

PROVIDING FOR FURTHER CONSIDERATION OF THE BILL (H.R. 1960) TO AUTHORIZE APPROPRIATIONS FOR FISCAL YEAR 2014 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

JUNE 13 (legislative day, June 12), 2013.—Referred to the House Calendar and ordered to be printed

Mr. NUGENT, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 260]

The Committee on Rules, having had under consideration House Resolution 260, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for further consideration of H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014, under a structured rule. The resolution provides that no further general debate shall be in order. The resolution makes in order as original text for purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-13, modified by the amendment printed in part A of this report. That amendment in the nature of a substitute shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in part B of this report and amendments en bloc described in Section 3 of the resolution. The resolution provides that the amendments printed in part B of this report may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in part B of this report or against amendments en bloc as described in section 3 of the resolution.

Section 3 of the resolution provides that it shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in part B of this report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

Finally, the resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the amendment in the nature of a substitute made in order as original text includes waivers of the following points of order:

Clause 4 of rule XXI, prohibiting reporting a bill or joint resolution carrying an appropriation from a committee not having jurisdiction to report an appropriation. Section 802 of the bill includes language allowing the Secretary of Defense to retain and use royalties collected on intellectual property developed at a Department of Defense laboratory, which constitutes an appropriation;

Clause 7 of rule XVI, requiring that no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment. Provisions contained in Rules Committee Print 113-13 fall outside of the jurisdiction of the Committee on Armed Services; and

Section 306 of the Congressional Budget Act, consideration of legislation within the jurisdiction of the Committee on the Budget unless referred to or reported by the Budget Committee.

It is important to note that while the waivers are applicable to Rules Committee Print 113-13, the Rules Committee Print is identical to the bill as ordered reported by the Committee on Armed Services.

Although the resolution waives all points of order against amendments printed in Part B of this report or against amendments en bloc as described in Section 3 of the resolution, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 42

Motion by Mr. McGovern to report an open rule. Defeated: 1-9.

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter
Mr. Bishop of Utah	Nay	Mr. McGovern	Yea
Mr. Cole	Nay	Mr. Hastings of Florida
Mr. Woodall	Nay	Mr. Polis

Majority Members	Vote	Minority Members	Vote
Mr. Nugent	Nay		
Mr. Webster	Nay		
Ms. Ros-Lehtinen	Nay		
Mr. Burgess	Nay		
Mr. Sessions, Chairman	Nay		

Rules Committee record vote No. 43

Motion by Mr. McGovern to make in order and provide the appropriate waivers for amendment #175, offered by Rep. Speier (CA), Rep. Schrader (OR), Rep. Castor (FL), Rep. Waters (CA), Rep. Braley (IA), Rep. Loeb sack (IA), Rep. Pingree (ME), Rep. Bonamici (OR), Rep. Keating (MA), Rep. Gutierrez (IL), Rep. Clay (MO), Rep. Chu (CA), Rep. Garamendi (CA), Rep. Wilson (FL), Rep. Brownley (CA), Rep. Rahall II (WV), Rep. Kaptur (OH), Rep. Maloney (NY), Rep. Johnson (GA), Rep. Cohen (TN), Rep. Jones (NC), Rep. Luján (NM), Rep. Farr (CA), Rep. McDermott (WA), Rep. Michaud (ME), Rep. Schakowsky (IL) and Rep. Van Hollen (MD), which requires that cases of sexual assault are taken out of the chain of command by giving prosecutorial discretion to the Office of Chief Prosecutor of each service rather than the commander. Defeated: 1–9.

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter
Mr. Bishop of Utah	Nay	Mr. McGovern	Yea
Mr. Cole	Nay	Mr. Hastings of Florida
Mr. Woodall	Nay	Mr. Polis
Mr. Nugent	Nay		
Mr. Webster	Nay		
Ms. Ros-Lehtinen	Nay		
Mr. Burgess	Nay		
Mr. Sessions, Chairman	Nay		

SUMMARY OF THE AMENDMENT IN PART A CONSIDERED AS ADOPTED

Camp (MI): Strikes subsection (b) of section 585.

SUMMARY OF THE AMENDMENTS IN PART B MADE IN ORDER

1. McKeon (CA): MANAGER'S AMENDMENT Makes technical and conforming changes in the bill. (10 Minutes)
2. Blumenauer (OR), Mulvaney (SC), Bentivolio (MI): Reduces from 11 to 10 the statutory requirement for the number of operational carriers that the U.S. Navy must have. (10 Minutes)
3. Lummis (WY), Daines (MT), Cramer, Kevin (ND): Requires DOD to preserve currently active ICBM silos in warm status. (10 Minutes)
4. Pearce (NM): Provides the Department of Defense with final approval over any new land use project that utilizes covered research, development, test and evaluation lands within the continuous United States. (10 Minutes)
5. Coffman (CO): Cuts \$250 million from the Defense Rapid Innovation Program (DRIP), and moves the money to alleviate training and readiness shortfalls. (10 Minutes)
6. Turner (OH): Establishes mandatory minimum sentences of discharge or dismissal, and confinement required for certain sex-related offenses committed by members of the Armed Forces. (10 Minutes)

7. Frankel (FL): Adds a provision to Article 120 of the UCMJ that would make it a new offense to abuse one's position in the chain of command of the subordinate to rape or sexually assault that person. Applies to both commissioned and non-commissioned officers. (10 Minutes)

8. Pierluisi (PR), Grayson (FL): Requires the Department of Defense to conduct a formal records review and make public a report detailing all military munitions and training activities that occurred historically on the islands of Vieques and Culebra, Puerto Rico, and in the nearby cays and waters. (10 Minutes)

9. Rigell (VA): Modifies the temporary suspension of public-private competitions for conversion of Department of Defense functions to contractor performance. Permits the Secretary of Defense to exempt existing public-private partnerships from the OMB Budget Circular A-76 process. (10 Minutes)

10. McGovern (MA), Jones (NC), Smith, Adam (WA), Lee, Barbara (CA), Garamendi (CA): Requires the President to complete the accelerated transition of combat operations from U.S. Armed Forces to the Government of Afghanistan no later than by the end of 2013; the accelerated transition of military and security operations by the end of 2014, including the redeployment of U.S. troops; and to pursue robust negotiations to address Afghanistan's and the region's security and stability. Establishes the sense of Congress that should the President determine the necessity for post-2014 deployment of U.S. troops in Afghanistan, the Congress should vote to authorize such a presence and mission by no later than June 2014. (10 Minutes)

11. Goodlatte (VA): Requires the government, in habeas proceedings for United States citizens apprehended in the United States pursuant to the AUMF, to prove by clear and convincing evidence that the citizen is an unprivileged enemy combatant and there is not presumption that the government's evidence is accurate and authentic. (10 Minutes)

12. Radel, Trey (FL), Amash (MI), Massie (KY), Salmon (AZ): Requires the Department of Defense to submit to the Congress a report every year containing: (1) the names of any U.S. citizens subject to military detention, (2) the legal justification for their continued detention, and (3) the steps the Executive Branch is taking to either provide them some judicial process, or release them. Requires that an unclassified version of the report be made available, and in addition, that the report must be made available to all members of Congress. (10 Minutes)

13. Smith, Adam (WA), Gibson (NY): Amends Section 1021 of the FY2012 National Defense Authorization Act to eliminate indefinite military detention of any person detained under AUMF authority in the United States, territories or possessions by providing immediate transfer to trial and proceedings by a court established under Article III of the Constitution or by an appropriate state court. Strikes section 1022 of the same Act (which provided for mandatory military custody of covered parties). (10 Minutes)

14. Polis (CO): Allows those certified by recognized nontheistic organizations to be appointed as officers in the chaplain core in order to fully serve nontheistic or nonreligious servicemembers. (10 Minutes)

15. Denham (CA): Authorizes enlistment in the Armed Forces of certain undocumented immigrants who are otherwise qualified for enlistment, and provides a way for the undocumented immigrants to be lawfully admitted to the U.S. for permanent residence by reason of their honorable service and sacrifice in the U.S. military. (10 Minutes)

16. Huelskamp (KS): Requires the Secretary of Defense to provide reports to the House and Senate Armed Services Committees any time there is a meeting between DOD officials and civilians regarding the creation or enforcement of religious liberty regulations. (10 Minutes)

17. Fitzpatrick (PA): Prevents the Service Chiefs from ending the military tuition assistance programs. (10 Minutes)

18. Radel, Trey (FL), Amash (MI), Massie (KY), Salmon (AZ): Prohibits the use of lethal military force, including the use of unmanned aircrafts, against U.S. citizens on U.S. soil, absent narrow exceptions for imminent and significant national security threats. (10 Minutes)

19. Walorski, Jackie (IN): Prohibits the Secretary of Defense from using any funds authorized to the department for the transfer or release of Guantanamo detainees to Yemen. (10 Minutes)

20. Smith, Adam (WA), Moran, James (VA), Nadler (NY): Provides framework to close the detention facility at Guantanamo Bay, Cuba, by December 1, 2014. (20 Minutes)

21. Turner (OH): Requires the President of the United States to convey to Congress the details of any proposed deals with the Russian Federation concerning the missile defense or nuclear arms of the United States. (10 Minutes)

22. Holt (NJ): Strikes all of subtitle C of title II except section 237 (Iron Dome program). (10 Minutes)

23. Polis (CO): Limits funding for advanced procurement of inefficient ground-based interceptor rocket motor sets, and the costly refurbishment of Missile Field 1 at Fort Greely, Alaska, until the Secretary of Defense makes certain certifications to Congress, including that the Commander of the United States Northern Command has full confidence in the homeland missile defense system. (10 Minutes)

24. Grayson (FL), Pierluisi (PR): Ensures that the "Commission on Service to the Nation," created by this bill, must hold at least one hearing in Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa (in addition to every State and the District of Columbia). (10 Minutes)

25. McCollum (MN): Prohibits any funds authorized in the bill from being used to sponsor Army National Guard professional wrestling sports sponsorships or motor sports sponsorships. The amendment does not prohibit recruiters from making direct, personal contact with secondary school students and other prospective recruits. (10 Minutes)

26. Bilirakis (FL): Allows for the transportation on military aircraft on a space-available basis for disabled veterans with a service connected permanent disability rated as total. (10 Minutes)

27. Larson, John (CT), Rooney (FL): Ensures access to behavioral health treatment, including applied behavior analysis, under

TRICARE for children with developmental disabilities, when prescribed by a physician. (10 Minutes)

28. Royce (CA): Provides authority for DOD, with the concurrence of the Department of State, to advise and assist foreign nations to suppress the illicit wildlife trade in Africa, a source of financing for transnational rebel and extremist groups. It requires an annual report to the Congress. (10 Minutes)

29. Rigell (VA), Hunter (CA): Strikes language in section 808 of the Fiscal Year 2012 National Defense Authorization Act to provide the Department of Defense flexibility in implementing the contracting caps extended by section 803 of the underlying bill. (10 Minutes)

30. Grayson (FL): Requires that the Department of Defense submit to Congress a report on how sole source suppliers of components in the military procurement supply chain create vulnerabilities to military attack, terrorism, natural disaster, industrial shock, etc. (10 Minutes)

31. Young, Don (AK), Hanabusa (HI): This amendment clarifies the authority to approve any sole-source contract to Native Americans through the Small Business Administration's 8(a) program is delegable, as it currently is for all other sole-source contracts. (10 Minutes)

32. Nolan (MN): Reduces total funds authorized in this Act by \$60 Billion. (10 Minutes)

33. Cooper (TN): Reinstates the New START funding. (10 Minutes)

34. Cuellar (TX), McCaul (TX), Green, Gene (TX), Poe (TX): Directs the Department of Defense, in coordination with DHS and FAA, to develop a plan for UAS involving joint testing and training. (10 Minutes)

35. McCaul (TX), Miller, Candice (MI), Thompson, Bennie (MS), Jackson Lee (TX): Authorizes the Secretary of Defense to coordinate with the Secretary of Homeland Security to identify and transfer equipment that may be used to secure the international borders of the United States. (10 Minutes)

36. Gibson (NY), Garamendi (CA): Strikes section 1251, Sense of Congress on the Conflict in Syria. (10 Minutes)

37. Coffman (CO), Griffith (VA), Polis (CO), Blumenauer (OR): Directs the President of the United States to end the permanent basing of the 2nd Cavalry Regiment (2CR) in Vilseck, Germany and return the Brigade Combat Team currently stationed in Europe to the United States, without permanent replacement, leaving one Brigade Combat Team and one Combat Aviation Brigade—nothing in this amendment should be construed as directing the removal of Landstuhl Regional Medical Center, nor certain quick-reaction forces. (10 Minutes)

38. Bentivolio (MI): Sense of Congress Regarding Relations with Taiwan suggests it should be United States policy to allow high-level Taiwan officials to conduct meetings with high-level officials in the United States, particularly in executive departments. High-level Taiwan officials should be permitted to make visits to the United States, particularly Washington, D.C., including their democratically elected president, to engage in constructive dialogue between our two countries, as is necessary to make accurate and appropriate assessments in policy matters. (10 Minutes)

39. Van Hollen (MD), Moran, James (VA), Mulvaney (SC), Woodall (GA): Matches the President's budget request for Overseas Contingency Operations. (10 Minutes)

40. Duckworth (IL): Amends the FY13 NDAA to supplement the Small Business Administration's mandated annual report on overall performance on government-wide small business goals to include a remediation plan for any failure to achieve contracting goals. Their current report must be strengthened to describe the extent of participation by small business, justification for any failure to achieve the small business contracting goal of 23% of procurement contracts being awarded to small businesses, and a remediation plan with best practices and analysis of past faulty practices to reach those goals in the next evaluation period. (10 Minutes)

41. Murphy, Patrick (FL): Requires the Secretary to report to Congress on efforts to make more efficient use of Defense facilities, with a focus on underutilized and unutilized facilities. (10 Minutes)

42. McCaul (TX), Pierluisi (PR): Authorizes the transfer of Tethered Aerostat Radar Systems from the Department of Defense to the Department of Homeland Security. (10 Minutes)

43. Lamborn (CO): Restricts funding for the space-based infrared systems space modernization initiative wide-field-of-view testbed until the Department of Defense certifies that it is carrying out the Operationally Responsive Space Program required by 10 USC 2273a. (10 Minutes)

44. Holt (NJ): Directs the Secretary to submit to Congress within 60 days of enactment whether the Science, Mathematics and Research for Transformation (SMART) scholarship program, or related scholarship or fellowship programs within the Department of Defense, are providing the necessary number of undergraduate and graduate students in the fields of science, technology, engineer, and mathematics to meet the recommendations contained in the report of the Commission on Research and Development in the United States Intelligence Community, as well as recommendation for how SMART and similar program might be improved to better satisfy those recommendations. (10 Minutes)

45. Hudson (NC): Requires the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) to provide a report to the Armed Services Committees, which outlines how the Department intends to maintain both the capability and the infrastructure required to support canines as Stand-off Detection of Explosives and Explosive Precursors (SDE2P). Includes working with private industry, academic institutions, and federal agencies to ensure best practices are used. (10 Minutes)

46. Bachmann (MN): Funds the Marine Corps Embassy Security Group to the requested amount by the Marine Corps. (10 Minutes)

47. Bachmann (MN): This amendment will increase funding for the Special Purpose Marine Air Ground Task Force—Crisis Response Operations and Maintenance fund at the request of the Marine Corps. (10 Minutes)

48. Brownley (CA): Requires the Secretary of Defense to establish areas to be known as "Southern Sea Otter Military Readiness Areas" for national defense purposes. (10 Minutes)

49. Jackson Lee (TX): Requires outreach for small business concerns owned and controlled by women and minorities required be-

fore conversion of certain functions to contractor performance. (10 Minutes)

50. McKeon (CA): Amends title 32 U.S.C. 508, "Assistance for certain youth and charitable organizations," by adding State Student Cadet Corps to the list of 13 eligible youth and charitable programs eligible to receive National Guard support services. (10 Minutes)

51. Heck, Denny (WA): Amends the Servicemembers Civil Relief Act by allowing the servicemember to submit a certified letter from a commanding officer or record from the Defense Manpower Database Center in lieu of military orders. (10 Minutes)

52. Kline (MN), Hunter (CA), Andrews (NJ), Polis (CO): Ensures all students from legally operating secondary schools are treated equally and given the same opportunities to enlist in the armed forces. (10 Minutes)

53. Walz (MN): Requires the Government Accountability office to submit a report to Congress regarding the Department of Defense's use of Personality/Adjustment disorders as a basis to separate members from the Armed Forces. (10 Minutes)

54. Jackson Lee (TX): Requires posting of information relating to sexual assault prevention and response resources. (10 Minutes)

55. Velázquez (NY): Creates the Military Hazing Prevention Oversight Panel to help guide the military's anti-hazing policies. (10 Minutes)

56. Lowey (NY): Requires service academies to add sexual assault prevention in ethics curricula. (10 Minutes)

57. Pingree (ME): Instructs the DOD to insure that servicemembers are aware of the Interim Guidance by the Director of National Intelligence that victims of military sexual assault who received counseling answer "no" to Q21 on their Security Form 86 (SF86) for security clearances. (10 Minutes)

58. Lee, Barbara (CA), Ros-Lehtinen (FL): Requires the Defense Secretary to report to Congress on the use of the Uniform Code of Military Justice, the Manual for Courts-Martial, and related policies, punitive articles, and regulations with regard to service members living with or at risk of contracting HIV. (10 Minutes)

59. DeLauro (CT), Pingree (ME), Tsongas (MA): Requires the services to include in the annual report to Congress on sexual assaults in the military steps taken to ensure the retention of and access to evidence and records relating to sexual assaults. Requires the services to provide in the report a description of the policies, procedures, and processes implemented to ensure detailed evidence and records are transmitted to the Department of Veterans Affairs. (10 Minutes)

60. Cummings (MD), Michaud (ME), Takano, Mark (CA), Tierney (MA), Cicilline (RI), Braley (IA): Expands home foreclosure protections under the Servicemembers Civil Relief Act (SCRA) to service members receiving hostile fire or imminent danger pay, surviving spouses of service members whose deaths are service connected, and certain veterans who are disabled due to service connected injuries. Increases fines for violations of SCRA. (10 Minutes)

61. Lujan Grisham, Michelle (NM): Instructs the DOD to identify and recognize dependents of a member of the armed forces who is serving or has served in a combat zone for a period of more than

30 days with a lapel button and to conduct presentation ceremonies to eligible dependents. (10 Minutes)

62. Brownley (CA): Expresses the sense of Congress that the Federal Government and State governments should make the transition of a member of the Armed Forces and the member's spouse from military to civilian life as seamless as possible. (10 Minutes)

63. Green, Gene (TX): Requires the military departments to provide free Internet access to servicemembers serving in a combat zone. The requirement may be waived if the security environment is unsafe for recreational Internet use. (10 Minutes)

64. Andrews (NJ), Markey, Edward (MA): Requires a report on whether the Department of Defense could make current no accrual of interest for certain servicemembers (20 U.S.C. 1087e(o)) benefit automatic. (10 Minutes)

65. Blackburn (TN): Requires the Department to conduct a review of the current Troops to Teachers program by March 1, 2014. (10 Minutes)

66. Culberson (TX): Authorizes use of gold in the metal content of the Medal of Honor. (10 Minutes)

67. Bustos (IL): Requires the Secretary of the Army to review and provide a report on the Medal of Honor nomination of Captain William L. Albracht. (10 Minutes)

68. Hunter (CA): Requires the Secretary of the Army to consider the Silver Star Award nominations for four soldiers whose award nominations were lost and subsequently downgraded. (10 Minutes)

69. Esty (CT): Establishes standards for the prompt replacement of military medals & decorations requested by veterans, current service members, and eligible family members. Requires the Secretary of Defense to ensure the following: (a) that decorations are mailed within 60 days of successful verification of the service record claimed; (b) that requests cannot take more than one year to fulfill; and (c) that the Secretary submits annual reports measuring responsiveness to such requests. (10 Minutes)

70. Kind (WI), Sensenbrenner (WI): Authorizes an award of the Medal of Honor to First Lieutenant Alonzo H. Cushing for Acts of Valor during the Civil War. Requires Secretary of Defense to submit a report on the process and materials used for consideration of Medal of Honor recommendations for acts of heroism that occurred during the Civil War. (10 Minutes)

71. McKinley (WV), Owens (NY): Requires the Secretary of Defense to establish an electronic tour calculator so that reservists could keep track of aggregated active duty tours of 90 days or more served within a fiscal year. For each active duty tour totaling 90 days served "inside" a FY, a reservist who subsequently qualifies for a reserve retirement (at age 60) may credit such tours towards early retirement. (10 Minutes)

72. Kirkpatrick (AZ), Coffman (CO), O'Rourke (TX), Thompson, Mike (CA), Shea-Porter, Carol (NH), Rahall (WV): Requires the Department of Defense to provide certified and complete service treatment records to the Department of Veterans Affairs within 90 days of military discharge or release in an electronic format. (10 Minutes)

73. Swalwell, Eric (CA), Meehan (PA): Ensures that money paid to the Department of Defense on behalf of military bands is reimbursed to the appropriate accounts, allowing military bands to play

at community events if the organization fully funds the bands expenditures. (10 Minutes)

74. Bishop, Tim (NY): Expresses the sense of Congress that the remains of three crewmen of the Martin Mariner PBM-5 seaplane George One, ensign Maxwell Lopez, USN, Naval Aviator, Frederick Williams, Aviation Machinist's Mate 1st Class, Wendell Henderson, Aviation Radioman 1st Class, should be recovered from Thurston Island, Antarctica. (10 Minutes)

75. Terry (NE): Amends title 4 USC by adding at the end the following: Members of the armed forces not in uniform and veterans may render the military salute in the manner provided for persons in uniform. (10 Minutes)

76. Schakowsky (IL), Miller, George (CA): Provides procurement guidance, with regards to sourcing garments from Bangladesh by the Defense Department's commissary and exchange store system, to assure fire and building safety conditions are audited and addressed with respect to exchange branded apparel, licensing of exchange brands, and procurement of branded garments. (10 Minutes)

77. Thompson, Glenn (PA), Ryan, Tim (OH): Extends the 180-day Transitional Assistance Management Program (TAMP) coverage for service members and their families by an additional 180-days for any treatment provided by telemedicine. Extends tele-behavioral services for as long as the health care professional treating the individual deems necessary, so long as that individual has used TAMP during the first 180-day period, or accessed mental health treatment sometime in the year prior to separation from the service. (10 Minutes)

78. Guthrie (KY): Requires a comprehensive policy on improvements to the care, management, and transition of recovering service members with urotrauma from DoD to VA. Urotrauma is a class of wounds to the genitourinary system, which includes the kidneys, reproductive organs, and urinary organs. (10 Minutes)

79. Gallego (TX): Allows the Secretary of Defense to take measurable action to determine the effectiveness of suicide prevention efforts. (10 Minutes)

80. Terry (NE): Requires Secretary of Defense to report to Congress within 180 days on the methods currently being employed across the military departments to collect charges from third party payers. (10 Minutes)

81. Holt (NJ): Allows any adjutant general of a State to request contact information for Individual Ready Reservists and Individual Mobilization Augmentees in the State for the purpose of conducting suicide prevention efforts. (10 Minutes)

82. Kuster (NH): Requires a report on the role of the Department of Veterans Affairs in Department of Defense centers of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of traumatic brain injury, post-traumatic stress disorder and other mental health conditions, and military eye injuries. (10 Minutes)

83. Thompson, Glenn (PA), Roe (TN), Napolitano (CA), Thompson, Mike (CA), Perlmutter (CO), Andrews (NJ), Hinojosa (TX), Lujan (NM): Ensures the Department of Defense conducts a preliminary mental health assessment on individuals before they join the military. This assessment will help serve as a baseline to help

track and assess any mental health changes during the individual's military career. (10 Minutes)

84. Jackson Lee (TX): Provides for increased collaboration with NIH to combat Triple Negative Breast Cancer. (10 Minutes)

85. Jackson Lee (TX): Expresses the sense of the Congress that the Secretary of Defense should develop a plan to ensure a sustainable flow of qualified mental health counselors to meet the long-term needs of members of the Armed Forces, veterans, and their families. (10 Minutes)

86. Pascrell (NJ), Thompson, Mike (CA): Expresses the sense of Congress that the Secretary of Defense should submit the plan required by the National Defense Authorization for Fiscal Year 2013 to improve coordination and integration of the programs that address traumatic brain injury and psychological health of members of the Armed Forces within the appropriate time-frame. (10 Minutes)

87. Pascrell (NJ): Requires a report on how the Secretary of Defense will identify, refer, and treat traumatic brain injuries with respect to members of the Armed Forces who served in Operation Enduring Freedom or Operation Iraqi Freedom prior to June 2010 when a memorandum regarding a 50-meter distance from an explosion as a criterion to properly identify, refer and treat members for potential traumatic brain injury took effect. (10 Minutes)

88. Sessions (TX), Thompson, Mike (CA): Establishes a 5-year pilot program for treatments of traumatic brain injury and post traumatic stress disorder for members of the Armed Forces in health care facilities other than military treatment facilities. Requires that all treatments must be approved by the Secretary of Defense following approval by an institutional review board. (10 Minutes)

89. McKeon (CA), Smith, Adam (WA): Requires the Secretaries of Defense and Veterans Administration to make all health care information contained in the Department of Defense AHLTA and the Department of Veterans Affairs Vista systems available and actionable to health care providers in both Departments by October 1, 2014 and requires the Secretaries to implement an integrated health record by October 1, 2016. (10 Minutes)

90. Wilson, Joe (SC): Requires a report from the comptroller general evaluating the different programs and contracting methods that Medicare and TRICARE use to prevent and correct improper payments to medical providers. Requires an evaluation of the effectiveness of these programs. (10 Minutes)

91. Sarbanes (MD): Seeks to promote greater compliance with sourcing laws by incorporating them into the DoD Supplement to the FAR, which contracting officers look to closely for guidance. Seeks to strengthen compliance with existing law. (10 Minutes)

92. Rigell (VA): Prohibits any funds from being used to purchase military coins that are not produced in the United States. (10 Minutes)

93. Tsongas (MA), Michaud (ME): Requires athletic footwear furnished to newly recruited servicemembers to be American-made after the Secretary of Defense certifies that there are at least two domestic suppliers who can provide 100% Berry Amendment-compliant footwear; provides a waiver for servicemembers with unique medical requirements. (10 Minutes)

94. Fitzpatrick (PA): Requires the Secretary of Defense, in coordination with the Administrator of the Small Business Administration and the Secretary of Veterans Affairs, to study the impact of Veteran Owned Small Business contracting on veteran unemployment and entrepreneurship. Requires the Department of Defense to provide an analysis on the feasibility and impacts of a Veterans First' style contracting program which would put priority on meeting Veteran Owned Small Business and Service-Disabled Veteran Owned Small Business goals first. (10 Minutes)

95. Jackson Lee (TX): Provides for improved management of defense equipment and supplies through automated information and data capture technologies. (10 Minutes)

96. Young, Don (AK): Requires the Secretary of Defense, in consultation with the Secretary of Homeland Security, to report, to the congressional defense committees, on the strategic value of installations operating within the Pacific Area of Responsibility. This report would analyze various characteristics including geographic advantage, usefulness for future missions, and proximity to training ranges, among other things, and will provide the information Congress needs to assess our country's strategic shift to the Pacific. (10 Minutes)

97. Young, Don (AK): Requires GAO to review the potential of collocating Federal entities onto military bases, so long as those missions are compatible with the missions of the military installations. This report will focus on federal entities with homeland security, defense, international trade, commerce, and other national security-related functions. (10 Minutes)

98. Cárdenas (CA): Ensures that an assessment of the retention, recruitment, and management of the cyber operation forces is included in a comprehensive mission analysis of cyber operations by the Department of Defense. (10 Minutes)

99. Cárdenas (CA): Ensures that the investigations launched by the Department of Defense related to the compromise of critical program information include an estimate of economic losses resulting from the intrusion and any actions needed to protect intellectual property. (10 Minutes)

100. Ruiz, Raul (CA): Requires the Secretary of Defense to submit a report to the Congress on the feasibility of establishing a small business cyber technology office to assist small business concerns in providing cybersecurity solutions to the Federal Government. (10 Minutes)

101. Cárdenas (CA): Authorizes the Department of Defense to create a education program to assist small business understand cyber security threats. (10 Minutes)

102. DeSantis (FL): Prohibits funds from being authorized for collaborative cybersecurity activities with the People's Republic of China. (10 Minutes)

103. Langevin (RI): Requires a report providing an updated comparison of the costs and risks of acquiring DDG 1000 and DDG 51 Flight III vessels equipped for enhanced ballistic missile defense capability. (10 Minutes)

104. Conyers (MI): Clarifies that the assessment mandated in Section 1036(3) includes associated forces that are engaged in hostilities against the United States or its coalition partners for pur-

poses of interpreting the scope of the 2001 Authorization for Use of Military Force. (10 Minutes)

105. Ross (FL): Prohibits the Department of Defense from using taxpayer funds to provide additional or upgraded recreational facilities for individuals detained at United States Naval Station, Guantanamo Bay, Cuba. (10 Minutes)

106. Braley (IA), Jones (NC): Directs the President to submit to Congress a report on the long-term costs of Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom in Iraq and Afghanistan. (10 Minutes)

107. Broun (GA): Requires the Secretary of the Air Force to report on the implementation of the recommendations of the Palomares Nuclear Weapons Accident Revised Dose Evaluation Report released in April by the Air Force in 2001. (10 Minutes)

108. Andrews (NJ), Shuster (PA), LoBiondo (NJ), Hunter (CA), Runyan (NJ): Makes technical changes to underlying text, including one grammatical change and a revision to ensure subcontracts are also captured by a provision on contracting for airlift services. (10 Minutes)

109. Posey (FL): Authorizes the Secretary of Defense to transport, at his discretion and without charge, to any country supplies furnished by a nonprofit organization that are intended for distribution to members of the Armed Forces. (10 Minutes)

110. Speier (CA), Coffman (CO): Requires the Secretary of Defense to provide congressional support offices the same access to Defense Department facilities as employees of the Committees on Armed Services of the House of Representatives and Senate. (10 Minutes)

111. McCaul (TX), Miller, Candice (MI), Thompson, Bennie (MS), Jackson Lee (TX): Amends 10 USC 2576a to include "border security activities" to the list of preferred applications the Department of Defense considers when transferring excess property to other federal agencies. (10 Minutes)

112. Hanna (NY): Expresses the sense of Congress that the use of improvised explosive devices (IEDs) should be condemned; expresses support for our Armed Forces and first responders; and supports policies to reduce the use of IEDs. (10 Minutes)

113. Turner (OH), Maffei (NY), Hanna (NY), LoBiondo (NJ), Owens (NY): Clarifies the authority of the Secretary of Defense to enter into a memorandum of understanding with applicable entities regarding non-regulatory special use airspace. (10 Minutes)

114. Bachmann (MN): Requires that the POW/MIA flag be flown 365 days a year on certain Federal Buildings. (10 Minutes)

115. Collins, Chris (NY): Expresses a sense of Congress to maintain a strong National Guard and Military Reserve force. (10 Minutes)

116. Lewis, John (GA): Requires the Secretary of Defense, in consultation with the Commissioner of the Internal Revenue Service and the Director of the Bureau of Economic Analysis, to post the cost of the wars in Afghanistan and Iraq to each American taxpayer on the Department of Defense's website. (10 Minutes)

117. Farr (CA): Establishes the sense of Congress that senior leadership in the Department of Defense should take into consideration the importance of foreign language and cultural education. (10 Minutes)

118. Gallego (TX): Extends by five years an existing Expedited Hiring Authority for civilian personnel in order to fast-track the method of recruiting and hiring select healthcare professionals, and allows DoD to pay individuals in critical and shortage healthcare occupations (specifically including those who treat wounded warriors). (10 Minutes)

119. Langevin (RI), Cummings (MD): Requires DoD to comply with a law enacted in the FY10 NDAA to ensure that funding was available to use civilian employees instead of contractors for requirements that last more than five years. (10 Minutes)

120. Connolly (VA), Poe (TX): Authorizes up to 5% of humanitarian assistance program funds to be used for monitoring and evaluation of said programs. Requires a Congressional briefing 90 days after enactment describing, among other things, how the Department evaluates program and project outcomes and impact, including cost effectiveness and whether the programs met their goals. (10 Minutes)

121. Rohrabacher (CA), Sherman (CA): Expands the certification requirement on reimbursements to Pakistan to include human rights concerns. (10 Minutes)

122. Lynch (MA): Requires an assessment of the Afghan National Security Force's (ANSF) ability to provide proper Operations & Maintenance for U.S.-funded ANSF infrastructure projects after January 1, 2015. (10 Minutes)

123. Blumenauer (OR), Kinzinger (IL), Gabbard (HI), Stivers (OH): Strengthens and reforms the Iraq and Afghanistan Special Immigration Visa programs, and expresses the sense of the House that these programs are of significant importance to the US mission, and should be extended and reformed before their expiration. (10 Minutes)

124. Johnson, Hank (GA), Lee, Barbara (CA): Prohibits funding to construct permanent military bases in Afghanistan. (10 Minutes)

125. Schneider (IL): Adds an additional requirement to the annual report on Iran that requires an analysis of how sanctions are impacting Iran's Threat Network. (10 Minutes)

126. Conaway (TX): Makes an authority change to the Foreign Assistance Act of 1961, allowing the U.S. military to provide integrated air-missile defense training/coordination to Gulf Cooperation Council countries. (10 Minutes)

127. Grimm (NY): Expresses condemnation of the government of Iran for its systematic, state-sponsored persecution of the country's Baha'i religious minority. (10 Minutes)

128. Connolly (VA), Wolf (VA), Schneider (IL): Requires that the report authorized by section 1242 of this act include information on how the Egyptian military is supporting the rights of individuals involved in civil society and democratic promotion efforts through nongovernmental organizations. (10 Minutes)

129. Ros-Lehtinen (FL): Authorizes the Secretary of Defense to deploy assets, personnel and resources to the Joint Interagency Task Force South, in coordination with SOUTHCOM, to combat transnational criminal organization, drug trafficking, bulk shipments of narcotics or currency, narco-terrorism, human trafficking and the Iranian presence in SOUTHCOM's AOR. (10 Minutes)

130. Turner (OH): Provides the sense of Congress regarding the U.S. Defense Cooperation with the Georgian Government. (10 Minutes)

131. Schneider (IL): Expands the findings section of the bill to express the sense of Congress that the President should use all diplomatic means to limit the transfer of arms from Russia, Lebanon, and Iran to the Assad regime. (10 Minutes)

132. Lamborn (CO): Establishes the sense of Congress on the threat posed to Israel by the sale or transfer of advanced anti-aircraft weapons to Syria. (10 Minutes)

133. Kelly (PA): Prohibits funds from being used to implement the UN Arms Trade Treaty unless the treaty has been signed by the President, received the advice and consent of the Senate, and has been the subject of implementing legislation by the Congress. (10 Minutes)

134. Rigell (VA): Reaffirms Congress' constitutional war powers by clearly stating that nothing in this Act shall be construed to authorize any use of military force. (10 Minutes)

135. Ellison (MN): Prohibits the authorization of Defense Department funds for tear gas and other riot control items to Middle East and North African countries undergoing democratic transition unless the Secretary of Defense certifies to the appropriate Congressional committees that the security forces of such countries are not using excessive force to repress peaceful, lawful and organized dissent. (10 Minutes)

136. Broun (GA): Prohibits the Department of Defense from using a drone to kill a citizen of the United States unless they are actively engaged in combat against the United States. (10 Minutes)

137. DeLauro (CT), Granger (TX), Moran, James (VA), Kingston (GA), Ellison (MN), Wolf (VA), Connolly (VA): Prohibits the Defense Department from continuing to purchase equipment from the Russian arms dealer Rosoboronexport unless the Secretary of Defense certifies that the firm is cooperating with a Defense Contract Audit Agency audit, not delivering S-300 missile defense batteries to Syria, and that no new contracts have been signed by the firm with Syria since January 1, 2013. Provides a national security waiver with a requirement that the Secretary justify the waiver in a report to Congress 30 days prior to the purchase of any equipment from Rosoboronexport. (10 Minutes)

138. Connolly (VA), Granger (TX), Diaz-Balart, Mario (FL), Gingrey (GA), Sires (NJ), Carter (TX): Directs the President to sell 66 F-16 C/D aircraft to Taiwan. (10 Minutes)

139. Roskam (IL): Requires the President to submit to the appropriate committees every 90 days a report that identifies that the United States has taken all necessary steps to ensure that Israel possesses and maintains an independent capability to remove existential threats to its security and defend its vital national interests. (10 Minutes)

140. Bridenstine (OK): Requires the Department of Defense to submit a report on the implications of Caspian Sea-based resource development for energy security strategies of the U.S. and NATO. (10 Minutes)

141. Welch (VT): Requires the Department of Defense to submit to Congress a report on measures to monitor and ensure that U.S. financial assistance to the Afghan National Security Forces is not

used to purchase fuel from Iran in violation of U.S. sanctions. (10 Minutes)

142. Ros-Lehtinen (FL): Enhances DoD and State Department reporting requirements on the comprehensive plan for United States military assistance and cooperation with Egypt to include a description of the strategic objectives of the United States regarding the provision of U.S. security assistance to the Government of Egypt, a description of vetting and end-use monitoring systems in place by both Egypt and the U.S. for defense articles and training provided by the U.S.—including human rights vetting—and additional requirements. Requires a GAO report requesting recommendations regarding the DoD and State report and requesting additional actions with respect to the provision of United States security assistance to Egypt. (10 Minutes)

143. Lamborn (CO): Establishes the sense of Congress on the threat posed by Hezbollah. Encourages our European allies to recognize Hezbollah as a terrorist organization. (10 Minutes)

144. Gosar (AZ): States that Congress fully supports Israel's lawful exercise of self-defense, including actions to halt regional aggression. (10 Minutes)

145. Bridenstine (OK): Requires the Secretary of Defense to submit to the specified Congressional committees a report in both classified and unclassified form on the current and future military power of the Russian Federation. (10 Minutes)

146. Conyers (MI), Jones (NC), Johnson, Hank (GA), Ellison (MN): Clarifies that nothing in the bill shall be construed as authorizing the use of force against Iran. (10 Minutes)

147. Walorski, Jackie (IN), Lamborn (CO): Expresses the sense of Congress in support of fully implementing U.S. and international sanctions on Iran. Reiterates that it is U.S. policy to prevent Iran from acquiring a nuclear weapon capability, and declares that the U.S. has a vital national interest in the survival and security of the State of Israel. (10 Minutes)

148. Fortenberry (NE): Directs the Secretary of Defense to establish a strategy to modernize the Cooperative Threat Reduction Program in order to prevent the proliferation of weapons of mass destruction and related materials in the Middle East and North Africa region. (10 Minutes)

149. Hanna (NY), Graves (MO), Shuster (PA), Hunter (CA), Connolly (VA): Makes it easier for small businesses to compete for lower tier subcontracts on federal projects and improves visibility into the health of the industrial base. (10 Minutes)

150. Graves (MO), Hanna (NY): Simplifies small business contracting by reconciling the limitation on subcontracting provisions enacted in Sec. 802 of the FY 2013 NDAA with those in the Small Business Act. (10 Minutes)

151. Schrader (OR): Establishes a program to provide improved access to Federal contract opportunities for early stage small business concerns, defined as a small business concern that has not more than 15 employees; and has average annual receipts that total not more than \$1,000,000. It disallows any contracts awarded under this program if its value is less than \$3,000 or less than half the upper threshold of section 15(j)(1) of the Small Business Act. (10 Minutes)

152. Collins, Doug (GA): Allows for the administrative transfer of 282.304 acres, in Dahlonaga, Georgia known as Camp Frank D. Merrill, from the Department of Agriculture to the Department of Army. (10 Minutes)

153. Murphy, Tim (PA): Requires the consideration of the value of services provided by a local community to the armed forces as part of the economic analysis in making base realignment or closure decisions. (10 Minutes)

154. Turner (OH), Langevin (RI), Tsongas (MA), Hoyer (MD): Increases the authorization from \$2M to \$4M that the defense laboratories can spend on minor military construction and modifies the Laboratory Revitalization (LRP) section 2805 of Title 10 regarding unspecified minor MILCON. (10 Minutes)

155. Garcia (FL): Requires the Secretary of Defense, not later than 90 days after the enactment of this Act, to issue a report to Congress on the Military Housing Privatization Initiative. The report shall include the details of any project where the project owner had outstanding local, county, city, town or State tax obligations dating back over 12 months, as determined by a tax authority. (10 Minutes)

156. Blumenauer (OR): Provides additional guidance for military installation master planning documents, consistent with Department of Defense, UFC 2-100-01. (10 Minutes)

157. Gardner (CO): Requires prior Congressional approval in order for the DoD to expand Pinon Canyon Maneuver Site, Fort Carson, CO, which is located in my Congressional District. Requires specific appropriation approval for PCMS expansion. (10 Minutes)

158. Hunter (CA): Ensures the inclusion of emblems of belief on military memorials. Emblems of belief may include those that are currently authorized by the National Cemetery Administration. (10 Minutes)

159. Bilirakis (FL): Authorizes the Secretary of the Navy to designate an appropriate site at the former Navy Dive School at the Washington Navy Yard for a memorial to honor the members of the Armed Forces who have served as military divers. (10 Minutes)

160. Luján, Ben Ray (NM): Extends the sunset of the Secretary of Energy's Other Transaction authority by 5 years. (10 Minutes)

161. Hastings, Doc (WA): Directs the Department of Energy to transfer a parcel of land at the Hanford Site to the DOE designated Community Reuse Organization. (10 Minutes)

162. Pearce (NM): Extends of the Waste Isolation Pilot Plant mission. (10 Minutes)

163. Hastings, Doc (WA), Fleischmann (TN), Lujan (NM): Amends Division C, Title XXXI regarding the Department of Energy (DOE) to protect and provide public access to Manhattan Project facilities at three DOE defense sites through the establishment of an historical park. (10 Minutes)

164. Young, Don (AK): Makes a change that will allow MARAD to receive funding from non-federal entities, but it does not mandate that this funding be sent to MARAD. (10 Minutes)

165. Young, Don (AK), Enyart (IL), Hahn (CA), Weber, Randy (TX), Kilmer (WA): Allows MARAD to give funding priority in the existing Port Infrastructure Development Program to the 21 strategic seaports in the United States. Clarifies existing language to

ensure that the Port Infrastructure Development Program, created by Public Law 111–84 (National Defense Authorization Act for Fiscal Year 2010), may be used by the MARAD Administrator to provide grants to ports. (10 Minutes)

166. Issa (CA), Connolly (VA): Reforms the process by which Federal agencies procure products and services related to information technology. (10 Minutes)

167. Whitfield (KY), Polis (CO), Perlmutter (CO): Expresses the sense of Congress that the President should establish an Advisory Board on Toxic Substances and Worker Health. The Board would advise the President on the review and approval of the site exposure matrix (SEM) used to determine the eligibility of DOE contractor employee claims for compensation for illnesses resulting from exposure to toxic substances. (10 Minutes)

168. Franks (AZ): Establishes the sense of Congress that the paramount security concern of the United States is the ongoing and illegal nuclear weapons programs of the Islamic Republic of Iran and the Democratic People’s Republic of Korea. (10 Minutes)

169. Franks (AZ): Adds consultation to the main roles and responsibilities as prescribed in section 1086, to include the Department of Homeland Security (DHS) and the Federal Energy Regulatory Commission (FERC). (10 Minutes)

170. Garamendi (CA): Withholds the \$2.6 billion dollars in additional funding that have been added to the Afghan National Security Forces Fund this year for acquisition of aircraft, vehicles and other equipment until the Secretary of Defense submits a report to Congress confirming when these systems would be delivered, the ANSF’s capabilities of operating and maintaining these systems, and the impact of such acquisitions on the future US costs of funding the ANSF. (10 Minutes)

171. Gingrey (GA): Expresses the sense of Congress that active military personnel that are either live in or are stationed in Washington, DC would be exempt from existing District of Columbia firearms restrictions. (10 Minutes)

172. Davis, Susan (CA): Recognizes additional means by which members of the National Guard called into federal service for a period of 30 days or less may initially report for duty for enlistment to basic pay. (10 Minutes)

PART A—TEXT OF AMENDMENT CONSIDERED AS ADOPTED

In section 585, relating to treatment of victims of the attacks at recruiting station in Little Rock, Arkansas, and at Fort Hood, Texas, strike subsection (b), redesignate subsection (c) as subsection (b), and, in such subsection (as redesignated), insert “described in” after “attack”.

PART B—TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKEON (CA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 400, line 15, after “committees” insert the following: “the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives”.

Page 405, line 9, after the period insert the following: “The Secretary of Defense shall submit any such classified annex to the congressional defense committees.”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BLUMENAUER (OR) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 123. MODIFICATION OF REQUIREMENT FOR CERTAIN NUMBER OF AIRCRAFT CARRIERS OF THE NAVY.

(a) IN GENERAL.—Section 5062(b) of title 10, United States Code, is amended by striking “11” and inserting “10”.

(b) CONFORMING REPEAL.—Section 1023 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2447) is repealed.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LUMMIS (WY) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 79, after line 23, insert the following:

SEC. 241. READINESS OF INTERCONTINENTAL BALLISTIC MISSILE FORCE.

The Secretary of Defense shall preserve each intercontinental ballistic missile silo that contains a deployed missile as of the date of the enactment of this Act in, at minimum, a warm status that enables such silo to—

- (1) remain a fully functioning element of the interconnected and redundant command and control system of the missile field; and
- (2) be made fully operational with a deployed missile.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PEARCE (NM) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 93, after line 7, insert the following:

SEC. 267. APPROVAL OF CERTAIN NEW USES OF RESEARCH, DEVELOPMENT, TEST, AND EVALUATION LAND.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Defense, or the head of any other department or agency of the Federal Government, may not finalize any decision regarding new land use activity on covered land unless the Secretary concerned approves such activity in writing.

(b) DEFINITIONS.—In this section:

- (1) The term “covered land” means ranges, test areas, or other land in the contiguous United States used by the Secretary of Defense for activities related to research, development, test, and evaluation that the Secretary determines, for purposes of this section, to be critical to national security.
- (2) The term “new land use activity” means an activity regarding the use of covered land that—
 - (A) as of the date of the enactment of this Act, is not carried out on covered land; and

(B) is carried out by, or in cooperation with, a department or agency of the Federal Government other than the Department of Defense.

(3) The term “Secretary concerned” has the meaning given that term in section 101(a)(9) of title 10, United States Code.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COFFMAN (CO) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 301, strike “Funds are hereby authorized” and insert the following:

(a) IN GENERAL.—Funds are hereby authorized

In section 301, add at the end the following:

(b) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts specified in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, as specified in the corresponding funding table in section 4301, is hereby increased by a total of \$250,000,000, to alleviate training and readiness shortfalls, to be derived as follows:

(A) Operation and Maintenance, Army, for Maneuver Units, Line 010, \$85,000,000.

(B) Operation and Maintenance, Army, for Aviation Assets, Line 060, \$35,000,000.

(C) Operation and Maintenance, Navy, for Mission and Other Flight Operations, Line 010, \$32,500,000.

(D) Operation and Maintenance, Navy, for Fleet Air Training, Line 020, \$7,500,000.

(E) Operation and Maintenance, Marine Corps, for Operational Forces, Line 010, \$25,000,000.

(F) Operation and Maintenance, Air Force, for Primary Combat Forces, Line 010, \$65,000,000.

(2) OFFSET.—Notwithstanding the amounts specified in the funding tables in division D, the amount authorized to be appropriated in section 201 for Research, Development, Test, and Evaluation, Defensewide, as specified in the corresponding funding table in section 4201 for the Defense Rapid Innovation Program, is hereby reduced by \$250,000,000.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TURNER (OH) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 5 . DISCHARGE OR DISMISSAL, AND CONFINEMENT REQUIRED FOR CERTAIN SEX-RELATED OFFENSES COMMITTED BY MEMBERS OF THE ARMED FORCES.

(a) MANDATORY PUNISHMENTS.—

(1) IMPOSITION.—Section 856 of title 10, United States Code (article 56 of the Uniform Code of Military Justice) is amended—

(A) by inserting “(a)” before “The punishment”; and

(B) by adding at the end the following new subsection:

“(b)(1) While a person subject to this chapter who is found guilty of an offense specified in paragraph (2) shall be punished as a gen-

eral court-martial may direct, such punishment must include, at a minimum—

“(A) dismissal or dishonorable discharge; and

“(B) confinement for two years.

“(2) Paragraph (1) applies to the following offenses:

“(A) An offense in violation of subsection (a) or (b) of section 920 (article 120(a) or (b)).

“(B) Forcible sodomy under section 925 of this title (article 125).

“(C) An attempt to commit an offense specified in subparagraph (A) or (B) that is punishable under section 880 of this title (article 80).”.

(2) CLERICAL AMENDMENTS.—

(A) SECTION HEADING.—The heading of such section is amended to read as follows:

“§ 856. Art. 56. Maximum and minimum limits”.

(B) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter VIII of chapter 47 of such title is amended by striking the item relating to section 856 and inserting the following new item:

“856. Art 56. Maximum and minimum limits.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act, and apply to offenses specified in section 856(b)(2) of title 10, United States Code (article 56(b)(2) of the Uniform Code of Military Justice), as added by subsection (a)(1), committed after that date.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FRANKEL (FL) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of section 549, add the following new subsections:

(c) ADDITIONAL DUTY FOR RESPONSE SYSTEMS PANEL REGARDING INSTANCES OF MEMBERS’ ABUSING CHAIN OF COMMAND POSITION TO GAIN ACCESS TO OR COERCE ANOTHER PERSON FOR A SEX-RELATED OFFENSE.—

(1) IN GENERAL.—The independent panel established by the Secretary of Defense under subsection (a)(1) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1758) shall conduct an assessment of instances in the Armed Forces in which a member of the Armed Forces has committing a sexual act upon another person by abusing one’s position in the chain of command of the other person to gain access to or coerce the other person.

(2) SUBMISSION OF RESULTS.—The panel shall include the results of the assessment and its recommendations and comments in the report required by subsection (c)(1) of such section 576, as amended by subsection (b) of this section.

(d) ADDITIONAL DUTY FOR JUDICIAL PROCEEDINGS PANEL REGARDING ADDITIONAL REVISION OF DEFINITION OF ARTICLE 120 SEX-RELATED OFFENSES.—The independent panel established by the Secretary of Defense under subsection (a)(2) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1758) shall assess the likely consequences

of amending of definition of rape and sexual assault under article 120 of the Uniform Code of Military Justice to expressly cover a situation in which a person subject to the Uniform Code of Military Justice commits a sexual act upon another person by abusing one's position in the chain of command of the other person to gain access to or coerce the other person. The panel shall include the results of the assessment in one of the reports required by subsection (c)(2)(B) of such section 576.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PIERLUISI (PR) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 110, after line 15, insert the following new section:

SEC. 334. ORDNANCE RELATED RECORDS REVIEW AND REPORTING REQUIREMENT FOR VIEQUES AND CULEBRA ISLANDS, PUERTO RICO.

(a) IDENTIFICATION OF MILITARY MUNITIONS AND NAVY OPERATIONAL HISTORY.—

(1) RECORDS REVIEW.—The Secretary of Defense shall conduct a review of all existing Department of Defense records to determine and describe the historical use of military munitions and military training on the islands of Vieques and Culebra, Puerto Rico, and in the nearby cays and waters. The review shall, to the extent practicable and based on historical documents available, identify the type of munitions, the quantity of munitions, and the location where such munitions may have potentially been used or may be remaining on the islands of Vieques and Culebra, Puerto Rico, and in the nearby cays or waters. The historical review shall also determine the type of various military training exercises that occurred on each island and in the nearby cays and waters.

(2) COOPERATION AND CONSULTATION.—The Secretary of Defense may request the assistance of other Federal agencies and may consult the Governor of Puerto Rico as may be deemed appropriate in conducting the review required by this subsection and in preparing the report required by subsection (b).

(b) REPORT.—Not later than 450 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate, and shall make publicly available, a report detailing the findings and determinations of the review required by subsection (a). The report shall be organized to include the information detailed in subsection (a) in addition to site history, site description, real estate ownership information, and any other information about known military munitions and military training that occurred historically on the islands of Vieques and Culebra, Puerto Rico, and in the nearby cays and waters. The report shall include any information and recommendations that the Secretary deems appropriate about the potential hazards to the public associated with unexploded ordnance on the islands of Vieques and Culebra, Puerto Rico, and in the nearby cays and waters.

(c) DEFINITIONS.—In this section:

(1) The term “military munitions” has the meaning given that term in section 101(e)(4) of title 10, United States Code.

(2) The term “unexploded ordnance” has the meaning given that term in section 101(e)(5) of title 10, United States Code.

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RIGELL
(VA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title III, insert the following:

SEC. 352. MODIFICATION OF TEMPORARY SUSPENSION OF PUBLIC-PRIVATE COMPETITIONS FOR CONVERSION OF DEPARTMENT OF DEFENSE FUNCTIONS TO CONTRACTOR PERFORMANCE.

(a) **MODIFICATION.**—Section 325 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2253) is amended—

(1) in subsection (a), by striking “Secretary of Defense submits to the congressional defense committees the certification required under subsection (d)” and inserting “Comptroller General submits to the congressional defense committees the assessment required under subsection (c)”; and

(2) by striking subsection (d).

(b) **EXEMPTION OF PUBLIC-PRIVATE PARTNERSHIPS.**—The Secretary of Defense may exempt from study or competition pursuant to Office of Management and Budget Circular A-76 those functions or workloads which are the subject of an existing public-private partnership.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MCGOVERN (MA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Strike section 1222 and insert the following:

SEC. 1222. COMPLETION OF ACCELERATED TRANSITION OF UNITED STATES COMBAT AND MILITARY AND SECURITY OPERATIONS TO THE GOVERNMENT OF AFGHANISTAN.

(a) **IN GENERAL.**—It is the policy of the United States that, in coordination with the Government of Afghanistan, North Atlantic Treaty Organization (NATO) member countries, and other allies in Afghanistan, the President shall—

(1) complete the accelerated transition of United States combat operations to the Government of Afghanistan by not later than December 31, 2013;

(2) complete the accelerated transition of United States military and security operations to the Government of Afghanistan and redeploy United States Armed Forces from Afghanistan (including operations involving military and security-related contractors) by not later than December 31, 2014; and

(3) pursue robust negotiations leading to a political settlement and reconciliation of the internal conflict in Afghanistan, to include the Government of Afghanistan, all interested parties within Afghanistan and with the observance and support of representatives of donor nations active in Afghanistan and regional governments and partners in order to secure a secure and independent Afghanistan and regional security and stability.

(b) SENSE OF CONGRESS.—It is the sense of Congress that should the President determine the necessity to maintain United States troops in Afghanistan to carry out missions after December 31, 2014, and such presence and missions should be authorized by a separate vote of Congress not later than June 1, 2014.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed so as to limit or prohibit any authority of the President to—

- (1) modify the military strategy, tactics, and operations of United States Armed Forces as such Armed Forces redeploy from Afghanistan;
- (2) attack Al Qaeda forces wherever such forces are located;
- (3) provide financial support and equipment to the Government of Afghanistan for the training and supply of Afghanistan military and security forces; or
- (4) gather, provide, and share intelligence with United States allies operating in Afghanistan and Pakistan.

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GOODLATTE (VA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 10 ____ . PROCEDURES GOVERNING UNITED STATES CITIZENS APPREHENDED INSIDE THE UNITED STATES PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE.

(a) AVAILABILITY OF WRIT OF HABEAS CORPUS.—Nothing in the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note), or any other law, shall be construed to deny the availability of the writ of habeas corpus to any United States citizen apprehended inside the United States pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note).

(b) PROCEDURES.—In any habeas proceeding brought by a United States citizen apprehended inside the United States pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note), the government shall have the burden of proving by clear and convincing evidence that such citizen is an unprivileged enemy belligerent and there shall be no presumption that any evidence presented by the government as justification for the apprehension and subsequent detention is accurate and authentic.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RADEL (FL) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 442, after line 9, insert the following:

SEC. 1080. REPORT ON UNITED STATES CITIZENS SUBJECT TO MILITARY DETENTION.

(a) REPORT REQUIRED.—The Secretary of Defense shall submit to Congress an annual report on United States citizens subject to military detention. Such report shall include, for the period covered by the report, each of the following:

- (1) The name of each United States citizen subject to military detention during such period.

(2) The legal justification for such detention of such citizen.

(3) The steps taken to provide judicial process for or to release each such citizen.

(b) **FORM OF REPORT.**—The report required by subsection (a) shall be in unclassified form but may contain a classified annex.

(c) **AVAILABILITY OF REPORT.**—The report submitted under subsection (a) shall be made available to all members of Congress.

(d) **SAVINGS CLAUSE.**—Nothing in this section shall be construed to authorize or express approval for subjecting United States citizens to military detention.

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SMITH
(WA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 405, after line 9, insert the following:

SEC. 1040B. DISPOSITION OF COVERED 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 112–81; 125 Stat. 1562; 10 U.S.C. 801 note) 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:

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

“(1) **PERSONS DETAINED PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE OR THE FISCAL YEAR 2012 NATIONAL DEFENSE AUTHORIZATION ACT.**—In the case of a covered person who is detained 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. 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 detained, captured, or arrested in the United States, or a territory or possession of the United States, may be transferred to the custody of the Armed Forces for detention under the Authorization for Use of Military Force or this Act.

“(h) **RULE OF CONSTRUCTION.**—This section shall not be construed to authorize the detention of a person within the United States, or a territory or possession of the United States, under the Authorization for Use of Military Force or this Act.”

(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 1029(b) of such Act is amended by striking “applies to” and all that follows through “any other person” and inserting “applies to any person”.

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POLIS
(CO) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 502. EXPANSION OF CHAPLAIN CORPS.

The Secretary of Defense shall provide for the appointment, as officers in the Chaplain Corps of the Armed Forces, of persons who are certified or ordained by non-theistic organizations and institutions, such as humanist, ethical culturalist, or atheist.

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DENHAM
(CA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SECTION 530E. AUTHORITY TO ENLIST IN THE ARMED FORCES CERTAIN ALIENS WHO ARE UNLAWFULLY PRESENT IN THE UNITED STATES AND LEGAL STATUS OF SUCH ENLISTEES BY REASON OF HONORABLE SERVICE IN THE ARMED FORCES.

(a) CERTAIN ALIENS AUTHORIZED FOR ENLISTMENT.—Subsection (b)(1) of section 504 of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(D) An alien who was unlawfully present in the United States on December 31, 2011, who has been unlawfully and continuously present in the United States since that date, who was younger than 15 years of age on the date the alien initially entered the United States, and who, disregarding such unlawful status, is otherwise eligible for original enlistment in a regular component of the Army, Navy, Air Force, Marine Corps, or Coast Guard under section 505(a) of this title and regulations issued to implement such section.”.

(b) CONDITIONAL ADMISSION TO PERMANENT RESIDENCE OF ALIEN ENLISTEES.—Such section is further amended by adding at the end the following new subsection:

“(c) CONDITIONAL ADMISSION TO PERMANENT RESIDENCE OF ALIEN ENLISTEES.—(1) The Secretary of Homeland Security shall adjust the status of an alien described in subsection (b)(1)(D) who enlists in a regular component of the Army, Navy, Air Force, Marine Corps, or Coast Guard to the status of an alien lawfully admitted for permanent residence under the provisions of section 249 of the Immigration and Nationality Act (8 U.S.C. 1259), except that the alien does not have to—

“(A) establish that he or she entered the United States prior to January 1, 1972; or

“(B) comply with section 212(e) of such Act (8 U.S.C. 1182(e)).

“(2) The lawful permanent resident status of an alien described in subsection (b)(1)(D) who enlisted in a regular component of the armed forces and whose status was adjusted under paragraph (1) is automatically rescinded, by operation of law, if the alien is sepa-

rated from the armed forces under other than honorable conditions before the alien serves the term of enlistment of such alien. Such grounds for rescission are in addition to any other grounds for rescission provided by law. Proof of separation from the armed forces under other than honorable conditions shall be established by a duly authenticated certification from the armed force in which the alien last served.

“(3) Nothing in this subsection shall be construed to alter—

“(A) the process prescribed by sections 328, 329, and 329A of the Immigration and Nationality Act (8 U.S.C. 1439, 1440, 1440–1) by which a person may naturalize through service in the armed forces; or

“(B) the qualifications for original enlistment in the armed forces described in section 505(a) of this title and regulations issued to implement such section.”.

(c) OFFSET AND DELAYED EFFECTIVE DATE.—

(1) BUDGETARY EFFECTS.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress an analysis of the budgetary effects of enactment of this section and a determination regarding whether such enactment would result in an increase in the deficit in the current year, the budget year, or the subsequent nine fiscal years.

(2) DELAYED EFFECTIVE DATE.—With the exception of paragraph (1), this section and the amendments made by this section shall become effective only upon enactment of an Act referencing this section and the title of which is as follows: “An Act to provide budgetary treatment of changes to enlistment policies of the Armed Forces.”.

(d) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

“§ 504. Persons not qualified; citizenship or residency requirements; exceptions”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 31 of such title is amended by striking the item relating to section 504 and inserting the following new item:

“504. Persons not qualified; citizenship or residency requirements; exceptions.”.

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HUELSKAMP (KS) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 5 . MEETINGS WITH RESPECT TO RELIGIOUS LIBERTY.

(a) NOTICE.—

(1) IN GENERAL.—The Department of Defense shall provide to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate advance written notice of any meeting to be held between Department employees and civilians for the purpose of writing, revising, issuing, implementing, enforcing, or seeking advice, input, or counsel regarding military policy related to religious liberty.

(2) **CONTENTS OF NOTICE.**—Notice provided under paragraph (1) shall include information on the time, date, location, and anticipated attendees of the meeting and information on who initiated the meeting.

(3) **VERBAL NOTICE.**—If a meeting to which this subsection applies is scheduled less than 24 hours in advance of the meeting, the notice requirement under paragraph (1) may be satisfied by a phone call if Committee staff provide verbal confirmation of receipt of the notice.

(b) **REPORTS.**—Not later than 72 hours after the conclusion of a meeting to which subsection (a) applies, the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on the meeting, which shall include information on the time, date, location, duration, and attendees of the meeting and information on who initiated the meeting.

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FITZPATRICK (PA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 243, after line 8, insert the following:

SEC. 568. REQUIREMENT TO CONTINUE PROVISION OF TUITION ASSISTANCE FOR MEMBERS OF THE ARMED FORCES.

The Secretary of each military department shall carry out tuition assistance programs for members of an Armed Force under the jurisdiction of that Secretary during fiscal year 2014 using an amount not less than the sum of any amounts appropriated or otherwise made available for tuition assistance for members of that Armed Force for fiscal year 2014.

18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RADEL (FL) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. ____ . PROHIBITION ON USE OF LETHAL MILITARY FORCE AGAINST CITIZENS OF THE UNITED STATES WITHIN THE UNITED STATES.

(a) **PROHIBITION.**—The President may not use lethal military force against a citizen of the United States who is located in the United States.

(b) **EXCEPTION.**—The prohibition under subsection (a) shall not apply to the President using lethal military force against an individual if—

(1) the individual poses an imminent threat of death or serious bodily injury to another individual; and

(2) using such force will prevent or minimize such deaths or serious bodily injuries.

(c) **DEFINITIONS.**—In this section:

(1) The term “lethal military force” means a targeted killing or other lethal action by the Armed Forces that is typically used against an enemy of the United States, including through the use of an unmanned aircraft or other aircraft.

(2) The term “serious bodily injury” has the meaning given that term in section 1365(h)(3) of title 18, United States Code.

(3) The term “United States”, as used in a territorial sense, has the meaning given that term in section 5 of title 18, United States Code.

(4) The term “unmanned aircraft” has the meaning given that term in section 331(8) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WALORSKI (IN) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 405, after line 9, insert the following:

SEC. 1040B. PROHIBITION ON TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT GUANTANAMO TO YEMEN.

None of the amounts authorized to be available to the Department of Defense may be used to transfer, release, or assist in the transfer or release, during the period beginning on the date of enactment of this Act and ending on December 31, 2014, any individual detained at Guantanamo (as such term is defined in section 1033(f)(2)) to the custody or control of the Republic of Yemen or any entity within Yemen.

20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SMITH (WA) OR HIS DESIGNEE, DEBATABLE FOR 20 MINUTES

Strike sections 1032, 1033, and 1034.

Page 399, line 9, strike “120 days” and insert “60 days”.

Page 402, lines 6 through 7, strike “90 days after the date of the enactment of this Act, the Secretary of Defense” and insert “30 days after the date of the enactment of this Act, the President”.

Page 402, lines 8 through 9, strike “of the Department of Defense”.

Page 402, line 10, after “principal responsibility” insert the following: “, in consultation with the Secretary of Defense, the Attorney General, and the intelligence community (under the meaning given such term section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)),”.

Page 402, line 12, after “Cuba” insert the following: “, and the closure of the detention facility at such Naval Station”.

Page 402, line 14, after “transfers” insert the following: “and such closure”.

Page 403, line 5, strike “120 days” and insert “60 days”.

Page 403, line 20, strike “120 days” and insert “60 days”.

Page 404, line 24, strike “90 days” and insert “60 days”.

Page 405, after line 9, insert the following:

SEC. 1040B. GUANTANAMO BAY DETENTION FACILITY CLOSURE ACT OF 2013.

(a) **SHORT TITLE.**—This section may be cited as the “Guantanamo Bay Detention Facility Closure Act of 2013”.

(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;

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

(3) transfer an individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity.

(c) NOTICE TO CONGRESS.—Not later than 30 days before transferring any individual detained at Guantanamo to the United States, its territories, or possessions, or to a foreign country or entity, 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 18 Act of 1947 (50 U.S.C. 3003(4)) of available evidence relating to the threat posed by the individual, any security concerns about the individual, the likelihood that the individual will engage in recidivism, and humanitarian concerns about the individual, including—

(A) the likelihood the detainee will resume terrorist activity if transferred or released;

(B) the likelihood the detainee will reestablish ties with al-Qaeda, the Taliban, or associated forces that are engaged in hostilities against the United States or its coalition partners if transferred or released;

(C) the likelihood of family, tribal, or government rehabilitation or support for the detainee if transferred or released;

(D) the likelihood the detainee may be subject to trial by military commission; and

(E) any law enforcement interest in the detainee.

(d) PROHIBITION ON USE OF FUNDS.—No amounts authorized to be appropriated or otherwise made available to the Department of Defense may be used after December 31, 2014, 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 National Defense Authorization Act 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) 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—

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

(2) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

In section 2901, strike subsections (a), (b), and (c).

Page 646, lines 11 and 12, strike “120 days” and insert “60 days”.

Page 648, after line 5, insert the following:

(F) 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 the prosecution at such location, including any costs likely to be incurred by other Federal departments or agencies, or State or local governments.

(G) A plan developed 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 such Naval Station as of the date of the enactment of this Act who is designated for prosecution. Such a disposition may include transfer to the United States for trial or detention pursuant to the law of war, transfer to a foreign country for prosecution, or release.

21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TURNER (OH) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 79, after line 23, insert the following:

SEC. 241. SENSE OF CONGRESS ON NEGOTIATIONS AFFECTING THE MISSILE DEFENSES OF THE UNITED STATES.

(a) FINDINGS.—Congress finds the following:

(1) On April 15, 2013, the National Security Advisor to the President, Tom Donilon, conveyed a personal letter from President Obama to the President of the Russian Federation, Vladimir Putin.

(2) Press reports indicate that in this letter the President proposed, “developing a legally-binding agreement on transparency, which would include exchange of information to confirm that our programs do not pose a threat to each other’s deterrence forces,” through “a so-called executive agreement, for which [the President] does not need to seek the consent of Congress.”

(3) The Deputy Foreign Minister of Russia, Sergei Ryabkov, stated in response to the letter that, “the proposals of the U.S. side on the issue are quite concrete and are related in a certain way to the discussions our countries had at various levels in the past years. And it cannot be said from this point of view that the offers are decorative and not serious. No, I want to emphasize that we are committing to the seriousness of these proposals but we note their insufficiency.”

(4) Press reports indicate that the Secretary of the Russian Security Council, Nikolai Patrushev, conveyed a response to the letter from President Putin.

(5) President Obama's proposed deal with Russian President Putin has been kept secret from Congress and the American people.

(6) The Administration has systematically denied Congress information about past offers of U.S. missile defense concessions to Russia, including written requests from Members of the House of Representatives.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should promptly convey to Congress the details of any proposed deals with the Russian Federation concerning the missile defenses or nuclear arms of the United States; and

(2) the missile defenses of the United States are central to the defense of the homeland from ballistic missile threats, particularly if nuclear deterrence fails, thus such defenses are not something that the President should continue to trade away for the prospects of nuclear arms reductions with Russia, the People's Republic of China, or any other foreign country.

22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HOLT (NJ) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Strike page 59, line 15, and all that follows through page 72, line 12.

Strike page 72, line 23, and all that follows through page 79, line 23.

23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POLIS (CO) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 79, after line 23, insert the following:

SEC. 241. LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN GROUND-BASED MIDCOURSE DEFENSE SYSTEM PURPOSES.

(a) LIMITATION.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the purposes described in paragraph (2) shall be obligated or expended until the Secretary of Defense—

(A) certifies to the congressional defense committees that—

(i) the ground-based midcourse defense system has performed at least two successful intercept tests at Vandenberg Air Force Base, California, before October 1, 2014; and

(ii) the Commander of the United States Northern Command has full confidence in the homeland missile defense system; and

(B) submits to such committees justification with respect to the national security requirement for expanding the ground-based missile defense site located at Fort Greely, Alaska, from 30 ground-based interceptors to 44 ground-based interceptors.

(2) PURPOSES DESCRIBED.—The purposes described in this paragraph are the following:

(A) Advance procurement of 14 ground-based interceptor rocket motor sets.

(B) The missile refurbishment project at Missile Field 1 at Fort Greely, Alaska.

(C) The mechanical-electrical building at such Missile Field.

(b) ANNUAL CERTIFICATIONS.—The Secretary shall annually submit to the congressional defense committees a certification of whether—

(1) the ground-based midcourse defense system has performed at least two successful intercept tests at Vandenberg Air Force Base, California; and

(2) the Commander of the United States Northern Command has full confidence in the homeland missile defense system.

24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GRAYSON (FL) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Beginning on page 270, strike line 23 and all that follows through page 271, line 2.

Page 270, line 22, after “State” insert “, the District of Columbia, Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.”

25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCCOLLUM (MN) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 5 ____ . PROHIBITION ON ARMY NATIONAL GUARD SPONSORSHIPS OF PROFESSIONAL WRESTLING ENTERTAINMENT OR MOTOR SPORTS.

Section 503(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) Recruiting and advertising campaigns authorized by paragraphs (1) and (2) or by any other provision of law, including section 561(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–129; 10 U.S.C. 503 note), for the purposes of branding or marketing of, or promoting enlistment in, the Army National Guard may not include payments for professional wrestling entertainment sponsorships or motor sports sponsorships. Nothing in this paragraph shall be construed to prohibit recruiters from making direct, personal contact with secondary school students and other prospective recruits.”

26. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BILIRAKIS (FL) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 6 ____ . TRANSPORTATION ON MILITARY AIRCRAFT ON A SPACE-AVAILABLE BASIS FOR DISABLED VETERANS WITH A SERVICE-CONNECTED, PERMANENT DISABILITY RATED AS TOTAL.

(a) AVAILABILITY OF TRANSPORTATION.—Section 2641b of title 10, United States Code, as amended by section 622 of National Defense Authorization Act for Fiscal Year 2013, is further amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

“(f) SPECIAL PRIORITY FOR CERTAIN DISABLED VETERANS.—(1) The Secretary of Defense shall provide, at no additional cost to the Department of Defense and with no aircraft modification, transportation on scheduled and unscheduled military flights within the continental United States and on scheduled overseas flights operated by the Air Mobility Command on a space-available basis for any veteran with a service-connected, permanent disability rated as total.

“(2) Notwithstanding subsection (d)(1), in establishing space-available transportation priorities under the travel program, the Secretary shall provide transportation under paragraph (1) on the same basis as such transportation is provided to members of the armed forces entitled to retired or retainer pay.

“(3) The requirement to provide transportation on Department of Defense aircraft on a space-available basis on the priority basis described in paragraph (2) to veterans covered 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 those terms in section 101 of title 38.”.

(b) EFFECTIVE DATE.—Subsection (f) of section 2641b of title 10, United States Code, as added by subsection (a), shall take effect at the end of the 90-day period beginning on the date of the enactment of this Act.

27. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LARSON, JOHN (CT) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 299, after the matter following line 23, insert the following:

SEC. 703. BEHAVIORAL HEALTH TREATMENT OF DEVELOPMENTAL DISABILITIES UNDER TRICARE.

(a) IN GENERAL.—Section 1077 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(g)(1) Subject to paragraph (3)(A), in providing health care under subsection (a), the treatment of developmental disabilities (as defined by section 102(8) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002(8))), including autism spectrum disorder, shall include behavioral health treatment, including applied behavior analysis, when prescribed by a physician.

“(2) In carrying out this subsection, the Secretary shall ensure that—

“(A) except as provided by subparagraph (B), a person who is authorized to provide behavioral health treatment is licensed

or certified by a State or accredited national certification board; and

“(B) applied behavior analysis or other behavioral health treatment may be provided by an employee, contractor, or trainee of a person described in subparagraph (A) if the employee, contractor, or trainee meets minimum qualifications, training, and supervision requirements as set forth by the Secretary.

“(3)(A) This subsection shall not apply to—

“(i) a medicare eligible beneficiary (as defined in section 1111(b) of this title); or

“(ii) a covered beneficiary who is a beneficiary by reason of being a retired member of the Coast Guard, the Commissioned Corp of the National Oceanic and Atmospheric Administration, or the Commissioned Corp of the Public Health Service, or by being a dependent of such a retired member.

“(B) Except as provided in subparagraph (A), nothing in this subsection shall be construed as limiting or otherwise affecting the benefits otherwise provided to a covered beneficiary under—

“(i) this chapter;

“(ii) title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); or

“(iii) any other law.”.

(b) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1406 for the Defense Health Program, as specified in the corresponding funding table in section 4501, for Private Sector Care is hereby increased by \$60,000,000.

(2) 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 4301, for the Office of the Secretary of Defense (Line 280) is hereby reduced by \$60,000,000.

28. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROYCE
(CA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 12 . AUTHORITY TO ADVISE AND ASSIST HOST NATION GAME AND WILDLIFE AND LAW ENFORCEMENT AGENCIES TO SUPPRESS THE ILLICIT WILDLIFE TRADE IN AFRICA.

(a) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to advise and assist host nation game and wildlife, law enforcement, and other appropriate agencies to suppress the illicit wildlife trade in Africa.

(b) REPORT.—Not later than March 31, 2014, and annually thereafter for each of the following 4 years, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and Foreign Affairs of the House of Representatives a report on the implementation of this section.

(c) TERMINATION.—The authority of subsection (a) shall expire on September 30, 2018.

29. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RIGELL (VA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 317, line 20, strike “and” at the end.

Page 317, line 23, strike the period at the end and insert a semicolon.

Page 317, insert after line 23 the following new paragraphs:

- (3) by striking subsection (c);
- (4) by redesignating subsection (d) as subsection (c); and
- (5) by striking paragraphs (2) and (3) of subsection (c) (as so redesignated) and redesignating paragraph (4) as paragraph (2).

30. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GRAYSON (FL) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 833. REPORT ON PROCUREMENT SUPPLY CHAIN VULNERABILITIES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on how sole source suppliers of components to the Department of Defense procurement supply chain create vulnerabilities to military attack, terrorism, natural disaster, industrial shock, financial crisis, or geopolitical crisis, such as an embargo of key raw materials or industrial inputs.

(b) MATTERS COVERED.—The report required by subsection (a) shall include, at a minimum, the following:

- (1) A list of the components in the Department of Defense procurement supply chain for which there is a supplier that controls over 50 percent of the global market.
- (2) A list of parts of the supply chain where there is inadequate information to ascertain whether there is a single source supplier of components.
- (3) The Secretary’s recommendations on which single source suppliers create vulnerabilities, as well recommendations on how to reduce those vulnerabilities.

(c) FORM OF REPORT.—The report required by subsection (a) may be classified.

31. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE YOUNG (AK) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 833. REVISIONS TO REQUIREMENTS RELATING TO JUSTIFICATION AND APPROVAL OF SOLE-SOURCE DEFENSE CONTRACTS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall modify the provisions of the De-

partment of Defense Supplement to the Federal Acquisition Regulation that implement section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2401) to clarify that the authority of the head of an agency (as defined in section 811(c)(2)(A) of such section) to make an award pursuant to such section is delegable.

32. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NOLAN (MN) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 10 . ACROSS-THE-BOARD FUNDING REDUCTION.

Notwithstanding the amounts set forth in the funding tables in division D, the total amount authorized to be appropriated in this Act is hereby reduced by 9.4 percent.

33. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COOPER (TN) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 425, after line 23, insert the following:

SEC. 1060. NEW START TREATY FUNDING.

(a) REDUCTION.—Notwithstanding the amounts set forth in the funding tables in division D—

(1) the amount authorized to be appropriated in section 201, as specified in the corresponding funding table in section 4201, for research, development, test, and evaluation, defense-wide, Space Programs and Technology, is decreased by \$50,000,000; and

(2) the amount authorized to be appropriated in section 301, as specified in the corresponding funding table in section 4301, for operation and maintenance, defense-wide, Office of the Secretary of Defense is decreased by \$20,491,000.

(b) INCREASES.—Notwithstanding the amounts set forth in the funding tables in division D:

(1) The amount authorized to be appropriated in section 101, as specified in the corresponding funding table in section 4101, for procurement is increased as follows:

(A) Weapons Procurement, Navy, Trident II Modifications by \$14,100,000.

(B) Other Procurement, Navy, Strategic Missiles System Equipment by \$25,919,000.

(C) Other Procurement, Navy, Spares and repair Parts by \$275,000.

(D) Aircraft Procurement, Air Force, B52 by \$500,000.

(2) The amount authorized to be appropriated in section 201, as specified in the corresponding funding table in section 4201, for Missile Procurement, Air Force, Initial Spares/Repair Parts is increased by \$703,000.

(3) The amount authorized to be appropriated in section 301, as specified in the corresponding funding table in section 4301, for operation and maintenance is increased as follows:

(A) Combat Communications by \$9,594,000.

(B) Depot Maintenance by \$4,000,000.

(C) Other Service-wide Activities by \$15,400,000.

34. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CUELLAR (TX) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. ____ . UNMANNED AIRCRAFT JOINT TRAINING AND USAGE PLAN.

(a) **METHODS.**—The Secretary of Defense, the Secretary of Homeland Security, and the Administrator of the Federal Aviation Administration jointly shall develop and implement plans and procedures to review the potential of joint testing and evaluation of unmanned aircraft equipment and systems with other appropriate departments and agencies of the Federal Government that may serve the dual purpose of providing capabilities to the Department of Defense to meet the future requirements of combatant commanders and domestically to strengthen international border security.

(b) **REPORT.**—Not later than 270 days after date of the enactment of this Act, the Secretary of Defense, the Secretary of Homeland Security, and the Administrator of the Federal Aviation Administration shall jointly submit to Congress a report on the status of the development of the plans and procedures required under subsection (a), including a cost benefit analysis of the shared expenses between the Department of Defense and other appropriate departments and agencies of the Federal Government to support such plans.

35. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCCAUL (TX) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle I of title X, add the following:

SEC. 1090. TRANSFER OR LOAN OF EQUIPMENT TO THE DEPARTMENT OF HOMELAND SECURITY RELATING TO BORDER SECURITY.

The Secretary of Defense may coordinate with the Secretary of Homeland Security to identify and provide for the transfer or long-term loan to the Department of Homeland Security of equipment the Secretary of Defense determines to be excess and the Secretary of Homeland Security determines to be appropriate in order to increase situational awareness and achieve operational control of the international borders of the United States.

36. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GIBSON (NY) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Strike section 1251.

37. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COFFMAN (CO) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

After section 1256, insert the following new section (and redesignate subsequent sections accordingly):

SEC. 1257. REMOVAL OF BRIGADE COMBAT TEAMS FROM EUROPE.

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

(b) REMOVAL REQUIRED.—The President shall end the permanent basing of the 2nd Cavalry Regiment (2CR) in Vilseck, Germany and return that Brigade Combat Team currently stationed in Europe to the United States, without permanent replacement, leaving one Brigade Combat Team and one Combat Aviation Brigade.

(c) USE OF ROTATIONAL FORCES TO SATISFY SECURITY NEEDS.—It is the policy of the United States that the deployment of units of the United States Armed Forces on a rotational basis at military installations in European member nations of the North Atlantic Treaty Organization pursuant to the Army Force Generation (ARFORGEN) process is a force-structure arrangement sufficient to permit the United States—

(1) to satisfy the commitments undertaken by United States pursuant to Article 5 of the North Atlantic Treaty, signed at Washington, District of Columbia, on April 4, 1949, and entered into force on August 24, 1949 (63 Stat. 2241; TIAS 1964);

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

(3) to contribute to peace and stability in Europe.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed so as to require the removal of Landstuhl Regional Medical Center or to prohibit the utilization of the 82nd Airborne's Division Readiness Brigade, Marine Corps Fleet Anti-Terrorism Security Teams, Marine Corps Special-Purpose Marine Air-Ground Task Forces, Marine Corps expeditionary units, Special Operations Command forces, or other quick-response forces to respond to threats in Europe and in the vicinity of the U.S. European Command (EUCOM) area.

38. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BENTIVOLIO (MI) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title XII, add the following:

SEC. 1259. SENSE OF CONGRESS REGARDING RELATIONS WITH TAIWAN.

It is the sense of Congress that the United States should—

(1) allow all high-level officials of Taiwan to enter into the United States or its embassies and consulates under conditions which demonstrate appropriate respect for the dignity of such leaders;

(2) allow meetings between all high-level Taiwan and United States officials in United States executive departments;

(3) allow the Taipei Economic and Cultural Representative Office and all other instrumentalities established in the United States by Taiwan to conduct business activities, including activities which involve participation by Members of Congress and other representatives of Federal, State, and local govern-

ments, and all high-level Taiwan officials, without obstruction from the United States Government or any foreign power; and

(4) adopt a policy of allowing high-ranking Taiwan leaders to make official visits with high-ranking officials of the United States, including official visits by Taiwan's democratically elected president, and allowing for visits between these officials in Washington, D.C.

39. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE VAN HOLLEN (MD) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 563, after line 11, insert the following:

SEC. 1510. FUNDING LEVELS AS REQUESTED IN PRESIDENT'S BUDGET.

(a) REDUCTIONS.—Notwithstanding the amounts set forth in the funding tables in division D, the amounts authorized to be appropriated in this subtitle, as specified in the corresponding funding tables in sections 4102, 4202, 4302, 4402, and 4502, for additional funds for overseas contingency operations are hereby reduced by a total of \$5,043,828,000.

(b) DEFICIT REDUCTION.—The amount reduced under subsection (a) shall not be available for any purpose other than deficit reduction.

40. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DUCKWORTH (IL) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 582, insert after line 25 the following (and conform the table of contents accordingly):

SEC. 1607. REPORTING ON GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.

Subsection (h) of section 15 of the Small Business Act (15 U.S.C. 644) is amended to read as follows:

“(h) REPORTING ON GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.—

“(1) AGENCY REPORTS.—At the conclusion of each fiscal year, the head of each Federal agency shall submit to the Administrator a report describing—

“(A) the extent of the participation by small business concerns, small business concerns owned and controlled by veterans (including service-disabled veterans), qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women in the procurement contracts of such agency during such fiscal year;

“(B) whether the agency achieved the goals established for the agency under subsection (g)(2) with respect to such fiscal year;

“(C) any justifications for a failure to achieve such goals; and

“(D) a remediation plan with proposed new practices to better meet such goals, including analysis of factors leading to any failure to achieve such goals.

“(2) REPORTS BY ADMINISTRATOR.—Not later than 60 days after receiving a report from each Federal agency under paragraph (1) with respect to a fiscal year, the Administrator shall submit to the President and Congress, and to make available on a public Web site, an annual report that includes—

“(A) a copy of each report submitted to the Administrator under paragraph (1);

“(B) a determination of whether each goal established by the President under subsection (g)(1) for such fiscal year was achieved;

“(C) a determination of whether each goal established by the head of a Federal agency under subsection (g)(2) for such fiscal year was achieved;

“(D) the reasons for any failure to achieve a goal established under paragraph (1) or (2) of subsection (g) for such fiscal year and a description of actions planned by the applicable agency to address such failure, including the Administrator’s comments and recommendations on the proposed remediation plan; and

“(E) for the Federal Government and each Federal agency, an analysis of the number and dollar amount of prime contracts awarded during such fiscal year to—

“(i) small business concerns—

“(I) in the aggregate;

“(II) through sole source contracts;

“(III) through competitions restricted to small business concerns; and

“(IV) through unrestricted competition;

“(ii) small business concerns owned and controlled by service-disabled veterans—

“(I) in the aggregate;

“(II) through sole source contracts;

“(III) through competitions restricted to small business concerns;

“(IV) through competitions restricted to small business concerns owned and controlled by service-disabled veterans; and

“(V) through unrestricted competition;

“(iii) qualified HUBZone small business concerns—

“(I) in the aggregate;

“(II) through sole source contracts;

“(III) through competitions restricted to small business concerns;

“(IV) through competitions restricted to qualified HUBZone small business concerns;

“(V) through unrestricted competition where a price evaluation preference was used; and

“(VI) through unrestricted competition where a price evaluation preference was not used;

“(iv) small business concerns owned and controlled by socially and economically disadvantaged individuals—

“(I) in the aggregate;

“(II) through sole source contracts;

- “(III) through competitions restricted to small business concerns;
- “(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals;
- “(V) through unrestricted competition; and
- “(VI) by reason of that concern’s certification as a small business owned and controlled by socially and economically disadvantaged individuals;
- “(v) small business concerns owned by an Indian tribe (as such term is defined in section 8(a)(13)) other than an Alaska Native Corporation—
 - “(I) in the aggregate;
 - “(II) through sole source contracts;
 - “(III) through competitions restricted to small business concerns;
 - “(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals; and
 - “(V) through unrestricted competition;
- “(vi) small business concerns owned by a Native Hawaiian Organization—
 - “(I) in the aggregate;
 - “(II) through sole source contracts;
 - “(III) through competitions restricted to small business concerns;
 - “(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals; and
 - “(V) through unrestricted competition;
- “(vii) small business concerns owned by an Alaska Native Corporation—
 - “(I) in the aggregate;
 - “(II) through sole source contracts;
 - “(III) through competitions restricted to small business concerns;
 - “(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals; and
 - “(V) through unrestricted competition; and
- “(viii) small business concerns owned and controlled by women—
 - “(I) in the aggregate;
 - “(II) through competitions restricted to small business concerns;
 - “(III) through competitions restricted using the authority under section 8(m)(2);
 - “(IV) through competitions restricted using the authority under section 8(m)(2) and in which the waiver authority under section 8(m)(3) was used; and
 - “(V) through unrestricted competition; and

“(F) for the Federal Government, the number, dollar amount, and distribution with respect to the North American Industry Classification System of subcontracts awarded during such fiscal year to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women, provided that such information is publicly available through data systems developed pursuant to the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282), or otherwise available as provided in paragraph (3).

“(3) ACCESS TO DATA.—

“(A) FEDERAL PROCUREMENT DATA SYSTEM.—To assist in the implementation of this section, the Administration shall have access to information collected through the Federal Procurement Data System, Federal Subcontracting Reporting System, or any new or successor system.

“(B) AGENCY PROCUREMENT DATA SOURCES.—To assist in the implementation of this section, the head of each contracting agency shall provide, upon request of the Administration, procurement information collected through agency data collection sources in existence at the time of the request. Contracting agencies shall not be required to establish new data collection systems to provide such data.”

41. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MURPHY, PATRICK (FL) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 28 ____ . REPORT ON UTILIZATION OF DEPARTMENT OF DEFENSE REAL PROPERTY.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the utilization of real property across the Department of Defense.

(b) **ELEMENTS OF REPORT.**—The report required by subsection (a) shall describe the following:

(1) The strategy of the Department of Defense for maximizing utilization of existing facilities, progress implementing this strategy, and obstacles to implementing this strategy.

(2) The efforts of the Department of Defense to systematically collect, process, and analyze data on real property utilization to aid in the planning and implementation of the strategy referred to in paragraph (1).

(3) The number of underutilized Department facilities, to be defined as facilities rated less than 66 percent utilization, and unutilized Department facilities, to be defined as facilities rated at zero percent utilization, in the Real Property Inventory Database of the Department of Defense.

(4) The annual cost of maintaining and improving such underutilized and unutilized Department facilities.

(5) The efforts of the Department of Defense to dispose of underutilized and unutilized facilities.

(c) CLASSIFIED ANNEX.—The report required by subsection (a) may include a classified annex if necessary to fully describe the matters required by subsection (b).

42. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCCAUL (TX) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle I of title X, add the following:

SEC. 1090. TRANSFER TO THE DEPARTMENT OF HOMELAND SECURITY OF THE TETHERED AEROSTAT RADAR SYSTEM.

Notwithstanding any other provision of law, not later than September 30, 2013, the Secretary of Defense is authorized to transfer to the Secretary of Homeland Security, and the Secretary of Homeland Security is authorized to accept from the Secretary of Defense, full contract ownership and management responsibilities for the existing Tethered Aerostat Radar System (TARS) program and contracts. Neither the Department of Defense nor the Department of Homeland Security shall be required to reimburse the other agency for any services under the TARS program.

43. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LAMBORN (CO) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 59, after line 12, insert the following:

SEC. 225. LIMITATION ON AVAILABILITY OF FUNDS FOR SPACE-BASED INFRARED SYSTEMS SPACE PROGRAM.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense, not more than 50 percent may be obligated or expended for the space-based infrared systems space modernization initiative wide-field-of-view testbed until the Executive Agent for Space of the Department of Defense certifies to the congressional defense committees that the Secretary of Defense is carrying out the Operationally Responsive Space Program Office in accordance with section 2273a of title 10, United States Code.

44. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HOLT (NJ) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle D of title II, insert the following:

SEC. 255. REPORT ON SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS SCHOLARSHIP PROGRAM.

Not later than 60 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that assesses whether the Science, Mathematics and Research for Transformation (SMART) scholarship program, or related scholarship or fellowship programs within the Department of Defense, are providing the necessary number of undergraduate and graduate students in the fields of science, technology,

engineer, and mathematics to meet the recommendations contained in the report of the Commission on Research and Development in the United States Intelligence Community, as well as recommendation for how SMART and similar program might be improved to better satisfy those recommendations.

45. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HUDSON (NC) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title II, add the following:

SEC. 2 ____ . CANINES AS STAND-OFF DETECTION OF EXPLOSIVES AND EXPLOSIVE PRECURSORS.

Not later than 90 days after the date of enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall provide to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report that—

(1) describes how the Department of Defense intends to maintain the capability and infrastructure required to support canines as stand-off detection of explosives and explosive precursors;

(2) specifies the appropriate office to oversee the acquisition process, research and development, technology advancement, testing and evaluation, and production and procurement with respect to canines as stand-off detection of explosives and explosive precursors;

(3) specifies the plan to sustain and enhance the partnerships and relationships of the Department of Defense with service laboratories, private sector companies, and academic institutions to ensure that the latest data and information regarding canine capabilities are distributed throughout the Department and other Federal agencies that could benefit from such information; and

(4) specifies any technologies capable of replacing the canine as a stand-off detection capability during the next 2 years.

46. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BACHMANN (MN) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 93, after line 18, insert the following:

SEC. 302. AUTHORIZATION OF APPROPRIATIONS FOR MARINE SECURITY GUARD.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for Operation and Maintenance, as specified in the corresponding funding table in section 4301, for Marine Security Guard is hereby increased by \$13,400,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for Operation and Maintenance, Army, as specified in the corresponding funding table in section 4301, is hereby reduced by \$13,400,000, to be derived from the Maneuver Units.

47. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BACHMANN (MN) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 93, after line 18, insert the following:

SEC. 302. AUTHORIZATION OF APPROPRIATIONS FOR CRISIS RESPONSE FORCE.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for Operation and Maintenance, as specified in the corresponding funding table in section 4301, for the Crisis Response Force is hereby increased by \$10,600,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for Operation and Maintenance, Army, as specified in the corresponding funding table in section 4301, is hereby reduced by \$10,600,000, to be derived from the Maneuver Units.

48. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROWNLEY (CA) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 3 __. MILITARY READINESS AND SOUTHERN SEA OTTER CONSERVATION.

(a) ESTABLISHMENT OF THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—Chapter 631 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 7235. Establishment of the Southern Sea Otter Military Readiness Areas

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

“(1) The area that includes Naval Base Ventura County, San Nicolas Island, and Begg Rock and the adjacent and surrounding waters within the following coordinates:

“N. Latitude/W. Longitude

“33°27.8’/119°34.3’

“33°20.5’/119°15.5’

“33°13.5’/119°11.8’

“33°06.5’/119°15.3’

“33°02.8’/119°26.8’

“33°08.8’/119°46.3’

“33°17.2’/119°56.9’

“33°30.9’/119°54.2’;

“(2) That area that includes Naval Base Coronado, San Clemente Island and the adjacent and surrounding waters running parallel to shore to 3 nautical miles from the high tide line designated by 33 C.F.R. part 165 on May 20, 2010, as the San Clemente Island 3NM Safety Zone.

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

“(1) INCIDENTAL TAKINGS UNDER ENDANGERED SPECIES ACT OF 1973.—Sections 4 and 9 of the Endangered Species Act of

1973 (16 U.S.C. 1533, 1538) shall not apply with respect to the incidental taking of any southern sea otter in the Southern Sea Otter Military Readiness Areas in the course of conducting a military readiness activity.

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

“(3) TREATMENT AS SPECIES PROPOSED TO BE LISTED.—For purposes of any military readiness activity, any southern sea otter while within the Southern Sea Otter Military Readiness Areas shall be treated for the purposes of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) as a member of a species that is proposed to be listed as an endangered species or a threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

“(c) REMOVAL.—Nothing in this section or any other Federal law shall be construed to require that any southern sea otter located within the Southern Sea Otter Military Readiness Areas as of the effective date of this section or thereafter be removed from the Areas.

“(d) REVISION OR TERMINATION OF EXCEPTIONS.—The Secretary of the Interior may revise or terminate the application of subsection (b) if the Secretary, in consultation with the Secretary of the Navy, determines that military activities authorized under subsection (b) are impeding southern sea otter conservation or the return of southern sea otters to optimum sustainable population levels.

“(e) MONITORING.—

“(1) IN GENERAL.—The Secretary of the Navy shall conduct monitoring and research within the Southern Sea Otter Military Readiness Areas to determine the effects of military readiness activities on the growth or decline of the sea otter population and on the near-shore eco-system. Monitoring and research parameters and methods shall be determined in consultation with the service.

“(2) REPORTS.—Within 24 months after the effective date of this section and every three years thereafter, the Secretary of the Navy shall report to Congress and the public on monitoring undertaken pursuant to paragraph (1).

“(f) DEFINITIONS.—In this section:

“(1) INCIDENTAL TAKING.—The term ‘incidental taking’ means any take of a southern sea otter that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

“(2) OPTIMUM SUSTAINABLE POPULATION.—The term ‘optimum sustainable population’ means, with respect to any population stock, the number of animals that will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element.

“(3) SOUTHERN SEA OTTER.—The term ‘southern sea otter’ means any member of the subspecies *Enhydra lutris nereis*.

“(4) TAKE.—The term ‘take’—

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

“(B) when used in reference to activities subject to regulation by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1423h), shall have the meaning given such term in that statute.

“(5) **MILITARY READINESS ACTIVITY.**—The term ‘military readiness activity’ has the meaning given that term in section 315(f) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2509; 16 U.S.C. 703 note), and includes all training and operations of the Armed Forces that relate to combat, and the adequate and realistic testing of military equipment, vehicles, weapons, and sensors for proper operation and suitability for combat use.”.

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

“7235. Establishment of the Southern Sea Otter Military Readiness Areas.”.

(c) **CONFORMING AMENDMENT.**—Section 1 of Public Law 99–625 (16 U.S.C. 1536 note) is repealed.

49. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE (TX) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 106, after line 8, insert the following:

SEC. 324. ASSESSMENT OF OUTREACH FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN AND MINORITIES REQUIRED BEFORE CONVERSION OF CERTAIN FUNCTIONS TO CONTRACTOR PERFORMANCE.

No Department of Defense function that is performed by Department of Defense civilian employees and is tied to a certain military base may be converted to performance by a contractor until the Secretary of Defense conducts an assessment to determine if the Department of Defense has carried out sufficient outreach programs to assist small business concerns owned and controlled by women (as such term is defined in section 8(d)(3)(D) of the Small Business Act) and small business concerns owned and controlled by socially and economically disadvantaged individuals (as such term is defined in section 8(d)(3)(C) of the Small Business Act) that are located in the geographic area near the military base.

50. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKEON (CA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 136, after line 24, insert the following:

SEC. 1065. DESIGNATION OF STATE STUDENT CADET CORPS AS DEPARTMENT OF DEFENSE YOUTH ORGANIZATIONS.

Section 508(d) of title 32, United States Code, is amended—

- (1) by redesignating paragraph (14) as paragraph (15); and
- (2) by inserting after paragraph (13) the following new paragraph (14):

“(14) Any State student cadet corps authorized under State law.”.

51. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HECK,
DENNY (WA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 170, after line 4, insert the following:

**SEC. 530F. PROOF OF PERIOD OF MILITARY SERVICE FOR PURPOSES
OF INTEREST RATE LIMITATION UNDER THE
SERVICEMEMBERS CIVIL RELIEF ACT.**

Section 207(b)(1) of the Servicemembers Civil Relief Act (50 U.S.C. App 527(b)(1)) is amended by inserting after “calling the servicemember to military service” the following: “, or other appropriate indicator of military service, including a certified letter from a commanding officer or information from the Defense Manpower Database Center.”.

52. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KLINE
(MN) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 5 . POLICY ON MILITARY RECRUITMENT AND ENLISTMENT OF
GRADUATES OF SECONDARY SCHOOLS.**

(a) **CONDITIONS ON USE OF TEST, ASSESSMENT, OR SCREENING TOOLS.**—In the case of any test, assessment, or screening tool utilized under the policy on recruitment and enlistment required by subsection (b) of section 532 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1403; 10 U.S.C. 503 note) for the purpose of identifying persons for recruitment and enlistment in the Armed Forces, the Secretary of Defense shall—

(1) implement a means for ensuring that graduates of a secondary school (as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)), including all persons described in subsection (a)(2) of section 532 of the National Defense Authorization Act for Fiscal Year 2012, are required to meet the same standard on the test, assessment, or screening tool; and

(2) use uniform testing requirements and grading standards.

(b) **RULE OF CONSTRUCTION.**—Nothing in section 532(b) of the National Defense Authorization Act for Fiscal Year 2012 or this section shall be construed to permit the Secretary of Defense or the Secretary of a military department to create or use a different grading standard on any test, assessment, or screening tool utilized for the purpose of identifying graduates of a secondary school (as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)), including all persons described in subsection (a)(2) of section 532 of the National Defense Authorization Act for Fiscal Year 2012, for recruitment and enlistment in the Armed Forces.

53. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WALZ
(MN) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 5 COMPTROLLER GENERAL REPORT ON USE OF DETERMINATION OF PERSONALITY DISORDER OR ADJUSTMENT DISORDER AS BASIS TO SEPARATE MEMBERS FROM THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report evaluating—

(1) the use by the Secretaries of the military departments, since January 1, 2007, of the authority to separate members of the Armed Forces from the Armed Forces due of unfitness for duty because of a mental condition not amounting to disability, including separation on the basis of a personality disorder or adjustment disorder and the total number of members separated on such basis;

(2) the extent to which the Secretaries failed to comply with regulatory requirements in separating members of the Armed Forces on the basis of a personality or adjustment disorder; and

(3) the impact of such a separation on the ability of veterans so separated to access service-connected disability compensation, disability severance pay, and disability retirement pay.

54. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON
LEE (TX) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 223, after line 23, insert the following new section:

SEC. 550A. ENHANCEMENT TO REQUIREMENTS FOR AVAILABILITY OF INFORMATION ON SEXUAL ASSAULT PREVENTION AND RESPONSE RESOURCES.

(a) **REQUIRED POSTING OF INFORMATION ON SEXUAL ASSAULT PREVENTION AND RESPONSE RESOURCES.**—

(1) **POSTING.**—The Secretary of Defense shall require that there be prominently posted, in accordance with paragraph (2), notice of the following information relating to sexual assault prevention and response, in a form designed to ensure visibility and understanding:

(A) Resource information for members of the Armed Forces, military dependents, and civilian personnel of the Department of Defense with respect to prevention of sexual assault and reporting of incidents of sexual assault.

(B) Contact information for personnel who are designated as Sexual Assault Response Coordinators and Sexual Assault Victim Advocates.

(C) The Department of Defense “hotline” telephone number, referred to as the Safe Helpline, for reporting incidents of sexual assault, or any successor operation.

(2) **POSTING PLACEMENT.**—Posting under subsection (a) shall be at the following locations, to the extent practicable:

(A) Any Department of Defense duty facility.

(B) Any Department of Defense dining facility.

(C) Any Department of Defense multi-unit residential facility.

(D) Any Department of Defense health care facility.

(E) Any Department of Defense commissary or exchange.

(F) Any Department of Defense Community Service Agency.

(G) Any Department of Defense website.

(b) NOTICE TO VICTIMS OF AVAILABLE ASSISTANCE.—The Secretary of Defense shall require that procedures in the Department of Defense for responding to a complaint or allegation of sexual assault submitted by or against a member of the Armed Forces include prompt notice to the person making the complaint or allegation of the forms of assistance available to that person from the Department of Defense and, to the extent known to the Secretary, through other departments and agencies, including State and local agencies, and other sources.

55. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE VELÁZQUEZ (NY) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 5 . MILITARY HAZING PREVENTION OVERSIGHT PANEL.

(a) ESTABLISHMENT.—There is established a panel to be known as the Military Hazing Prevention Oversight Panel (in this section referred to as the “Panel”).

(b) MEMBERSHIP.—The Panel shall be composed of the following members:

(1) The Secretary of the Army or the Secretary’s designee.

(2) The Secretary of the Navy or the Secretary’s designee.

(3) The Secretary of the Air Force or the Secretary’s designee.

(4) The Secretary of Homeland Security (with respect to the Coast Guard) or the Secretary’s designee.

(5) Members appointed by the Secretary of Defense from among individuals who are not officers or employees of any government and who have expertise in advocating for—

(A) women;

(B) racial or ethnic minorities;

(C) religious minorities; or

(D) gay, lesbian, bisexual, or transgender individuals.

(c) DUTIES.—The Panel shall—

(1) make recommendations to the Secretary concerned (as defined in section 101(a)(9) of title 10, United States Code) on the development of the policies, programs, and procedures to prevent and respond to hazing in the Armed Forces; and

(2) monitor any policies, programs, and procedures in place to prevent and respond to hazing in the Armed Forces and make recommendations to the Secretary concerned on ways to improve such policies, programs, and procedures.

(d) INITIAL MEETING.—Not later than 180 days after the date of the enactment of this Act, the Panel shall hold its initial meeting.

(e) MEETINGS.—The Panel shall meet not less than annually.

56. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LOWEY
(NY) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle D of title V, add the following:

**SEC. 550A. PREVENTION OF SEXUAL ASSAULT AT MILITARY SERVICE
ACADEMIES.**

The Secretary of Defense shall ensure that each of the military service academies adds a section in the ethics curricula of such academies that outlines honor, respect, and character development as such pertain to the issue of preventing sexual assault in the Armed Forces. Such curricula shall include a brief history of the problem of sexual assault in the Armed Forces, a definition of sexual assault, information relating to reporting a sexual assault, victims' rights, and dismissal and dishonorable discharge for offenders. Such ethics training shall be provided within 60 days after the initial arrival of a new cadet or midshipman at a military services academy and repeated in annual ethics training requirements.

57. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PINGREE
(ME) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle D of title V of the bill, add the following:

**SEC. 550A. ENSURING AWARENESS OF POLICY TO INSTRUCT VICTIMS
OF SEXUAL ASSAULT SEEKING SECURITY CLEARANCE TO
ANSWER "NO" TO QUESTION 21.**

(a) ENSURING AWARENESS OF POLICY.—The Secretary of Defense shall inform members of the United States Armed Forces of the policy described in subsection (b)—

(1) at the earliest time possible, such as upon enlistment and commissioning; and

(2) during sexual assault awareness training and service member interactions with sexual assault response coordinators.

(b) POLICY DESCRIBED.—The policy described in this subsection is the policy of instructing an individual to answer "no" to question 21 of Standard Form 86 of the Questionnaire for National Security Positions with respect to consultation with a health care professional if—

(1) the individual is a victim of a sexual assault; and

(2) the consultation occurred with respect to an emotional or mental health condition strictly in relation to the sexual assault.

58. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEE (CA)
OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 550A. REPORT ON POLICIES AND REGULATIONS REGARDING
SERVICE MEMBERS LIVING WITH OR AT RISK OF
CONTRACTING HIV.**

(a) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress and make publicly available a report on the use of the Uniform Code of Military Justice, the Manual for Courts-

Martial, and related policies, punitive articles, and regulations with regard to service members living with or at risk of contracting HIV.

(b) CONTENTS.—The report shall include the following:

(1) An assessment of whether the Uniform Code of Military Justice, the Manual for Courts-Martial, and related policies, punitive articles, and regulations are exercised in a way that demonstrates an evidence-based, medically accurate understanding of—

(A) the multiple factors that lead to HIV transmission;

(B) the relative risk of HIV transmission routes;

(C) the associated benefits of treatment and support services for people living with HIV; and

(D) the impact of HIV-specific policies and regulations on public health and on people living with or at risk of contracting HIV.

(2) A review of court-martial decisions in recent years preceding the date of enactment of this Act.

(3) Recommendations for adjustments to the Uniform Code of Military Justice, the Manual for Courts-Martial, and related policies, punitive articles, and regulations, as may be necessary, in order to ensure that policies and regulations regarding service members living with or at risk of contracting HIV are in accordance with a contemporary understanding of HIV transmission routes and associated benefits of treatment.

(c) DEFINITION OF HIV.—In this section, the term “HIV” means infection with the human immunodeficiency virus.

59. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DELAURO (CT) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 5 . ADDITIONAL MODIFICATION OF ANNUAL DEPARTMENT OF DEFENSE REPORTING REQUIREMENTS REGARDING SEXUAL ASSAULTS AND PREVENTION AND RESPONSE PROGRAM.

(a) ADDITIONAL ELEMENTS OF EACH REPORT.—Section 1631(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4433; 10 U.S.C. 1561 note) is amended by adding at the end the following new paragraphs:

“(11) A description of the implementation of the comprehensive policy on the retention of and access to evidence and records relating to sexual assaults involving members of the Armed Forces required to comply with section 586 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1434; 10 U.S.C. 1561 note).

“(12) The policies, procedures, and processes implemented by the Secretary concerned to ensure detailed evidence and records are transmitted to the Department of Veterans Affairs, including medical records of sexual assault victims that accurately and completely describe the physical and emotional injuries resulting from a sexual trauma that occurred during active duty service.”.

(b) APPLICATION OF AMENDMENTS.—The amendment made by this section shall apply beginning with the report regarding sexual assaults involving members of the Armed Forces required to be

submitted by March 1, 2014, under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011.

60. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CUMMINGS (MD) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 232, after line 18, insert the following:

SEC. 555. MORTGAGE PROTECTION FOR MEMBERS OF THE ARMED FORCES, SURVIVING SPOUSES, AND CERTAIN VETERANS AND OTHER IMPROVEMENTS TO THE SERVICEMEMBERS CIVIL RELIEF ACT.

(a) MEMBERS OF THE ARMED FORCES, SURVIVING SPOUSES, AND CERTAIN DISABLED VETERANS.—

(1) IN GENERAL.—Title III of the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) is amended by inserting after section 303A, as added by section 553, the following new section:

“SEC. 303B. MORTGAGES AND TRUST DEEDS OF CERTAIN SERVICEMEMBERS, SURVIVING SPOUSES, AND DISABLED VETERANS.

“(a) MORTGAGE AS SECURITY.—This section applies only to an obligation on real or personal property owned by a covered individual that—

“(1) originated at any time and for which the covered individual is still obligated; and

“(2) is secured by a mortgage, trust deed, or other security in the nature of a mortgage.

“(b) STAY OF PROCEEDINGS.—

“(1) IN GENERAL.—In accordance with subsection (d)(1), in a judicial action pending or in a nonjudicial action commenced during a covered time period to enforce an obligation described in subsection (a), a court—

“(A) may, after a hearing and on its own motion, stay the proceedings until the end of the covered time period; and

“(B) shall, upon application by a covered individual, stay the proceedings until the end of the covered time period.

“(2) OBLIGATION TO STOP PROCEEDINGS.—Upon receipt of notice provided under subsection (d)(1), a mortgagee, trustee, or other creditor seeking to foreclose on real property secured by an obligation covered by this section using any judicial or nonjudicial proceedings shall immediately stop any such proceeding until the end of the covered time period.

“(c) SALE OR FORECLOSURE.—A sale, judicial or nonjudicial foreclosure, or seizure of property for a breach of an obligation described in subsection (a) that is not stayed under subsection (b) shall not be valid during a covered time period except—

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

“(2) if made pursuant to an agreement as provided in section 107.

“(d) NOTICE REQUIRED.—

“(1) IN GENERAL.—To be covered under this section, a covered individual shall provide to the mortgagee, trustee, or other creditor written notice that such individual is so covered.

“(2) MANNER.—Written notice under paragraph (1) may be provided electronically.

“(3) TIME.—Notice provided under paragraph (1) shall be provided during the covered time period.

“(4) CONTENTS.—With respect to a servicemember described in subsection (g)(1)(A), notice shall include—

“(A) a copy of the servicemember’s official military orders, or any notification, certification, or verification from a servicemember’s commanding officer that provides evidence of servicemember’s eligibility for special pay as described in subsection (g)(1)(A); or

“(B) an official notice using a form designed under paragraph (5).

“(5) OFFICIAL FORMS.—

“(A) IN GENERAL.—The Secretary of Defense shall design and distribute an official Department of Defense form that can be used by an individual to give notice under paragraph (1).

“(B) USE OF OFFICIAL FORM NOT REQUIRED.—Failure by any individual to use a form designed or distributed under subparagraph (A) to provide notice shall not make such provision of notice invalid.

“(e) AGGREGATE DURATION.—The aggregate duration for which a covered individual (except a servicemember described in subsection (g)(1)(A)) may be covered under this section is one year.

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

“(g) DEFINITIONS.—In this section:

“(1) COVERED INDIVIDUAL.—The term ‘covered individual’ means the following individuals:

“(A) A servicemember who is or was eligible for hostile fire or imminent danger special pay under section 310 of title 37, United States Code, during a period of military service.

“(B) A servicemember placed on convalescent status, including a servicemember transferred to the temporary disability retired list under section 1202 or 1205 of title 10, United States Code.

“(C) A veteran who was medically discharged and retired under chapter 61 of title 10, United States Code, except for a veteran described in section 1207 of such title.

“(D) A surviving spouse (as defined in section 101(3) of title 38, United States Code, and in accordance with section 103 of such title) of a servicemember who died while in military service if such spouse is the successor in interest to property covered under subsection (a).

“(2) COVERED TIME PERIOD.—The term ‘covered time period’ means the following time periods:

“(A) With respect to a servicemember who is or was eligible for hostile fire or imminent danger special pay under section 310 of title 37, United States Code, during a period of military service, during the period beginning on the first day on which the servicemember is or was eligible for such special pay during such period of military service and ending on the date that is one year after the last day of such period of military service.

“(B) With respect to a servicemember described in paragraph (1)(B), during the one-year period beginning on the date on which the servicemember is placed on convalescent status or transferred to the temporary disability retired list under section 1202 or 1205 of title 10, United States Code.

“(C) With respect to a veteran described in paragraph (1)(C), during the one-year period beginning on the date of the retirement of such veteran.

“(D) With respect to a surviving spouse of a servicemember as described in paragraph (1)(D), during the one-year period beginning on the date on which the spouse receives notice of the death of the servicemember.”.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 303 the following new item:

“Sec. 303B. Mortgages and trust deeds of certain servicemembers, surviving spouses, and disabled veterans.”.

(3) CONFORMING AMENDMENT.—Section 107 of the Servicemembers Civil Relief Act (50 U.S.C. App. 517) is amended by adding at the end the following:

“(e) OTHER INDIVIDUALS.—For purposes of this section, the term ‘servicemember’ includes any covered individual under section 303B.”.

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

“(3) to vindicate the public interest, assess a civil penalty—
“(A) with respect to a violation of section 207, 303, or 303B regarding real property—

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

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

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

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

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

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

(1) by striking “Application by” and inserting “(a) APPLICATION OR RECEIPT.—Application by”; and

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

“(b) ELIGIBILITY.—In addition to the protections under subsection (a), an individual who is entitled to any right or protection provided under this Act may not be denied or refused credit or be subject

to any other action described under paragraphs (1) through (6) of subsection (a) solely by reason of such entitlement.”.

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

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

(2) by inserting after subsection (c) the following new subsection (d):

“(d) LENDING INSTITUTION REQUIREMENTS.—

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

“(2) TOLL-FREE TELEPHONE NUMBER.—During any fiscal year, a lending institution subject to the requirements of this section that had annual assets for the preceding fiscal year of \$10,000,000,000 or more shall maintain a toll-free telephone number and shall make such telephone number available on the primary Internet website of the institution.”.

(e) PENSION FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.—Section 5503(d)(7) of title 38, United States Code, is amended by striking “November 30, 2016” and inserting “March 1, 2017”.

(f) EFFECTIVE DATE.—Section 303B of the Servicemembers Civil Relief Act, as added by subsection (a), and the amendments made by this section (other than the amendment made by subsection (e)), shall take effect on the date that is one year after the date of the enactment of this Act.

61. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LUJAN GRISHAM (NM) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 232, after line 18, insert the following:

SEC. 555. DEPARTMENT OF DEFENSE RECOGNITION OF DEPENDENTS OF MEMBERS OF THE ARMED FORCES WHO SERVE IN COMBAT ZONES.

(a) ESTABLISHMENT AND PRESENTATION OF LAPEL BUTTONS.—Chapter 57 of title 10, United States Code, is amended by inserting after section 1126 the following new section:

“§ 1126b. Dependent-of-a-combat-veteran lapel button: eligibility and presentation

“(a) DESIGN AND ELIGIBILITY.—A lapel button, to be known as the dependent-of-a-combat-veteran lapel button, shall be designed, as approved by the Secretary of Defense, to identify and recognize the dependent of a member of the armed forces who is serving or has served in a combat zone for a period of more than 30 days.

“(b) PRESENTATION.—The Secretary concerned may authorize the use of appropriated funds to procure dependent-of-a-combat-veteran lapel buttons and to provide for their presentation to eligible dependents of members.

“(c) EXCEPTION TO TIME-PERIOD REQUIREMENT.—The 30-day period specified in subsection (a) does not apply if the member is killed or wounded in the combat zone before the expiration the period.

“(d) LICENSE TO MANUFACTURE AND SELL LAPEL BUTTONS.—Section 901(c) of title 36 shall apply with respect to the dependent-of-a-combat-veteran lapel button authorized by this section.

“(e) COMBAT ZONE DEFINED.—In this section, the term ‘combat zone’ has the meaning given that term in section 112(c)(2) of the Internal Revenue Code of 1986.

“(f) REGULATIONS.—The Secretary of Defense shall issue such regulations as may be necessary to carry out this section. The Secretary shall ensure that the regulations are uniform for each armed force to the extent practicable.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1126 the following new item:

“1126b. Dependent-of-a-combat-veteran lapel button: eligibility and presentation.”

62. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BROWNLEY (CA) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 232, after line 18, insert the following:

SEC. 555. TRANSITION OF MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES FROM MILITARY TO CIVILIAN LIFE.

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

(1) Members of the Armed Forces and their families make great sacrifices on behalf of the United States, and, when their active duty service is successfully concluded, members deserve the opportunity to also make a successful transition to the civilian labor force.

(2) When transitioning from active duty in the Armed Forces to civilian employment, members often face barriers that make it difficult to fully utilize the skills and training they gained during their military service.

(3) Members and veterans are too often required to repeat education or training in order to receive industry certifications and State occupational licenses, even though their military training and experience often overlaps with the certification or licensing requirements.

(4) When members are transferred from military assignment to military assignment, their spouses often face barriers to transferring their credentials and to securing employment in their new location.

(5) More than one million members will make the transition to civilian life in the coming years.

(6) The Department of Defense established the Military Credentialing and Licensing Task Force in 2012.

(7) The Joining Forces program, a national initiative to mobilize all sectors of society to give members of the Armed Forces and their families the opportunities and support they have earned, will make it easier for members and their families to transfer skills learned while the member was serving in the Armed Forces to civilian employment.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Federal Government and State governments should make the transition of a member of the Armed Forces and the member's spouse from military to civilian life as seamless as possible by creating opportunities for the member and spouse to earn, while the member is in the Armed Forces, civilian occupational credentials and licenses, with an emphasis on well-paying industries and occupations that have a high demand for skilled workers, including: manufacturing, information technology, transportation and logistics, health care, and emergency medical services;

(2) the Federal Government should assist State governments in translating military training and experience into credit towards professional licensure; and

(3) State governments should streamline approaches for assessing the equivalency of military training and experience, and accelerate occupational licensing processes for members, veterans, and their spouses.

63. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GREEN, GENE (TX) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 243, after line 8, insert the following:

SEC. 568. INTERNET ACCESS FOR MEMBERS OF THE ARMY, NAVY, AIR FORCE, AND MARINE CORPS SERVING IN COMBAT ZONES.

(a) PROVISION OF INTERNET ACCESS REQUIREMENT.—The Secretaries of the military departments shall ensure that members of the Army, Navy, Air Force, and Marine Corps who are deployed in an area for which imminent danger pay or hazardous duty pay is authorized under section 310 or 351 of title 37, United States Code, have reasonable access to the Internet in order to permit the members—

(1) to engage in video-conferencing and other communication with their families and friends; and

(2) to enjoy the educational and recreational capabilities of the Internet via websites approved by the Secretary concerned.

(b) WAIVER AUTHORITY.—The Secretary of a military department may waive the requirement imposed by subsection (a) for an area, or for certain time periods in an area, if the Secretary determines that the security environment of the area does not reasonably allow for recreational Internet use.

(c) NO CHARGE FOR ACCESS AND USE.—Internet access and use shall be provided to members under this section without charge.

(d) EFFECTIVE DATE.—The requirement imposed by subsection (a) shall take effect on January 1, 2014.

64. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ANDREWS (NJ) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 5 ____ . SECRETARY OF DEFENSE REPORT ON FEASIBILITY OF REQUIRING AUTOMATIC OPERATION OF CURRENT PROHIBITION ON ACCRUAL OF INTEREST ON DIRECT STUDENT LOANS OF CERTAIN MEMBERS OF THE ARMED FORCES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, after consultation with relevant Federal agencies, shall submit to Congress a report addressing the following:

- (1) Whether application of the benefits provided under section 455(o) of the Higher Education Act of 1965 (20 U.S.C. 1087e(o)) could occur automatically for members of the Armed Forces eligible for the benefits.
- (2) How the Department of Defense would implement the automatic operation of the current prohibition on the accrual of interest on direct student loans of certain members, including the Federal agencies with which the Department of Defense would coordinate.
- (3) If the Secretary determines that automatic operation is not feasible, an explanation of the reasons for that determination.

65. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BLACKBURN (TN) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle F of title V, insert the following:

SEC. 568. REPORT ON THE TROOPS TO TEACHERS PROGRAM.

Not later than March 1, 2014, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the Troops to Teachers program that includes each of the following:

- (1) An evaluation of whether there is a need to broaden eligibility to allow service members and veterans without a bachelor's degree admission into the program and whether the program can be strengthened.
- (2) An evaluation of whether a pilot program should be established to demonstrate the potential benefit of an institutional based award for troops to teachers, as long as any such pilot maximizes benefits to soldiers and minimizes administrative and other overhead costs at the participating academic institutions.

66. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CULBERSON (TX) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 255, after line 9, insert the following new section:

SEC. 589. REQUIRED GOLD CONTENT FOR MEDAL OF HONOR.

(a) ARMY.—

(1) GOLD CONTENT.—Section 3741 of title 10, United States Code, is amended—

(A) by striking “The President” and inserting “(a) AWARD.—The President”; and

(B) by adding at the end the following new subsection:

“(b) GOLD CONTENT.—The metal content of the Medal of Honor shall be 90 percent gold and 10 percent alloy.”.

- (2) EXCEPTION FOR DUPLICATE MEDAL.—Section 3754 of such title is amended by adding at the end the following new sentence: “Section 3741(b) of this title shall not apply to the issuance of a duplicate Medal of Honor under this section.”.
- (b) NAVY.—
- (1) GOLD CONTENT.—Section 6241 of title 10, United States Code, is amended—
- (A) by striking “The President” and inserting “(a) AWARD.—The President”; and
- (B) by adding at the end the following new subsection: “(b) GOLD CONTENT.—The metal content of the Medal of Honor shall be 90 percent gold and 10 percent alloy.”.
- (2) EXCEPTION FOR DUPLICATE MEDAL.—Section 6256 of such title is amended by adding at the end the following new sentence: “Section 6241(b) of this title shall not apply to the issuance of a duplicate Medal of Honor under this section.”.
- (c) AIR FORCE.—
- (1) GOLD CONTENT.—Section 8741 of title 10, United States Code, is amended—
- (A) by striking “The President” and inserting “(a) AWARD.—The President”; and
- (B) by adding at the end the following new subsection: “(b) GOLD CONTENT.—The metal content of the Medal of Honor shall be 90 percent gold and 10 percent alloy.”.
- (2) EXCEPTION FOR DUPLICATE MEDAL.—Section 8754 of such title is amended by adding at the end the following new sentence: “Section 8741(b) of this title shall not apply to the issuance of a duplicate Medal of Honor under this section.”.
- (d) COAST GUARD.—
- (1) GOLD CONTENT.—Section 491 of title 14, United States Code, is amended—
- (A) by striking “The President” and inserting “(a) AWARD.—The President”; and
- (B) by adding at the end the following new subsection: “(b) GOLD CONTENT.—The metal content of the Medal of Honor shall be 90 percent gold and 10 percent alloy.”.
- (2) EXCEPTION FOR DUPLICATE MEDAL.—Section 504 of such title is amended by adding at the end the following new sentence: “Section 491(b) of this title shall not apply to the issuance of a duplicate Medal of Honor under this section.”.
- (e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to Medals of Honor awarded after the date of the enactment of this Act.

67. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BUSTOS (IL) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle H of title V (page 255, after line 9), insert the following new section:

SEC. 589. 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 submit to the Committee on Armed Services of the House of Representatives a report describing

the Army's review, findings, and actions pertaining to the Medal of Honor nomination of Captain William L. Albracht. The report shall account for all evidence submitted with regard to the case.

68. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HUNTER (CA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 589. CONSIDERATION OF SILVER STAR AWARD NOMINATIONS.

The Secretary of the Army shall consider the nominations for the Silver Star Award, as previously submitted, for retired Master Sergeants Michael McElhiney, Ronnie Raikes, Gilbert Magallanes, and Staff Sergeant Wesley McGirr.

69. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ESTY (CT) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 5 . REPLACEMENT OF MILITARY DECORATIONS.

(a) **PROMPT REPLACEMENT REQUIRED; ANNUAL REPORT.**—Section 1135 of title 10, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (d); and

(2) by inserting after subsection (a) the following new subsections:

“(b) **PROMPT REPLACEMENT REQUIRED.**—When a request for the replacement of a military decoration is received under this section or section 3747, 3751, 6253, 8747, or 8751 of this title, the Secretary concerned shall ensure that—

“(1) all actions to be taken with respect to the request, including verification of the service record of the recipient of the military decoration, are completed within one year; and

“(2) the replacement military decoration is mailed to the person requesting the replacement military decoration within 60 days after verification of the service record.

“(c) **ANNUAL REPORT.**—The Secretary of Defense shall submit to the congressional defense committees an annual report regarding compliance by the military departments with the performance standards imposed by subsection (b). Each report shall include—

“(1) for the one-year period covered by the report—

“(A) the average number of days it took to verify the service record and entitlement of members and former members of the armed forces for replacement military decorations;

“(B) the average number of days between receipt of a request and the date on which the replacement military decoration was mailed; and

“(C) the average number of days between verification of a service record and the date on which the replacement military decoration was mailed; and

“(2) an estimate of the funds necessary for the next fiscal year to meet or exceed such performance standards.”.

(b) **PLAN REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to

the congressional defense committees (as defined in section 101(a)(16) of title 10, United States Code) a plan to implement the amendments made by subsection (a), including an estimate of the funds necessary for fiscal year 2015 to meet or exceed the performance standards imposed by such amendments.

70. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KIND (WI) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 589. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO FIRST LIEUTENANT ALONZO H. CUSHING FOR ACTS OF VALOR DURING THE CIVIL WAR.

(a) **AUTHORIZATION.**—Subject to subsection (c), notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President is authorized and requested to award the Medal of Honor under section 3741 of such title to then First Lieutenant Alonzo H. Cushing for conspicuous acts of gallantry and intrepidity at the risk of life and beyond the call of duty in the Civil War, as described in subsection (b).

(b) **ACTS OF VALOR DESCRIBED.**—The acts of valor referred to in subsection (a) are the actions of then First Lieutenant Alonzo H. Cushing while in command of Battery A, 4th United States Artillery, Army of the Potomac, at Gettysburg, Pennsylvania, on July 3, 1863, during the American Civil War.

(c) **REPORT SUBMISSION.**—Subsection (a) shall take effect upon receipt by the Committees on Armed Services of the Senate and House of Representatives of the report, as required in House Report 112-705, providing information on the process and materials used by review boards for the consideration of Medal of Honor recommendations for acts of heroism that occurred during the Civil War.

71. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKINLEY (WV) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 273, after line 10, insert the following:

SEC. 595. ELECTRONIC 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 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10, United States Code. The tour calculator shall specify early retirement credit authorized for each qualifying tour of active duty, as well as cumulative early reserve retirement credit authorized to date under section 12731(f) of such title.

72. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KIRKPATRICK (AZ) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 273, after line 10, insert the following:

SEC. 595. PROVISION OF SERVICE RECORDS.

(a) **IN GENERAL.**—In accordance with subsection (b), the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall make the covered records of each member of the Armed Forces available to the Secretary of Veterans Affairs in an electronic format.

(b) **TIMELINE.**—The Secretary of Defense shall ensure that the covered records of members are made available to the Secretary of Veterans Affairs as follows:

(1) With respect to a member of the Armed Forces who was discharged or released from the Armed Forces during the period beginning on September 11, 2001, and ending on the day before the date of the enactment of this Act, not later than 120 days after the date of such discharge or release.

(2) With respect to a member of the Armed Forces who is discharged or released from the Armed Forces on or after the date of the enactment of this Act, not later than 90 days after the date of such discharge or release.

(c) **CERTIFICATION.**—For each member of the Armed Forces whose covered records are made available under subsection (a), the Secretary of Defense shall transmit to the Secretary of Veterans Affairs a letter certifying that—

(1) the Secretary of Defense thoroughly reviewed the records of the member;

(2) the information provided in the covered records of such member is complete as of the date of the letter;

(3) no other information that should be included in such covered records exist as of such date; and

(4) if other information is later discovered—

(A) such other information will be added to such covered records; and

(B) the Secretary of Defense will notify the Secretary of Veterans Affairs of such addition.

(d) **SHARING OF PROTECTED HEALTH INFORMATION.**—For purposes of the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note), making medical records available to the Secretary of Veterans Affairs under subsection (a) shall be treated as a permitted disclosure.

(e) **CURRENTLY AVAILABLE RECORDS.**—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall ensure that the covered records of members of the Armed Forces that are available to the Secretary as of the date of the enactment of this Act are made electronically accessible and available in real-time to the Veterans Benefits Administration.

(f) **COVERED RECORDS DEFINED.**—In this section, the term “covered records” means, with respect to a member of the Armed Forces—

(1) service treatment records;

(2) accompanying personal records;

(3) relevant unit records; and

(4) medical records created by reason of treatment or services received pursuant to chapter 55 of title 10, United States Code.

73. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SWALWELL (CA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 273, after line 10, insert the following:

SEC. 595. GIFTS MADE FOR THE BENEFIT OF MILITARY MUSICAL UNITS.

Section 974 of title 10, United States Code, is amended—

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

(2) by inserting after subsection (c) the following:

“(d) **PERFORMANCES FUNDED BY PRIVATE DONATION.**—Notwithstanding section 2601(c) of this title, any gift made to the Secretary of Defense under section 2601 on the condition that such gift be used for the benefit of a military musical unit shall be credited to the appropriation or account providing the funds for such military musical unit. Any amount so credited shall be merged with amounts in the appropriation or account to which credited, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such appropriation or account.”.

74. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BISHOP (NY) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 5 . 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) Commencing August 26, 1946, though late February 1947 the United States Navy Antarctic Developments Program Task Force 68, codenamed “Operation Highjump” initiated and undertook the largest ever-to-this-date exploration of the Antarctic continent.

(2) The primary mission of the 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 train 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. Sennet, and the aircraft carrier the U.S.S. Philippine Sea, brought to the edge of the ice pack to launch (6) Navy ski-equipped, rocket-assisted R4Ds.

(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.

(3) While on a hazardous duty/all volunteer mission vital to the interests of National Security and while over 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 several hours later. Six other crewmen survived including the Captain of the "George 1's" seaplane tender U.S.S. Pine Island.

(4) The bodies of the dead were protected from the desecration of Antarctic scavenging birds (Skuas) by the surviving crew wrapping the bodies and temporarily burying the men under the starboard wing engine nacelle.

(5) Rescue requirements of the "George-1" survivors forced the abandonment of their crewmates' bodies.

(6) Conditions 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 they would recover 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 underwrite the cost of an aerial ground penetrating radar (GPR) survey of the crash site area by NASA.

(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 island.

(13) The crash site is classified as a "perishable site", meaning a glacier that will calve into the Bellingshausen 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 air crewmen 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 repatriated.

(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 military 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 subsection (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 killed in the line of duty, and for the 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 efforts by the US Geological Survey, the National Science Foundation, the Joint POW/MIA Accounting Command, the Fallen American Veterans Foundation and all persons and organizations to identify, locate, and advocate for, from their temporary Antarctic grave, the recovery of the well-preserved frozen bodies of Ensign Maxwell Lopez, Naval Aviator, Frederick Williams, 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 the "George 1" crew from Antarctica's Thurston Island.

75. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TERRY (NE) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 5 ____ . MILITARY SALUTE DURING RECITATION OF PLEDGE OF ALLEGIANCE BY MEMBERS OF THE ARMED FORCES NOT IN UNIFORM AND BY VETERANS.

Section 4 of title 4, United States Code, is amended by adding at the end the following new sentence: "Members of the Armed Forces not in uniform and veterans may render the military salute in the manner provided for persons in uniform."

76. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCHAKOWSKY (IL) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 6 . . . EXCHANGE STORE SYSTEM PARTICIPATION IN THE ACCORD ON FIRE AND BUILDING SAFETY IN BANGLADESH.

(a) SPECIAL PROCUREMENT GUIDANCE FOR GARMENTS MANUFACTURED IN BANGLADESH.—The senior official of the Department of Defense designated pursuant to section 2481(c) to oversee the defense commissary system and the exchange store system shall require, consistent with applicable international agreements, that the exchange store system—

(1) for the purchase of garments manufactured in Bangladesh for the private label brands of the exchange store system, becomes a signatory or otherwise complies with applicable requirements set forth in the Accord on Fire and Building Safety in Bangladesh;

(2) for the purchase of licensed apparel manufactured in Bangladesh, gives a preference to licensees that are signatories to the Accord on Fire and Building Safety in Bangladesh; and

(3) for the purchase of garments manufactured in Bangladesh from retail suppliers, gives a preference to retail suppliers that are signatories to the Accord on Fire and Building Safety in Bangladesh.

(b) NOTICE OF EXCEPTIONS.—If any garments manufactured in Bangladesh are purchased from suppliers that are not signatories to the Accord on Fire and Building Safety in Bangladesh, the Department of Defense official referred to in subsection (a) shall notify Congress of the purchase and the reasons therefor.

(c) EFFECTIVE DATE.—The requirements imposed by this section shall take effect 90 days after the date of the enactment of this Act or as soon after that date as the Secretary of Defense determines to be practicable so as to avoid disruption in garment supplies for the exchange store system.

77. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE THOMPSON (PA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 299, after the matter following line 23, insert the following:

SEC. 703. EXTENSION OF TRANSITIONAL ASSISTANCE MANAGEMENT PROGRAM.

(a) TELEMEDICINE.—In carrying out the Transitional Assistance Management Program, the Secretary of Defense shall extend the coverage of such program to individuals by an additional 180 days for treatment provided through telemedicine.

(b) MENTAL HEALTH CARE AND BEHAVIORAL SERVICES.—

(1) IN GENERAL.—The Secretary shall extend the coverage of the Transitional Assistance Management Program for covered treatment to covered individuals for a period determined necessary by a health care professional treating the covered individual.

(2) DEFINITIONS.—In this subsection:

(A) The term “covered individual” means an individual who—

(i) during the initial 180-day period of being enrolled in the Transitional Assistance Management Program, received any mental health care treatment or covered treatment; or

(ii) during the one-year period preceding separation or discharge from the Armed Forces, received any mental health care treatment.

(B) The term “covered treatment” means behavioral services provided through telemedicine.

(3) SUNSET.—The authority of the Secretary to carry out paragraph (1) shall terminate on December 31, 2018, if the Secretary determines that by that date the suicide rates for both members of the Armed Forces serving on active duty and for members of a reserve component are 50 percent less than such rates as of December 31, 2012.

(c) TELEMEDICINE DEFINED.—In this section, the term “telemedicine” means the use by a health care provider of telecommunications to assist in the diagnosis or treatment of a patient’s medical condition, including for behavioral services.

78. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GUTHRIE (KY) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 299, after the matter following line 23, insert the following:

SEC. 703. COMPREHENSIVE POLICY ON IMPROVEMENTS TO CARE AND TRANSITION OF SERVICE MEMBERS WITH UROTRAUMA.

(a) COMPREHENSIVE POLICY REQUIRED.—

(1) IN GENERAL.—Not later than January 1, 2014, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly develop and implement a comprehensive policy on improvements to the care, management, and transition of recovering service members with urotrauma.

(2) SCOPE OF POLICY.—The policy shall cover each of the following:

(A) The care and management of the specific needs of service members who are urotrauma patients, including eligibility for the Recovery Care Coordinator Program pursuant to the Wounded Warrior Act (10 U.S.C. 1071 note).

(B) The return of service members who have recovered to active duty when appropriate.

(C) The transition of recovering service members from receipt of care and services through the Department of Defense to receipt of care and services through the Department of Veterans Affairs.

(3) CONSULTATION.—The Secretary of Defense and the Secretary of Veterans Affairs shall develop the policy in consultation with the heads of other appropriate departments and agencies of the Federal Government, with representatives of military service organizations representing the interests of service members who are urotrauma patients and with appropriate nongovernmental organizations having an expertise in matters relating to the policy.

(b) REPORT.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report that includes

a review identifying and options for responding to gaps in the care of service members who are urotrauma patients.

79. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GALLEGO (TX) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 308, line 7, strike “and” after the semicolon.

Page 308, line 11, strike the period and insert “; and”.

Page 308, after line 11, insert the following:

(3) determine the effectiveness of the efforts of the Department of Defense in reducing suicide rates of members of the Armed Forces.

80. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TERRY (NE) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 306, after line 10, insert the following new subsection:

(f) ADDITIONAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the methods, as of the date of the report, employed by the military departments to collect charges from third-party payers incurred at military medical treatment facilities, including specific data with respect to the dollar amount of third-party collections that resulted from each method currently being used throughout the military departments. The Secretary shall take into account the results of such report in evaluating the results of the pilot program under subsection (a)(1).

81. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HOLT (NJ) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle C of title VII, insert the following:

SEC. 726. DATA SHARING WITH STATE ADJUTANT GENERALS TO FACILITATE SUICIDE PREVENTION EFFORTS.

Upon the request of any adjutant general of a State, the Secretary of Defense shall share the contact information of members of the Individual Ready Reserve and individual mobilization augmentees who reside in the State of such adjutant general for the purpose of conducting suicide prevention outreach efforts.

82. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KUSTER (NH) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle C of title VII, insert the following:

SEC. 726. REPORT ON ROLE OF DEPARTMENT OF VETERANS AFFAIRS IN DEPARTMENT OF DEFENSE CENTERS OF EXCELLENCE.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Armed Services and Veterans’ Affairs of the House of Representatives and the Committees on Armed Services and Veterans’ Affairs of the Senate a report on the centers of excellence established under sections 1621, 1622, and 1623 of the National Defense

Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 1071 note). Such report shall include each of the following:

(1) The amount of resources that have been obligated by Department of Veterans Affairs in support of each of the centers since the dates on which they were established, including the amount of personnel, time, money, and function provided in support of the centers.

(2) An estimate of the amount of resources the Secretary expects the Department to dedicate to each of the centers during each of fiscal years 2014 through 2018.

(3) A description of the role of the Department within each of the centers.

83. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE THOMPSON (PA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 308, after line 21, insert the following:

SEC. 726. PRELIMINARY MENTAL HEALTH ASSESSMENTS.

Before any individual enlists in the Armed Forces or is commissioned as an officer in the Armed Forces, the Secretary of Defense shall provide the individual with a mental health assessment. The Secretary shall use such results as a baseline for any subsequent mental health examinations, including such examinations provided under sections 1074f and 1074m of title 10, United States Code, and section 1074n of such title, as added by section 702.

84. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE (TX) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 308, after line 21, add the following new section:

SEC. 726. INCREASED COLLABORATION WITH NIH TO COMBAT TRIPLE NEGATIVE BREAST CANCER.

The Office of Health of the Department of Defense shall work in collaboration with the National Institutes of Health to—

(1) identify specific genetic and molecular targets and biomarkers for triple negative breast cancer; and

(2) provide information useful in biomarker selection, drug discovery, and clinical trials design that will enable both—

(A) triple negative breast cancer patients to be identified earlier in the progression of their disease; and

(B) the development of multiple targeted therapies for the disease.

85. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE (TX) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 308, after line 21, insert the following:

SEC. 726. SENSE OF CONGRESS ON MENTAL HEALTH COUNSELORS FOR MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

It is the sense of Congress that—

(1) the Secretary of Defense should develop a plan to ensure a sustainable flow of qualified counselors to meet the long-term

needs of members of the Armed Forces and their families for counselors; and

(2) the plan should include the participation of accredited schools and universities, health care providers, professional counselors, family service or support centers, chaplains, and other appropriate resources of the Department of Defense.

86. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PASCRELL (NJ) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 308, after line 21, insert the following new section:

SEC. 726. SENSE OF CONGRESS ON THE TRAUMATIC BRAIN INJURY PLAN.

It is the sense of Congress that—

(1) section 739(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1822) requires the Secretary of Defense to submit a plan to Congress to improve the coordination and integration of the programs of the Department of Defense that address traumatic brain injury and the psychological health of members of the Armed Forces not later than 180 days after the date of the enactment of such Act;

(2) the requirement to submit the plan is still in effect and the contents of the plan are still important; and

(3) the Secretary of Defense should deliver the report within the required time frame.

87. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PASCRELL (NJ) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 308, after line 21, insert the following:

SEC. 726. REPORT ON MEMORANDUM REGARDING TRAUMATIC BRAIN INJURIES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on how the Secretary will identify, refer, and treat traumatic brain injuries with respect to members of the Armed Forces who served in Operation Enduring Freedom or Operation Iraqi Freedom before the date in June 2010 on which the memorandum regarding using a 50-meter distance from an explosion as a criterion to properly identify, refer, and treat members for potential traumatic brain injury took effect.

88. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SESSIONS (TX) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 308, after line 21, insert the following:

SEC. 726. PILOT PROGRAM FOR INVESTIGATIONAL TREATMENT OF MEMBERS OF THE ARMED FORCES FOR TRAUMATIC BRAIN INJURY AND POST-TRAUMATIC STRESS DISORDER.

(a) PROCESS.—The Secretary of Defense shall carry out a five-year pilot program under which the Secretary shall establish a process through which the Secretary shall provide payment for in-

vestigational treatments (including diagnostic testing) of traumatic brain injury or post-traumatic stress disorder received by members of the Armed Forces in health care facilities other than military treatment facilities. Such process shall provide that payment be made directly to the health care facility furnishing the treatment.

(b) **CONDITIONS FOR APPROVAL.**—The approval by the Secretary for payment for a treatment pursuant to subsection (a) shall be subject to the following conditions:

(1) Any drug or device used in the treatment must be approved or cleared by the Food and Drug Administration for any purpose and its use must comply with rules of the Food and Drug Administration applicable to investigational new drugs or investigational devices.

(2) The treatment must be approved by the Secretary following approval by an institutional review board operating in accordance with regulations issued by the Secretary of Health and Human Services.

(3) The patient receiving the treatment must demonstrate an improvement under criteria approved by the Secretary, as a result of the treatment on one or more of the following:

(A) Standardized independent pre-treatment and post-treatment neuropsychological testing.

(B) Accepted survey instruments including, such instruments that look at quality of life.

(C) Neurological imaging.

(D) Clinical examination.

(4) The patient receiving the treatment must be receiving the treatment voluntarily and based on informed consent.

(5) The patient receiving the treatment may not be a retired member of the Armed Forces who is entitled to benefits under part A, or eligible to enroll under part B, of title XVIII of the Social Security Act.

(c) **ADDITIONAL RESTRICTIONS AUTHORIZED.**—The Secretary may establish additional restrictions or conditions for reimbursement as the Secretary determines appropriate to ensure the protection of human research subjects, appropriate fiscal management, and the validity of the research results.

(d) **AUTHORITY.**—The Secretary shall make payments under this section for treatments received by members of the Armed Forces using the authority in subsection (c)(1) of section 1074 of title 10, United States Code.

(e) **AMOUNT.**—A payment under this section shall be made at the equivalent Centers for Medicare and Medicaid Services reimbursement rate in effect for appropriate treatment codes for the State or territory in which the treatment is received. If no such rate is in effect, payment shall be made on a cost-reimbursement basis, as determined by the Secretary, in consultation with the Secretary of Health and Human Services.

(f) **DATA COLLECTION AND AVAILABILITY.**—

(1) **IN GENERAL.**—The Secretary shall develop and maintain a database containing data from each patient case involving the use of a treatment under this section. The Secretary shall ensure that the database preserves confidentiality and that any use of the database or disclosures of such data are limited

to such use and disclosures permitted by law and applicable regulations.

(2) PUBLICATION OF QUALIFIED INSTITUTIONAL REVIEW BOARD STUDIES.—The Secretary shall ensure that an Internet website of the Department of Defense includes a list of all civilian institutional review board studies that have received a payment under this section.

(g) ASSISTANCE FOR MEMBERS TO OBTAIN TREATMENT.—

(1) ASSIGNMENT TO TEMPORARY DUTY.—The Secretary of a military department may assign a member of the Armed Forces under the jurisdiction of the Secretary to temporary duty or allow the member a permissive temporary duty in order to permit the member to receive treatment for traumatic brain injury or post-traumatic stress disorder, for which payments shall be made under subsection (a), at a location beyond reasonable commuting distance of the permanent duty station of the member.

(2) PER DIEM.—A member who is away from the permanent station of the member may be paid a per diem in lieu of subsistence in an amount not more than the amount to which the member would be entitled if the member were performing travel in connection with a temporary duty assignment.

(3) GIFT RULE WAIVER.—The Secretary of Defense may waive any rule of the Department of Defense regarding ethics or the receipt of gifts with respect to any assistance provided to a member of the Armed Forces for travel or per diem expenses incidental to receiving treatment under this section.

(h) MEMORANDA OF UNDERSTANDING.—The Secretary shall enter into memoranda of understandings with civilian institutions for the purpose of providing members of the Armed Forces with treatment carried out by civilian health care practitioners under treatment—

(1) approved by and under the oversight of civilian institutional review boards; and

(2) that would qualify for payment under this section.

(i) OUTREACH.—The Secretary of Defense shall establish a process to notify members of the Armed Forces of the opportunity to receive treatment pursuant to this section.

(j) REPORT TO CONGRESS.—Not later than 30 days after the last day of each fiscal year during which the Secretary is authorized to make payments under this section, the Secretary shall submit to Congress an annual report on the implementation of this section and any available results on investigational treatment studies authorized under this section.

(k) TERMINATION.—The authority to make a payment under this section shall terminate on the date that is five years after the date of the enactment of this Act.

(l) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each fiscal year during which the Secretary is authorized to make payments under this section.

(m) FUNDING INCREASE AND OFFSETTING REDUCTION.—

(1) IN GENERAL.—Notwithstanding the amounts set forth in the funding tables in division D, to carry out this section during fiscal year 2014—

(A) the amount authorized to be appropriated in section 1406 for the Defense Health Program, as specified in the corresponding funding table in division D, is hereby increased by \$10,000,000, with the amount of the increase allocated to the Defense Health Program, as set forth in the table under section 4501, to carry out this section; and

(B) the amount authorized to be appropriated in section 301 for Operation and Maintenance, Defense-wide, as specified in the corresponding funding table in division D, is hereby reduced by \$10,000,000, with the amount of the reduction to be derived from Line 280, Office of the Secretary of Defense as set forth in the table under section 4301.

(2) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in paragraph (1)(A) with or to a specific entity shall—

(A) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k), 2361, and 2374 of title 10, United States Code, or on competitive procedures; and

(B) comply with other applicable provisions of law.

89. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKEON (CA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 308, after line 21, insert the following:

SEC. 726. INTEGRATED ELECTRONIC HEALTH RECORD OF THE DEPARTMENTS OF DEFENSE AND VETERANS AFFAIRS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) despite repeated attempts at cooperation over the past 20 years, the Department of Defense and the Department of Veterans Affairs have failed to implement a solution that allows for seamless electronic sharing of medical health care data;

(2) the recent decision by the Secretary of Defense and the Secretary of Veterans Affairs to abandon their earlier agreement and pursue separate paths to integration jeopardizes the stated goal of providing “a patient-centered health care system that delivers excellent quality, access, satisfaction, and value, consistently across the Departments”;

(3) despite the repeated concerns and objections of the congressional committees of jurisdiction, the Department of Defense and the Department of Veterans Affairs seem to be on a continued path to fail in achieving the goal of creating a seamless health record that integrates data across the Departments; and

(4) the President should make the necessary leadership changes to assure timely completion of this requirement.

(b) IMPLEMENTATION.—The Secretary of Defense and the Secretary of Veterans Affairs shall—

(1) implement an integrated electronic health record to be used by each of the Secretaries; and

(2) deploy such record by not later than October 1, 2016.

(c) DESIGN PRINCIPLES.—The integrated electronic health record established under subsection (b) shall adhere to the following principles:

(1) To the extent practicable, efforts to establish such record shall be based on objectives, activities, and milestones established by the Joint Executive Committee Joint Strategic Plan Fiscal Years 2013–2015, including any requirements, definition, documents, or analyses previously developed to satisfy said Joint Strategic Plan.

(2) Principles with respect to open architecture standards, including—

(A) modular designs based on standards with loose coupling and high cohesion that allow for independent acquisition of system components;

(B) if existing national standards do not exist as of the date on which the record is being established, the Secretaries shall agree upon and adopt a standard for purposes of the record until such time as national standards are established;

(C) enterprise investment strategies that maximize reuse of proven system designs;

(D) implementation of aggressive life-cycle sustainment planning that uses proven technology insertion strategies and product upgrade techniques;

(E) enforcement of system design transparency, continuous design disclosure and improvement, and peer reviews that include government, academia, and industry; and

(F) strategies for data-use rights to ensure a level competitive playing field and access to alternative solutions and sources across the life-cycle of the program.

(3) By the point of full deployment decision, such record must be at a generation 3 level or better for a health information technology system.

(d) PROGRAM PLAN.—Not later than January 31, 2014, the Secretaries shall jointly develop and submit to the appropriate congressional committees a program plan for the oversight and execution of the integrated electronic health record program established under this section. This plan shall include—

(1) program objectives;

(2) organization;

(3) responsibilities of the Departments;

(4) technical system requirements;

(5) milestones, including a schedule for industry competitions for capabilities needed to satisfy the technical system requirements;

(6) technical system standards being adopted by the program;

(7) outcome-based metrics proposed to measure the performance and effectiveness of the program; and

(8) level of funding for fiscal years 2014 through 2017.

(e) ASSESSMENT.—

(1) IN GENERAL.—The Secretaries shall jointly commission an independent assessment of the program plan under subsection (d).

(2) SUBMISSION.—Not later than 60 days after the date on which the program plan under subsection (d) is submitted to the appropriate congressional committees, the Secretaries shall jointly submit to such committees the independent assessment conducted under paragraph (1).

(f) LIMITATION OF FUNDS.—Not more than 25 percent of the amounts authorized to be appropriated by this Act or otherwise made available for development, modernization, or enhancement of the integrated electronic health record within the Department of Veterans Affairs or for operation and maintenance for the Defense Health Agency of the Department of Defense may be obligated or expended until the date on which the program plan under subsection (d) is submitted to the appropriate congressional committees.

(g) MONTHLY REPORTING.—On a monthly basis, the Secretary of Defense and the Secretary of Veterans Affairs shall each submit to the appropriate congressional committees a report on the expenditures incurred by the Secretary in the development of an integrated electronic health record under this section. Such reports shall include obligations by major categories of spending and by support of milestones identified in the program plan required under subsection (d).

(h) REQUIREMENTS.—

(1) IN GENERAL.—Not later than October 1, 2014, all health care information contained in the Department of Defense AHLTA and the Department of Veterans Affairs VistA systems shall be available and actionable in real-time to health care providers in each Department through shared technology.

(2) CERTIFICATION.—At such time as the operational capability described in paragraph (1) is achieved, the Secretaries shall jointly certify to the appropriate congressional committees that the Secretaries have implemented such operational capability.

(3) LIMITATION OF FUNDS.—Neither the Secretary of Defense or the Secretary of Veterans Affairs may obligate or expend more than 10 percent of the amounts authorized to be appropriated by this Act or otherwise made available for the research, development, test, and evaluation, or procurement for the Virtual Lifetime Electronic Record until the date on which the certification is made under paragraph (2).

(4) RESPONSIBLE OFFICIAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall each identify a senior official to be responsible for the electronic health record established under this section, including the operational capability described in paragraph (1). Such official shall have included within their performance evaluation performance metrics related to the execution of the responsibilities under this paragraph. Not later than 30 days after the date of the enactment of this Act, each Secretary shall submit to the appropriate congressional committees the name of the senior official selected under this paragraph.

(5) ACCOUNTABILITY REVIEW.—If the Secretary of Defense and the Secretary of Veterans Affairs fail to meet the requirements under paragraph (1), the Secretaries shall jointly conduct an accountability review to identify the following:

- (A) The root cause of the failure and if the failure is a result of technology or human performance.
- (B) The work sections responsible for the failure.
- (C) The milestones and resource investment required to achieve such requirements.
- (D) The recommendations for corrective actions, to include personnel actions, to achieve such requirements.
- (6) SUBMISSION OF ACCOUNTABILITY REVIEW.—If the Secretaries conduct a review under paragraph (5), the Secretaries shall jointly submit to the appropriate congressional committees a report of the results of the review by not later than November 30, 2014.
- (i) ADVISORY PANEL.—
- (1) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretaries shall jointly establish an advisory panel to support the development and validation of requirements, programmatic assessment, and other actions, as needed by the Secretaries, with respect to the integrated electronic health record established under subsection (b). The panel shall certify to the appropriate congressional committees that such record meets the definition of “integrated” as specified in subsection (j)(4).
- (2) MEMBERSHIP.—The panel established under paragraph (1) shall consist of not more than 14 members, appointed by the Secretaries as follows:
- (A) Two co-chairs, one appointed by each of the Secretaries.
- (B) The chief information officer of the Department of Defense and the chief information officer of the Department of Veterans Affairs.
- (C) One member from the acquisition community of the Department of Defense and one member from such community of the Department of Veterans Affairs.
- (D) Two members from the academic community appointed by the Secretary of Defense.
- (E) Two members from the academic community appointed by the Secretary of Veterans Affairs.
- (F) Two members from industry appointed by the Secretary of Defense.
- (G) Two members from industry appointed by the Secretary of Veterans Affairs.
- (3) REPORTING.—The Advisory panel established under paragraph (1) shall submit to the appropriate congressional committees a quarterly report on the activities of the panel. The panel shall submit the first report by not later than December 31, 2013.
- (j) DEFINITIONS.—In this section:
- (1) The term “actionable” means information that is directly useful to customers for immediate use in clinical decision making.
- (2) The term “appropriate congressional committees” means—
- (A) the congressional defense committees; and
- (B) the Committees on Veterans’ Affairs of the Senate and the House of Representatives.

(3) The term “generation 3” means, with respect to an electronic health systems, a system that has the technical capability to bring evidence-based medicine to the point of care and provide functionality for multiple care venues.

(4) The term “integrated” means one single core technology or an inherent cross-platform capability without the need for additional patch development to accomplish this capability.

90. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WILSON, JOE (SC) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 308, after line 21, insert the following:

SEC. 726. COMPTROLLER GENERAL REPORT ON RECOVERY AUDIT PROGRAM FOR TRICARE.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report that evaluates the similarities and differences in the approaches to identifying and recovering improper payments across Medicare and TRICARE. The report shall contain an evaluation of the following:

(1) Medicare and TRICARE claims processing efforts to prevent improper payments by denying claims prior to payment.

(2) Medicare and TRICARE claims processing efforts to correct improper payments post-payment.

(3) The effectiveness of Medicare and TRICARE post-payment audit programs in place to identify and correct improper payments that are returned to the government plans.

91. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SARBANES (MD) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 833. REVISION OF DEFENSE SUPPLEMENT TO THE FEDERAL ACQUISITION REGULATION TO TAKE INTO ACCOUNT SOURCING LAWS.

Not later than 60 days after the date of the enactment of this Act, the Department of Defense Supplement to the Federal Acquisition Regulation shall be revised to implement the requirements imposed by sections 129, 129a, 2330a, 2461, and 2463 of title 10, United States Code.

92. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RIGELL (VA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 833. PROHIBITION ON PURCHASE OF MILITARY COINS NOT MADE IN UNITED STATES.

None of the funds authorized to be appropriated by this Act may be used to purchase military coins that are not produced in the United States.

93. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TSONGAS
(MA) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 833. COMPLIANCE WITH DOMESTIC SOURCE REQUIREMENTS FOR
FOOTWEAR FURNISHED TO ENLISTED MEMBERS OF THE
ARMED FORCES UPON THEIR INITIAL ENTRY INTO THE
ARMED FORCES.**

(a) REQUIREMENT.—Section 418 of title 37, United States Code, is amended by adding at the end the following new subsection:

“(d)(1) In the case of athletic footwear needed by members of the Army, Navy, Air Force, or Marine Corps upon their initial entry into the armed forces, the Secretary of Defense shall furnish such footwear directly to the members instead of providing a cash allowance to the members for the purchase of such footwear.

“(2) In procuring athletic footwear to comply with paragraph (1), the Secretary of Defense shall comply with the requirements of section 2533a of title 10, without regard to the applicability of any simplified acquisition threshold under chapter 137 of title 10 (or any other provision of law).—

“(3) This subsection does not prohibit the provision of a cash allowance to a member described in paragraph (1) for the purchase of athletic footwear if such footwear—

“(A) is medically required to meet unique physiological needs of the member; and

“(B) cannot be met with athletic footwear that complies with the requirements of this subsection.”.

(b) CERTIFICATION.—The amendment made by subsection (a) shall not take effect until the Secretary of Defense certifies that there are at least two sources that can provide athletic footwear to the Department of Defense that is 100 percent compliant with section 2533a of title 10, United States Code.

94. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
FITZPATRICK (PA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 335, after line 12, insert the following:

**SEC. 833. STUDY ON THE IMPACT OF CONTRACTING WITH VETERAN-
OWNED SMALL BUSINESSES.**

(a) IN GENERAL.—Not later than 180 days after the enactment of this Act, the Secretary of Defense, in coordination with the Administrator of the Small Business Administration and the Secretary of Veterans Affairs, shall issue a report that includes—

(1) a description of the impacts of Department of Defense contracting with small business concerns owned and controlled by veterans and small business concerns owned and controlled by service-disabled veterans on veteran entrepreneurship and veteran unemployment;

(2) a description of the effect that increased economic opportunity for veterans has on issues such as veteran suicide and veteran homelessness; and

(3) an analysis of the feasibility and expected impacts of the implementation within the Department of Defense of a contracting program modeled on the program authorized under section 8127 of title 38, United States Code.

(b) DEFINITIONS.—In this section—

(1) the term “veteran” has the meaning given the term under section 101(2) of title 38, United States Code; and

(2) the terms “small business concern owned and controlled by veterans” and “small business concern owned and controlled by service-disabled veterans” have the meanings given such terms under section 3 of the Small Business Act (15 U.S.C. 632).

95. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE (TX) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 335, after line 12, insert the following:

SEC. 833. IMPROVED MANAGEMENT OF DEFENSE EQUIPMENT AND SUPPLIES THROUGH AUTOMATED INFORMATION AND DATA CAPTURE TECHNOLOGIES.

The Secretary of Defense shall improve the management of defense equipment and supplies throughout their life cycles by adopting and implementing Item Unique Identification (IUID), Radio Frequency Identification (RFID), biometrics, and other automated information and data capture (AIDC) technologies for the tracking, management, and accountability for assets deployed across the Department of Defense.

96. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE YOUNG (AK) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 9 . REPORT ON STRATEGIC IMPORTANCE OF UNITED STATES MILITARY INSTALLATION OF THE U.S. PACIFIC COMMAND.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Homeland Security, shall submit to the congressional defense committees a report on the strategic value of each major installation that supports operations in the United States Pacific Command.

(b) CONTENT OF REPORT.—The report required by subsection (a) shall include, at a minimum, an assessment of the following with respect to each major installation covered by the report:

(1) The strategic value of the operations of the installation in the Pacific Command Area of Responsibility, including the strategic value of the installation for the global deployment of airpower, military personnel, and logistical support.

(2) The usefulness of the installation for potential future missions, including military, search and rescue, and humanitarian missions in a changing Pacific and Arctic region.

(3) The suitability of the installation for basing of F-35 aircraft and other future weapons systems in the Pacific Command Area of Responsibility.

(4) The suitability of the installation for mission growth, including relocation of combat-coded aircraft, Army units, naval vessels, and Marine Corps units from overseas bases.

(5) How critical the installation is in maintaining and expanding the North and Southern Pacific air refueling bridge.

(6) The availability of the installation for basing remotely piloted aircraft.

(7) The proximity of the installation to scoreable, instrumented training ranges, with an emphasis on joint-training.

(8) The impact of urban encroachment on the installation and its training ranges.

(c) **CLASSIFIED ANNEX.**—The report required by subsection (a) may include a classified annex if necessary to fully describe the matters required by subsection (b).

97. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE YOUNG (AK) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 9 ____ . COMPTROLLER GENERAL REPORT ON POTENTIAL RELOCATION OF FEDERAL GOVERNMENT TENANTS ON ASIA-PACIFIC AND ARCTIC-ORIENTED UNITED STATES MILITARY INSTALLATIONS.

(a) **REPORT REQUIRED.**—Not later than March 1, 2014, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report containing the results of a review of the potential for—

(1) effectively consolidating underused facilities on military installations; or

(2) vacating costly leased space by relocating Federal Government agency tenants, activities, missions, and personnel onto such installations.

(b) **SPECIFIC CONSIDERATION OF ASIA-PACIFIC AND ARCTIC-ORIENTED INSTALLATIONS.**—As a result of the Federal Government’s decision to emphasize Asia-Pacific security issues and changes in the Arctic environment, the Comptroller General shall specifically evaluate potential consolidation of Federal tenants on Asia-Pacific and Arctic-oriented installations, focusing on Federal entities with homeland security, defense, international trade, commerce, and other national security-related functions that are compatible with the missions of the military installations.

98. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CÁRDENAS (CA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 360, after line 8, insert the following new paragraph:

(3) An assessment of the mechanisms for improving recruitment, retention, and management of cyber operations forces, including through focused recruiting; educational, training, or certification scholarships; bonuses; or the use of short-term or virtual deployments without the need for permanent relocation.

99. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CÁRDENAS (CA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 363, line 10, insert after “investigation” the following: “, an estimate of the economic losses from the intrusion, and any addi-

tional actions needed to improve the protection of intellectual property”.

Page 363, line 24, insert after “compromised,” the following: “an estimate of the economic losses from the intrusion.”.

100. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RUIZ (CA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 365, after line 22, insert the following:

SEC. 936. SMALL BUSINESS CYBERSECURITY SOLUTIONS OFFICE.

(a) ESTABLISHMENT.—The Secretary of Defense shall submit a report to the Congress on the feasibility of establishing a small business cyber technology office to assist small business concerns in providing cybersecurity solutions to the Federal Government.

(b) DEFINITIONS.—In this section, the terms “small business concern” has the meaning given such term in section 3 of the Small Business Act.

101. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CÁRDENAS (CA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 365, after line 22, insert the following new section:

SEC. 936. SMALL BUSINESS CYBER EDUCATION.

The Secretary of Defense shall establish an outreach and education program to assist small businesses (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) contracted by the Department of Defense to assist such businesses to—

- (1) understand the gravity and scope of cyber threats;
- (2) develop a plan to protect intellectual property; and
- (3) develop a plan to protect the networks of such businesses.

102. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DESANTIS (FL) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. ____ . LIMITATION ON AVAILABILITY OF FUNDS FOR COLLABORATIVE CYBERSECURITY ACTIVITIES WITH CHINA.

None of the funds authorized to be appropriated by this Act may be used for collaborative cybersecurity activities with the People’s Republic of China or any entity owned or controlled by China, including cybersecurity war games, cybersecurity working groups, the exchange of classified cybersecurity technologies or methods, and the exchange of procedures for investigating cyber intrusions.

103. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LANGEVIN (RI) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 385, after line 2, insert the following:

SEC. 1035. REPORT COMPARING COSTS OF DDG 1000 AND DDG 51 FLIGHT III SHIPS.

Not later than March 15, 2014, the Secretary of the Navy shall submit to the congressional defense committees a report providing

an updated comparison of the costs and risks of acquiring DDG 1000 and DDG 51 Flight III vessels equipped for enhanced ballistic missile defense capability. The report shall include each of the following:

(1) An updated estimate of the total cost to develop, procure, operate, and support ballistic missile defense capable DDG 1000 destroyers equipped with the air and missile defense radar that would be procured in addition to the three prior-year-funded DDG 1000 class ships, and in lieu of Flight III DDG-51 destroyers.

(2) The estimate of the Secretary of the total cost of the current plan to develop, procure, operate, and support Flight III DDG 51 destroyers.

(3) Details on the assumed ballistic missile defense requirements and construction schedules for both the DDG 1000 and DDG 51 Flight III destroyers referred to in paragraphs (1) and (2), respectively.

(4) An updated comparison of the program risks and the resulting ship capabilities in all dimensions (not just ballistic missile defense) of the options referred to in paragraphs (1) and (2).

(5) Any other information the Secretary determines appropriate.

104. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CONYERS (MI) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 401, line 23, add at the end before the period the following: “for purposes of interpreting the scope of section 2 of the Authorization for Use of Military Force (Public Law 107–40; 115 Stat. 224; 50 U.S.C. 1541 note)”.

105. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROSS (FL) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 405, after line 9, insert the following:

SEC. 1040B. 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 or upgraded recreational facilities for individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

106. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BRALEY (IA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle H of title X, insert the following:

SEC. 1080. 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 long-term 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) ESTIMATES 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 2023, adjust 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 of the Armed Forces called or ordered to active duty in the United States for the purpose of training for eventual deployment in Southwest Asia, backfilling for deployed troops, or supporting other Department of Defense missions directly or indirectly related to 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 injuries.

(5) The number of veterans currently in need of and expected to be in need of prosthetic care and treatment because of amputations incurred during service 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 mem-

bers 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 costs related to Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom, including an account of the amount of funding from regular Department of Defense, 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, including—

(A) funding for combat operations;

(B) deploying, transporting, feeding, and housing members of the Armed Forces (including fuel costs);

(C) activation and deployment of members of the reserve components of the Armed Forces;

(D) equipping and training of Iraqi and Afghani forces;

(E) purchasing, upgrading, and repairing weapons, munitions, and other equipment consumed or used in Operation Iraqi Freedom, Operation New Dawn, or Operation Enduring Freedom; and

(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 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 reenlistment bonuses.

(13) Current and future cost of calling or ordering members of the reserve components to active duty in support of Operation Enduring Freedom.

(14) Current and future cost for reconstruction, embassy operations and construction, and foreign aid programs for Iraq and Afghanistan.

(15) Current and future cost of bases and other infrastructure to support members of the Armed Forces serving in Afghanistan.

(16) Current and future cost of providing health care for veterans who served in support of Operation Iraqi Freedom, Operation New Dawn, or Operation Enduring Freedom, including—

(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.

(17) Current and future cost of providing Department of Veterans Affairs disability benefits for the lifetime of veterans who incur disabilities while serving in support of Operation Iraqi Freedom, Operation New Dawn, or Operation Enduring Freedom.

(18) Current and future cost of providing survivors' benefits to survivors of members of the Armed Forces killed while serving in support of Operation Iraqi Freedom, Operation New Dawn, or Operation Enduring Freedom.

(19) Cost of bringing members of the Armed Forces and equipment back to the United States upon the conclusion of Operation Enduring Freedom, including the cost of 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.

(20) Cost to restore the military and military equipment, including the equipment of the reserve components, to full strength after the conclusion of Operation Enduring Freedom.

(21) Amount of money borrowed to pay for Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom, and the sources of that money.

(22) 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.

107. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROWN (GA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 1080. REPORT ON IMPLEMENTATION OF THE RECOMMENDATIONS OF THE PALOMARES NUCLEAR WEAPONS ACCIDENT REVISED DOSE EVALUATION REPORT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the recommendations of the Palomares Nuclear Weapons Accident Revised Dose Evaluation Report released in April by the Air Force in 2001.

108. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ANDREWS (NJ) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 447, line 20, strike "is capable and available" and insert "are available and capable".

Page 449, line 5, insert "or subcontract" after "contract".

109. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POSEY
(FL) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 452, after line 6, insert the following new section:

**SEC. 1082A. 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.—Notwithstanding any other provision of law, and subject to subsection (b), the Secretary of Defense may 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. Such supplies may be transported only on a space available basis.

“(b) LIMITATIONS.—(1) The Secretary may not transport supplies under subsection (a) unless the Secretary determines 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;

“(C) there is a legitimate need for the supplies by the members of the armed forces for whom they are intended; and

“(D) adequate arrangements have been made for the distribution and use of the supplies.

“(2) PROCEDURES.—The Secretary shall establish procedures for making the determinations required under paragraph (1). Such procedures shall include inspection of supplies before acceptance for transport.

“(3) PREPARATION.—It shall be the responsibility of the nonprofit organization requesting the transport of supplies under this section to ensure that 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.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 20 of such title is amended by inserting after the item relating to section 402 the following new item:

“403. Transportation of supplies from nonprofit organizations.”.

110. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SPEIER
(CA) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end of subtitle I of title X the following new section:

SEC. 1090. ACCESS OF EMPLOYEES OF CONGRESSIONAL SUPPORT OFFICES TO DEPARTMENT OF DEFENSE FACILITIES.

(a) FINDING.—Congress finds that Congressional support offices perform a critical role in enabling Congress to carry out its Con-

stitutionally-mandated task of performing oversight of the executive branch.

(b) **ACCESS IN SAME MANNER AS EMPLOYEES OF DEFENSE COMMITTEES.**—The Secretary of Defense shall provide employees of any Congressional support office who work on issues related to national security with access to facilities of the Department of Defense in the same manner, and subject to the same terms and conditions, as employees of the Committees on Armed Services of the House of Representatives and Senate.

(c) **CONGRESSIONAL SUPPORT OFFICES DEFINED.**—In this section, the term “Congressional support office” means any of the following:

- (1) The Congressional Budget Office.
- (2) The Congressional Research Service of the Library of Congress.
- (3) The Government Accountability Office.

111. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCCAUL (TX) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle I of title X, add the following:

SEC. 1090. SALE OR DONATION OF EXCESS PERSONAL PROPERTY FOR BORDER SECURITY ACTIVITIES.

Section 2576a of title 10, United States Code, is amended—

- (1) in subsection (a)—
 - (A) in paragraph (1)(A), by inserting “border security activities and” before “law enforcement activities”; and
 - (B) in paragraph (2), by inserting “, the Secretary of Homeland Security,” after “Attorney General”; and
- (2) in subsection (d), by inserting “border security activities or” before “counter-drug”.

112. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HANNA (NY) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 463, after line 6, insert the following new section:

SEC. 1090. SENSE OF CONGRESS ON IMPROVISED EXPLOSIVE DEVICES.

It is the sense of Congress that—

- (1) the use of improvised explosive devices (in this section referred to as “IEDs”) against members of the Armed Forces or people of the United States should be condemned;
 - (2) unwavering support for members of the Armed Forces, first responders, and explosive ordnance disposal personnel of the United States who face the threat of IEDs and put their lives on the line to defeat them should be expressed;
 - (3) all relevant agencies of the Government should be called on to coordinate with international partners and other responsible entities to reduce the use of IEDs and curb their proliferation; and
 - (4) the exchange of blast trauma research data should be facilitated between all relevant agencies of the Government.
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113. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TURNER (OH) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 463, after line 6, insert the following:

SEC. 10 . UNMANNED AIRCRAFT SYSTEMS AND NATIONAL AIRSPACE.

(a) MEMORANDA OF UNDERSTANDING.—Notwithstanding any other provision of law, the Secretary of Defense may enter into a memorandum of understanding with a non-Department of Defense entity that is engaged in the test range program authorized under section 332(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) to allow such entity to access nonregulatory special use airspace if such access—

(1) is used by the entity as part of such test range program; and

(2) does not interfere with the activities of the Secretary or otherwise interrupt or delay missions or training of the Department of Defense.

(b) ESTABLISHED PROCEDURES.—The Secretary shall carry out subsection (a) using the established procedures of the Department of Defense with respect to entering into a memorandum of understanding.

(c) CONSTRUCTION.—A memorandum of understanding entered into under subsection (a) between the Secretary and a non-Department of Defense entity shall not be construed as establishing the Secretary as a partner, proponent, or team member of such entity in the test range program specified in such subsection.

114. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BACHMANN (MN) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 463, after line 6, insert the following new section:

SEC. 1090. DAYS ON WHICH THE POW/MIA FLAG IS DISPLAYED ON CERTAIN FEDERAL PROPERTY.

Section 902 of title 36, United States Code, is amended by striking subsection (c) and inserting the following new subsection:

“(c) DAYS FOR FLAG DISPLAY.—For the purposes of this section, POW/MIA flag display days are all days on which the flag of the United States is displayed.”

115. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COLLINS, CHRIS (NY) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 463, after line 6, insert the following:

SEC. 1090. SENSE OF CONGRESS TO MAINTAIN A STRONG NATIONAL GUARD AND MILITARY RESERVE FORCE.

(a) FINDINGS.—Congress finds the following:

(1) The first volunteer militia unit in America was formed in 1636 in Massachusetts Bay, followed by other units in the colonies of Virginia and Connecticut. The American founding fathers wrote article I, section 8, of the United States Constitution to keep the militia model, authorizing a standing military force that could organize, train, and equip militia volunteers when needed.

(2) In World War I, nearly all National Guardsmen were mobilized into Federal service, and while they represented only 15 percent of the total United States Army, they comprised 40 percent of the American divisions sent to France and sustained 43 percent of the casualties in combat. In World War II, the National Guard comprised 19 Army divisions and 29 observation squadrons with aircraft assigned to the United States Army Air Forces.

(3) On September 11, 2001, the first fighter jets over New York City and Washington, DC, were Air National Guard F-15 and F-16 aircraft from Massachusetts and North Dakota, with over 400 more Air National Guard fighter aircraft on alert by that afternoon. Over 600,000 Air and Army National Guard soldiers and airmen have deployed in the many campaigns since 9/11.

(4) Air and Army National Guard soldiers and airmen have been involved in countless domestic response missions, including missions in response to hurricanes, tornadoes, floods, and forest fires including the more recent events of Superstorm Sandy and the tornados in Oklahoma.

(5) The volunteer National Guard and Reserve have time and again demonstrated their readiness to meet operational requirements through cost-effective means.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary of Defense should make every effort to ensure the Military Reserve and National Guard forces are sustained by a fully manned and fully funded force and that the United States fulfill its longstanding commitment to unyielding readiness in terms of defense;

(2) the Secretary of Defense should act with the knowledge that the National Guard and Reserve are critical components to the Armed Forces, particularly as means of preserving combat power during a time of budget austerity; and

(3) Congress repudiates proposals to diminish the National Guard or Reserve and affirms the growth of these components as circumstances warrant.

116. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEWIS,
JOHN (GA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 10 ____ . COST OF WARS.

The Secretary of Defense, in consultation with the Commissioner of the Internal Revenue Service and the Director of the Bureau of Economic Analysis, shall post on the public Web site of the Department of Defense the costs, including the relevant legacy costs, to each American taxpayer of each of the wars in Afghanistan and Iraq.

117. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FARR
(CA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title X, insert the following:

SEC. 1090. SENSE OF CONGRESS REGARDING CONSIDERATION OF FOREIGN LANGUAGES AND CULTURES IN THE BUILDING OF PARTNER CAPACITY.

It is the sense of Congress that the head of each element of the Department of Defense should take into consideration foreign languages and cultures during the development by such element of the Department of training, tools, and methodologies to engage in military-to-military activities and in the building of partner capacity.

118. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GALLEGO (TX) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 11____. EXTENSION OF ENHANCED APPOINTMENT AND COMPENSATION AUTHORITY FOR CIVILIAN PERSONNEL FOR CARE AND TREATMENT OF WOUNDED AND INJURED MEMBERS OF THE ARMED FORCES.

(a) EXTENSION.—Subsection (c) of section 1599c of title 10, United States Code, is amended by striking “December 31, 2015” both places it appears and inserting “December 31, 2020”.

(b) REPEAL OF FULFILLED REQUIREMENT.—Such section is further amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c), as amended by subsection (a), as subsection (b).

(c) REPEAL OF REFERENCES TO CERTAIN TITLE 5 AUTHORITIES.—Subsection (a)(2)(A) of such section is amended—

(1) by striking “sections 3304, 5333, and 5753 of title 5” and inserting “section 3304 of title 5”; and

(2) in clause (ii), by striking “the authorities in such sections” and inserting “the authority in such section”.

119. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LANGEVIN (RI) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 1108. COMPLIANCE WITH LAW REGARDING AVAILABILITY OF FUNDING FOR CIVILIAN PERSONNEL.

(a) REGULATIONS.—No later than 45 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations implementing the authority in subsection (a) of section 1111 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 1580 note prec.).

(b) COORDINATION.—The Under Secretary of Defense (Comptroller), in consultation with the Under Secretary of Defense for Personnel and Readiness, shall be responsible for coordinating the preparation of the regulations required under subsection (a).

(c) LIMITATIONS.—The regulations required under subsection (a) shall not be restricted by any civilian full-time equivalent or end-strength limitation, nor shall such regulations require offsetting civilian pay funding, civilian full-time equivalents, or end-strength.

120. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CONNOLLY (VA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 12 . MONITORING AND EVALUATION OF OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) **IN GENERAL.**—Of the amounts authorized to be appropriated by this Act to carry out sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code, up to 5 percent of such amounts may be made available to conduct monitoring and evaluation of programs conducted pursuant to such authorities during fiscal year 2014.

(b) **BRIEFING.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the appropriate congressional committees on mechanisms to evaluate the programs conducted pursuant to the authorities listed in subsection (a). The briefing shall include the following:

(1) A description of how the Department of Defense evaluates program and project outcomes and impact, including cost effectiveness and extent to which programs meet designated goals.

(2) An analysis of steps taken to implement the recommendations from the following reports:

(A) The Government Accountability Office’s Report entitled “Project Evaluations and Better Information Sharing Needed to Manage the Military’s Efforts”.

(B) The Department of Defense Inspector General Report numbered “DODIG–2012–119”.

(C) The RAND Corporation’s Report prepared for the Office of the Secretary of Defense entitled “Developing a Prototype Handbook for Monitoring and Evaluating Department of Defense Humanitarian Assistance Projects”.

(c) **DEFINITION.**—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

121. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
ROHRBACHER (CA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 490, after line 6, add the following new subparagraph:

(C) That Pakistan is not using its military or any funds or equipment provided by the United States to persecute minority groups for their legitimate and nonviolent political and religious beliefs, including the Balochi, Sindhi, and Hazara ethnic groups and minority religious groups, including Christian, Hindu, and Ahmadiyya Muslim.

122. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LYNCH (MA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 497, line 13, strike “(g), (h), and (i)” and insert “(h), (i), and (j)”.

Page 497, line 15, strike “subsection” and insert “subsections”.

Page 498, line 11, before the closing quotation marks insert the following:

“(g) MATTERS TO BE INCLUDED: ASSESSMENT OF CAPABILITY OF ANSF TO PROVIDE OPERATIONS AND MAINTENANCE FUNCTIONS.—The report required under subsection (a) shall include a detailed assessment of the capability of the Afghan National Security Forces (ANSF) to provide operations and maintenance functions for infrastructure projects constructed for the ANSF after January 1, 2015, including—

“(1) a description of training provided to the ANSF by the United States and the International Security Assistance Force;

“(2) a comprehensive evaluation of operations and maintenance capabilities and skills; and

“(3) the Government of Afghanistan’s financial wherewithal to perform or contract out such functions.

123. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BLUMENAUER (OR) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 496, insert after line 24 the following (and conform the table of contents accordingly):

SEC. 1218. IMPROVEMENT OF THE IRAQI SPECIAL IMMIGRANT VISA PROGRAM.

The Refugee Crisis in Iraq Act of 2007 (8 U.S.C. 1157 note) is amended—

(1) in section 1242, by amending subsection (c) to read as follows:

“(c) IMPROVED APPLICATION PROCESS.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014,”;

(2) in section 1244, as amended by this Act, is further amended—

(A) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—Subject to subsection (c), the Secretary of Homeland Security, or, notwithstanding any other provision of law, the Secretary of State in consultation with the Secretary of Homeland Security, may provide an alien described in subsection (b) with the status of a special immigrant under section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(27)), and shall, in consultation with the Secretary of Defense, ensure efficiency by which applications for special immigrant visas under section 1244(a) are processed so that all steps incidental to the issuance of such visas, including required screenings and background checks, are completed not later than 9 months after the date on which an eligible alien applies for such visa, if the alien—”.

(B) in subsection (b)—

(i) in paragraph (4) by adding at the end the following:

“(A) REVIEW PROCESS FOR DENIAL BY CHIEF OF MISSION.—

“(i) IN GENERAL.—An applicant who has been denied Chief of Mission approval required by subparagraph (A) shall—

“(I) receive a written decision; and

“(II) be provided 120 days from the date of the decision to request reopening of the decision to provide additional information, clarify existing information, or explain any unfavorable information.

“(ii) SENIOR COORDINATOR.—The Secretary of State shall designate, in the Embassy of the United States in Baghdad, Iraq, a senior coordinator responsible for overseeing the efficiency and integrity of the processing of special immigrant visas under this section, who shall be given—

“(I) sufficiently high security clearance to review Chief of Mission denials in cases that appear to have relied upon insufficient or incorrect information; and

“(II) responsibility for ensuring that an applicant described in clause (i) receives the information described in clause (i)(I).”.

(3) in section 1248, by adding at the end the following:

“(f) REPORT ON IMPROVEMENTS.—

“(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit a report, with a classified annex, if necessary, to—

“(A) the Committee on the Judiciary of the Senate;

“(B) the Committee on Foreign Relations of the Senate;

“(C) the Committee on the Judiciary of the House of Representatives; and

“(D) the Committee on Foreign Affairs of the House of Representatives.

“(2) CONTENTS.—The report submitted under paragraph (1) shall describe the implementation of improvements to the processing of applications for special immigrant visas under section 1244(a), including information relating to—

“(A) enhancing existing systems for conducting background and security checks of persons applying for special immigrant status, which shall—

“(i) support immigration security; and

“(ii) provide for the orderly processing of such applications without delay;

“(B) the financial, security, and personnel considerations and resources necessary to carry out this subtitle;

“(C) the number of aliens who have applied for special immigrant visas under section 1244 during each month of the preceding fiscal year;

“(D) the reasons for the failure to expeditiously process any applications that have been pending for longer than 9 months;

“(E) the total number of applications that are pending due to the failure—

“(i) to receive approval from the Chief of Mission;

“(ii) for U.S. Citizenship and Immigration Services to complete the adjudication of the Form I-360;

“(iii) to conduct a visa interview; or

“(iv) to issue the visa to an eligible alien;

“(F) the average wait times for an applicant at each of the stages described in subparagraph (E);

“(G) the number of denials or rejections at each of the stages described in subparagraph (E); and

“(H) a breakdown of reasons for denials at by the Chief of Mission based on the categories already made available to denied special immigrant visa applicants in the denial letter sent to them by the Chief of Mission.

“(g) PUBLIC QUARTERLY REPORTS.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, and every 3 months thereafter, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall publish a report on the website of the Department of State that describes the efficiency improvements made in the process by which applications for special immigrant visas under section 1244(a) are processed, including information described in subparagraphs (C) through (H) of subsection (f)(2).”.

SEC. 1219. IMPROVEMENT OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.

Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in paragraph (2)—

(A) in subparagraph (D)—

(i) by adding at the end the following:

“(ii) REVIEW PROCESS FOR DENIAL BY CHIEF OF MISSION.—

“(I) IN GENERAL.—An applicant who has been denied Chief of Mission approval shall—

“(aa) receive a written decision; and

“(bb) be provided 120 days from the date of receipt of such opinion to request reconsideration of the decision to provide additional information, clarify existing information, or explain any unfavorable information.

“(II) SENIOR COORDINATOR.—The Secretary of State shall designate, in the Embassy of the United States in Kabul, Afghanistan, a senior coordinator responsible for overseeing the efficiency and integrity of the processing of special immigrant visas under this section, who shall be given—

“(aa) sufficiently high security clearance to review Chief of Mission denials in cases that

appear to have relied upon insufficient or incorrect information; and

“(bb) responsibility for ensuring that an applicant described in subclause (I) receives the information described in subclause (I)(aa).”;

(2) in paragraph (4)—

(A) in the heading, by striking “PROHIBITION ON FEES” and inserting “APPLICATION PROCESS”;

(B) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—Not later than 120 days after the date of enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall improve the efficiency by which applications for special immigrant visas under paragraph (1) are processed so that all steps incidental to the issuance of such visas, including required screenings and background checks, are completed not later than 6 months after the date on which an eligible alien applies for such visa.

“(B) PROHIBITION ON FEES.—The Secretary”; and

(4) by adding at the end the following:

“(12) REPORT ON IMPROVEMENTS.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a report, with a classified annex, if necessary, that describes the implementation of improvements to the processing of applications for special immigrant visas under this subsection, including information relating to—

“(A) enhancing existing systems for conducting background and security checks of persons applying for special immigrant status, which shall—

“(i) support immigration security; and

“(ii) provide for the orderly processing of such applications without delay;

“(B) the financial, security, and personnel considerations and resources necessary to carry out this section;

“(C) the number of aliens who have applied for special immigrant visas under this subsection during each month of the preceding fiscal year;

“(D) the reasons for the failure to expeditiously process any applications that have been pending for longer than 9 months;

“(E) the total number of applications that are pending due to the failure—

“(i) to receive approval from the Chief of Mission;

“(ii) for U.S. Citizenship and Immigration Services to complete the adjudication of the Form I-360;

“(iii) to conduct a visa interview; or

“(iv) to issue the visa to an eligible alien;

“(F) the average wait times for an applicant at each of the stages described in subparagraph (E);

“(G) the number of denials or rejections at each of the stages described in subparagraph (E); and

“(H) a breakdown of reasons for denials by the Chief of Mission based on the categories already made available to denied special immigrant visa applicants in the denial letter sent to them by the Chief of Mission.

“(13) PUBLIC QUARTERLY REPORTS.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, and every 3 months thereafter, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall publish a report on the website of the Department of State that describes the efficiency improvements made in the process by which applications for special immigrant visas under this subsection are processed, including information described in subparagraph (C) through (H) of paragraph (12).”.

SEC. 1219. SENSE OF CONGRESS.

(b) PURPOSE.—Expressing the Sense of the House or Representatives that the Special Immigration Visa programs authorized in the National Defense Authorization Act for Fiscal Year 2008 and the Afghan Allies Protection Act of 2009 are critical to the U.S. national security, and that these programs must be reformed and extended in order to meet the Congressional intent with which they were created.

(b) FINDINGS.—Congress finds the following:

(1) Congress created the Special Immigration Visa program for the purposes of protecting and aiding the many brave Iraqis and Afghans whose lives, and the lives of their families, were endangered as a result of their faithful and valuable service to the United States during Operations Enduring Freedom and Iraqi Freedom.

(2) The Iraq Special Immigrant Visa program is set to expire at the end of fiscal year 2013.

(3) The Afghanistan Special Immigrant Visa program is set to expire at the end of fiscal year 2014.

(4) Despite the pending expiration of the Special Immigrant Visa programs, many brave Iraqis, Afghans, and their families, continue to face ongoing and serious threats as a result of their employment by or on behalf of the U.S. Government.

(5) Between FY08-FY12, only 22 percent of the available Iraqi SIVs (5,500 visas out of 25,000 visas) have been issued and 12 percent of the available Afghan SIVs (1,051 visas out of 8,500 visas) have been issued.

(6) As the Washington Post reported in October 2012, over 5,000 documentarily complete Afghan SIV applications remained in a backlog.

(7) The implementation of the Special Immigration Visa programs has been protracted and inefficient.

(8) The application and approval process for the Special Immigration Visa program is unnecessarily opaque and difficult to navigate.

(9) Applicants in both Iraq and Afghanistan often have effusive recommendations from numerous military personnel, have served the U.S. war efforts for many years, and have served valiantly, in some instances literally taking a bullet for a U.S.

service member, and yet are denied approval for a Special Immigration Visa with little to no transparency.

(10) Overly narrow provisions contained in the Afghan Allies Protection Act of 2009 leave many deserving Afghans and their families in need of U.S. assistance, but unable to access the Special Immigration Visa program.

(11) The United States has a responsibility to follow through on its promise to protect those Iraqis and Afghans who have risked their lives to aid our troops and protect America's security.

(12) The extension and reform of the Iraq and Afghanistan Special Immigrant Visa programs is a matter of national security.

(13) The extension and reform of the Afghan Special Immigrant Visa program is essential to the U.S. mission in Afghanistan.

(c) SENSE OF THE HOUSE.—It is the sense of the House of Representatives that the Iraq and Afghanistan Special Immigrant Visa programs should be—

(1) reformed by—

(A) ensuring applications are processed in a timely, and transparent fashion;

(B) providing parity between the two Special Immigrant Visa programs so that Afghan principal applicants, like Iraqi principal applicants, are able to include their spouse, children, siblings, and parents; and

(C) expanding eligibility for the Special Immigrant Visa programs to Afghan or Iraqi men and women employed by, or on behalf of, a media or nongovernmental organization headquartered in the United States, or an organization or entity closely associated with the United States mission in Iraq or Afghanistan that has received U.S. Government funding through an official and documented contract, award, grant, or cooperative agreement; and

(2) extended in—

(A) Iraq through the year 2018, without authorizing any additional Special Immigrant Visas as authorized in the original statute; and

(B) Afghanistan through the year 2018, without authorizing any additional Special Immigrant Visas as authorized in the original statute.

124. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JOHNSON (GA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 12 . LIMITATION ON FUNDS TO ESTABLISH PERMANENT MILITARY INSTALLATIONS OR BASES IN AFGHANISTAN.

None of the funds authorized to be appropriated by this Act may be obligated or expended by the United States Government to establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

125. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCHNEIDER (IL) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 509, line 7, strike “and” at the end.

Page 509, line 11, strike the first period, the closing quotation marks, and the second period and insert “; and”.

Page 509, after line 11, add the following new subparagraph:

“(G) an analysis of how sanctions on Iran are effecting its military capability and its ability to export terrorism to proxy groups within its Threat Network.”.

126. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CONAWAY (TX) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 12 . INTEGRATED AIR AND MISSILE DEFENSE PROGRAMS AT TRAINING LOCATIONS IN SOUTHWEST ASIA.

Section 544(c)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2347c(c)(1)) is amended—

(1) in the first sentence, by inserting after “programs” the following: “and integrated air and missile defense programs”; and

(2) in the second sentence, by striking “post-undergraduate flying and tactical leadership” and inserting “such”.

127. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GRIMM (NY) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 12 . STATEMENT OF POLICY ON CONDEMNING THE GOVERNMENT OF IRAN FOR ITS STATE-SPONSORED PERSECUTION OF ITS BAHAI MINORITY.

(a) FINDINGS.—Congress finds the following:

(1) In 1982, 1984, 1988, 1990, 1992, 1994, 1996, 2000, 2006, 2008, 2009, 2012, and 2013, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha’i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha’i faith.

(2) The United States Commission on International Religious Freedom 2012 Report stated, “The Baha’i community has long been subject to particularly severe religious freedom violations in Iran. Baha’is, who number at least 300,000, are viewed as ‘heretics’ by Iranian authorities and may face repression on the grounds of apostasy.”.

(3) The United States Commission on International Religious Freedom 2012 Report stated, “Since 1979, Iranian government authorities have killed more than 200 Baha’i leaders in Iran and dismissed more than 10,000 from government and university jobs.”.

(4) The United States Commission on International Religious Freedom 2012 Report stated, “Baha’is may not establish places

of worship, schools, or any independent religious associations in Iran.”.

(5) The United States Commission on International Religious Freedom 2012 Report stated, “Baha’is are barred from the military and denied government jobs and pensions as well as the right to inherit property. Their marriages and divorces also are not recognized, and they have difficulty obtaining death certificates. Baha’i cemeteries, holy places, and community properties are often seized or desecrated, and many important religious sites have been destroyed.”.

(6) The United States Commission on International Religious Freedom 2012 Report stated, “The Baha’i community faces severe economic pressure, including denials of jobs in both the public and private sectors and of business licenses. Iranian authorities often pressure employers of Baha’is to dismiss them from employment in the private sector.”.

(7) The Department of State 2011 International Religious Freedom Report stated, “The government prohibits Baha’is from teaching and practicing their faith and subjects them to many forms of discrimination that followers of other religions do not face.”.

(8) The Department of State 2011 International Religious Freedom Report stated, “According to law, Baha’i blood is considered ‘mobah’, meaning it can be spilled with impunity.”.

(9) The Department of State 2011 International Religious Freedom Report stated that “members of religious minorities, with the exception of Baha’is, can serve in lower ranks of government employment”, and “Baha’is are barred from all leadership positions in the government and military”.

(10) The Department of State 2011 International Religious Freedom Report stated, “Baha’is suffered frequent government harassment and persecution, and their property rights generally were disregarded. The government raided Baha’i homes and businesses and confiscated large amounts of private and commercial property, as well as religious materials belonging to Baha’is.”.

(11) The Department of State 2011 International Religious Freedom Report stated, “Baha’is also are required to register with the police”.

(12) The Department of State 2011 International Religious Freedom Report stated that “[p]ublic and private universities continued to deny admittance to and expelled Baha’i students” and “[d]uring the year, at least 30 Baha’is were barred or expelled from universities on political or religious grounds”.

(13) The Department of State 2011 International Religious Freedom Report stated, “Baha’is are regularly denied compensation for injury or criminal victimization.”.

(14) On March 6, 2012, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/HRC/19/66), which stated that “the Special Rapporteur continues to be alarmed by communications that demonstrate the systemic and systematic persecution of members of unrecognized religious communities, particularly the Baha’i community, in violation of international conventions” and expressed concern regarding “an intensive

defamation campaign meant to incite discrimination and hate against Baha'is".

(15) On May 23, 2012, the United Nations Secretary-General issued a report, which stated that "the Special Rapporteur on freedom of religion or belief . . . pointed out that the Islamic Republic of Iran had a policy of systematic persecution of persons belonging to the Baha'i faith, excluding them from the application of freedom of religion or belief by simply denying that their faith had the status of a religion".

(16) On August 22, 2012, the United Nations Secretary-General issued a report, which stated, "The international community continues to express concerns about the very serious discrimination against ethnic and religious minorities in law and in practice, in particular the Baha'i community. The Special Rapporteur on the situation of human rights in the Islamic Republic of Iran expressed alarm about the systemic and systematic persecution of members of the Baha'i community, including severe socioeconomic pressure and arrests and detention. He also deplored the Government's tolerance of an intensive defamation campaign aimed at inciting discrimination and hate against Baha'is."

(17) On September 13, 2012, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/67/369), which stated, "Reports and interviews submitted to the Special Rapporteur also continue to portray a disturbing trend with regard to religious freedom in the country. Members of both recognized and unrecognized religions have reported various levels of intimidation, arrest, detention and interrogation that focus on their religious beliefs.", and stated, "At the time of drafting the report, 105 members of the Baha'i community were reported to be in detention."

(18) On November 27, 2012, the Third Committee of the United Nations General Assembly adopted a draft resolution (A/C.3/67/L.51), which noted, "[I]ncreased persecution and human rights violations against persons belonging to unrecognized religious minorities, particularly members of the Baha'i faith and their defenders, including escalating attacks, an increase in the number of arrests and detentions, the restriction of access to higher education on the basis of religion, the sentencing of twelve Baha'is associated with Baha'i educational institutions to lengthy prison terms, the continued denial of access to employment in the public sector, additional restrictions on participation in the private sector, and the de facto criminalization of membership in the Baha'i faith."

(19) On December 20, 2012, the United Nations General Assembly adopted a resolution (A/RES/67/182), which called upon the government of Iran "[t]o eliminate discrimination against, and exclusion of . . . members of the Baha'i Faith, regarding access to higher education, and to eliminate the criminalization of efforts to provide higher education to Baha'i youth denied access to Iranian universities," and "to accord all Baha'is, including those imprisoned because of their beliefs, the due process of law and the rights that they are constitutionally guaranteed".

(20) On February 28, 2013, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/HRC/22/56), which stated, “110 Bahai’s are currently detained in Iran for exercising their faith, including two women, Mrs. Zohreh Nikayin and Mrs. Taraneh Torabi, who are reportedly nursing infants in prison”.

(21) In March and May of 2008, intelligence officials of the Government of Iran in Mashhad and Tehran arrested and imprisoned Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm, the seven members of the ad hoc leadership group for the Baha’i community in Iran.

(22) In August 2010, the Revolutionary Court in Tehran sentenced the seven Baha’i leaders to 20-year prison terms on charges of “spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth”.

(23) The lawyer for these seven leaders, Mrs. Shirin Ebadi, the Nobel Laureate, was denied meaningful or timely access to the prisoners and their files, and her successors as defense counsel were provided extremely limited access.

(24) These seven Baha’i leaders were targeted solely on the basis of their religion.

(25) Beginning in May 2011, Government of Iran officials in four cities conducted sweeping raids on the homes of dozens of individuals associated with the Baha’i Institute for Higher Education (BIHE) and arrested and detained several educators associated with BIHE.

(26) In October 2011, the Revolutionary Court in Tehran sentenced seven of these BIHE instructors and administrators, Mr. Vahid Mahmoudi, Mr. Kamran Mortezaie, Mr. Mahmoud Badavam, Ms. Nooshin Khadem, Mr. Farhad Sedghi, Mr. Riaz Sobhani, and Mr. Ramin Zibaie, to prison terms for the crime of “membership of the deviant sect of Baha’ism, with the goal of taking action against the security of the country, in order to further the aims of the deviant sect and those of organizations outside the country”.

(27) Six of these educators remain imprisoned, with Mr. Mortezaie serving a 5-year prison term and Mr. Badavam, Ms. Khadem, Mr. Sedghi, Mr. Sobhani, and Mr. Zibaie serving 4-year prison terms.

(28) Since October 2011, four other BIHE educators, Ms. Faran Hessami, Mr. Kamran Rahimian, Mr. Kayvan Rahimian, and Mr. Shahin Negari have been sentenced to 4-year prison terms, which they are now serving.

(29) The efforts of the Government of Iran to collect information on individual Baha’is have recently intensified as evidenced by a letter, dated November 5, 2011, from the Director of the Department of Education in the county of Shahriar in the province of Tehran, instructing the directors of schools in his jurisdiction to “subtly and in a confidential manner” collect information on Baha’i students.

(30) The Baha’i community continues to undergo intense economic and social pressure, including an ongoing campaign in

the town of Semnan, where the Government of Iran has harassed and detained Baha'is, closed 17 Baha'i owned businesses in the last three years, and imprisoned several members of the community, including three mothers along with their infants.

(31) Ordinary Iranian citizens who belong to the Baha'i faith are disproportionately targeted, interrogated, and detained under the pretext of national security.

(32) The Government of Iran is party to the International Covenants on Human Rights and is in violation of its obligations under the Covenants.

(b) STATEMENT OF POLICY.—Congress—

(1) condemns the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the seven imprisoned leaders, the ten imprisoned educators, and all other prisoners held solely on account of their religion; and

(3) calls on the President and Secretary of State, in cooperation with responsible nations, to immediately condemn the Government of Iran's continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion.

128. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CONNOLLY (VA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 522, line 8, insert before the semicolon the following: “, including those involved in Egyptian civil society and democratic promotion efforts through nongovernmental organizations”.

129. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROSLEHTINEN (FL) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 522, after line 18, insert the following:

(D) A description of the strategic objectives of the United States regarding the provision of United States security assistance to the Government of Egypt.

(E) A description of biennial outlays of United States security assistance to the Government of Egypt for the purposes of strategic planning, training, provision of equipment, and construction of facilities, including funding streams.

(F) A description of vetting and end-user monitoring systems in place by both Egypt and the United States for defense articles and training provided by the United States, including human rights vetting.

(G) A description of actions that the Government of Egypt is taking to—

(i) repudiate, combat, and stop incitement to violence against the United States and United States citizens and prohibit the transmission within its domains of satellite television or radio channels that broadcast such incitement; and

(ii) adopt and implement legal reforms that protect the religious and democratic freedoms of all citizens and residents of Egypt.

(H) Recommendations, including with respect to required resources and actions, to maximize the effectiveness of United States security assistance provided to Egypt.

Page 523, after line 3, insert the following:

(c) GAO REPORT.—Not later than 120 days after the date of the submission of the report required under subsection (b), the Comptroller General of the United States shall submit to the appropriate congressional committees a report that—

(1) reviews and comments on the report required under subsection (b); and

(2) provides recommendations regarding additional actions with respect to the provision of United States security assistance to Egypt, if necessary.

130. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TURNER (OH) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Amend section 1244 to read as follows:

SEC. 1244. STATEMENT OF CONGRESS ON DEFENSE COOPERATION WITH GEORGIA.

(a) FINDINGS.—Congress finds the following:

(1) The Republic of Georgia is a highly valued ally of the United States and has repeatedly demonstrated its commitment to advancing the mutual interests of both countries, including the deployment of Georgian forces as part of the NATO-led International Security Assistance Force in Afghanistan and the Multi-National Force in Iraq.

(2) The peaceful transfer of power as the result of the free and fair parliamentary elections in Georgia in October 2012 represents a major accomplishment toward the Georgian people's creation of a free society and full democracy.

(3) However, since the October 2012 parliamentary elections the new Georgian Government has taken a series of measures against former officials and members of the current political opposition that appear to be motivated by political considerations.

(4) Over 100 former Georgian Government officials have been charged with criminal violations since the October 2012 parliamentary elections.

(5) Similar charges have been filed against members of the political opposition, including Vano Merabishvili, the Secretary General of the United National Movement.

(6) The arrest of the leader of an opposition party is especially troubling, particularly its chilling effect on political freedom prior to the presidential election scheduled for October 2013.

(7) The Georgian Government has taken insufficient action to prevent further violence against members of the United National Movement and to punish offenders.

(8) These actions call into question the Georgian Government's continued progress toward the creation of a free and

democratic society in which basic freedoms, including freedom for political opposition, are guaranteed.

(b) STATEMENT OF CONGRESS.—Congress declares that—

(1) the United States remains committed to assisting the people of Georgia in establishing a free and democratic society in their country;

(2) the measures taken by the Georgian Government against former officials and political opponents, apparently in part motivated by political considerations, may have a significant negative impact on cooperation between the United States and Georgia, including efforts to build a stronger relationship in political, economic, and security matters, as well as progress on integrating Georgia into international organizations;

(3) the United States must be unambiguous when democratic backsliding occurs in a key ally after a peaceful and democratic transfer of power between political parties; and

(4) the people of the United States and the Members of Congress express their deepest condolences to the Georgian people on the tragic loss of seven soldiers of Georgia in a suicide bombing on June 6, 2013, and the deaths of three soldiers killed in another suicide bombing on May 13, 2013, while they were supporting United States and NATO forces in Afghanistan.

131. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCHNEIDER (IL) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 539, strike lines 4 through 7 and insert the following:

(3) the conflict in Syria threatens the vital national security interests of Israel and the stability of Jordan, Lebanon, and Turkey, the implications of which should be sufficiently weighed by the President when considering policy approaches towards the conflict in Syria;

Page 540, line 11, strike “and” at the end.

Page 540, line 14, strike the period at the end and insert “; and”.

Page 540, after line 14, insert the following new paragraph:

(11) the President should use all diplomatic means to disrupt the flow of arms into Syria, including efforts to dissuade Russia from further arms sales with Syria, the influx of weapons and fighters from Hezbollah, and the infiltration of weapons and fighters from Iran.

132. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LAMBORN (CO) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 539, after line 7, insert the following new paragraph:

(4) the sale or transfer of advanced anti-aircraft weapons systems to Syria poses a grave risk to Israel and the United States supports Israel’s right to respond to this grave threat as needed;

Page 539, line 8, through page 540, line 12, redesignate paragraphs (4) through (10) as paragraphs (5) through (11), respectively.

133. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KELLY
(PA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title XII of division A, add the following new section:

**SEC. 12 . LIMITATION ON AVAILABILITY OF FUNDS TO IMPLEMENT
THE ARMS TRADE TREATY.**

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 or any fiscal year thereafter for 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 been signed by the President, received the advice and consent of the Senate, and has been the subject of implementing legislation by the Congress.

134. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RIGELL
(VA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title XII of division A, add the following new section:

SEC. 12 . WAR POWERS OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) 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 subject and authorized such a measure.”

(2) In a letter to Thomas Jefferson in 1798, James Madison wrote: “The constitution supposes, what the History of all Governments demonstrates, that the Executive is the branch of power most interested in war, and most prone to it. It has accordingly with studied care vested the question of war to the Legislature.”

(3) In 1973, Congress passed the War Powers Resolution which states in section 2: “The constitutional powers of the President as Commander-in-Chief to introduce United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, are exercised 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.”

(4) In its April 1, 2011, Memorandum to President Obama, the Office of Legal Counsel concluded: “President Obama could rely on his constitutional power to safeguard the national interest by directing the anticipated military operations in Libya—which were limited in their nature, scope, and duration—without prior congressional authorization.”

(5) On June 15, 2011, in a letter to the Speaker of the House of Representatives from the Department of Defense and Department of State, the Departments informed Congress that

“The President is of the view that the current U.S. military operations in Libya are consistent with the War Powers Resolution and do not under that law require further congressional authorization, because U.S. military operations are distinct from the kind of ‘hostilities contemplated by the Resolution’s 60 day termination provision’.”

(6) The precedence set by the Executive Branch in its assertion that Congress plays no role in military actions like those taken in Libya is contrary to the intent of the Framers and of the Constitution which vests sole authority to declare war in the Legislative Branch.

(b) **RULE OF CONSTRUCTION.**—Nothing in this Act shall be construed to authorize any use of military force.

135. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ELLISON (MN) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

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

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

136. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROWN (GA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title XII of division A, add the following new section:

SEC. 12_. PROHIBITION ON USE OF DRONES TO KILL UNITED STATES CITIZENS.

(a) **PROHIBITION.**—The Department of Defense may not use a drone to kill a citizen of the United States.

(b) **EXCEPTION.**—The prohibition under subsection (a) shall not apply to an individual who is actively engaged in combat against the United States.

(c) **DEFINITION.**—In this section, the term “drone” means an unmanned aircraft (as defined in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note)).

137. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DELAURO (CT) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title XII of division A, add the following new section:

SEC. 12 . LIMITATION ON USE OF FUNDS TO PURCHASE EQUIPMENT FROM ROSOBORONEXPORT.

(a) **LIMITATION.**—No funds authorized to be appropriated for the Department of Defense for any fiscal year after fiscal year 2013 may be used for the purchase of any equipment from Rosoboronexport until the Secretary of Defense certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge—

(1) Rosoboronexport is cooperating fully with the Defense Contract Audit Agency;

(2) Rosoboronexport has not delivered S-300 advanced anti-aircraft missiles to Syria; and

(3) no new contracts have been signed between the Bashar al Assad regime in Syria and Rosoboronexport since January 1, 2013.

(b) **NATIONAL SECURITY WAIVER.**—

(1) **IN GENERAL.**—The Secretary of Defense may waive the limitation in subsection (a) if the Secretary certifies that the waiver is in national security interest of the United States.

(2) **REPORT.**—If the Secretary waives the limitation in subsection (a) pursuant to paragraph (1), the Secretary shall submit to the congressional defense committees, not later than 30 days before purchasing equipment from Rosoboronexport pursuant to the waiver, a report on the waiver. The report shall be submitted in classified or unclassified form, at the election of the Secretary. The report shall include the following:

(A) An explanation why it is in the national security interest of the United States to purchase equipment from Rosoboronexport.

(B) An explanation why comparable equipment cannot be purchased from another corporation.

(C) An assessment of the cooperation of Rosoboronexport with the Defense Contract Audit Agency.

(D) An assessment of whether and how many S-300 advanced anti-aircraft missiles have been delivered to the Assad regime by Rosoboronexport.

(E) A list of the contracts that Rosoboronexport has signed with the Assad regime since January 1, 2013.

(c) **REQUIREMENT FOR COMPETITIVELY BID CONTRACTS.**—The Secretary of Defense shall award any contract that will use United States funds for the procurement of helicopters for the Afghan Security Forces using competitive procedures based on requirements developed by the Secretary of Defense.

138. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CONNOLLY (VA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title XII of division A, add the following new section:

SEC. 12 . SALE OF F-16 AIRCRAFT TO TAIWAN.

The President shall carry out the sale of no fewer than 66 F-16C/D multirole fighter aircraft to Taiwan.

139. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROSKAM
(IL) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title XII of division A, add the following new section:

**SEC. 12 . STATEMENT OF POLICY AND REPORT ON THE INHERENT
RIGHT OF ISRAEL TO SELF-DEFENSE.**

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

(1) The United States-Israel Enhanced Security Cooperation Act of 2012 (22 U.S.C. 8601 et seq.) established the policy of the United States to support the inherent right of Israel to self-defense.

(2) The United States-Israel Enhanced Security Cooperation Act of 2012 (22 U.S.C. 8601 et seq.) expressed the sense of Congress that the Government of the United States should transfer to the Government of Israel defense articles and defense services such as air refueling tankers, missile defense capabilities, and specialized munitions.

(3) The inherent right of Israel to self-defense necessarily includes the possession and maintenance by Israel of an independent capability to remove existential threats to its security and defend its vital national interests.

(b) POLICY OF THE UNITED STATES.—It is the policy of the United States to take all necessary steps to ensure that Israel possesses and maintains an independent capability to remove existential threats to its security and defend its vital national interests.

(c) SENSE OF CONGRESS.—It is the sense of Congress that air refueling tankers and advanced bunker-buster munitions should immediately be transferred to Israel to ensure our democratic ally has an independent capability to remove any existential threat posed by the Iranian nuclear program and defend its vital national interests.

(d) REPORT.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the House and Senate Armed Services committees, the House Foreign Affairs Committee, the Senate Foreign Relations Committee, and the House and Senate Appropriations committees a report that—

(1) identifies all aerial refueling platforms, bunker-buster munitions, and other capabilities and platforms that would contribute significantly to the maintenance by Israel of a robust independent capability to remove existential security threats, including nuclear and ballistic missile facilities in Iran, and defend its vital national interests;

(2) assesses the availability for sale or transfer of items necessary to acquire the capabilities and platforms described in paragraph (1) as well as the legal authorities available for making such transfers; and

(3) describes the steps the President is taking to immediately transfer the items described in paragraph (1) pursuant to the policy described in subsection (b).

140. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BRIDENSTINE (OK) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end of subtitle E of title XII the following:

SEC. 1259. 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) .

(2) Adopted in Lisbon in November 2010, the new NATO Strategic Concept declares that “[s]ome NATO countries will become more dependent on foreign energy suppliers and in some cases, on foreign energy supply and distribution networks for their energy needs”.

(3) The report required by section 1233 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) reaffirmed the Strategic Concept’s assessment of growing energy dependence of some members of the NATO alliance and also noted there is value in the assured access, protection, and delivery of energy.

(4) Development of energy resources and transit routes in the areas surrounding the Caspian Sea can diversify sources of supply for members of the NATO alliance, particularly those in Eastern Europe.

(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 State and 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 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) SUBMISSION 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.

141. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WELCH (VT) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title XII, add the following:

SEC. 1259. REPORT ON CERTAIN FINANCIAL ASSISTANCE TO AFGHAN MILITARY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on measures to monitor and ensure that United States financial assistance to the Afghan National Security Forces to purchase fuel is not used to purchase fuel from Iran in violation of United States sanctions.

142. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROS-LEHTINEN (FL) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title XII (page 551, after line 12), add the following new section:

SEC. 1259. COMBATING CRIME THROUGH INTELLIGENCE CAPABILITIES.

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.

143. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LAMBORN (CO) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title XII of division A, add the following new section:

SEC. 12_. SENSE OF CONGRESS ON THE THREAT POSED BY HEZBOLLAH.

(a) FINDINGS.—Congress finds the following:

- (1) Hezbollah has been designated a foreign terrorist organization by the Department of State since October 8, 1997.
- (2) Hezbollah has been responsible for numerous terrorist attacks and attempted terrorist attacks around the world, including attacks against United States citizens.
- (3) Hezbollah is active in Europe and has been linked to a July 18, 2012, suicide bombing in Bulgaria which killed five people.
- (4) Hezbollah operatives have been captured around the world attacking or attempting to attack Western and Israeli targets.

- (5) The United States is working with its European allies to combat terrorism through a variety of means, including through NATO's Partnership Action Plan against Terrorism and the Defence Against Terrorism Programme of Work.
- (b) SENSE OF CONGRESS.—It is the sense of Congress that—
- (1) the United States should continue to use all necessary means to fight against terrorism, including Hezbollah;
 - (2) President Obama should strongly encourage his European counterparts to publicly condemn Hezbollah;
 - (3) European allies should seek to officially recognize Hezbollah as a terrorist organization;
 - (4) any attempt to distinguish between military and civilian wings in Hezbollah is meaningless; and
 - (5) all countries should work together to fight radical terrorist organizations like Hezbollah.

144. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GOSAR (AZ) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title XII of division A, add the following new section:

SEC. 12 . ISRAEL'S RIGHT TO SELF-DEFENSE.

Congress fully supports Israel's lawful exercise of self-defense, including actions to halt regional aggression.

145. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BRIDENSTINE (OK) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 551, after line 12, insert the following:

SEC. 1259. REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.

(a) REPORT.—Not later than June 1, 2014, and June 1 of each year thereafter through 2017, the Secretary of Defense shall submit to the specified congressional committees a report, in both classified and unclassified form, on the current and future military power of the Russian Federation (in this section referred to as "Russia"). The report shall address the current and probable future course of military-technological development of the Russian military, the tenets and probable development of Russian security strategy and military strategy, and military organizations and operational concepts, for the 20-year period following submission of such report.

(b) MATTERS TO BE INCLUDED.—A report required under subsection (a) shall include the following:

- (1) An assessment of the security situation in regions neighboring Russia.
- (2) The goals and factors shaping Russian security strategy and military strategy.
- (3) Trends in Russian security and military behavior that would be designed to achieve, or that are consistent with, the goals described in paragraph (2).
- (4) An assessment of Russia's global and regional security objectives, including objectives that would affect the North At-

lantic Treaty Organization, the Middle East, and the People's Republic of China.

(5) A detailed assessment of the sizes, locations, and capabilities of Russian nuclear, special operations, land, sea, and air forces.

(6) Developments in Russian military doctrine and training.

(7) An assessment of the proliferation activities of Russia and Russian entities, as a supplier of materials, technologies, or expertise relating to nuclear weapons or other weapons of mass destruction or missile systems.

(8) Developments in Russia's asymmetric capabilities, including its strategy and efforts to develop and deploy cyberwarfare and electronic warfare capabilities, details on the number of malicious cyber incidents originating from Russia against Department of Defense infrastructure, and associated activities originating or suspected of originating from Russia.

(9) The strategy and capabilities of Russian space and counterspace programs, including trends, global and regional activities, the involvement of military and civilian organizations, including state-owned enterprises, academic institutions, and commercial entities, and efforts to develop, acquire, or gain access to advanced technologies that would enhance Russian military capabilities.

(10) Developments in Russia's nuclear program, including the size and state of Russia's stockpile, its nuclear strategy and associated doctrines, its civil and military production capacities, and projections of its future arsenals.

(11) A description of Russia's anti-access and area denial capabilities.

(12) A description of Russia's command, control, communications, computers, intelligence, surveillance, and reconnaissance modernization program and its applications for Russia's precision guided weapons.

(13) In consultation with the Secretary of Energy and the Secretary of State, developments regarding United States-Russian engagement and cooperation on security matters.

(14) The current state of United States military-to-military contacts with the Russian Federation Armed Forces, which shall include the following:

(A) A comprehensive and coordinated strategy for such military-to-military contacts and updates to the strategy.

(B) A summary of all such military-to-military contacts during the one-year period preceding the report, including a summary of topics discussed and questions asked by the Russian participants in those contacts.

(C) A description of such military-to-military contacts scheduled for the 12-month period following such report and the plan for future contacts.

(D) The Secretary's assessment of the benefits the Russians expect to gain from such military-to-military contacts.

(E) The Secretary's assessment of the benefits the Department of Defense expects to gain from such military-to-military contacts, and any concerns regarding such contacts.

(F) The Secretary's assessment of how such military-to-military contacts fit into the larger security relationship between the United States and the Russian Federation.

(15) A description of Russian military-to-military relationships with other countries, including the size and activity of military attaché offices around the world and military education programs conducted in Russia for other countries or in other countries for the Russians.

(16) Other military and security developments involving Russia that the Secretary of Defense considers relevant to United States national security.

(c) DEFINITION.—In this section the term “specified 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.

146. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CONYERS (MI) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 551, line 12, add at the end before the period the following: “or Iran”.

147. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WALORSKI (IN) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the appropriate place in title XII insert the following new section:

SEC. 12 . SENSE OF CONGRESS STRONGLY SUPPORTING THE FULL IMPLEMENTATION OF UNITED STATES AND INTERNATIONAL SANCTIONS ON IRAN AND URGING THE PRESIDENT TO CONTINUE TO STRENGTHEN ENFORCEMENT OF SANCTIONS LEGISLATION.

(a) FINDINGS.—Congress finds the following:

(1) On May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel.

(2) On March 28, 1949, the United States Government recognized the establishment of the new State of Israel and established full diplomatic relations.

(3) Since its establishment nearly 65 years ago, the modern State of Israel has rebuilt a nation, forged a new and dynamic democratic society, and created a thriving economic, political, cultural, and intellectual life despite the heavy costs of war, terrorism, and unjustified diplomatic and economic boycotts against the people of Israel.

(4) The people of Israel have established a vibrant, pluralistic, democratic political system, including freedom of speech, association, and religion; a vigorously free press; free, fair, and open elections; the rule of law; a fully independent judiciary; and other democratic principles and practices.

(5) Since the 1979 revolution in Iran, the leaders of the Islamic Republic of Iran have repeatedly made threats against the existence of the State of Israel and sponsored acts of terrorism and violence against its citizens.

(6) On October 27, 2005, President of Iran Mahmoud Ahmadinejad called for a world without America and Zionism.

(7) In February 2012, Supreme Leader of Iran Ali Khamenei said of Israel, "The Zionist regime is a true cancer tumor on this region that should be cut off. And it definitely will be cut off."

(8) In August 2012, Supreme Leader Khamenei said of Israel, "This bogus and fake Zionist outgrowth will disappear off the landscape of geography."

(9) In August 2012, President Ahmadinejad said that "in the new Middle East . . . there will be no trace of the American presence and the Zionists";

(10) The Department of State has designated the Islamic Republic of Iran as a state sponsor of terrorism since 1984 and has characterized the Islamic Republic of Iran as the "most active state sponsor of terrorism" in the world.

(11) The Government of the Islamic Republic of Iran has provided weapons, training, funding, and direction to terrorist groups, including Hamas, Hizballah, and Shiite militias in Iraq that are responsible for the murder of hundreds of United States service members and innocent civilians.

(12) The Government of the Islamic Republic of Iran has provided weapons, training, and funding to the regime of Bashar al Assad that has been used to suppress and murder its own people.

(13) Since at least the late 1980s, the Government of the Islamic Republic of Iran has engaged in a sustained and well-documented pattern of illicit and deceptive activities to acquire a nuclear weapons capability.

(14) Since September 2005, the Board of Governors of the International Atomic Energy Agency (IAEA) has found the Islamic Republic of Iran to be in non-compliance with its safeguards agreement with the IAEA, which Iran is obligated to undertake as a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (NPT).

(15) The United Nations Security Council has adopted multiple resolutions since 2006 demanding of the Government of the Islamic Republic of Iran its full and sustained suspension of all uranium enrichment-related and reprocessing activities and its full cooperation with the IAEA on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program.

(16) The Government of the Islamic Republic of Iran has refused to comply with United Nations Security Council resolutions or to fully cooperate with the IAEA.

(17) In November 2011, the IAEA Director General issued a report that documented "serious concerns regarding possible military dimensions to Iran's nuclear programme", and affirmed that information available to the IAEA indicates that "Iran has carried out activities relevant to the development of a nuclear explosive device" and that some activities may be ongoing.

(18) The Government of Iran stands in violation of the Universal Declaration of Human Rights for denying its citizens basic freedoms, including the freedoms of expression, religion, peaceful assembly and movement, and for flagrantly abusing the rights of minorities and women.

(19) In his State of the Union Address on January 24, 2012, President Barack Obama stated, "Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal."

(20) Congress has passed and the President has signed into law legislation imposing significant economic and diplomatic sanctions on Iran to encourage the Government of Iran to abandon its pursuit of nuclear weapons and end its support for terrorism.

(21) These sanctions, while having significant effect, have yet to persuade Iran to abandon its illicit pursuits and comply with United Nations Security Council resolutions.

(22) More stringent enforcement of sanctions legislation, including elements targeting oil exports and access to foreign exchange, could still lead the Government of Iran to change course.

(23) In his State of the Union Address on February 12, 2013, President Obama reiterated, "The leaders of Iran must recognize that now is the time for a diplomatic solution, because a coalition stands united in demanding that they meet their obligations. And we will do what is necessary to prevent them from getting a nuclear weapon."

(24) On March 4, 2012, President Obama stated, "Iran's leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon."

(25) On October 22, 2012, President Obama said of Iran, "The clock is ticking . . . And we're going to make sure that if they do not meet the demands of the international community, then we are going to take all options necessary to make sure they don't have a nuclear weapon."

(26) On May 19, 2011, President Obama stated, "Every state has the right to self-defense, and Israel must be able to defend itself, by itself, against any threat."

(27) On September 21, 2011, President Obama stated, "America's commitment to Israel's security is unshakeable. Our friendship with Israel is deep and enduring."

(28) On March 4, 2012, President Obama stated, "And whenever an effort is made to delegitimize the state of Israel, my administration has opposed them. So there should not be a shred of doubt by now: when the chips are down, I have Israel's back."

(29) On October 22, 2012, President Obama stated, "Israel is a true friend. And if Israel is attacked, America will stand with Israel. I've made that clear throughout my presidency . . . I will stand with Israel if they are attacked."

(30) In December 2012, 74 United States Senators wrote to President Obama "As you begin your second term as President, we ask you to reiterate your readiness to take military action

against Iran if it continues its efforts to acquire a nuclear weapon. In addition, we urge you to work with our European and Middle Eastern allies to demonstrate to the Iranians that a credible and capable multilateral coalition exists that would support a military strike if, in the end, this is unfortunately necessary.”.

(31) The United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150) stated that it is United States policy to support Israel’s inherent right to self-defense.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms the special bonds of friendship and cooperation that have existed between the United States and the State of Israel for more than sixty years and that enjoy overwhelming bipartisan support in Congress and among the people of the United States;

(2) strongly supports the close military, intelligence, and security cooperation that President Obama has pursued with Israel and urges this cooperation to continue and deepen;

(3) deplores and condemns, in the strongest possible terms, the reprehensible statements and policies of the leaders of the Islamic Republic of Iran threatening the security and existence of Israel;

(4) recognizes the tremendous threat posed to the United States, the West, and Israel by the Government of Iran’s continuing pursuit of a nuclear weapons capability;

(5) reiterates that the policy of the United States is to prevent Iran from acquiring a nuclear weapon capability and to take such action as may be necessary to implement this policy;

(6) reaffirms its strong support for the full implementation of United States and international sanctions on Iran and urges the President to continue and strengthen enforcement of sanctions legislation;

(7) declares that the United States has a vital national interest in, and unbreakable commitment to, ensuring the existence, survival, and security of the State of Israel, and reaffirms United States support for Israel’s right to self-defense; and

(8) urges that, if the Government of Israel is compelled to take military action in legitimate self-defense against Iran’s nuclear weapons program, the United States Government should stand with Israel and provide, in accordance with United States law and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as an authorization for the use of force or a declaration of war.

148. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FORTENBERRY (NE) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 13 . STRATEGY TO MODERNIZE COOPERATIVE THREAT REDUC-
TION AND PREVENT THE PROLIFERATION OF WEAPONS
OF MASS DESTRUCTION AND RELATED MATERIALS IN
THE MIDDLE EAST AND NORTH AFRICA REGION.**

(a) **STRATEGY REQUIRED.**—The Secretary of Defense, in consultation with the Secretary of State and the Secretary of Energy, shall establish a comprehensive and broad nonproliferation strategy to modernize cooperative threat reduction and advance cooperative efforts with international partners to reduce the threat from the proliferation of weapons of mass destruction and related materials in the Middle East and North Africa region.

(b) **ELEMENTS.**—The strategy required by subsection (a) shall—

(1) build upon the current activities of the Departments of Defense, State, and Energy’s nonproliferation programs that aim to mitigate the range of threats in the Middle East and North Africa region posed by weapons of mass destruction;

(2) review issues relating to the threat from the proliferation of weapons of mass destruction and related materials in the Middle East and North Africa region on a regional basis as well as on a country-by-country basis;

(3) review the activities and achievements in the Middle East and North Africa region of the Department of Defense Cooperative Threat Reduction Program and the nonproliferation programs at the Department of State and Department of Energy and other United States Government agencies and departments designed to address nuclear, radiological, chemical, and biological safety and security issues;

(4) ensure the continued coordination of cooperative nonproliferation efforts within the United States Government and further mobilize and leverage additional resources from partner nations, nongovernmental and multilateral organizations, and international institutions;

(5) include an assessment of what countries are financially, materially, or technologically supporting proliferation in this region and how the strategy will prevent, stop or interdict the support;

(6) include an estimate of associated costs required to plan and execute the proposed cooperative threat reduction activities in order to execute the comprehensive strategy to prevent the proliferation of weapons of mass destruction and related materials; and

(7) include a discussion of the metrics to measure the strategy’s and activities’ success in reducing the regional threat of the proliferation of weapons of mass destruction.

(c) **INTEGRATION AND COORDINATION.**—The strategy required by subsection (a) shall include an assessment of gaps in current cooperative nonproliferation efforts, an articulation of agencies’ threat reduction priorities in the Middle East and North Africa region, the establishment of appropriate metrics for determining success in the region, and steps to ensure that the strategy fits in broader United States efforts to reduce the threat from weapons of mass destruction.

(d) **CONSULTATION.**—In establishing the strategy required by subsection (a), the Secretary of Defense may consult with both governmental and nongovernmental experts from a diverse set of views.

(e) STRATEGY AND IMPLEMENTATION PLAN.—Not later than March 31, 2014, the Secretary of Defense shall submit to the specified congressional committees the cooperative threat reduction modernization strategy required by subsection (a), as well as a plan for the implementation of the strategy required by subsection (a).

(f) FORM.—The strategy required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(g) SPECIFIED CONGRESSIONAL COMMITTEES.—In this section, the term “specific congressional committees” means—

(1) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate.

149. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HANNA (NY) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 582, insert after line 25 the following:

SEC. 1607. CREDIT FOR CERTAIN SUBCONTRACTORS.

(a) IN GENERAL.—Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended by adding at the end the following:

“(16) CREDIT FOR CERTAIN SUBCONTRACTOR.—For purposes of determining whether or not a prime contractor has attained the percentage goals specified in paragraph (6)—

“(A) if the subcontracting goals pertain only to a single contract with the executive agency, the prime contractor shall receive credit for small business concerns performing as first tier subcontractors or subcontractors at any tier pursuant to the subcontracting plans required under paragraph (6)(D) in an amount equal to the dollar value of work awarded to such small business concerns; and

“(B) if the subcontracting goals pertain to more than one contract with one or more executive agencies, or to one contract with more than one executive agency, the prime contractor may only count first tier subcontractors that are small business concerns.”.

(b) DEFINITIONS PERTAINING TO SUBCONTRACTING.—Section 3 of the Small Business Act (15 U.S.C. 632) is amended by adding at the end the following:

“(dd) DEFINITIONS PERTAINING TO SUBCONTRACTING.—In this Act:

“(1) SUBCONTRACT.—The term ‘subcontract’ means a legally binding agreement between a contractor that is already under contract to another party to perform work, and a third party, hereinafter referred to as the subcontractor, for the subcontractor to perform a part, or all, of the work that the contractor has undertaken.

“(2) FIRST TIER SUBCONTRACTOR.—The term ‘first tier subcontractor’ means a subcontractor who has a subcontract directly with the prime contractor.

“(3) AT ANY TIER.—The term ‘at any tier’ means any subcontractor other than a subcontractor who is a first tier subcontractor.”.

SEC. 1608. GAO STUDY ON SUBCONTRACTING REPORTING SYSTEMS.

Not later than 365 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business of the House of Representatives and to the Committee on Small Business and Entrepreneurship of the Senate a report studying the feasibility of using Federal subcontracting reporting systems, including the Federal subaward reporting system required by section 2 of the Federal Funding Accountability and Transparency Act of 2006 and any electronic subcontracting reporting award system used by the Small Business Administration, to attribute subcontractors to particular contracts in the case of contractors that have subcontracting plans under section 8(d) of the Small Business Act that pertain to multiple contracts with executive agencies.

150. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GRAVES (MO) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 582, insert after line 25 the following:

SEC. 1607. INAPPLICABILITY OF REQUIREMENT TO REVIEW AND JUSTIFY CERTAIN CONTRACTS.

In the case of a contract to which the provisions of section 46 of the Small Business Act (15 U.S.C. 657s) apply, the requirements under section 802 of the National Defense Authorization Act for Fiscal Year 2013 do not apply.

151. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCHRADER (OR) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 1607. PROGRAM TO PROVIDE FEDERAL CONTRACTS TO EARLY STAGE SMALL BUSINESSES.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by adding at the end the following:

“SEC. 48. PROGRAM TO PROVIDE FEDERAL CONTRACTS TO EARLY STAGE SMALL BUSINESSES.

“(a) ESTABLISHMENT.—The Administrator shall establish and carry out a program in accordance with the requirements of this section to provide improved access to Federal contract opportunities for early stage small business concerns.

“(b) PROCUREMENT CONTRACTS.—

“(1) IN GENERAL.—In carrying out subsection (a), the Administrator, in consultation with other Federal agencies, shall identify procurement contracts of Federal agencies for award under the program.

“(2) CONTRACT AWARDS.—Under the program established pursuant to this section, the award of a procurement contract of a Federal agency identified by the Administrator pursuant to paragraph (1) shall be made by the agency to an eligible program participant selected, and determined to be responsible, by the agency.

“(3) COMPETITION.—

“(A) SOLE SOURCE.—A contracting officer may award a sole source contract under this program if such concern is

determined to be a responsible contractor with respect to performance of such contract opportunity and the contracting officer does not have a reasonable expectation that 2 or more early stage small business concerns will submit offers for the contracting opportunity and in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.

“(B) RESTRICTED COMPETITION.—A contracting officer may award contracts on the basis of competition restricted to early stage small business concerns if the contracting officer has a reasonable expectation that not less than 2 early stage small business concerns will submit offers and that the award can be made at a fair market price.

“(4) CONTRACT VALUE.—Contracts shall be awarded under this program if its value is greater than \$3,000 and less than half the upper threshold of section 15(j)(1) of the Small Business Act.

“(c) ELIGIBILITY.—Only an early stage small business concern shall be eligible to compete for a contract to be awarded under the program. The Administrator shall certify that a small business concern is an early stage small business concern, or the Administrator shall approve a Federal agency, a State government, or a national certifying entity to certify that the business meets the eligibility criteria of an early stage small business concern.

“(d) TECHNICAL ASSISTANCE.—The Administrator shall provide early stage small business concerns with technical assistance and counseling with regard to—

“(1) applying for and competing for Federal contracts; and

“(2) fulfilling the administrative responsibilities associated with the performance of a Federal contract.

“(e) ATTAINMENT OF CONTRACT GOALS.—All contract awards made under the program shall be counted toward the attainment of the goals specified in section 15(g) of the Small Business Act.

“(f) REGULATIONS.—The Administrator shall—

“(1) issue proposed regulations to carry out this section not later than 180 days after the date of enactment of this Act; and

“(2) issue final regulations to carry out this section not later than 270 days after the date of enactment of this Act.

“(g) REPORT TO CONGRESS.—Not later than April 30, 2015, the Administrator shall transmit to the Congress a report on the performance of the program.

“(h) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

“(1) PROGRAM.—The term ‘program’ means a program established pursuant to subsection (a).

“(2) EARLY STAGE SMALL BUSINESS CONCERN.—The term ‘early stage small business concern’ means a small business concern that—

“(A) has not more than 15 employees; and

“(B) has average annual receipts that total not more than \$1,000,000, except if the concern is in an industry with an average annual revenue standard that is less than \$1,000,000, as defined by the North American Industry Classification System.”.

(b) REPEAL OF SIMILAR PROGRAM.—Section 304 of the Small Business Administration Reauthorization and Amendments Act of 1994 (15 U.S.C. 644 note) is repealed.

152. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COLLINS, DOUG (GA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SECTION ____ . TRANSFER OF ADMINISTRATIVE JURISDICTION, CAMP FRANK D. MERRILL, DAHLONEGA, GEORGIA.

(a) TRANSFER REQUIRED.—Not later than September 30, 2014, the Secretary of Agriculture shall transfer to the administrative jurisdiction of the Secretary of the Army for required Army force protection measures certain Federal land administered as part of the Chattahoochee National Forest, but permitted to the Secretary of the Army for Camp Frank D. Merrill in Dahlonega, Georgia, consisting of approximately 282.304 acres identified in the permit numbered 0018-01.

(b) USE OF TRANSFERRED LAND.—Upon receipt of the land under subsection (a), the Secretary of the Army shall continue to use the land for military purposes.

(c) PROTECTION OF THE ETOWAH DARTER AND HOLIDAY DARTER.—Nothing in the transfer required by subsection (a) shall affect the prior designation of lands within the Chattahoochee National Forest as critical habitat for the Etowah darter (*Etheostoma etowahae*) and the Holiday darter (*Etheostoma brevirostrum*).

(d) LEGAL DESCRIPTION AND MAP.—

(1) PREPARATION AND PUBLICATION.—The Secretary of Agriculture shall publish in the Federal Register a legal description and map of the land to be transferred under subsection (a) not later than 180 days of this Act's enactment.

(2) FORCE OF LAW.—The legal description and map filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of Agriculture may correct errors in the legal description and map.

(e) REIMBURSEMENTS OF COSTS.—The transfer required by subsection (a) shall be made without reimbursement, except that the Secretary of the Army shall reimburse the Secretary of Agriculture for any costs incurred by the Secretary of Agriculture to prepare the legal description and map under subsection (c).

153. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MURPHY, TIM (PA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 27 ____ . CONSIDERATION OF THE VALUE OF SERVICES PROVIDED BY A LOCAL COMMUNITY TO THE ARMED FORCES AS PART OF THE ECONOMIC ANALYSIS IN MAKING BASE REALIGNMENT OR CLOSURE DECISIONS.

As part of the economic analysis conducted in making any base realignment or closure decision under section 2687 of title 10, United States Code, or other base realignment or closure authority, or in making any decision under section 993 of such title to reduce the number of members of the armed forces assigned at a military

installation, the Secretary of Defense shall include an accounting of the value of services, such as schools, libraries, and utilities, as well as land, structures, and access to infrastructure, such as airports and seaports, that are provided by the local community to the military installation and that result in cost savings for the Armed Forces.

154. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TURNER (OH) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of section 2801, add the following new subsection:

(d) MODIFICATION AND EXTENSION OF AUTHORITY FOR LABORATORY REVITALIZATION PROJECTS.—

(1) IN GENERAL.—Subsection (d) of section 2805 of title 10, United States Code, is amended—

(A) in paragraph (1)(A), by striking “not more than \$2,000,000” and inserting “not more than \$4,000,000, notwithstanding subsection (c)”;

(B) in paragraph (2), by striking the first sentence and inserting the following: “For purposes of this subsection, an unspecified minor military construction project is a military construction project that (notwithstanding subsection (a)) has an approved cost equal to or less than \$4,000,000.”

(C) in paragraph (5), by striking “2016” and inserting “2020”.

(2) APPLICATION TO CURRENT PROJECTS.—The amendments made by paragraph (1) do not apply to any laboratory revitalization project for which the design phase has been completed as of the date of the enactment of this Act.

155. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GARCIA (FL) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 617, after line 7, insert the following:

SEC. 2807A. DEPARTMENT OF DEFENSE REPORT ON MILITARY HOUSING PRIVATIZATION INITIATIVE.

Not later than 90 days after enactment of this Act, the Secretary of Defense shall issue a report to Congress on the Military Housing Privatization Initiative under subchapter IV of chapter 169 of title 10, United States Code. The report shall include the details of any project where the project owner has outstanding local, county, city, town or State tax obligations dating back over 12 months, as determined by a final judgment by a tax authority.

156. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BLUMENAUER (OR) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 617, after line 22, insert the following:

SEC. 2809. DEVELOPMENT OF MASTER PLANS FOR MAJOR MILITARY INSTALLATIONS.

Section 2864 of title 10, United States Code, is amended—

(1) in subsection (a)—

- (A) by striking “At a time” and inserting “(1) At a time”;
and
(B) by adding at the end the following new paragraph:
“(2) To address the requirements under paragraph (1), each installation master plan shall include consideration of—
“(A) planning for compact and infill development;
“(B) horizontal and vertical mixed-use development;
“(C) the full lifecycle costs of planning decisions;
“(D) healthy communities with a focus on walking, running and biking infrastructure, pedestrian and cycling plans, and community green and garden space; and
“(E) capacity planning through the establishment of growth boundaries around cantonment areas to focus development towards the core and preserve range and training space.”.
- (2) in subsection (b)—
(A) by striking “The transportation” and inserting “(1) The transportation”; and
(B) by adding at the end the following new paragraph:
“(2) To address the requirements under subsection (a) and paragraph (1), each installation master plan shall include consideration of ways to diversify and connect transit systems that do not neglect the pedestrian realm and enable safe walking or biking.”;
(3) by redesignating subsection (c) as subsection (e); and
(4) by inserting after subsection (b) the following new subsections:
“(c) VERTICAL MIXED USES.—A master plan for a major military installation shall be designed to strongly multi-story, mixed-use facility solutions that are sited in walkable complexes so as to avoid, when reasonable, single-purpose, inflexible facilities that are sited in a sprawling manner. Vertical mixed-use infrastructure can integrate government, non-government, or jointly financed construction within a single unit.
“(d) SAVINGS CLAUSE.—Nothing in this section shall supercede the requirements of section 2859(a) of this title.”.

157. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GARDNER (CO) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 28 ____ . CONDITIONS ON DEPARTMENT OF DEFENSE EXPANSION OF PINON CANYON MANEUVER SITE, FORT CARSON, COLORADO.

- (a) FINDINGS.—Congress finds the following:
(1) Following Japan’s attack on Pearl Harbor, Fort Carson was established in 1942 and has since been a vital contributor to our Nation’s defense and a valued part of the State of Colorado.
(2) The units at Fort Carson have served with a great honor and distinction in the current War on Terror.
(3) The current Piñon Canyon Maneuver Site near Fort Carson, Colorado, plays an important role in training our men and women in uniform so they are as prepared and effective as possible before going off to war.

(b) **CONDITIONS ON EXPANSION.**—The Secretary of Defense and the Secretary of the Army may not acquire any land to expand the size of the Piñon Canyon Maneuver Site near Fort Carson, Colorado, unless each of the following occurs:

(1) The land acquisition is specifically authorized in an Act of Congress enacted after the date of the enactment of this Act.

(2) Funds are specifically appropriated for the land acquisition.

(3) The Secretary of Defense or the Secretary of the Army, as the case may be, completes an environmental impact statement with respect to the land acquisition.

158. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HUNTER (CA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle F of title XXVIII, add the following:

SEC. 2866. INCLUSION OF EMBLEMS OF BELIEF AS PART OF MILITARY MEMORIALS.

(a) **INCLUSION OF EMBLEMS OF BELIEF AUTHORIZED.**—Chapter 21 of title 36, United States Code, is amended by adding at the end the following:

“§ 2115. Inclusion of emblems of belief as part of military memorials

“(a) **AUTHORIZED INCLUSION.**—For the purpose of honoring the sacrifice of members of the United States Armed Forces, including those members who make the ultimate sacrifice in defense of the United States, emblems of belief may be included as part of—

“(1) a military memorial that is established or acquired by the United States Government; or

“(2) a military memorial that is not established by the United States Government, but for which the American Battle Monuments Commission cooperated in the establishment of the memorial.

“(b) **SCOPE OF INCLUSION.**—When including emblems of belief as part of a military memorial, any approved emblem of belief may be included on such a memorial. The list of approved emblems of belief shall include, at a minimum, all those emblems of belief authorized by the National Cemetery Administration.

“(c) **DEFINITIONS.**—In this section:

“(1) The terms ‘emblem of belief’ and ‘emblems of belief’ refer to the emblems of belief contained on the list maintained by the National Cemetery Administration for placement on Government-provided headstones and markers.

“(2) The term ‘military memorial’ means a memorial or monument commemorating the service of the United States Armed Forces. The term includes works of architecture and art described in section 2105(b) of this title.”

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

“2115. Inclusion of emblems of belief as part of military memorials.”.

159. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
BILIRAKIS (FL) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 28 . ESTABLISHMENT OF MILITARY DIVERS MEMORIAL AT
WASHINGTON NAVY YARD.**

(a) **MEMORIAL AUTHORIZED.**—Consistent with the sense of the Congress expressed in section 2855 of the National Defense Authorization Act for Fiscal Year 2013, the Secretary of the Navy may permit a third party to establish and maintain, at a suitable location at the former Navy Dive School at the Washington Navy Yard in the District of Columbia, a memorial to honor the members of the United States Armed Forces who have served as divers and whose service in defense of the United States has been carried out beneath the waters of the world.

(b) **LOCATION AND DESIGN OF MONUMENT.**—The actual location at the Washington Navy Yard for the memorial authorized by subsection (a) and the final design of the memorial shall be subject to the approval of the Secretary. In selecting the site to serve as the location for the memorial, the Secretary shall seek to maximize visitor access to the memorial.

(c) **MILITARY SUPPORT.**—The Secretary shall provide military ceremonial support at the dedication of the memorial authorized by subsection (a).

(d) **USE OF FEDERAL FUNDS PROHIBITED.**—Federal funds may not be used to design, procure, prepare, install, or maintain the memorial authorized by subsection (a), but the Secretary may accept and expend contributions of non-Federal funds and resources for such purposes.

160. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LUJÁN,
BEN RAY (NM) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle B of title XXXI, insert the following new section:

**SEC. 3123. EXTENSION OF AUTHORITY OF SECRETARY OF ENERGY TO
ENTER INTO TRANSACTIONS TO CARRY OUT CERTAIN RE-
SEARCH PROJECTS.**

Section 646(g)(10) of the Department of Energy Organization Act (42 U.S.C. 7256(g)(10)) is amended by striking “September 30, 2015” and inserting “September 30, 2020”.

161. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
HASTINGS (WA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle D of title XXXI, insert the following:

SEC. 3145. CONVEYANCE OF LAND AT THE HANFORD SITE.

(a) **CONVEYANCE REQUIRED.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Energy shall convey, for consideration at the estimated fair market value or, in accordance with paragraph (2), below such value, to the Community Reuse Organization of the Hanford Site (in this section referred to as the “Organization”) all right, title, and interest of

the United States in and to the real property, including any improvements thereon, described in paragraph (3).

(2) CONSIDERATION.—The Secretary may convey real property pursuant to paragraph (1) for consideration below the estimated fair market value of the real property, or without consideration, only if the Organization—

(A) agrees that the net proceeds from any sale or lease of the real property (or any portion thereof) received by the Organization during at least the seven-year period beginning on the date of such conveyance will be used to support the economic redevelopment of, or related to, the Hanford Site; and

(B) executes the agreement for such conveyance and accepts control of the real property within a reasonable time.

(3) REAL PROPERTY DESCRIBED.—The real property described in this paragraph is the real property consisting of two parcels of land of approximately 1,341 acres and 300 acres, respectively, of the Hanford Reservation, as requested by the Community Reuse Organization for the Hanford Site on May 31, 2011, and October 13, 2011, and as depicted within the proposed boundaries on the map titled “Attachment 2—Revised Map” included in the letter sent by the Community Reuse Organization for the Hanford Site to the Department of Energy on October 13, 2011.

(b) PRIORITY CONSIDERATION.—The Secretary shall actively solicit, and provide priority consideration to, the views of the cities and counties adjacent to the Hanford Site with respect to the development and execution of the Hanford Comprehensive Land Use Plan.

162. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PEARCE (NM) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 723, after line 23, insert the following:

SEC. 3145. GOVERNMENT WASTE ISOLATION PILOT PLANT EXTENSION.

(a) EXTENSION OF WASTE ISOLATION PILOT PLANT MISSION.—The Secretary of Energy shall manage WIPP in such a way as to include, in addition to the disposal of wastes authorized by section 213 of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Public Law 96-164; 93 Stat. 1259, 1265), the transportation and disposal of any non-defense Federal Government-owned transuranic waste that can be shown to meet the applicable criteria described in the document entitled “Transuranic Waste Acceptance Criteria For The Waste Isolation Pilot Plant”, published by the Department of Energy on April 21, 2011, or any successor document.

(b) DEFINITIONS.—In this section:

(1) DISPOSAL; TRANSURANIC WASTE.—The terms “disposal” and “transuranic waste” have the meanings given those terms in section 2 of the Waste Isolation Pilot Plant Land Withdrawal Act (Public Law 102-579; 106 Stat. 4777).

(2) WIPP.—The term “WIPP” means the Waste Isolation Pilot Plant project authorized under section 213 of the Depart-

ment of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Public Law 96-164; 93 Stat. 1259, 1265).

163. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HASTINGS (WA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 31 . MANHATTAN PROJECT NATIONAL HISTORICAL PARK.

(a) **PURPOSES.**—The purposes of this section are—

(1) to preserve and protect for the benefit of present and future generations the nationally significant historic resources associated with the Manhattan Project and which are under the jurisdiction of the Department of Energy defense environmental cleanup program under this title;

(2) to improve public understanding of the Manhattan Project and the legacy of the Manhattan Project through interpretation of the historic resources associated with the Manhattan Project;

(3) to enhance public access to the Historical Park consistent with protection of public safety, national security, and other aspects of the mission of the Department of Energy; and

(4) to assist the Department of Energy, Historical Park communities, historical societies, and other interested organizations and individuals in efforts to preserve and protect the historically significant resources associated with the Manhattan Project.

(b) **DEFINITIONS.**—In this section:

(1) **HISTORICAL PARK.**—The term “Historical Park” means the Manhattan Project National Historical Park established under subsection (c).

(2) **MANHATTAN PROJECT.**—The term “Manhattan Project” means the Federal military program to develop an atomic bomb ending on December 31, 1946.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(c) **ESTABLISHMENT OF MANHATTAN PROJECT NATIONAL HISTORICAL PARK.**—

(1) **ESTABLISHMENT.**—

(A) **DATE.**—Not later than 1 year after the date of enactment of this section, there shall be established as a unit of the National Park System the Manhattan Project National Historical Park.

(B) **AREAS INCLUDED.**—The Historical Park shall consist of facilities and areas listed under paragraph (2) as determined by the Secretary, in consultation with the Secretary of Energy. The Secretary shall include the area referred to in paragraph (2)(C)(i), the B Reactor National Historic Landmark, in the Historical Park.

(2) **ELIGIBLE AREAS.**—The Historical Park may only be comprised of one or more of the following areas, or portions of the areas, as generally depicted in the map titled “Manhattan Project National Historical Park Sites”, numbered 540/108,834-C, and dated September 2012:

(A) OAK RIDGE, TENNESSEE.—Facilities, land, or interests in land that are—

- (i) at Buildings 9204–3 and 9731 at the Department of Energy Y–12 National Security Complex;
- (ii) at the X–10 Graphite Reactor at the Department of Energy Oak Ridge National Laboratory;
- (iii) at the K–25 Building site at the Department of Energy East Tennessee Technology Park; and
- (iv) at the former Guest House located at 210 East Madison Road.

(B) LOS ALAMOS, NEW MEXICO.—Facilities, land, or interests in land that are—

- (i) in the Los Alamos Scientific Laboratory National Historic Landmark District, or any addition to the Landmark District proposed in the National Historic Landmark Nomination—Los Alamos Scientific Laboratory (LASL) NHL District (Working Draft of NHL Revision), Los Alamos National Laboratory document LA–UR 12–00387 (January 26, 2012);
- (ii) at the former East Cafeteria located at 1670 Nectar Street; and
- (iii) at the former dormitory located at 1725 17th Street.

(C) HANFORD, WASHINGTON.—Facilities, land, or interests in land on the Department of Energy Hanford Nuclear Reservation that are—

- (i) the B Reactor National Historic Landmark;
- (ii) the Hanford High School in the town of Hanford and Hanford Construction Camp Historic District;
- (iii) the White Bluffs Bank building in the White Bluffs Historic District;
- (iv) the warehouse at the Bruggemann’s Agricultural Complex;
- (v) the Hanford Irrigation District Pump House; and
- (vi) the T Plant (221–T Process Building).

(3) WRITTEN CONSENT OF OWNER.—No non-Federal property may be included in the Historical Park without the written consent of the owner.

(d) AGREEMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary and the Secretary of Energy (acting through the Oak Ridge, Los Alamos, and Richland site offices) shall enter into an agreement governing the respective roles of the Secretary and the Secretary of Energy in administering the facilities, land, or interests in land under the administrative jurisdiction of the Department of Energy that is to be included in the Historical Park under subsection (c)(2), including provisions for enhanced public access, management, interpretation, and historic preservation.

(2) RESPONSIBILITIES OF THE SECRETARY.—Any agreement under paragraph (1) shall provide that the Secretary shall—

- (A) have decisionmaking authority for the content of historic interpretation of the Manhattan Project for purposes of administering the Historical Park; and

(B) ensure that the agreement provides an appropriate advisory role for the National Park Service in preserving the historic resources covered by the agreement.

(3) RESPONSIBILITIES OF THE SECRETARY OF ENERGY.—Any agreement under paragraph (1) shall provide that the Secretary of Energy—

(A) shall ensure that the agreement appropriately protects public safety, national security, and other aspects of the ongoing mission of the Department of Energy at the Oak Ridge Reservation, Los Alamos National Laboratory, and Hanford Site;

(B) may consult with and provide historical information to the Secretary concerning the Manhattan Project;

(C) shall retain responsibility, in accordance with applicable law, for any environmental remediation that may be necessary in or around the facilities, land, or interests in land governed by the agreement; and

(D) shall retain authority and legal obligations for historic preservation and general maintenance, including to ensure safe access, in connection with the Department's Manhattan Project resources.

(4) AMENDMENTS.—The agreement under paragraph (1) may be amended, including to add to the Historical Park facilities, land, or interests in land within the eligible areas described in subsection (c)(2) that are under the jurisdiction of the Secretary of Energy.

(e) PUBLIC PARTICIPATION.—

(1) IN GENERAL.—The Secretary shall consult with interested State, county, and local officials, organizations, and interested members of the public—

(A) before executing any agreement under subsection (d); and

(B) in the development of the general management plan under subsection (f)(2).

(2) NOTICE OF DETERMINATION.—Not later than 30 days after the date on which an agreement under subsection (d) is entered into, the Secretary shall publish in the Federal Register notice of the establishment of the Historical Park, including an official boundary map.

(3) AVAILABILITY OF MAP.—The official boundary map published under paragraph (2) shall be on file and available for public inspection in the appropriate offices of the National Park Service. The map shall be updated to reflect any additions to the Historical Park from eligible areas described in subsection (c)(2).

(4) ADDITIONS.—Any land, interest in land, or facility within the eligible areas described in subsection (c)(2) that is acquired by the Secretary or included in an amendment to the agreement under subsection (d)(4) shall be added to the Historical Park.

(f) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Historical Park in accordance with—

(A) this section; and

(B) the laws generally applicable to units of the National Park System, including—

- (i) the National Park System Organic Act (16 U.S.C. 1 et seq.); and
- (ii) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(2) GENERAL MANAGEMENT PLAN.—Not later than 3 years after the date on which funds are made available to carry out this subsection, the Secretary, with the concurrence of the Secretary of Energy, and in consultation and collaboration with the Oak Ridge, Los Alamos and Richland Department of Energy site offices, shall complete a general management plan for the Historical Park in accordance with section 12(b) of Public Law 91–383 (commonly known as the National Park Service General Authorities Act; 16 U.S.C. 1a–7(b)).

(3) INTERPRETIVE TOURS.—The Secretary may, subject to applicable law, provide interpretive tours of historically significant Manhattan Project sites and resources in the States of Tennessee, New Mexico, and Washington that are located outside the boundary of the Historical Park.

(4) LAND ACQUISITION.—

(A) IN GENERAL.—The Secretary may acquire land and interests in land within the eligible areas described in subsection (c)(2) by—

- (i) transfer of administrative jurisdiction from the Department of Energy by agreement between the Secretary and the Secretary of Energy;
- (ii) donation; or
- (iii) exchange.

(B) NO USE OF CONDEMNATION.—The Secretary may not acquire by condemnation any land or interest in land under this section or for the purposes of this section.

(5) DONATIONS; COOPERATIVE AGREEMENTS.—

(A) FEDERAL FACILITIES.—

(i) IN GENERAL.—The Secretary may enter into one or more agreements with the head of a Federal agency to provide public access to, and management, interpretation, and historic preservation of, historically significant Manhattan Project resources under the jurisdiction or control of the Federal agency.

(ii) DONATIONS; COOPERATIVE AGREEMENTS.—The Secretary may accept donations from, and enter into cooperative agreements with, State governments, units of local government, tribal governments, organizations, or individuals to further the purpose of an interagency agreement entered into under clause (i) or to provide visitor services and administrative facilities within reasonable proximity to the Historical Park.

(B) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to State, local, or tribal governments, organizations, or individuals for the management, interpretation, and historic preservation of historically significant Manhattan Project resources not included within the Historical Park.

(C) DONATIONS TO DEPARTMENT OF ENERGY.—For the purposes of this section, or for the purpose of preserving and providing access to historically significant Manhattan Project resources, the Secretary of Energy may accept, hold, administer, and use gifts, bequests, and devises (including labor and services).

(g) CLARIFICATION.—

(1) NO BUFFER ZONE CREATED.—Nothing in this section, the establishment of the Historical Park, or the management plan for the Historical Park shall be construed to create buffer zones outside of the Historical Park. That an activity can be seen and heard from within the Historical Park shall not preclude the conduct of that activity or use outside the Historical Park.

(2) NO CAUSE OF ACTION.—Nothing in this section shall constitute a cause of action with respect to activities outside or adjacent to the established boundary of the Historical Park.

164. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE YOUNG, DON (AK) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 35 . TREATMENT OF FUNDS FOR INTERMODAL TRANSPORTATION MARITIME FACILITY, PORT OF ANCHORAGE, ALASKA.

Section 10205 of Public Law 109–59 (119 Stat. 1934) is amended by striking “shall” and inserting “may”.

165. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE YOUNG, DON (AK) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title XXXV (page 730, after line 19) add the following:

SEC. 350 . STRATEGIC SEAPORTS.

(a) PRIORITY.—

(1) IN GENERAL.—Under the port infrastructure development program established under section 50302(c) of title 46, United States Code, the Maritime Administrator, in consultation with the Secretary of Defense, may give priority to providing funding to strategic seaports in support of national security requirements.

(2) STRATEGIC SEAPORT DEFINED.—In this subsection the term “strategic seaport” means a military port or and commercial port that is subject to a port planning order or Basic Ordering Agreement (or both) that is projected to be used for the deployment of forces and shipment of ammunition or sustainment supplies in support of military operations.

(b) FINANCIAL ASSISTANCE.—Section 50302(c)(2)(D) of title 46, United States Code, is amended by inserting “and financial assistance, including grants,” after “technical assistance”.

166. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ISSA
(CA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following new division:

DIVISION E—FEDERAL INFORMATION TECHNOLOGY ACQUISITION REFORM ACT

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:

- 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 assets.
- Sec. 5302. Website 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 AND STREAMLINING INFORMATION TECHNOLOGY ACQUISITION MANAGEMENT PRACTICES

Subtitle A—Strengthening and Streamlining IT Program Management Practices

- Sec. 5401. Establishment of Federal infrastructure and common application collaboration center.
- Sec. 5402. Designation of Assisted Acquisition Centers of Excellence.

Subtitle B—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. Promoting transparency of blanket purchase agreements.
- Sec. 5503. Additional source selection technique in solicitations.
- Sec. 5504. Enhanced transparency in information technology investments.

- Sec. 5505. Enhanced communication between Government and industry.
 Sec. 5506. Clarification of current law with respect to technology neutrality in acquisition of software.

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 3603(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 Electronic Government established under section 3602 of title 44, United States Code.

(7) **INFORMATION TECHNOLOGY OR IT.**—The term “information technology” or “IT” has the meaning provided in section 11101(6) of title 40, United States Code.

(8) **RELEVANT CONGRESSIONAL COMMITTEES.**—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.

TITLE LI—MANAGEMENT OF INFORMATION TECHNOLOGY WITHIN FEDERAL GOVERNMENT

SEC. 5101. 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 end of the section; and

(B) by inserting before subsection (b) the following new subsection (a):

“(a) **PRESIDENTIAL APPOINTMENT OR DESIGNATION OF CERTAIN CHIEF INFORMATION OFFICERS.**—

“(1) IN GENERAL.—There shall be within each agency listed in section 901(b)(1) of title 31, other than the Department of Defense, an agency Chief Information Officer. Each agency Chief Information Officer shall—

“(A)(i) be appointed by the President; or

“(ii) be designated by the President, in consultation with the head of the agency; and

“(B) be appointed or designated, as applicable, from among individuals who possess demonstrated ability in general management of, and knowledge of and 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) of title 44 for Chief Information Officers designated under paragraph (2) of such section.”

(2) CONFORMING AMENDMENT.—Section 3506(a)(2)(A) of title 44, United States Code, is amended by inserting after “each agency” the following: “, other than an agency with a Presidentially appointed or designated Chief Information Officer as provided in section 11315(a)(1) of title 40,”.

(b) AUTHORITY RELATING TO BUDGET AND PERSONNEL.—Section 11315 of title 40, United States Code, is further amended by inserting after subsection (c) the following new subsection:

“(d) ADDITIONAL AUTHORITIES FOR CERTAIN CIOs.—

“(1) BUDGET-RELATED AUTHORITY.—

“(A) PLANNING.—The head of each agency listed in section 901(b)(1) or 901(b)(2) of title 31, other than the Department of Defense, shall ensure that the Chief Information Officer of the agency has the authority to participate in decisions regarding the budget planning process related to information technology or programs that include significant information technology components.

“(B) ALLOCATION.—Amounts appropriated for any agency listed in section 901(b)(1) or 901(b)(2) of title 31, other than the Department of Defense, for any fiscal year that are available for information technology shall be allocated within the agency, consistent with the provisions of appropriations Acts and budget guidelines and recommendations from the Director of the Office of Management and Budget, in such manner as may be specified by, or approved by, the Chief Information Officer of the agency in consultation with the Chief Financial Officer of the agency and budget officials.

“(2) PERSONNEL-RELATED AUTHORITY.—The head of each agency listed in section 901(b)(1) or 901(b)(2) of title 31, other than the Department of Defense, shall ensure that the Chief Information Officer of the agency has the authority necessary to approve the hiring of personnel who will have information technology responsibilities within the agency and to require that such personnel have the obligation to report to the Chief Information Officer in a manner considered sufficient by the Chief Information Officer.”

(c) SINGLE CHIEF INFORMATION OFFICER IN EACH AGENCY.—

(1) REQUIREMENT.—Section 3506(a)(3) of title 44, United States Code, is amended—

(A) by inserting “(A)” after “(3)”; and

(B) by adding at the end the following new subparagraph:

“(B) Each agency shall have only one individual with the title and designation of ‘Chief Information Officer’. Any bureau, office, or subordinate organization within the agency may designate one individual with the title ‘Deputy Chief Information Officer’, ‘Associate Chief Information Officer’, or ‘Assistant Chief Information Officer’.”

(2) EFFECTIVE DATE.—Section 3506(a)(3)(B) of title 44, United States Code, as added by paragraph (1), shall take effect as of October 1, 2014. Any individual serving in a position affected by such section before such date may continue in that position if the requirements of such section are fulfilled with respect to that individual.

SEC. 5102. LEAD COORDINATION ROLE OF CHIEF INFORMATION OFFICERS COUNCIL.

(a) LEAD COORDINATION ROLE.—Subsection (d) of section 3603 of title 44, United States Code, is amended to read as follows:

“(d) LEAD INTERAGENCY FORUM.—

“(1) IN GENERAL.—The Council is designated the lead interagency forum for improving agency coordination of practices related to the design, development, modernization, use, operation, sharing, performance, and review of Federal Government information resources investment. As the lead interagency forum, the Council shall develop cross-agency portfolio management practices to allow and encourage the development of cross-agency shared services and shared platforms. The Council shall also issue guidelines and practices for infrastructure and common information technology applications, including expansion of the Federal Enterprise Architecture process if appropriate. The guidelines and practices may address broader transparency, common inputs, common outputs, and outcomes achieved. The guidelines and practices shall be used as a basis for comparing performance across diverse missions and operations in various agencies.

“(2) REPORT.—Not later than December 1 in each of the 6 years following the date of the enactment of this paragraph, the Council shall submit to the relevant congressional committees a report (to be known as the ‘CIO Council Report’) summarizing the Council’s activities in the preceding fiscal year and containing such recommendations for further congressional action to fulfill its mission as the Council considers appropriate.

“(3) RELEVANT CONGRESSIONAL COMMITTEES.—For purposes of the report required by paragraph (2), the relevant congressional committees are 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.”.

(b) **ADDITIONAL FUNCTION.**—Subsection (f) of section 3603 of such title is amended by adding at the end the following new paragraph:

“(8) Assist the Administrator in developing and providing guidance for effective operations of the Federal Infrastructure and Common Application Collaboration Center established under section 11501 of title 40.”.

(c) **REFERENCES TO ADMINISTRATOR OF E-GOVERNMENT AS FEDERAL CHIEF INFORMATION OFFICER.**—

(1) **REFERENCES.**—Section 3602(b) of title 44, United States Code, is amended by adding at the end the following: “The Administrator may also be referred to as the Federal Chief Information Officer.”.

(2) **DEFINITION.**—Section 3601(1) of such title is amended by inserting “or ‘Federal Chief Information Officer’” before “means”.

SEC. 5103. REPORTS BY GOVERNMENT ACCOUNTABILITY OFFICE.

(a) **REQUIREMENT TO EXAMINE EFFECTIVENESS.**—The Comptroller General of the United States shall examine the effectiveness of the Chief Information Officers Council in meeting its responsibilities under section 3603(d) of title 44, United States Code, as added by section 5102, with particular focus on—

(1) whether agencies are actively participating in the Council and heeding the Council’s advice and guidance; and

(2) whether the Council is actively using and developing the capabilities of the Federal Infrastructure and Common Application Collaboration Center created under section 11501 of title 40, United States Code, as added by section 5401.

(b) **REPORTS.**—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 the relevant congressional committees a report containing the findings and recommendations of the Comptroller General from the examination required by subsection (a).

TITLE LII—DATA CENTER OPTIMIZATION

SEC. 5201. PURPOSE.

The purpose of this title is to optimize Federal data center usage and efficiency.

SEC. 5202. DEFINITIONS.

In this title:

(1) **FEDERAL DATA CENTER OPTIMIZATION INITIATIVE.**—The term “Federal Data Center Optimization Initiative” or the “Initiative” means the initiative developed and implemented by the Director, through the Federal Chief Information Officer, as required under section 5203.

(2) **COVERED AGENCY.**—The term “covered agency” means any agency included in the Federal Data Center Optimization Initiative.

(3) **DATA CENTER.**—The term “data center” means a closet, room, floor, or building for the storage, management, and dissemination of data and information, as defined by the Federal Chief Information Officer under guidance issued pursuant to this section.

(4) **FEDERAL DATA CENTER.**—The term “Federal data center” means any data center of a covered agency used or operated by a covered agency, by a contractor of a covered agency, or by another organization on behalf of a covered agency.

(5) **SERVER UTILIZATION.**—The term “server utilization” refers to the activity level of a server relative to its maximum activity level, expressed as a percentage.

(6) **POWER USAGE EFFECTIVENESS.**—The term “power usage effectiveness” means the ratio obtained by dividing the total amount of electricity and other power consumed in running a data center by the power consumed by the information and communications technology in the data center.

SEC. 5203. FEDERAL DATA CENTER OPTIMIZATION INITIATIVE.

(a) **REQUIREMENT FOR INITIATIVE.**—The Federal Chief Information Officer, in consultation with the chief information officers of covered agencies, shall develop and implement an initiative, to be known as the Federal Data Center Optimization Initiative, to optimize the usage and efficiency of Federal data centers by meeting the requirements of this division and taking additional measures, as appropriate.

(b) **REQUIREMENT FOR PLAN.**—Within 6 months after the date of the enactment of this Act, the Federal Chief Information Officer, in consultation with the chief information officers of covered agencies, shall develop and submit to Congress a plan for implementation of the Initiative required by subsection (a) by each covered agency. In developing the plan, the Federal Chief Information Officer shall take into account the findings and recommendations of the Comptroller General review required by section 5205(e).

(c) **MATTERS COVERED.**—The plan shall include—

(1) descriptions of how covered agencies will use reductions in floor space, energy use, infrastructure, equipment, applications, personnel, increases in multiorganizational use, server virtualization, cloud computing, and other appropriate methods to meet the requirements of the initiative; and

(2) appropriate consideration of shifting Federally owned data centers to commercially owned data centers.

SEC. 5204. PERFORMANCE REQUIREMENTS RELATED TO DATA CENTER CONSOLIDATION.

(a) **SERVER UTILIZATION.**—Each covered agency may use the following methods to achieve the maximum server utilization possible as determined by the Federal Chief Information Officer.

(1) The closing of existing data centers that lack adequate server utilization, as determined by the Federal Chief Information Officer. If the agency fails to close such data centers, the agency shall provide a detailed explanation as to why this data center should remain in use as part of the submitted plan. The Federal Chief Information Officer shall include an assessment of the agency explanation in the annual report to Congress.

(2) The consolidation of services within existing 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.

(b) **POWER USAGE EFFECTIVENESS.**—Each covered agency may use the following methods to achieve the maximum energy efficiency possible as determined by the Federal Chief Information Officer:

(1) The use of the measurement of power usage effectiveness to calculate data center energy efficiency.

(2) The use of power meters in data centers 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—

(A) temperature and airflow in data centers; and

(B) 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 costs each year under paragraph (1), a covered agency shall use the following factors:

(A) Energy costs.

(B) Personnel costs.

(C) Real estate costs.

(D) Capital 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.

(b) **REQUIREMENT TO TRACK SAVINGS.**—

(1) **IN GENERAL.**—Each covered agency shall track 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.

(c) **REQUIREMENT TO USE COST-EFFECTIVE MEASURES.**—Covered agencies shall use the most cost-effective measures to implement the Federal Data Center Optimization Initiative.

(d) **USE OF SAVINGS.**—Subject to appropriations, any savings resulting from implementation of the Federal Data Center Optimization Initiative within a covered agency shall be used for the following purposes:

(1) To offset the costs of implementing the Initiative within the agency.

(2) To further enhance information technology capabilities and services within the agency.

(e) **GOVERNMENT ACCOUNTABILITY OFFICE REVIEW.**—Not later than 3 months after the date of the enactment of this Act, the Comptroller General of the United States shall examine methods for calculating savings from the Initiative and using them for the purposes identified in subsection (d), including establishment and use of a special revolving fund that supports data centers and server optimization, and shall submit to the Federal Chief Information Officer and Congress a report on the Comptroller General's findings and recommendations.

SEC. 5206. REPORTING REQUIREMENTS TO CONGRESS AND THE FEDERAL CHIEF INFORMATION OFFICER.

(a) **AGENCY REQUIREMENT TO REPORT TO CIO.**—Each year, each covered agency shall submit to the Federal Chief Information Officer a report on the implementation of the Federal Data Center Optimization Initiative, including savings resulting from such implementation. The report shall include an update of the agency's plan for implementing the Initiative.

(b) **FEDERAL CHIEF INFORMATION OFFICER REQUIREMENT TO REPORT TO CONGRESS.**—Each year, the Federal Chief Information Officer shall submit to the relevant congressional committees a report that assesses agency progress in carrying out the Federal Data Center Optimization Initiative and updates the plan under section 5203. The report may be included as part of the annual report required under section 3606 of title 44, United States Code.

TITLE LIII—ELIMINATION OF DUPLICATION AND WASTE IN INFORMATION TECHNOLOGY ACQUISITION

SEC. 5301. INVENTORY OF INFORMATION TECHNOLOGY ASSETS.

(a) **PLAN.**—The Director shall develop a plan for conducting a Governmentwide inventory of information technology assets.

(b) **MATTERS COVERED.**—The plan required by subsection (a) shall cover the following:

(1) The manner in which Federal agencies can achieve the greatest possible economies of scale and cost savings in the

procurement of information technology assets, through measures such as reducing hardware or software products or services that are duplicative or overlapping and reducing the procurement of new software licenses until such time as agency needs exceed the number of existing and unused licenses.

(2) The capability to conduct ongoing Governmentwide inventories of all existing software licenses on an application-by-application basis, including duplicative, unused, overused, and underused licenses, and to assess the need of agencies for software licenses.

(3) A Governmentwide spending analysis to provide knowledge about how much is being spent for software products or services to support decisions for strategic sourcing under the Federal strategic sourcing program managed by the Office of Federal Procurement Policy.

(c) OTHER INVENTORIES.—In developing the plan required by subsection (a), the Director shall review the inventory of information systems maintained by each agency under section 3505(c) of title 44, United States Code, and the inventory of information resources maintained by each agency under section 3506(b)(4) of such title.

(d) AVAILABILITY.—The inventory of information technology assets shall be available to Chief Information Officers and such other Federal officials as the Chief Information Officers may, in consultation with the Chief Information Officers Council, designate.

(e) DEADLINE AND SUBMISSION TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Director shall complete and submit to Congress the plan required by subsection (a).

(f) IMPLEMENTATION.—Not later than two years after the date of the enactment of this Act, the Director shall complete implementation of the plan required by subsection (a).

(g) REVIEW BY COMPTROLLER GENERAL.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall review the plan required by subsection (a) and submit to the relevant congressional committees a report on the review.

SEC. 5302. WEBSITE CONSOLIDATION AND TRANSPARENCY.

(a) WEBSITE CONSOLIDATION.—The Director shall—

(1) in consultation with Federal agencies, and after reviewing the directory of public Federal Government websites of each agency (as required to be established and updated under section 207(f)(3) of the E-Government Act of 2002 (Public Law 107-347; 44 U.S.C. 3501 note)), assess all the publicly available websites of Federal agencies to determine whether there are duplicative or overlapping websites; and

(2) require Federal agencies to eliminate or consolidate those websites that are duplicative or overlapping.

(b) WEBSITE TRANSPARENCY.—The Director shall issue guidance to Federal agencies to ensure that the data on publicly available websites of the agencies are open and accessible to the public.

(c) MATTERS COVERED.—In preparing the guidance required by subsection (b), the Director shall—

(1) develop guidelines, standards, and best practices for interoperability and transparency;

(2) identify interfaces that provide for shared, open solutions on the publicly available websites of the agencies; and

(3) ensure that Federal agency Internet home pages, web-based forms, and web-based applications are accessible to individuals with disabilities in conformance with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

(d) **DEADLINE FOR GUIDANCE.**—The guidance required by subsection (b) shall be issued not later than 180 days after the date of the enactment of this Act.

SEC. 5303. TRANSITION TO THE CLOUD.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that transition to cloud computing offers significant potential benefits for the implementation of Federal information technology projects in terms of flexibility, cost, and operational benefits.

(b) **GOVERNMENTWIDE APPLICATION.**—In assessing cloud computing opportunities, the Chief Information Officers Council shall define policies and guidelines for the adoption of Governmentwide programs providing for a standardized approach to security assessment and operational authorization for cloud products and services.

(c) **ADDITIONAL BUDGET AUTHORITIES FOR TRANSITION.**—In transitioning to the cloud, a Chief Information Officer of an agency listed in section 901(b) of title 31, United States Code, may establish such cloud service Working Capital Funds, in consultation with the Chief Financial Officer of the agency, as may be necessary to transition to cloud-based solutions. Notwithstanding any other provision of law, such cloud service Working Capital Funds may preserve funding for cloud service transitions for a period not to exceed 5 years per appropriation. Any establishment of a new Working Capital Fund under this subsection shall be reported to the Committees on Appropriations of the House of Representatives and the Senate and relevant Congressional committees.

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.**—Effective on and after 180 days after the date of the enactment of this Act, an executive agency may not issue a solicitation for a covered contract vehicle unless the agency performs a business case analysis for the contract vehicle and obtains an approval of the business case analysis from the Administrator for Federal Procurement Policy.

(2) **REVIEW OF BUSINESS CASE ANALYSIS.**—

(A) **IN GENERAL.**—With respect to any covered contract vehicle, the Administrator for Federal Procurement Policy shall review the business case analysis submitted for the contract vehicle and provide an approval or disapproval within 60 days after the date of submission. Any business case analysis not disapproved within such 60-day period is deemed to be approved.

(B) **BASIS FOR APPROVAL OF BUSINESS CASE.**—The Administrator for Federal Procurement Policy shall approve or disapprove a business case analysis based on the adequacy

of the analysis submitted. The Administrator shall give primary consideration to whether an agency has demonstrated a compelling need that cannot be satisfied by existing Governmentwide contract vehicles in a timely and cost-effective manner.

(3) **CONTENT OF BUSINESS CASE ANALYSIS.**—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 vehicle, including an analysis of all direct and indirect costs to the Federal Government of awarding and administering such contract vehicle and the impact such contract vehicle will have on the ability of the Federal Government to leverage its purchasing power.

(c) **DEFINITIONS.**—

(1) **COVERED CONTRACT VEHICLE.**—The term “covered contract vehicle” has the meaning provided by the Administrator for Federal Procurement Policy in guidance issued pursuant to this section and includes, at a minimum, any Governmentwide contract vehicle, whether for acquisition of information technology or other goods or services, in an amount greater than \$50,000,000 (or \$10,000,000, determined on an average annual basis, in the case of such a contract vehicle performed over more than one year). The term does not include a multiple award schedule contract awarded by the General Services Administration, a Governmentwide acquisition contract for information technology awarded pursuant to sections 11302(e) and 11314(a)(2) of title 40, United States Code, or orders against existing Governmentwide contract vehicles.

(2) **GOVERNMENTWIDE CONTRACT VEHICLE AND EXECUTIVE AGENCY.**—The terms “Governmentwide contract vehicle” and “executive agency” have the meanings provided in section 11501 of title 40, United States Code, as added by section 5401.

(d) **REPORT.**—Not later than June 1 in each of the next 6 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 this section, including a summary of the submissions, reviews, approvals, and disapprovals of business case analyses pursuant to this section.

(e) **GUIDANCE.**—The Administrator for Federal Procurement Policy shall issue guidance for implementing this section.

(f) **REVISION OF FAR.**—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be amended to implement this section.

**TITLE LIV—STRENGTHENING AND
STREAMLINING INFORMATION TECHNOLOGY ACQUISITION MANAGEMENT PRACTICES**

Subtitle A—Strengthening and Streamlining IT Program Management Practices

SEC. 5401. ESTABLISHMENT OF FEDERAL INFRASTRUCTURE AND COMMON APPLICATION COLLABORATION CENTER.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Chapter 115 of title 40, United States Code, is amended to read as follows:

“CHAPTER 115—INFORMATION TECHNOLOGY ACQUISITION MANAGEMENT PRACTICES

“Sec.

“11501. Federal infrastructure and common application collaboration center.

“§ 11501. Federal infrastructure and common application collaboration center

“(a) ESTABLISHMENT AND PURPOSES.—The Director of the Office of Management and Budget shall establish a Federal Infrastructure and Common Application Collaboration Center (hereafter in this section referred to as the ‘Collaboration Center’) within the Office of Electronic Government established under section 3602 of title 44 in accordance with this section. The purposes of the Collaboration Center are to serve as a focal point for coordinated program management practices and to develop and maintain requirements for the acquisition of IT infrastructure and common applications commonly used by various Federal agencies.

“(b) ORGANIZATION OF CENTER.—

“(1) MEMBERSHIP.—The Center shall consist of the following members:

“(A) An appropriate number, as determined by the CIO Council, but not less than 12, full-time program managers or cost specialists, all of whom have appropriate experience in the private or Government sector in managing or overseeing acquisitions of IT infrastructure and common applications.

“(B) At least 1 full-time detailee from each of the Federal agencies listed in section 901(b) of title 31, nominated by the respective agency chief information officer for a detail period of not less than 2 years.

“(2) WORKING GROUPS.—The Collaboration Center shall have working groups that specialize in IT infrastructure and common applications identified by the CIO Council. Each working group shall be headed by a separate dedicated program manager appointed by the Federal Chief Information Officer.

“(c) CAPABILITIES AND FUNCTIONS OF THE COLLABORATION CENTER.—For each of the IT infrastructure and common application

areas identified by the CIO Council, the Collaboration Center shall perform the following roles, and any other functions as directed by the Federal Chief Information Officer:

“(1) Develop, maintain, and disseminate requirements suitable to establish contracts that will meet the common and general needs of various Federal agencies as determined by the Center. In doing so, the Center shall give maximum consideration to the adoption of commercial standards and industry acquisition best practices, including opportunities for shared services, consideration of total cost of ownership, preference for industry-neutral functional specifications leveraging open industry standards and competition, and use of long-term contracts, as appropriate.

“(2) Develop, maintain, and disseminate reliable cost estimates that are accurate, comprehensive, well-documented, and credible.

“(3) Lead the review of significant or troubled IT investments or acquisitions as identified by the CIO Council.

“(4) Provide expert aid to troubled IT investments or acquisitions.

“(d) GUIDANCE.—The Director, in consultation with the Chief Information Officers Council, shall issue guidance addressing the scope and operation of the Collaboration Center. The guidance shall require that the Collaboration Center report to the Federal Chief Information Officer.

“(e) REPORT TO CONGRESS.—

“(1) IN GENERAL.—The Director shall annually submit to the relevant congressional committees a report detailing the organization, staff, and activities of the Collaboration Center, including—

“(A) a list of IT infrastructure and common applications the Center assisted;

“(B) an assessment of the Center’s achievement in promoting efficiency, shared services, and elimination of unnecessary Government requirements that are contrary to commercial best practices; and

“(C) the use and expenditure of amounts in the Fund established under subsection (i).

“(2) INCLUSION IN OTHER REPORT.—The report may be included as part of the annual E-Government status report required under section 3606 of title 44.

“(f) IMPROVEMENT OF THE GOVERNMENTWIDE SOFTWARE PURCHASING PROGRAM.—

“(1) IN GENERAL.—The Collaboration Center, in collaboration with the Office of Federal Procurement Policy, the Department of Defense, and the General Services Administration, shall identify and develop a strategic sourcing initiative to enhance Governmentwide acquisition, shared use, and dissemination of software, as well as compliance with end user license agreements.

“(2) EXAMINATION OF METHODS.—In developing the initiative under paragraph (1), the Collaboration Center shall examine the use of realistic and effective demand aggregation 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.

“(3) GOVERNMENTWIDE USER LICENSE AGREEMENT.—The Collaboration Center, in developing the initiative under paragraph (1), 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.

“(g) GUIDELINES FOR ACQUISITION OF IT INFRASTRUCTURE AND COMMON APPLICATIONS.—

“(1) GUIDELINES.—The Collaboration Center shall establish guidelines that, to the maximum extent possible, eliminate inconsistent practices among executive agencies and ensure uniformity and consistency in acquisition processes for IT infrastructure and common applications across the Federal Government.

“(2) CENTRAL WEBSITE.—In preparing the guidelines, the Collaboration Center, in consultation with the Chief Acquisition Officers Council, shall offer executive agencies the option of accessing a central website for best practices, templates, and other relevant information.

“(h) PRICING TRANSPARENCY.—The Collaboration Center, in collaboration with the Office of Federal Procurement Policy, the Chief Acquisition Officers Council, the General Services Administration, and the Assisted Acquisition Centers of Excellence, shall compile a price list and catalogue containing current pricing information by vendor for each of its IT infrastructure and common applications categories. The price catalogue shall contain any price provided by a vendor for the same or similar good or service to any executive agency. The catalogue shall be developed in a fashion ensuring that it may be used for pricing comparisons and pricing analysis using standard data formats. The price catalogue shall not be made public, but shall be accessible to executive agencies.

“(i) FEDERAL IT ACQUISITION MANAGEMENT IMPROVEMENT FUND.—

“(1) ESTABLISHMENT AND MANAGEMENT OF FUND.—There is a Federal IT Acquisition Management Improvement Fund (in this subsection referred to as the ‘Fund’). The Administrator of General Services shall manage the Fund through the Collaboration Center to support the activities of the Collaboration Center carried out pursuant to this section. The Administrator of General Services shall consult with the Director in managing the Fund.

“(2) CREDITS TO FUND.—Five percent of the fees collected by executive agencies under the following contracts shall be credited to the Fund:

“(A) Governmentwide task and delivery order contracts entered into under sections 4103 and 4105 of title 41.

“(B) Governmentwide contracts for the acquisition of information technology and multiagency acquisition contracts for that technology authorized by section 11314 of this title.

“(C) Multiple-award schedule contracts entered into by the Administrator of General Services.

“(3) REMITTANCE BY HEAD OF EXECUTIVE AGENCY.—The head of an executive agency that administers a contract described in

paragraph (2) shall remit to the General Services Administration the amount required to be credited to the Fund with respect to the contract at the end of each quarter of the fiscal year.

“(4) AMOUNTS NOT TO BE USED FOR OTHER PURPOSES.—The Administrator of General Services, through the Office of Management and Budget, shall ensure that amounts collected under this subsection are not used for a purpose other than the activities of the Collaboration Center carried out pursuant to this section.

“(5) AVAILABILITY OF AMOUNTS.—Amounts credited to the Fund remain available to be expended only in the fiscal year for which they are credited and the 4 succeeding fiscal years.

“(j) DEFINITIONS.—In this section:

“(1) EXECUTIVE AGENCY.—The term ‘executive agency’ has the meaning provided that term by section 105 of title 5.

“(2) FEDERAL CHIEF INFORMATION OFFICER.—The term ‘Federal Chief Information Officer’ means the Administrator of the Office of Electronic Government established under section 3602 of title 44.

“(3) GOVERNMENTWIDE CONTRACT VEHICLE.—The term ‘Governmentwide contract vehicle’ means any contract, blanket purchase agreement, or other contractual instrument that allows for an indefinite number of orders to be placed within the contract, agreement, or instrument, and that is established by one executive agency for use by multiple executive agencies to obtain supplies and services.

“(4) RELEVANT CONGRESSIONAL COMMITTEES.—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.

“(k) REVISION OF FAR.—The Federal Acquisition Regulation shall be amended to implement this section.”.

(2) CLERICAL AMENDMENT.—The item relating to chapter 115 in the table of chapters at the beginning of subtitle III of title 40, United States Code, is amended to read as follows:

“115. Information Technology Acquisition Management Practices11501”.

(b) DEADLINES.—

(1) Not later than 180 days after the date of the enactment of this Act, the Director shall issue guidance under section 11501(d) of title 40, United States Code, as added by subsection (a).

(2) Not later than 1 year after the date of the enactment of this Act, the Director shall establish the Federal Infrastructure and Common Application Collaboration Center, in accordance with section 11501(a) of such title, as so added.

(3) Not later than 2 years after the date of the enactment of this Act, the Federal Infrastructure and Common Application Collaboration Center shall—

(A) identify and develop a strategic sourcing initiative in accordance with section 11501(f) of such title, as so added; and

(B) establish guidelines in accordance with section 11501(g) of such title, as so added.

(c) CONFORMING AMENDMENT.—Section 3602(c) of title 44, United States Code, is amended—

(1) by striking “and” at the end of paragraph (2);

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph (3):

“(3) all of the functions of the Federal Infrastructure and Common Application Collaboration Center, as required under section 11501 of title 40; and”.

SEC. 5402. DESIGNATION OF ASSISTED ACQUISITION CENTERS OF EXCELLENCE.

(a) DESIGNATION.—Chapter 115 of title 40, United States Code, as amended by section 5401, is further amended by adding at the end the following new section:

“§ 11502. Assisted Acquisition Centers of Excellence

“(a) PURPOSE.—The purpose of this section is to develop specialized assisted acquisition centers of excellence within the Federal Government to promote—

“(1) the effective use of best acquisition practices;

“(2) the development of specialized expertise in the acquisition of information technology; and

“(3) Governmentwide sharing of acquisition capability to augment any shortage in the information technology acquisition workforce.

“(b) DESIGNATION OF AACES.—Not later than 1 year after the date of the enactment of this section, and every 3 years thereafter, the Director of the Office of Management and Budget, in consultation with the Chief Acquisition Officers Council and the Chief Information Officers Council, shall designate, redesignate, or withdraw the designation of acquisition centers of excellence within various executive agencies to carry out the functions set forth in subsection (c) in an area of specialized acquisition expertise as determined by the Director. Each such center of excellence shall be known as an ‘Assisted Acquisition Center of Excellence’ or an ‘AACE’.

“(c) FUNCTIONS.—The functions of each AACE are as follows:

“(1) BEST PRACTICES.—To promote, develop, and implement the use of best acquisition practices in the area of specialized acquisition expertise that the AACE is designated to carry out by the Director under subsection (b).

“(2) ASSISTED ACQUISITIONS.—To assist all Government agencies in the expedient and low-cost acquisition of the information technology goods or services covered by such area of specialized acquisition expertise by engaging in repeated and frequent acquisition of similar information technology requirements.

“(3) DEVELOPMENT AND TRAINING OF IT ACQUISITION WORKFORCE.—To assist in recruiting and training IT acquisition cadres (referred to in section 1704(j) of title 41).

“(d) CRITERIA.—In designating, redesignating, or withdrawing the designation of an AACE, the Director shall consider, at a minimum, the following matters:

“(1) The subject matter expertise of the host agency in a specific area of information technology acquisition.

“(2) For acquisitions of IT infrastructure and common applications covered by the Federal Infrastructure and Common Application Collaboration Center established under section 11501 of this title, the ability and willingness to collaborate with the Collaboration Center and adhere to the requirements standards established by the Collaboration Center.

“(3) The ability of an AACE to develop customized requirements documents that meet the needs of executive agencies as well as the current industry standards and commercial best practices.

“(4) The ability of an AACE to consistently award and manage various contracts, task or delivery orders, and other acquisition arrangements in a timely, cost-effective, and compliant manner.

“(5) The ability of an AACE to aggregate demands from multiple executive agencies for similar information technology goods or services and fulfill those demands in one acquisition.

“(6) The ability of an AACE to acquire innovative or emerging commercial and noncommercial technologies using various contracting methods, including ways to lower the entry barriers for small businesses with limited Government contracting experiences.

“(7) The ability of an AACE to maximize commercial item acquisition, effectively manage high-risk contract types, increase competition, promote small business participation, and maximize use of available Governmentwide contract vehicles.

“(8) The existence of an in-house cost estimating group with expertise to consistently develop reliable cost estimates that are accurate, comprehensive, well-documented, and credible.

“(9) The ability of an AACE to employ best practices and educate requesting agencies, to the maximum extent practicable, regarding critical factors underlying successful major IT acquisitions, including the following factors:

“(A) Active engagement by program officials with stakeholders.

“(B) Possession by program staff of the necessary knowledge and skills.

“(C) Support of the programs by senior department and agency executives.

“(D) Involvement by end users and stakeholders in the development of requirements.

“(E) Participation by end users in testing of system functionality prior to formal end user acceptance testing.

“(F) Stability and consistency of Government and contractor staff.

“(G) Prioritization of requirements by program staff.

“(H) Maintenance of regular communication with the prime contractor by program officials.

“(I) Receipt of sufficient funding by programs.

“(10) The ability of an AACE to run an effective acquisition intern program in collaboration with the Federal Acquisition Institute or the Defense Acquisition University.

“(11) The ability of an AACE to effectively and properly manage fees received for assisted acquisitions pursuant to this section.

“(e) FUNDS RECEIVED BY AACES.—

“(1) AVAILABILITY.—Notwithstanding any other provision of law or regulation, funds obligated and transferred from an executive agency in a fiscal year to an AACE for the acquisition of goods or services covered by an area of specialized acquisition expertise of an AACE, regardless of whether the requirements are severable or non-severable, shall remain available for awards of contracts by the AACE for the same general requirements for the next 5 fiscal years following the fiscal year in which the funds were transferred.

“(2) TRANSITION TO NEW AACE.—If the AACE to which the funds are provided under paragraph (1) becomes unable to fulfill the requirements of the executive agency from which the funds were provided, the funds may be provided to a different AACE to fulfill such requirements. The funds so provided shall be used for the same purpose and remain available for the same period of time as applied when provided to the original AACE.

“(3) RELATIONSHIP TO EXISTING AUTHORITIES.—This subsection does not limit any existing authorities an AACE may have under its revolving or working capital funds authorities.

“(f) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF AACE.—

“(1) REVIEW.—The Comptroller General of the United States shall review and assess—

“(A) the use and management of fees received by the AACES pursuant to this section to ensure that an appropriate fee structure is established and enforced to cover activities addressed in this section and that no excess fees are charged or retained; and

“(B) the effectiveness of the AACES in achieving the purpose described in subsection (a), including review of contracts.

“(2) REPORTS.—Not later than 1 year after the designation or redesignation of AACES under subsection (b), the Comptroller General shall submit to the relevant congressional committees a report containing the findings and assessment under paragraph (1).

“(g) DEFINITIONS.—In this section:

“(1) ASSISTED ACQUISITION.—The term ‘assisted acquisition’ means a type of interagency acquisition in which the parties enter into an interagency agreement pursuant to which—

“(A) the servicing agency performs acquisition activities on the requesting agency’s behalf, such as awarding, administering, or closing out a contract, task order, delivery order, or blanket purchase agreement; and

“(B) funding is provided through a franchise fund, the Acquisition Services Fund in section 321 of this title, sections 1535 and 1536 of title 31, or other available methods.

“(2) EXECUTIVE AGENCY.—The term ‘executive agency’ has the meaning provided that term by section 133 of title 41.

“(3) RELEVANT CONGRESSIONAL COMMITTEES.—The term ‘relevant congressional committees’ has the meaning provided that term by section 11501 of this title.

“(h) REVISION OF FAR.—The Federal Acquisition Regulation shall be amended to implement this section.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 115 of title 40, United States Code, as amended by section 5401, is further amended by adding at the end the following new item:

“11502. Assisted Acquisition Centers of Excellence.”

Subtitle B—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 personnel 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 1704 of title 41, United States Code, is amended by adding at the end the following new subsection:

“(j) STRATEGIC PLAN ON INFORMATION TECHNOLOGY ACQUISITION CADRES.—

“(1) FIVE-YEAR STRATEGIC PLAN TO CONGRESS.—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 (to be known as the ‘IT Acquisition Cadres Strategic Plan’) to develop, strengthen, and solidify information technology acquisition cadres. The plan shall include a timeline for implementation of the plan and identification of individuals responsible for specific elements of the plan during the 5-year period covered by the plan.

“(2) MATTERS COVERED.—The plan shall address, at a minimum, the following matters:

“(A) Current information technology acquisition staffing challenges in Federal agencies, by previous year’s information technology acquisition value, and by the Federal Government as a whole.

“(B) The variety and complexity of information technology acquisitions conducted by each Federal agency covered by the plan, and the specialized information technology acquisition workforce needed to effectively carry out such acquisitions.

“(C) The development of a sustainable funding model to support efforts to hire, retain, and train an information technology acquisition cadre of appropriate size and skill to effectively carry out the acquisition programs of the Federal agencies covered by the plan, including an examination of interagency funding methods and a discussion of

how the model of the Defense Acquisition Workforce Development Fund could be applied to civilian agencies.

“(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 the Government.

“(G) Appropriate consideration and alignment with the needs and priorities of the Infrastructure and Common Application Collaboration Center, Assisted Acquisition Centers of Excellence, and acquisition intern programs.

“(H) Assessment of the current workforce competency and usage trends in evaluation technique to obtain best value, including proper handling of tradeoffs between price and nonprice factors.

“(I) 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 preference and using industry-neutral functional specifications to leverage open industry standards and competition.

“(K) Use of integrated program teams, including fully dedicated program managers, 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 universities 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 emerging commercial or noncommercial technologies, or other circumstances that cannot readily be satisfied using a contract, grant, or cooperative agreement in accordance with applicable law and the Federal Acquisition Regulation.

“(O) The use of student internship and scholarship programs as a talent pool for permanent hires and the use and 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.

“(S) Any other matters the Director considers appropriate.

“(3) ANNUAL REPORT.—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.

“(4) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF THE PLAN AND ANNUAL REPORT.—

“(A) Not later than 1 year after the submission of the plan required by paragraph (1), the Comptroller General of the United States shall review the plan and submit to the relevant congressional committees a report on the review.

“(B) Not later than 6 months after the submission of the first, third, and fifth annual report required under paragraph (3), the Comptroller General shall independently assess the findings of the annual report and brief the relevant congressional committees on the Comptroller General’s findings and recommendations to ensure the objectives of the plan are accomplished.

“(5) DEFINITIONS.—In this subsection:

“(A) The term ‘Federal agency’ means each agency listed in section 901(b) of title 31.

“(B) The term ‘relevant congressional committees’ means each of the following:

“(i) The Committee on Oversight and Government Reform and the Committee on 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, the following:

(1) 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.

(5) Appropriate consideration and alignment with the needs and priorities of the Infrastructure and Common Application Collaboration Center, the Assisted Acquisition Centers of Excellence, and acquisition intern programs.

(c) **COMBINATION WITH OTHER CADRES PLAN.**—The Director may combine the plan required by subsection (a) with the IT Acquisition Cadres Strategic Plan required under section 1704(j) of title 41, United States Code, as added by section 411.

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 the award of such bonus and is authorized by any provision of law;

(2) through promotions and other nonmonetary awards;

(3) by publicizing—

(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 regulations providing that when 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 Initiative is not used, the contract file for 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. 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. 5503. ADDITIONAL SOURCE SELECTION TECHNIQUE IN SOLICITATIONS.

Section 3306(d) of title 41, United States Code, is amended—

(1) by striking “or” at the end of paragraph (1);

(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 compete solely on nonprice factors and the fixed award price is pre-announced in the solicitation.”.

SEC. 5504. 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 at least 80 percent (by dollar value) of all information technology investments Governmentwide, and 60 percent (by

dollar value) of all information technology investments in each Federal agency listed in section 901(b) of title 31, notwithstanding whether the investments are for new IT acquisitions or for operations and maintenance of existing IT. The Director shall ensure that the information is current, accurate, and reflects the risks associated with each covered information technology investment.

“(B) 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; and

“(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, as the case may be, 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 (2).”.

SEC. 5505. 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 regulation making clear that agency acquisition personnel are permitted and encouraged to engage in responsible and constructive exchanges with industry, so long as those exchanges are consistent with existing law and regulation and do not promote an unfair competitive advantage to particular firms.

SEC. 5506. 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) free of preconceived 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 following technology-neutral 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 date of the enactment of this Act, 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) Guidance to clarify that the preference for commercial items in section 3307 of title 41, United States Code, includes proprietary, open source, and mixed source software that meets the definition of the term “commercial item” in section 103 of title 41, United States Code, including all such software that is used for non-Government purposes and is licensed to the public.

(2) Guidance regarding the conduct of market research to ensure the inclusion of proprietary, open source, and mixed source software options.

(3) Guidance to define Governmentwide standards for security, redistribution, indemnity, and copyright in the acquisition, use, release, and collaborative development of proprietary, open source, and mixed source software.

(4) Guidance for the adoption of available commercial practices to acquire proprietary, open source, and mixed source software for widespread Government use, including issues such as security and redistribution rights.

(5) Guidance to establish standard service level agreements for maintenance and support for proprietary, open source, and mixed source software products widely adopted by the Government, as well as the development of Governmentwide agreements that contain standard and widely applicable contract provisions for ongoing maintenance and development of software.

(6) Guidance on the role and use of the Federal Infrastructure and Common Application Collaboration Center, established pursuant to section 11501 of title 40, United States Code (as added by section 5401), for acquisition of proprietary, open source, and mixed source software.

(e) **REPORT TO CONGRESS.**—Not later than 2 years after the issuance of the guidance required by subsection (b), the Comptroller General of the United States shall submit to the relevant congressional committees a report containing—

(1) an assessment of the effectiveness of the guidance;

(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.

167. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
WHITFIELD (KY) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end of subtitle C of title X the following:

SEC. 1090. SENSE OF CONGRESS ON ESTABLISHMENT OF AN ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.

It is the sense of Congress that the President should establish an Advisory Board on Toxic Substances and Worker Health, as described in the report of the Comptroller General of the United

States titled “Energy Employees Compensation: Additional Independent Oversight and Transparency Would Improve Program’s Credibility”, numbered GAO-10-302, to—

- (1) advise the President concerning the review and approval of the Department of Labor site exposure matrix;
- (2) conduct periodic peer reviews of, and approve, medical guidance for part E claims examiners with respect to the weighing of a claimant’s medical evidence;
- (3) obtain periodic expert review of evidentiary requirements for part B claims related to lung disease regardless of approval;
- (4) provide oversight over industrial hygienists, Department of Labor staff physicians, and Department of Labor’s consulting physicians and their reports to ensure quality, objectivity, and consistency; and
- (5) coordinate exchanges of data and findings with the Advisory Board on Radiation and Worker Health to the extent necessary (under section 3624 the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384o).

168. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FRANKS (AZ) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title XII of division A of the bill, add the following new section:

SEC. 12 . SENSE OF CONGRESS ON THE ILLEGAL NUCLEAR WEAPONS PROGRAMS OF IRAN AND NORTH KOREA.

It is the sense of Congress that—

- (1) the paramount security concern of the United States is the ongoing and illegal nuclear weapons programs of the Islamic Republic of Iran and the Democratic People’s Republic of Korea;
- (2) it should be the primary objective of the President of the United States to ensure that North Korea’s nuclear program is completely and verifiably eliminated and that Iran, and its terrorist proxies, are not allowed to develop nuclear weapons capability and the means to deliver them;
- (3) the continuing failure to compel Iran and North Korea to comply with their respective obligations under international law risks greater nuclear proliferation throughout already unstable regions by states that have chosen, but not irreversibly so, to refrain from developing or acquiring their own nuclear weapons capability;
- (4) nuclear arms reductions by the United States and the Russian Federation have not persuaded or otherwise incentivized Iran and North Korea to halt or reverse their destabilizing and dangerous nuclear weapons programs, nor have they resulted in increased cooperation by other states to deal with these threats; and
- (5) the President should use all international fora available to the President to pursue the complete and verifiable elimination of the nuclear weapons programs of Iran and North Korea as the President’s paramount obligation to the security of the American people.

169. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FRANKS (AZ) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 456, line 12, strike “Secretary of the Defense” and insert “Secretary of Defense, in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,”.

Page 456, line 15, after “TCAs”) insert the following: “that receive power supply from commercial or other non-military sources”.

Page 456, line 21, strike “Secretary of the Defense” and insert “Secretary of Defense, in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,”.

Page 457, lines 3 through 4, after “Department of Defense” insert the following: “, in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,”.

Page 457, line 8, after “Department” insert the following: “, in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,”.

Page 457, line 12, after “Department” insert the following: “, in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,”.

Page 457, line 18, after “Secretary of Defense” insert the following: “, in consultation with the Secretary of Homeland Security and the Federal Energy Regulatory Commission,”.

170. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GARAMENDI (CA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 15 . LIMITATION ON FUNDS FOR THE AFGHANISTAN SECURITY FORCES FUND TO ACQUIRE CERTAIN AIRCRAFT, VEHICLES, AND EQUIPMENT.

(a) **LIMITATION.**—Of the funds authorized to be appropriated by this Act to the Department of Defense for the Afghanistan Security Forces Fund (ASFF), \$2,600,000,000 shall be withheld from obligation and expenditure until the Secretary of Defense submits to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report as described in subsection (b).

(b) **REPORT.**—The report referred to in subsection (a) is a report that includes the following information:

(1) A list of all covered aircraft, vehicles, and equipment to be purchased with funds authorized to be appropriated by this Act to the Department of Defense for the ASFF.

(2) The expected date on which such covered aircraft, vehicles, and equipment would be delivered and operable in Afghanistan.

(3) The full requirements for operating such covered aircraft, vehicles, and equipment.

(4) The plan for maintenance of such covered aircraft, vehicles, and equipment and estimated costs of such covered aircraft, vehicles, and equipment by year, through 2020.

(5) The expected date that ASFF personnel would be fully capable of operating and maintaining such covered aircraft, vehi-

cles, and equipment without support from United States personnel.

(6) An explanation of the extent to which the acquisition of such covered aircraft, vehicles, and equipment will impact the longer-term United States costs of supporting the ASFF.

(c) COVERED AIRCRAFT, VEHICLES, AND EQUIPMENT.—In this section, the term “covered aircraft, vehicles, and equipment” means helicopters, systems for close air support, air mobility systems, and armored vehicles.

171. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GINGREY (GA) OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 1090. 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 Washington, D.C., metropolitan area. Unless these individuals are granted a waiver as serving in a law enforcement role, they are subject to the District of Columbia’s onerous and highly restrictive laws on the possession of firearms.

(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 Brady Handgun Violence Prevention Act provide comprehensive Federal regulations applicable in the District of Columbia as elsewhere. In addition, existing District of Columbia criminal laws punish 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 dis-

assembled or outfitted with a trigger lock to be unconstitutional.

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

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

(b) SENSE OF CONGRESS.—It is the sense of Congress that active duty military personnel who are stationed or residing in the District of Columbia should be permitted to exercise fully their rights under the Second Amendment to the Constitution of the United States and therefore should be exempt from the District of Columbia's restrictions on the possession of firearms.

172. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DAVIS (CA) OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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

SEC. 6 ____ . RECOGNITION OF ADDITIONAL MEANS BY WHICH MEMBERS OF THE NATIONAL GUARD CALLED INTO FEDERAL SERVICE FOR A PERIOD OF 30 DAYS OR LESS MAY INITIALLY REPORT FOR DUTY FOR ENTITLEMENT TO BASIC PAY.

Section 204(c) of title 37, United States Code, is amended—

(1) in the first sentence, by striking “date when he appears at the place of company rendezvous” and inserting “date on which the member, in person or by authorized telephonic or electronic means, contacts the member’s unit”; and

(2) by striking the second sentence and inserting the following new sentence: “However, this subsection does not authorize any expenditure before the member makes authorized contact that is not authorized by law to be paid after such authorized contact.”.