTENBERRY, Offered by the Administrator, Department of Agriculture, transmitting the Department’s final rule — Importation of Cape Gooseberry From Colombia Into the United States [Docket No.: APHIS-2012-0038] (RIN: 0579-AD79) received May 5, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

Mr. FORTENBERRY, offered by the Administrator, Department of Agriculture, transmitting the Department’s final rule — Approval and Promulgation of State Implementation Plans; Washington: Puget Sound Ozone Maintenance Plan [EPA-R08-2008-0122-FRL-0990-10] received May 1, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

Mr. FORTENBERRY, offered by the Administrator, Department of Agriculture, transmitting the Agency’s final rule — Fenoxaprop-ethyl; Pesticide Tolerances [EPA-HQ-OPP-2012-0858; FRL-0990-72] received May 1, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

Mr. FORTENBERRY, offered by the Administrator, Department of Agriculture, transmitting the Agency’s final rule — Identification of Nonattainability of State Implementation Plan; Washington: Ambient Air Quality Standard (NAAQS) and 2006 PM2.5 NAAQS [EPA-HQ- OAR-2013-0694; FRL-0990-93-OAR] (RIN: 2060-AS12) received May 1, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.


Mr. FORTENBERRY, offered by the Administrator, Department of Agriculture, transmitting the Agency’s final rule — Tebuconazole; Pesticide Tolerances [EPA-HQ-OPP-2013-0653; FRL-9905-22] received May 1, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

Mr. FORTENBERRY, offered by the Administrator, Department of Agriculture, transmitting the Agency’s final rule — Regulation of Fuels and Fuel Additives: 2013 Cellulosic Biofuel Standard [EPA-HQ-OPP-2012-0566; FRL-0910-18-OAR] (RIN: 2060-AS21) received May 1, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

Mr. FORTENBERRY, offered by the Administrator, Department of Agriculture, transmitting the Agency’s final rule — Regulation of Fuels and Fuel Additives: 2013 Cellulosic Biofuel Standard [EPA-HQ-OPP-2012-0566; FRL-0910-18-OAR] (RIN: 2060-AS21) received May 1, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.