

PROVIDING FOR FURTHER CONSIDERATION OF THE BILL (H.R. 4435) TO AUTHORIZE APPROPRIATIONS FOR FISCAL YEAR 2015 FOR MILITARY ACTIVITIES OF THE DEPARTMENT OF DEFENSE AND FOR MILITARY CONSTRUCTION, TO PRESCRIBE MILITARY PERSONNEL STRENGTHS FOR SUCH FISCAL YEAR, AND FOR OTHER PURPOSES; AND PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3361) TO REFORM THE AUTHORITIES OF THE FEDERAL GOVERNMENT TO REQUIRE THE PRODUCTION OF CERTAIN BUSINESS RECORDS, CONDUCT ELECTRONIC SURVEILLANCE, USE PEN REGISTERS AND TRAP AND TRACE DEVICES, AND USE OTHER FORMS OF INFORMATION GATHERING FOR FOREIGN INTELLIGENCE, COUNTERTERRORISM, AND CRIMINAL PURPOSES, AND FOR OTHER PURPOSES

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MAY 21 (legislative day, MAY 20), 2014.—Referred to the House Calendar and ordered to be printed

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

## R E P O R T

[To accompany H. Res. 590]

The Committee on Rules, having had under consideration House Resolution 590, 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. 4435, the National Defense Authorization Act for Fiscal Year 2015, under a structured rule. The resolution provides no additional general debate.

Section 2 of the resolution makes in order only those further amendments printed in part A of this report and amendments en bloc described in section 3 of the resolution. The resolution provides that the amendments printed in part A 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 the Committee of the Whole. The resolution waives all points of order against the amend-

ments printed in part A 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 A 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 in the House or the Committee of the Whole. The resolution provides one motion to recommit with or without instructions.

Section 5 of the resolution provides for consideration of H.R. 3361, the USA Freedom Act, under a closed rule. The resolution provides one hour of debate with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment in the nature of a substitute printed in part B of this report shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides one motion to recommit with or without instructions.

Section 6 of the resolution provides that the Committee on Appropriations may, at any time before 5 p.m. on Tuesday, May 27, 2014, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2015.

#### EXPLANATION OF WAIVERS

Although the resolution waives all points of order against the amendments to H.R. 4435 printed in part A 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.

Although the resolution waives all points of order against consideration of H.R. 3361, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in H.R. 3361, as amended, 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. 138*

Motion by Mr. McGovern to make in order to H.R. 4435 and provide the appropriate waivers for amendment #112, offered by Rep. McGovern (MA) and Rep. Garamendi (CA) and Rep. Lee (CA) and Rep. Smith (WA) and Rep. Jones (NC), which completes transition

of US combat and military and security operations to Afghan government. Requirements to continue deployment of US troops in Afghanistan after Dec. 31, 2014, based on President's determination and Congressional vote on such a determination. Defeated: 2–7

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

#### SUMMARY OF THE AMENDMENTS TO H.R. 4435 IN PART A MADE IN ORDER

1. McKinley (WV): Prohibits funds for this Administration to conduct its anti-fossil fuel climate change agenda, which includes the National Climate Assessment, the IPCC report, the UN's Agenda 21, and the Social Cost of Carbon. (10 minutes)

2. Gosar (AZ): Requires the Department to comply with Integrated Natural Resource Management Plans for “off-installation” natural resources projects to ensure state involvement and consultation. (10 minutes)

3. Welch (VT), Gardner (CO): Encourages the Air Force to consider identified energy efficiency improvements in a timely and comprehensive manner. (10 minutes)

4. Westmoreland (GA): Strikes section 341, which requires the disclosure of proprietary information. (10 minutes)

5. Lamborn (CO), Forbes (VA), Fleming (LA): Requires the Department of Defense and the U.S. Air Force to revise their current regulations on religious freedom. (10 minutes)

6. Shimkus (IL): Delays relinquishment or agreeing to any proposal relating to the relinquishment of the responsibility of NTIA over Internet domain name system functions by the Assistant Secretary of Commerce for Communications and Information until GAO submits a report to Congress on the role of the NTIA with respect to the Internet domain name system. (10 minutes)

7. Walz (MN): Requires the Secretary of Defense to conduct an audit of the Defense Procurement and Acquisition Policy office of the Department of Defense by the end of 2016 and expresses the Sense of Congress that a full audit of the entire Department of Defense should be completed by the end of 2017. (10 minutes)

8. Polis (CO), Blumenauer (OR): Prohibits funds from being used for the Navy to carry out the refueling and complex overhaul of the U.S.S. George Washington and strikes \$483,600,000 in funding for that purpose; states that the amount reduced shall not be used for any purpose other than deficit reduction. (10 minutes)

9. Walorski (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)

10. Smith, Adam (WA), Moran, James (VA), Nadler (NY): Provides a framework for closure of the detention facility at Guantanamo Bay, Cuba, by December 31, 2016. (10 minutes)

11. Smith, Adam (WA), Broun (GA): Amends section 1021 of the FY 12 NDAA to eliminate indefinite military detention of any person detained under AUMF authority in the United States, its territories, or possessions, by providing for immediate transfer to trial and proceedings by a court established under Article III of the U.S. Constitution or by an appropriate state court. Strikes section 1022 of the same Act, which provides for mandatory military custody of covered parties. (10 minutes)

12. Cleaver (MO), Butterfield (NC), Clarke (NY), Clay (MO), Graves (MO), Hartzler (MO), Jackson Lee (TX), Moore, Gwen (WI), Norton (DC), Poe (TX), Yoder (KS): Redesignates Pershing Park in Washington, DC as the “National World War I Memorial” and will designate the Liberty Memorial at America’s National World War I Museum in Kansas City, Missouri, as the “National World War I Museum and Memorial.” Amends the originating commission bill (PL 112–272) to include adding ex-officio members detailed from relevant agencies to provide in kind support for the commission and to allow the Commission that is wholly funded by privately raised dollars to pay their executive director a higher salary. (10 minutes)

13. Heck, Denny (WA): Creates a program that gives military communities that suffer from significant traffic problems caused by base population increases to compete for \$200 million in grants to improve transportation infrastructure, from building new roads to upgrading public transportation systems. (10 minutes)

14. Kildee (MI): Allocates \$10 million to develop additional financial literacy training programs for incoming and transitioning service members, which would be funded by offsetting the \$15.1 billion shipbuilding account and a \$902.2 million nuclear weapons refurbishment account. (10 minutes)

15. Jenkins (KS): Creates a moratorium on the insourcing of previously contracted activities within DOD. Exceptions would be made (1) if the activity was “inherently governmental”, and thereby should never have been contracted out in the first place; and (2) if DOD would employ a “reverse A–76” to itemize specific costs saved to the taxpayer should the DOD be able to perform the commercial activity more efficiently for the taxpayer. (10 minutes)

16. Runyan (NJ): States that whenever 2 or more bases are formed into a DOD Joint Installation, if there are different locality pay areas, then all installation wage grade employees will be paid at the higher locality pay area rate. This amendment applies to any DOD Joint Installation created as a result of the 2005 Base Realignment and Closure Round. (10 minutes)

17. Lamborn (CO): Limits the use of funds for implementing the New START treaty until certification that the Russian Federation is respecting Ukrainian sovereignty and is no longer violating the INF or CFE treaties. (10 minutes)

18. Turner (OH), Lamborn (CO), Kinzinger (IL), Keating (MA), Engel (NY): Expresses a sense of Congress recognizing the importance of the North Atlantic Treaty Organization (NATO) as well as ongoing enlargement initiatives. Expresses the United States’ continued support for our European allies. (10 minutes)

19. Hunter (CA): Expresses the sense of Congress that the persons and organizations who carried out the attacks on the United States personnel in Benghazi, Libya on Sept. 11 and 12, 2012 con-

tinue to pose a security threat to the United States and uncertainty regarding the authority of the President to use force to this end undermines his position as Commander-in-Chief. Further, it requires the President to submit a report including the identity and location of those who were involved in the attack, actions that have been taken to kill or capture them, and determination regarding whether the President has the authority to use force against the perpetrators. (10 minutes)

20. 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)

21. Schiff (CA), Garamendi (CA): Sunsets the 2001 AUMF effective 12 months from date of enactment of the bill. (10 minutes)

22. Jackson Lee (TX), Lee, Barbara (CA), Wilson (FL): Requires a report to Congress on crimes against humanity in Nigeria committed by Boko Haram. (10 minutes)

23. Daines (MT), Cramer, Kevin (ND), Fleming (LA), Hartzler (MO), Lamborn (CO), Lummis (WY): Contains findings of the importance of the nuclear triad and a statement of policy reaffirming the value of nuclear capabilities in maintaining a strong national defense. (10 minutes)

24. Blumenauer (OR): Requires CBO to update, on an annual basis, their report on the projected costs of U.S. nuclear forces. (10 minutes)

25. Rogers, Mike (AL): Provides the Secretary of the Air Force the authority to enter into contracts for life-of-type procurements for commercial off-the-shelf parts for the intercontinental ballistic missile fuze. (10 minutes)

26. Brooks (AL), Rogers, Mike (MI): Expresses the Sense of Congress that defense funding should be spent on defense purposes. Fences 50% of funding for National Ignition Facility until the Administrator for Nuclear Security certifies that none of the funds authorized by this Act will be used to subsidize, support, or otherwise contribute to clean fusion energy research and development. (10 minutes)

27. Luján (NM): Authorizes Directors of National Laboratories to waive indirect costs for research and development grants from Foundations or non-profit organizations up to a total not to exceed one half of one percent of the total budget of the National Laboratory for which the director is head. Requires that the director to determine that the research and development supported pursuant to this grant exercises capabilities that support the science, technology, energy, environmental, or national security mission of the Department of Energy or the National Nuclear Security Administration. (10 minutes)

28. Hastings, Doc (WA): Restores \$20 million of the proposed cut to defense environmental cleanup. (10 minutes)

29. Sánchez, Linda (CA): Facilitates the transfer of a portion of the U.S. Air Force Norwalk Defense Fuel Supply Point, also known as the Norwalk Tank Farm, to the City of Norwalk. If enacted, it would allow 15 acres of the 51 acre area to be designated for public purposes and transferred to the City of Norwalk. (10 minutes)

30. Young, Don (AK): Expresses the Sense of Congress that the Secretary of the Air Force should place emphasis on strategically significant criteria when basing the OCONUS F-35A, which in-

cludes access to sufficient range capabilities and space for training, the ability to robustly train with our international partners, the presence of existing facilities to support operations, limited encroachment, and the minimization of costs. (10 minutes)

31. McKinley (WV), Napolitano (CA): Increases the National Guard Youth Challenge Program under Civil Military Programs by \$55 million and decrease by the same amount the Office of the Secretary of Defense-Operations and Maintenance. (10 minutes)

32. Rigell (VA): Authorizes the DOD and NASA to execute an agreement for environmental cleanup attributable to the activities of DOD at the time the property was utilized by the Navy in the area constituting the former Naval Air Station Chincoteague, Virginia. (10 minutes)

33. Kilmer (WA), Cole (OK): Prohibits non-disciplinary furloughs of a DOD civilian employee whose performance is charged to a working capital fund, unless 1) there are inadequate working funds to support the workforce or 2) the Secretary certifies that none of the work that would have been performed by those furloughed would be shifted to other DOD civilian employees, contractors, or members of the Armed Forces. (10 minutes)

34. Bishop, Rob (UT): Provides authority to the military services in working with civic organizations to charge the public a nominal fee to attend a military-sponsored Air Show or Open House on military bases, to help off-set the O&M costs the base incurs during these times of defense sequester reductions (10 minutes)

35. Swalwell (CA), Meehan (PA): Requires the Department of Defense to allow military musical units to accept assistance from private entities for the benefit of said units. (10 minutes)

36. Conaway (TX): Allows general and flag officer chaplains to be eligible for retirement deferment. (10 minutes)

37. Griffith (VA), Ellison (MN): Requires DOD to fulfill former Sec. Gates' Efficiency Initiative relating to the number of general and flag officers by reducing approximately 33 positions through attrition by the end of 2015. (10 minutes)

38. McKinley (WV): 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—the language would require DoD to produce a tour calculator so that reservists can keep track of what 'counts' and what doesn't. (10 minutes)

39. Israel (NY), Hanna (NY): Requires a report on the progress made to establish Army National Guard Cyber Protection Teams. (10 minutes)

40. Coffman (CO), Walz (MN): Enhances the participation of mental health professionals in boards for the correction of military records and boards for the review of the discharge or dismissal of members of the Armed Forces. (10 minutes)

41. Duckworth (IL), Noem (SD), Coffman (CO), Tsongas (MA): Expands maternity leave for the active duty Service Members by an unpaid 6 weeks to be in line with the Family Medical Leave Act, while allowing commanders the discretion to call Service Mem-

bers back to duty at any given time to maintain unit readiness. (10 minutes)

42. Thompson, Glenn (PA), Ryan, Tim (OH): Requires a baseline mental health assessment before any individual joins the military, in order to bring mental health to parity with physical health during recruitment screenings. Ensures it cannot be used during promotion or assignment consideration, and requires a report with recommendations from NIMH and other relevant experts identifying best practices for the assessment. (10 minutes)

43. Grayson (FL): Reinserts section 1032 of the introduced version, which states: “personal property retained as evidence in connection with an incident of sexual assault involving a member of the Armed Forces may be returned to the rightful owner of such property after the conclusion of all legal, adverse action, and administrative proceedings related to such incident.” (10 minutes)

44. Velázquez (NY): Requires each branch of the military to develop an anonymous phone tip-line for reporting incidents of hazing. (10 minutes)

45. McMorris Rodgers (WA), Bishop, Sanford (GA): Directs the Secretary of Defense to submit a report to Congress evaluating the progress of the Military Spouse Employment Program (MSEP) in reducing military spouse unemployment, reducing the wage gap between military spouses and their civilian counterparts, and addressing the underemployment of military spouses. (10 minutes)

46. McNerney (CA): Directs the DoD Secretary to consider how employment agencies will work with state and county VA offices and state National Guard offices when establishing requirements for a new employment pilot program for recently separated service members. (10 minutes)

47. Cook (CA), Takano (CA): Creates a blueprint for a direct hire jobs placement program benefitting the National Guard and Reserves. It allows states to implement a process that has already met success in achieving a 25% reduction in unemployment in the California National Guard. (10 minutes)

48. Lamborn (CO): Modifies some authorities for the Air Force Academy Athletic Cooperation to bring them in line with similar authorities previously provided to the Naval Academy Athletic Association. (10 minutes)

49. Bonamici (OR), Walden (OR): Requires the Secretary of the Army to evaluate potential cost savings and potential effects on the National Guard’s recruitment efforts of the requirement, effective January 1, 2014, that all service members wait one year after training before becoming eligible for the Army’s tuition assistance program. (10 minutes)

50. Maloney, Sean (NY): Increases the authorization for Impact Aid by one additional year. (10 minutes)

51. Gerlach (PA), Fattah (PA), Fudge (OH), Bachus (AL), Cotton (AR), Thompson, Bennie (MS): Recognizes the Wereth massacre of 11 African-American soldiers of the U.S. Army during the Battle of the Bulge, December 17, 1944. (10 minutes)

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

53. Chu (CA): Requests updated reporting information from each branch of the military regarding their methods for tracking, report-

ing, and preventing hazing, as well as a detailed military hazing report from GAO. (10 minutes)

54. Langevin (RI), Davis, Susan (CA): Requires National Institute of Mental Health to study of risk and resiliency of United States Special Operations Forces and effectiveness of Preservation of the Force and Families Program. (10 minutes)

55. LaMalfa (CA), Huffman (CA), Garamendi (CA): Clarifies jurisdictional confusion between VA field offices when cases are brokered out from the office of origination, ensuring that VA offices may continue to update congressional staff on constituents' cases. (10 minutes)

56. Walberg (MI): Requires the Department to implement a pilot program to provide certain contact information for separating service members to state veterans affairs departments. (10 minutes)

57. 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)

58. 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)

59. Farr (CA): Designates the Department of Veterans Affairs and Department of Defense joint outpatient clinic to be constructed in Marina, California, as the "Major General William H. Gourley VA-DOD Outpatient Clinic". (10 minutes)

60. Smith, Adam (WA): Provides the Secretary of the Army the authority to move the remains of member of the armed forces who has no known next of kin and is buried in an Army National Military Cemetery to another Army National Cemetery, or, with the concurrence of the Secretary of Veterans Affairs, from the National Cemetery System to an Army National Military Cemetery (10 minutes)

61. 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)

62. Ross (FL): Prohibits the Department of Defense from using funds to close commissary stores. (10 minutes)

63. Hanna (NY), Maloney, Sean (NY): Allows memorial headstone or grave markers to be made available for purchase by Guard or Reserve members who served for at least six years, at no cost to the government. Further clarifies that this does not allow for any new veteran benefits and does not authorize any new burial benefit or create any new authority for an individual to be buried in a national cemetery. (10 minutes)

64. Capps (CA): Makes available breastfeeding support, supplies, and counseling under the TRICARE program. (10 minutes)

65. 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 or psychologist. (10 minutes)

66. Ellmers (NC): Corrects the lack of timely and efficient notification of changes to TRICARE coverage by requiring the Secretary



of Defense to notify all affected providers and beneficiaries of any significant change made by TRICARE via electronic means no less than 90 days before the change is to take place. (10 minutes)

67. Jones (NC): Expresses a sense of Congress on the use of Hyperbaric Oxygen Therapy to treat traumatic brain injury and post-traumatic stress disorder. (10 minutes)

68. Israel (NY), King, Peter (NY): Expresses the sense of Congress in support of public-private partnerships to enhance DOD efforts on mental health care for servicemembers. (10 minutes)

69. Murphy, Patrick (FL): Improves DOD mental health and suicide prevention programs by coordination with VA and integration of care through an annual evaluation by an independent third party. (10 minutes)

70. Pascrell (NJ): Directs the peer-reviewed Psychological Health and Traumatic Brain Injury Research Program to conduct a study on blast injury and its correlation to traumatic brain injury. (10 minutes)

71. Sanchez, Loretta (CA): Requires a report on what steps the Department is taking to ensure military personnel and their families have access to reproductive counseling and treatments for infertility, including in vitro fertilization. (10 minutes)

72. Speier (CA): Directs the Secretary of Defense to implement the recommendations of the Interagency Breast Cancer and Environmental Research Coordinating Committee to prioritize prevention and increase the study of chemical and physical factors in breast cancer. (10 minutes)

73. Mulvaney (SC): Maximizes competition in design-build contracts. (10 minutes)

74. Connolly (VA): Amends section 4202 of the Clinger-Cohen Act of 1996 to make the authority to use simplified acquisition procedures for certain commercial items permanent. (10 minutes)

75. Meng (NY), Walberg (MI): Requires GAO to conduct a study on the effects of the Federal Strategic Sourcing Initiative on small businesses. An agency's justification of a strategic sourcing solicitation shall be published prior to the issuance of a solicitation. (10 minutes)

76. Hanna (NY): Requires non-corporate sureties to pledge specific and secure assets as required from others providing collateral to the federal government, and requires those assets be held by a government entity to ensure payments can be made in the event they are needed. (10 minutes)

77. Graves (MO), Duckworth (IL): Encourages federal contracts be structured in a manner that permits small businesses to compete. Raises the small business prime contracting goal from 23% to 25% and by establishing a subcontracting goal of 40% rather than relying on the administrative goal of 35.9%. (10 minutes)

78. Cárdenas, Tony (CA): Establishes an outreach and education program to educate small businesses contracted by the Department of Defense on cyber threats and develop plans to protect intellectual property and their networks. (10 minutes)

79. Collins, Chris (NY), Kilmer (WA): Accelerates the commercialization of federally-funded research and technologies by establishing a grant program for participating STTR agencies to support proof-of-concept research and other innovative technology transfer

activities at universities, research institutes, and federal laboratories. (10 minutes)

80. Poe (TX): Establish the Sense of Congress urging the Secretary of Defense to make a reasonable effort to make certain military equipment returning from abroad (that he determines to be excess) available to State, Federal, and local law enforcement agencies for the purpose of strengthening border security along the international border between the United States and Mexico. (10 minutes)

81. Grayson (FL): Prohibits DOD from contracting with persons convicted of fraudulent use of “Made in America” labels. Requires debarment of the offending entities (a national security waiver exception being made available to the Secretary). (10 minutes)

82. Speier (CA): Allows women-owned small businesses to receive sole-source contracts under the same terms as other small business contracting programs and accelerates the disparity study to assess industries in the women-owned small business procurement program. (10 minutes)

83. Thompson, Mike (CA): Adds American Flags to the list of items covered by the Berry Amendment. (10 minutes)

84. Fortenberry (NE): Requires report as to how the Department will manage its mission related to nuclear forces, deterrence, non-proliferation, and terrorism. (10 minutes)

85. Nugent (FL): Provides statutory authority to implement the Secretary of Defense’s recommendations to reorganize the personnel accounting community of the department. This amendment will reduce duplication of effort between the existing Defense Prisoner of War/Missing Personnel Office (DPMO) and the Joint Prisoner of War/Missing in Action Accounting Command (JPAC). (10 minutes)

86. Speier (CA): Requires the public release of any IG reports that find misconduct for senior executive service (SES) officials, political appointees, and general and flag officers that rank O–6 or higher level. (10 minutes)

87. Burgess (TX), Lee, Barbara (CA): Requires a report ranking all military departments and Defense Agencies in order of how advanced they are in achieving auditable financial statements as required by law. (10 minutes)

88. Takano (CA): Requires the Secretary of Defense to report to Congress, no later than 30 days after enactment of this law, on the barriers to implementing audit reporting requirements and recommendations to ensure reporting deadlines are met. (10 minutes)

89. Miller, Jeff (FL): Prohibits the use of funds for the Navy’s permitting activities under the Sunken Military Craft Act for one year. (10 minutes)

90. Ross (FL): Prohibits the Department of Defense from using taxpayer funds to provide additional or upgraded recreational facilities for detainees at U.S. Naval Station, Guantanamo Bay, Cuba. (10 minutes)

91. Bridenstine (OK): Amends Section 1045 to provide the Secretary of Defense more flexibility to meet the Aviation Foreign Internal Defense certification requirement. (10 minutes)

92. Nunes (CA): Continues the use of Lajes Field (Air Force Base) in the Azores, Portugal until the completion of the European Infrastructure Consolidation Assessment and adds additional study

requirement to the Assessment that will consolidate forces and reduce the deficit. (10 minutes)

93. Sessions (TX): Allows the Secretary of the Army to implement previously approved engineering change proposals on OH-58D Kiowa Helicopters in a manner that ensures the safety and survivability of the crews. (10 minutes)

94. Broun (GA), Yoho (FL): Prohibits any officer, employee, detailee, or contractor of the Department of Defense from using a drone to kill a citizen of the United States, with the exception of an individual who is actively engaged in combat against the United States. (10 minutes)

95. Palazzo (MS): Expresses the concerns of Congress as it relates to tactical airlift following the withdrawal of combat forces from Afghanistan and requires a report on the 5 year plan for tactical airlift laydown prior to any permanent force structure changes of tactical airlift. (10 minutes)

96. Schweikert (AZ): Directs the Director of TARDEC to provide a report back to the Congressional Defense Committees addressing thermal injury prevention needs to improve occupant centric survivability systems for combat and tactical vehicles against over matching ballistic threats. (10 minutes)

97. Young, Don (AK): Requires the U.S. Air Force to conduct a business case analysis for the creation of a personnel-only active-association the 168th Air Refueling Wing. (10 minutes)

98. Braley (IA): 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)

99. Cole (OK): Includes the DHS Robotic Aircraft for Public Safety (RAPS) program, or other activities of similar nature conducted by the Department of Homeland Security, as user of DoD airspace (in addition to MOU's the HASC has included for the 6 selected FAA sites). The RAPS project provides for the test and evaluation of Small Unmanned Aircraft Systems (SUAS) for potential use by the first responder community and DHS operational components. (10 minutes)

100. Turner (OH): clarifies that the memorandum of understanding extends to those additional test ranges not initially selected by the Administration if such range enters into a partnership or agreement with a selected test range. (10 minutes)

101. Gibson (NY): Directs the Secretary of Defense to do a comprehensive search to determine which ships operated near Vietnam in the Vietnam Era. Requires the Secretary of Defense to report the information to the Secretary of Veterans Affairs, who would then provide publicly accessible information on such data. (10 minutes)

102. Latta (OH), Campbell (CA), Schiff (CA), Michaud (ME): Recognizes the 70th Anniversary of the D-Day landings on the beaches of Normandy, France. (10 minutes)

103. Posey (FL), Nugent (FL): Allows the Department of Defense, at the discretion of the Secretary, to transport goods supplied by nonprofit organizations to members of the Armed Forces serving overseas, as they have been authorized to do for foreign nationals since 1985. (10 minutes)

104. Posey (FL), Miller, Jeff (FL): Establishes the Sense of Congress that the Air Force should assess feasibility, costs, savings, and readiness implications of utilizing contractor-owned and operated very light jet aircraft for interim flight instruction until permanent replacement enters service. (10 minutes)

105. Rogers, Mike (AL): Requires the Secretary of Defense and the Director of National Intelligence to provide a notification if telecommunications companies with close ties to foreign governments are determined to have access to (or attempting to have access to) critical infrastructure of US military or intelligence facilities. (10 minutes)

106. Whitfield (KY), Polis (CO), Perlmutter (CO): Establishes the Sense of Congress that the President should establish and appoint an advisory board on toxic substances and worker health responsible for overseeing a portion of the original EEOICPA legislation known as “Part E.” (10 minutes)

107. Butterfield (NC): Expands the types of documentation accepted by the federal government when a very small group of mariners that operated tugboats and barges domestically during World War II apply for veterans’ status. Qualifying Merchant Mariners, who can prove service through expanded acceptable documentation, would receive only burial benefits and the honor of being recognized by their country for their sacrifice and service. (10 minutes)

108. 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)

109. Lynch (MA), Boustany (LA): Calls for the observation of two minutes of silence on Veterans Day in honor of the service and sacrifice of veterans throughout the history of the United States. (10 minutes)

110. Meng (NY): Requires a regional office to carry out certain steps if it doesn’t meet the 125 day goal of backlog claims; and requires the Under Secretary for Benefits to explain how the failure of the regional office to meet the goal affected the performance evaluation of the director of the regional office. (10 minutes)

111. Schiff (CA): Establishes the Sense of Congress amendment endorsing the inclusion on the Vietnam Veterans Memorial of the 74 sailors lost aboard the USS Frank E. Evans in 1969. (10 minutes)

112. Connolly (VA): Extends part-time reemployment authority under both CSRS and FERS by 5 years. (10 minutes)

113. Kilmer (WA), Forbes (VA): Reauthorizes overtime for Navy civilian employees who perform nuclear maintenance for the forward deployed aircraft carrier in Japan for one year. (10 minutes)

114. Rohrabacher (CA): Expands the certification requirement on reimbursements to Pakistan to include human rights concerns. (10 minutes)

115. Cicilline (RI): Asks that the “Plan for Sustaining the Afghanistan National Security Forces” through FY18 also include a description of efforts to engage United States manufacturers in procurement opportunities related to equipping the ANSF. (10 minutes)

116. Poe (TX): Requires the Secretary of Defense to provide for the conduct of an independent assessment of U.S. efforts to disrupt, dismantle, and defeat al-Qaeda, including its affiliates groups, associated groups, and adherents since May 2, 2011 (10 minutes)

117. Rohrabacher (CA): Expresses a sense of the Congress that Dr. Shakil Afridi is an international hero and is owed a debt of gratitude for helping to find Osama bin Laden. (10 minutes)

118. Davis, Susan (CA): Establishes the Sense of Congress on the importance of women in ensuring the future success of nation of Afghanistan. (10 minutes)

119. Johnson, Hank (GA): Prevents the establishment of permanent U.S. Military bases in Afghanistan. (10 minutes)

120. Nolan (MN): Provides auditing and inspecting guidelines for new construction projects in Afghanistan in excess of \$500,000 that cannot be physically inspected by authorized civilian personnel. (10 minutes)

121. Tsongas (MA), Keating (MA), Bustos (IL), Roby (AL): Establish the Sense of Congress that women should be included in conflict resolution and a statement of United States policy that the United States supports efforts promoting the security of Afghan women and girls during the transition process and requires a DoD report on efforts to support the security of Afghan women and girls. (10 minutes)

122. Rogers, Mike (AL): Establishes the Sense of Congress that Ukraine should close off its defense industries that currently provide critical capability to Russia for its nuclear forces. (10 minutes)

123. DeLauro (CT), Granger (TX), Ellison (MN), Connolly (VA), Huizenga (MI): Prohibits the Department of Defense from entering into a contract or subcontract with Russia's state-arms dealer Rosoboronexport unless the Secretary of Defense, in consultation with the Secretary of State and Director of National Intelligence, certifies that the firm ceased transferring weapons to Syria, Russia pulled out of Crimea, Russian forces have withdrawn from the eastern border of Ukraine, and that Russia is not otherwise actively destabilizing Ukraine. Requires that the certification would be reviewed by the Defense Department Inspector General. (10 minutes)

124. Engel (NY): Establishes a U.S. policy of opposing transfers of "defense articles and services" (defined in the Arms Export Control Act) to Russia by any NATO member country, during any period when Russia occupies the territory of Ukraine or a NATO member country. Provides that if a NATO member country transfers defense articles or services to Russia contrary to U.S. policy, the U.S. would impose a "presumption of denial" for applications for transfer of U.S.-origin defense articles and services to that NATO country. (10 minutes)

125. Connolly (VA), Diaz-Balart (FL), Sires (NJ), Carter (TX): Directs the President to sell F-16 C/D aircraft to Taiwan to modernize its air fleet, 70% of which is scheduled to be retired within the next decade. (10 minutes)

126. 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 and drug trafficking. (10 minutes)

127. Ros-Lehtinen (FL): Establishes that it shall be the policy of the United States to undertake a whole-of-government approach to bolster regional cooperation with countries throughout the Western Hemisphere to counter narcotics trafficking and illicit activities. (10 minutes)

128. Gibson (NY), Garamendi (CA): States that nothing in the FY15 NDAA shall be construed as authorizing the use of force against Syria or Iran. (10 minutes)

129. Gosar (AZ): Expresses Congress' support for Israel's right to self-defense against regional threats. (10 minutes)

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

131. Roskam (IL), Walorski (IN): Requires the President to submit to the appropriate committees every 180 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)

132. Franks (AZ): Establishes the Sense of Congress that the United States work with regional partners and allies to develop an interagency strategy to counter the vicious terror attacks perpetrated by Boko Haram. (10 minutes)

133. Kelly (PA): Expresses the Sense of Congress in opposition to France's impending sale of two Mistral class warships to Russia. (10 minutes)

134. Shimkus (IL): Honors the victims of the Russian Soviet and Nazi regimes and supports the designation of a "Black Ribbon Day". (10 minutes)

135. Bridenstine (OK): Requires Secretary of Defense to report on implications of Caspian Sea-based energy resources and distribution networks for U.S. and NATO energy security strategies. (10 minutes)

136. Engel (NY): Requires the Secretary of Defense to report on activities of the Department of Defense in regards to protecting cultural property abroad. (10 minutes)

137. Kelly, Robin (IL): Requires a report, not later than 90 days of the enactment, the Secretary of Defense in consultation with Secretary of State shall submit a report to Congress on the efforts to assist in the search and rescue of the young women who were abducted from the Government Secondary School in Chibok, Nigeria by Boko Haram. (10 minutes)

138. Mulvaney (SC), Murphy, Patrick (FL): Codifies criteria developed by OMB in 2010 to clarify when military spending should be designated as contingency operations and properly be part of the Overseas Contingency Operation budget. (10 minutes)

139. Walberg (MI), Cohen (TN): Prohibits any new funds for the Afghanistan Infrastructure Fund until previously appropriated funds have been fully expended. (10 minutes)

140. Grayson (FL): Updates the Space Protection Strategy required by the 2008 NDAA, to include the period of 2026 through 2030. (10 minutes)

141. Lamborn (CO): Limits funding for certain exchanges with Russia until the President certifies that all appropriate individuals

have been listed under the Magnitsky Act. Requires an unclassified intelligence assessment of the corruption of senior Russian leaders. (10 minutes)

142. Pompeo (KS), Carney (DE): Requires the Director of National Intelligence to certify that the recommendations of the report required under Section 933 of the FY 2014 NDAA are consistent with the cyber operations capability needs of the United States before implementing any changes recommended by the study. (10 minutes)

143. Rogers, Mike (AL): Modifies an existing statutory reporting requirement to require certain officials to report on their ability to meet operational availability requirements for delivery platforms for nuclear weapons. (10 minutes)

144. Rogers, Mike (AL): Requires the Commander of U.S. Strategic Command to provide copies of the prior year's Strategic Advisory Group reports to the congressional defense committees 30 days after the budget has been submitted. (10 minutes)

145. Turner (OH): Limits availability of funds for removal or consolidation of dual-capable aircraft from Europe. (10 minutes)

146. Israel (NY), Hanna (NY): Expresses the sense of Congress in support of the National Guard's role in defending the US from cyber attacks. (10 minutes)

147. Polis (CO), Nadler (NY): Urges the Secretary of Defense to conduct successful operationally realistic tests before purchasing additional ground-based missile defense interceptors. (10 minutes)

148. Brooks (AL), Rogers, Mike (MI), Turner (OH): Requires a Plan to Counter Certain Ground-launched Ballistic Missiles and Cruise Missiles and for other purposes. (10 minutes)

149. Foster (IL): Requires the Institute for Defense Analyses to study the testing program of the ground based midcourse missile defense system. The Institute for Defense Analyses would be required to produce a report on the effectiveness of the testing program and recommendations for how it can be improved. (10 minutes)

150. Sablan (MP): Broadens the geographical scope of the existing authorization relating to Saipan for the construction of a maintenance facility, a hazardous cargo pad, or an airport storage facility so that funding would be immediately available for either of the alternative locations now under consideration. (10 minutes)

151. Castor (FL), Nugent (FL): Directs the Secretary of Defense to conduct a report for Congress on the prevalence of black mold in buildings located on military bases. Provides that after the report is complete, buildings found to contain black mold should be added to the appropriate priority list at DoD to replace the building or conduct renovations. (10 minutes)

152. Bordallo (GU): The amendment would allow the Secretary of the Navy and the Secretary of the Interior to enter into a cooperative agreement for the purposes of establishing a surface danger zone over the Ritidian Unit of the Guam National Wildlife Refuge to support training, operations and readiness needs for ground forces on Guam pursuant to the readiness requirements of U.S. Pacific Command. (10 minutes)

153. Hastings, Doc (WA): Ensures public access at Rattlesnake Mountain in the Hanford Reach National Monument, which is land owned by the Department of Energy's Office of Environmental

Management and managed by the U.S. Fish & Wildlife Service. (10 minutes)

154. Hastings, Doc (WA): Prevents further studies that involve bringing plutonium into the State of Washington at a time when the federal government isn't meeting its existing legally enforceable defense nuclear waste cleanup commitments to the State. (10 minutes)

155. Larsen, Rick (WA): Requires the creation of an interagency plan for verification and monitoring relating to the potential proliferation of nuclear weapons and fissile material. (10 minutes)

156. Pierluisi (PR): Modifies a statutory prohibition on federally-funded environmental cleanup of certain property on the island of Culebra, Puerto Rico to enable DoD to remove unexploded ordnance resulting from former DoD training activities and posing a public safety risk. (10 minutes)

157. Connolly (VA), Issa (CA): Amends titles 40, 41, and 44, United States Code, to eliminate duplication and waste in Federal information technology acquisition and management. (10 minutes)

158. Graves (MO), Rahall (WV), Walz (MN), Meadows (NC), Miller, Candice (MI), Perry (PA), Barr, (KY): Establishes the National Commission on the Future of the Army to undertake a comprehensive study of the structure of the Total Army to determine: (1) the necessary size (2) the proper force mixture of the active component and reserve component (3) missions (4) force generation policies, including assumptions behind those policies (5) and how the structure should be modified to best fulfill mission requirements in a manner consistent with available resources. (10 minutes)

159. Franks (AZ): Increases the amount authorized for Aegis Ballistic Missile Defense, line 30, by \$99,000,000 and decreases two other lines equaling \$99,000,000. (10 minutes)

160. Connolly (VA): Prohibits funds from being used to integrate missile defense systems of the Russian Federation into the missile defense systems of the U.S. if such integration undermines the security of the U.S. or NATO, mirroring a prohibition in Sec. 1250 of the base text relating to the integration of Chinese missile defense systems. (10 minutes)

161. Kildee (MI): Allocates \$20 million for a private study to identify challenges confronting the DoD's care of wounded warriors and offer recommendations to improve it, which would be funded by offsetting the \$15.1 billion shipbuilding account and a \$902.2 million nuclear weapons refurbishment account. (10 minutes)

162. Young (IN): Provides Section 330 indemnification to military installations, still under the jurisdiction of the Department of Defense, to facilities closed other than pursuant to base closure law. (10 minutes)

#### SUMMARY OF THE AMENDMENT TO H.R. 3361 IN PART B CONSIDERED AS ADOPTED

1. Sensenbrenner (WI), Goodlatte (VA), Conyers (MI), Nadler (NY), Scott, Bobby (VA), Forbes (VA): Ends bulk collection on Americans' records while still protecting national security. Puts real, effective limits on what information the Government can gather. Creates more transparency and gives more information to the American people.



PART A—TEXT OF AMENDMENTS TO H.R. 4435 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKINLEY OF WEST VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle B of title III, insert the following:

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

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

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

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

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

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

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

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

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

**SEC. 3 \_\_\_\_ . RECOMMENDATION ON AIR FORCE ENERGY CONSERVATION MEASURES.**

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

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

Strike section 341 of subtitle E of title III of the bill.

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

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

**SEC. 5 . REVISED REGULATIONS FOR RELIGIOUS FREEDOM.**

(a) REVISION OF DEPARTMENT OF DEFENSE INSTRUCTION 1300.17.—

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

(2) PURPOSE.—The revision of Department of Defense Instruction 1300.17 shall address the Congressional intent and content of section 533 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1727; 10 U.S.C. prec. 1030 note), as amended by section 532 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 759), to ensure that verbal and written expressions of an individual’s religious beliefs are protected by the Department of Defense as an essential part of a the free exercise of religion by a member of the Armed Forces.

(b) REVISION OF AIR FORCE INSTRUCTION 1-1.—

(1) REVISION REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Air Force shall issue a revised instruction to replace Air Force Instruction 1-1.

(2) PURPOSE.—The revision of Air Force Instruction 1-1 shall reflect the protections for religious expressions contained in—

(A) section 533 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1727; 10 U.S.C. prec. 1030 note), as amended by section 532 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 759); and

(B) the revised Department of Defense instruction referenced in subsection (a) if revision of that instruction is completed before the revision of Air Force Instruction 1-1.

(3) TERMINATION.—If, before the date of the enactment of this Act, the Secretary of the Air Force issues a revised instruction to replace Air Force Instruction 1-1 and such revision is consistent with the purpose specified in paragraph (2), the requirement imposed by paragraph (1) shall no longer apply.

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

Page 370, after line 23, insert the following:

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

(a) RETENTION OF RESPONSIBILITIES.—Until the Comptroller General of the United States submits the report required by subsection (b), the Assistant Secretary of Commerce for Communications and Information may not relinquish or agree to any proposal relating to the relinquishment of the responsibility of the National Telecommunications and Information Administration (in this section referred to as the “NTIA”) over Internet domain name system func-

tions, including responsibility with respect to the authoritative root zone file, the Internet Assigned Numbers Authority functions, and related root zone management functions.

(b) REPORT.—Not later than 1 year after the date on which the NTIA receives a proposal relating to the relinquishment of the responsibility of the NTIA over Internet domain name system functions that was developed in a process convened by the Internet Corporation for Assigned Names and Numbers at the request of the NTIA, the Comptroller General of the United States shall submit to Congress a report on the role of the NTIA with respect to the Internet domain name system. Such report shall include—

(1) a discussion and analysis of—

(A) the advantages and disadvantages of relinquishment of the responsibility of the NTIA over Internet domain name system functions, including responsibility with respect to the authoritative root zone file, the Internet Assigned Numbers Authority functions, and related root zone management functions;

(B) any principles or criteria that the NTIA sets for proposals for such relinquishment;

(C) each proposal received by the NTIA for such relinquishment;

(D) the processes used by the NTIA and any other Federal agencies for evaluating such proposals; and

(E) any national security concerns raised by such relinquishment; and

(2) a definition of the term “multistakeholder model”, as used by the NTIA with respect to Internet policymaking and governance, and definitions of any other terms necessary to understand the matters covered by the report.

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

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

**SEC. 1005. AUDIT OF DEFENSE PROCUREMENT AND ACQUISITION POLICY OFFICE.**

(a) AUDIT.—The Secretary of Defense shall conduct an audit of the Defense Procurement and Acquisition Policy office of the Department of Defense by the end of 2016.

(b) SENSE OF CONGRESS.—It is the sense of Congress that a full audit of the entire Department of Defense should be completed by the end of 2017.

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

Strike section 1024 and insert the following new section (and conform the table of contents accordingly):

**SEC. 1024. PROHIBITION ON AVAILABILITY OF FUNDS FOR REFUELING AND COMPLEX OVERHAUL OF THE U.S.S. GEORGE WASHINGTON.**

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015

for the Navy may be used to carry out the planning and long lead time material procurement associated with the refueling and complex overhaul of the U.S.S. *George Washington* (CVN-73).

(b) FUNDING.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for shipbuilding and conversion, Navy, as specified in the corresponding funding table in section 4101, for CVN Refueling Overhauls, CVN 73 Refueling and Complex Overhaul (RCOH) is hereby reduced by \$483,600,000. The amount of such reduction shall not be available for any purpose other than deficit reduction.

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

At the end of subtitle C of title X, insert the following:

**SEC. 1034. 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, 2015, any individual detained at Guantanamo (as such term is defined in section 1032(c)) to the custody or control of the Republic of Yemen or any entity within Yemen.

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

Strike sections 1032 and 1033 and insert the following:

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

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

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

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

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

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

(1) notice of the proposed transfer; and

(2) the assessment of the Secretary of Defense and the intelligence community (under the meaning given such term section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) of any risks to public safety that could arise in connection with

the proposed transfer of the individual and a description of any steps taken to address such risks.

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

(e) PERIODIC REVIEW BOARDS.—The Secretary of Defense shall ensure that each periodic review board established pursuant to Executive Order No. 13567 or section 1023 of the 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) PRESIDENTIAL PLAN.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the congressional defense committees a plan describing each of the following:

(1) The locations to which the President seeks to transfer individuals detained at Guantanamo who have been identified for continued detention or prosecution.

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

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

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

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

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

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

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

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

(6) 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.

(7) 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 Guantanamo as of the date of the enactment of this Act, who is designated for continued detention or 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, or release.

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

(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.

(h) FUNDING.—

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

(2) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4601 for military construction, Defense-wide, as specified in the corresponding funding table in section 4601, for planning and design for the Missile Defense Agency is hereby increased by \$20,000,000.

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

(4) REDUCTION IN AMOUNT FOR GUANTANAMO BAY.—In the item relating to Guantanamo Bay in the table in section 2101(b), strike “\$92,800,000” and insert “\$23,800,000”.

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

Page 294, after line 21, insert the following:

**SEC. 1034. 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”.

## 12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CLEAVER OF MISSOURI OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

### **Subtitle H—World War I Memorials**

#### **SEC. 1091. SHORT TITLE.**

This subtitle may be cited as the “World War I Memorial Act of 2014”.

#### **SEC. 1092. DESIGNATION OF NATIONAL WORLD WAR I MUSEUM AND MEMORIAL IN KANSAS CITY, MISSOURI.**

(a) DESIGNATION.—The Liberty Memorial of Kansas City at America’s National World War I Museum in Kansas City, Missouri, is hereby designated as the “National World War I Museum and Memorial”.

(b) CEREMONIES.—The World War I Centennial Commission (in this subtitle referred to as the “Commission”) may plan, develop, and execute ceremonies to recognize the designation of the Liberty Memorial of Kansas City as the National World War I Museum and Memorial.

**SEC. 1093. REDESIGNATION OF PERSHING PARK IN THE DISTRICT OF COLUMBIA AS THE NATIONAL WORLD WAR I MEMORIAL AND ENHANCEMENT OF COMMEMORATIVE WORK.**

(a) REDESIGNATION.—Pershing Park in the District of Columbia is hereby redesignated as the “National World War I Memorial”.

(b) CEREMONIES.—The Commission may plan, develop, and execute ceremonies for the rededication of Pershing Park, as it approaches its 50th anniversary, as the National World War I Memorial and for the enhancement of the General Pershing Commemorative Work as authorized by subsection (c).

(c) AUTHORITY TO ENHANCE COMMEMORATIVE WORK.—

(1) IN GENERAL.—The Commission may enhance the General Pershing Commemorative Work by constructing on the land designated by subsection (a) as the National World War I Memorial appropriate sculptural and other commemorative elements, including landscaping, to further honor the service of members of the United States Armed Forces in World War I.

(2) GENERAL PERSHING COMMEMORATIVE WORK DEFINED.—The term “General Pershing Commemorative Work” means the memorial to the late John J. Pershing, General of the Armies of the United States, who commanded the American Expeditionary Forces in World War I, and to the officers and men under his command, as authorized by Public Law 89–786 (80 Stat. 1377).

(d) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.—

(1) IN GENERAL.—Except as provided in paragraph (2), chapter 89 of title 40, United States Code, applies to the enhancement of the General Pershing Commemorative Work under subsection (c).

(2) WAIVER OF CERTAIN REQUIREMENTS.—

(A) SITE SELECTION FOR MEMORIAL.—Section 8905 of such title does not apply with respect to the selection of the site for the National World War I Memorial.

(B) CERTAIN CONDITIONS.—Section 8908(b) of such title does not apply to this subtitle.

(e) NO INFRINGEMENT UPON EXISTING MEMORIAL.—The National World War I Memorial may not interfere with or encroach on the District of Columbia War Memorial.

(f) DEPOSIT OF EXCESS FUNDS.—

(1) USE FOR OTHER WORLD WAR I COMMEMORATIVE ACTIVITIES.—If, upon payment of all expenses for the enhancement of the General Pershing Commemorative Work under subsection (c) (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), there remains a balance of funds received for such purpose, the Commission may use the amount of the balance for other commemorative activities authorized under the World War I Centennial Commission Act (Public Law 112–272; 126 Stat. 2448).



(2) **USE FOR OTHER COMMEMORATIVE WORKS.**—If the authority for enhancement of the General Pershing Commemorative Work and the authority of the Commission to plan and conduct commemorative activities under the World War I Centennial Commission Act have expired and there remains a balance of funds received for the enhancement of the General Pershing Commemorative Work, the Commission shall transmit the amount of the balance to a separate account with the National Park Foundation, to be available to the Secretary of the Interior following the process provided in section 8906(b)(4) of title 40, United States Code, for accounts established under section 8906(b)(3) of such title, except that funds in such account may only be obligated subject to appropriation.

(g) **AUTHORIZATION TO COMPLETE CONSTRUCTION AFTER TERMINATION OF COMMISSION.**—Section 8 of the World War I Centennial Commission Act (Public Law 112–272) is amended—

(1) in subsection (a), by striking “The Centennial Commission” and inserting “Except as provided in subsection (c), the Centennial Commission”; and

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

“(c) **EXCEPTION FOR COMPLETION OF NATIONAL WORLD WAR I MEMORIAL.**—The Centennial Commission may perform such work as is necessary to complete the rededication of the National World War I Memorial and enhancement of the General Pershing Commemorative Work under section 1093 of the World War I Memorial Act of 2014, subject to section 8903 of title 40, United States Code.”

**SEC. 1094. ADDITIONAL AMENDMENTS TO WORLD WAR I CENTENNIAL COMMISSION ACT.**

(a) **EX OFFICIO AND OTHER ADVISORY MEMBERS.**—Section 4 of the World War I Centennial Commission Act (Public Law 112–272; 126 Stat. 2449) is amended by adding at the end the following new subsection:

“(e) **EX OFFICIO AND OTHER ADVISORY MEMBERS.**—

“(1) **POWERS.**—The individuals listed in paragraphs (2) and (3), or their designated representative, shall serve on the Centennial Commission solely to provide advice and information to the members of the Centennial Commission appointed pursuant to subsection (b)(1), and shall not be considered members for purposes of any other provision of this Act.

“(2) **EX OFFICIO MEMBERS.**—The following individuals shall serve as ex officio members:

“(A) The Archivist of the United States.

“(B) The Librarian of Congress.

“(C) The Secretary of the Smithsonian Institution.

“(D) The Secretary of Education.

“(E) The Secretary of State.

“(F) The Secretary of Veterans Affairs.

“(G) The Administrator of General Services.

“(3) **OTHER ADVISORY MEMBERS.**—The following individuals shall serve as other advisory members:

“(A) Four members appointed by the Secretary of Defense in the following manner: One from the Navy, one from the Marine Corps, one from the Army, and one from the Air Force.

“(B) Two members appointed by the Secretary of Homeland Security in the following manner: One from the Coast Guard and one from the United States Secret Service.

“(C) Two members appointed by the Secretary of the Interior, including one from the National Parks Service.

“(4) VACANCIES.—A vacancy in a member position under paragraph (3) shall be filled in the same manner in which the original appointment was made.”.

(b) PAYABLE RATE OF STAFF.—Section 7(c)(2) of such Act (Public Law 112–272; 126 Stat. 2451) is amended—

(1) in subparagraph (A), by striking the period at the end and inserting “, without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates.”; and

(2) in subparagraph (B), by striking “level IV” and inserting “level II”.

(c) LIMITATION ON OBLIGATION OF FEDERAL FUNDS.—

(1) LIMITATION.—Section 9 of such Act (Public Law 112–272; 126 Stat. 2453) is amended to read as follows:

**“SEC. 9. LIMITATION ON OBLIGATION OF FEDERAL FUNDS.**

“No Federal funds may be obligated or expended for the designation, establishment, or enhancement of a memorial or commemorative work by the World War I Centennial Commission.”.

(2) CONFORMING AMENDMENT.—Section 7(f) of such Act (Public Law 112–272; 126 Stat. 2452) is repealed.

(3) CLERICAL AMENDMENT.—The item relating to section 9 in the table of contents of such Act (Public Law 112–272; 126 Stat. 2448) is amended to read as follows:

“Sec. 9. Limitation on obligation of Federal funds.”.

**13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HECK OF WASHINGTON OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES**

At the end of title X, add the following:

**SEC. 1011. MILITARY COMMUNITY INFRASTRUCTURE PROGRAM.**

(a) INFRASTRUCTURE PROGRAM.—

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

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

(3) ELIGIBLE PROJECTS.—

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

- (i) the construction of roads;
- (ii) the construction of mass transit;
- (iii) the construction of, or upgrades to, pedestrian access and bicycle access; and

(iv) upgrades to public transportation systems.

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

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

(ii) in a location that is—

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

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

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

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

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

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

(D) the size of the community affected by the problem addressed by the project;

(E) the ability of the relevant eligible entity to execute the project; and

(F) the extent to which the project resolves the transportation problem addressed.

(5) FEDERAL SHARE.—The Federal share of the cost of a project carried out using grant amounts made available under the Program may not exceed 80 percent.

(b) TRAFFIC IMPACT STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall conduct a traffic impact study for any urbanized area (as designated by the Bureau of the Census) that expects a significant increase in traffic related to a military installation within or abutting the urbanized area.

(2) CONTENTS.—A traffic impact study under paragraph (1) shall determine any transportation improvements needed because of an increase in the number of military personnel, including study of commute sheds affected by installation-related traffic.

(3) CONSULTATION.—In developing a traffic impact study under paragraph (1), the Secretary shall consult with—

(A) the metropolitan planning organization or regional transportation planning organization with jurisdiction over the urbanized area; and

(B) the commander of the appropriate military installation.

(c) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a State or political subdivision thereof;

(B) an owner or operator of public transportation;

(C) a local governmental authority (as such term is defined in section 5302 of title 49, United States Code);

(D) a metropolitan planning organization; or

(E) a regional transportation planning organization.

(2) METROPOLITAN PLANNING ORGANIZATION AND REGIONAL TRANSPORTATION PLANNING ORGANIZATION.—The terms “metropolitan planning organization” and “regional transportation planning organization” have the meanings given those terms in section 134(b) of title 23, United States Code.

(3) SECRETARY.—The term “Secretary” means the Secretary of Defense, acting through the Director of the Office of Economic Adjustment.

(4) STATE.—The term “State” means each of the several States, the District of Columbia, and any territory or possession of the United States.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, to carry out this section, \$200,000,000 for fiscal year 2015.

(e) FUNDING.—Notwithstanding the amounts set forth in the funding tables in division D, to carry out this section during fiscal year 2015—

(1) the amount authorized to be appropriated in section 301 for operation and maintenance, as specified in the corresponding funding table in division D, is hereby increased by \$200,000,000, with the amount of the increase allocated to administrative and servicewide activities, as set forth in the table under section 4301, to carry out this section; and

(2) the amount authorized to be appropriated in section 301 for operation and maintenance, Defense-wide, as specified in the corresponding funding table in section 4301, is hereby reduced by \$200,000,000.

#### 14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KILDEE OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

##### **SEC. 1082. IMPROVEMENT OF FINANCIAL LITERACY.**

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

(b) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4301 for operation and maintenance, as specified in the corresponding funding table in section 4301, for each military department (including the Marine Corps) is hereby increased by \$2,500,000.

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

(A) the amounts authorized to be appropriated in section 101 for shipbuilding and conversion, Navy, as specified in the corresponding funding table in section 4101, is hereby reduced by \$5,000,000; and

(B) the amounts authorized to be appropriated in division C for weapons activities, as specified in the corresponding funding table in section 4701, for the B61 life extension program and the W76 life extension program are each hereby reduced by \$2,500,000.

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JENKINS  
OF KANSAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title XI, add the following:

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

(a) PROHIBITION.—Notwithstanding any other provision of law, except as provided under subsection (b), no Federal department or agency may implement or carry out a guideline, regulation, circular, policy, or other instrument to enable a Federal department or agency to convert to performance by Federal employees any function that, before the date of the enactment of this Act, was performed by contractor employees.

(b) EXCEPTIONS.—The prohibition in this section shall not apply to a function that is an inherently governmental function as that term is defined in section 5 of the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 31 U.S.C. 501 note).

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

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RUNYAN  
OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title XI, add the following:

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

(a) DEFINITIONS.—For purposes of this section—

(1) the term “joint military installation” means 2 or more military installations reorganized or otherwise associated and operated as a single military installation;

(2) the term “locality” or “pay locality” has the meaning given that term by section 5302(5) of title 5, United States Code; and

(3) the term “locality pay” refers to any amount payable under section 5304 or 5304a of title 5, United States Code.

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

stituent installation then receiving the highest locality pay (expressed as a percentage).

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

(d) EFFECTIVE DATE; APPLICABILITY.—

(1) EFFECTIVE DATE.—This section shall be effective with respect to pay periods beginning on or after such date (not later than 1 year after the date of enactment of this section) as the Secretary of Defense shall determine in consultation with the Office of Personnel Management.

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

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

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

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

(a) LIMITATION.—None of the funds authorized to be appropriated or otherwise made available for fiscal year 2015 for the Department of Defense may be used for implementation of the New START Treaty until the Secretary of Defense, in consultation with the Secretary of State, certifies to the appropriate congressional committees that—

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

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

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

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

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

(b) DEFINITIONS.—In this section:

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

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

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

(2) CFE TREATY.—The term “CFE Treaty” means the Treaty on Conventional Armed Forces in Europe, signed at Paris November 19, 1990, and entered into force July 17, 1992.

(3) INF TREATY.—The term “INF Treaty” means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the Intermediate-Range Nuclear Forces (INF) Treaty, signed at

Washington December 8, 1987, and entered into force June 1, 1988.

(4) **NEW START TREATY.**—The term “New START Treaty” means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

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

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

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

**SEC. \_\_. SENSE OF CONGRESS ON FUTURE OF NATO AND ENLARGEMENT INITIATIVES.**

(a) **STATEMENT OF POLICY.**—Congress declares that—

(1) the North Atlantic Treaty Organization (NATO) has been the cornerstone of transatlantic security cooperation and an enduring instrument for promoting stability in Europe and around the world for over 65 years;

(2) the incorporation of the Czech Republic, Poland, Hungary, Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, Slovenia, Albania, and Croatia has been essential to the success of NATO in this modern era;

(3) these countries have over time added to and strengthened the list of key European allies of the United States;

(4) since joining NATO, these member states have remained committed to the collective defense of the Alliance and have demonstrated their will and ability to contribute to transatlantic solidarity and assume increasingly more responsibility for international peace and security;

(5) since joining the alliance, these NATO members states have contributed to numerous NATO-led peace, security, and stability operations, including participation in the International Security Assistance Force’s (ISAF) mission in Afghanistan;

(6) these NATO member states have become reliable partners and supporters of aspiring members and the United States recognizes their continued efforts to aid in further enlargement initiatives; and

(7) the commitment by these NATO member states to Alliance principles and active participation in Alliance initiatives shows the success of NATO’s Open-Door Policy.

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

(1) at the September 2014 NATO Summit in Wales and beyond, the United States should—

(A) continue to work with aspirant countries to prepare such countries for entry into NATO;

(B) seek NATO membership for Montenegro;

(C) continue supporting a Membership Action Plan (MAP) for Georgia;

(D) encourage the leaders of Macedonia and Greece to find a mutually agreeable solution to the name dispute between the two countries;

(E) seek a Dayton II agreement to resolve the constitutional issues of Bosnia and Herzegovina;

(F) work with the Republic of Kosovo to prepare the country for entrance into the Partnership for Peace (PfP) program;

(G) take a leading role in working with NATO member states to identify, through consensus, the current and future security threats facing the Alliance; and

(H) take a leading role to work with NATO allies to ensure the alliance maintains the required capabilities, including the gains in interoperability from combat in Afghanistan, necessary to meet the security threats to the Alliance.

(2) NATO member states should review defense spending to ensure sufficient funding is obligated to meet NATO responsibilities; and

(3) the United States should remain committed to maintaining a military presence in Europe as a means of promoting allied interoperability and providing visible assurance to NATO allies in the region.

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

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

**SEC. \_\_. REPORT, DETERMINATION, AND STRATEGY REGARDING THE TERRORISTS RESPONSIBLE FOR THE ATTACK AGAINST UNITED STATES PERSONNEL IN BENGHAZI, LIBYA, AND OTHER REGIONAL THREATS.**

(a) FINDINGS.—Congress finds the following:

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

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

(3) On May 1, 2014, White House spokesman Jay Carney stated that: “I can assure you that the President’s direction is that those who killed four Americans will be pursued by the United States until they are brought to justice. And if anyone doubts that, they should ask...friends and family members of Osama bin Laden.”.

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

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



- (6) No terrorist responsible for the Benghazi attacks has been brought to justice.
- (b) SENSE OF CONGRESS.—It is the sense of the Congress that—
- (1) the persons and organizations who carried out the attacks on United States personnel in Benghazi, Libya on September 11 and 12, 2012, pose a continuing threat to the national security of the United States;
  - (2) the failure to hold any individual responsible for these terrorist attacks is a travesty of justice, and undermines the national security of the United States; and
  - (3) the uncertainty surrounding the authority of the President to use force against the terrorists responsible for the attack against United States personnel in Benghazi, Libya, undermines the President as Commander-in-Chief of the Armed Forces of the United States.
- (c) REPORT AND DETERMINATION.—
- (1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress—
    - (A) a report that contains—
      - (i) the identity and location of those persons and organizations that planned, authorized, or committed the attacks against the United States facilities in Benghazi, Libya that occurred on September 11 and 12, 2012; and
      - (ii) a detailed and specific description of all actions that have been taken to kill or capture any of the persons described in clause (i); and
    - (B) a determination regarding whether the President currently possesses the authority to use the Armed Forces of the United States against all persons and organizations described in subparagraph (A)(i).
  - (2) FORM.—The report and determination described in this subsection shall be submitted in unclassified form to the maximum extent possible, and may contain a classified annex.
- (d) STRATEGY TO COMBAT REGIONAL TERRORIST THREATS.—
- (1) TIMING AND CONTENT.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a comprehensive strategy to counter the growing threat posed by radical Islamist terrorist groups in North Africa, West Africa, and the Sahel, which shall include, among other things—
    - (A) a strategy to bring to justice those persons who planned, authorized, or committed the terrorist attacks against the United States facilities in Benghazi, Libya that occurred on September 11 and 12, 2012;
    - (B) a description of the radical Islamist terrorist groups active in North Africa, West Africa, and the Sahel, including an assessment of their origins, strategic aims, tactical methods, funding sources, leadership, and relationships with other terrorist groups or state actors;
    - (C) a description of the key military, diplomatic, intelligence, and public diplomacy resources available to address these growing regional terrorist threats; and

(D) a strategy to maximize the coordination between, and the effectiveness of, United States military, diplomatic, intelligence, and public diplomacy resources to counter these growing regional terrorist threats.

(2) FORM.—The strategy described in this subsection shall be submitted in unclassified form to the maximum extent possible, and may contain a classified annex.

(3) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term “appropriate congressional committees” means—

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

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

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20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RIGELL OF VIRGINIA 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) With respect to United States military intervention in Syria, President Obama said, “But having made my decision as Commander-in-Chief based on what I am convinced is our national security interests, I’m also mindful that I’m the President of the world’s oldest constitutional democracy. I’ve long believed that our power is rooted not just in our military might, but in our example as a government of the people, by the people, and for the people. And that’s why I’ve made a second decision: I will seek authorization for the use of force from the American people’s representatives in Congress.”.

(b) **RULE OF CONSTRUCTION.**—Nothing in this Act shall be construed to authorize any use of military force.

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21. **AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCHIFF OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES**

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

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

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

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

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22. **AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES**

At the end of subtitle F of title XII insert the following new section:

**SEC. 1266. REPORT ON ACCOUNTABILITY FOR CRIMES AGAINST HUMANITY IN NIGERIA.**

(a) **SENSE OF CONGRESS.**—Congress—

(1) strongly condemns the ongoing violence and the systematic gross human rights violations against the people of Nigeria carried out by the jihadist organization Boko Haram;

(2) expresses its support for the people of Nigeria who wish to live in a peaceful, economically prosperous, and democratic Nigeria; and

(3) calls on the President to support Nigerian and International Community efforts to ensure accountability for crimes against humanity committed by Boko Haram against the people of Nigeria, particularly young girls kidnapped from educational institutions by Boko Haram.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on crimes against humanity committed by Boko Haram in Nigeria.

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

(A) A description of initiatives undertaken by the Department of Defense to assist the Government of Nigeria to develop its own capacity to deploy specialized police and army units rapidly to bring Boko Haram leader Abubakar Shekau to justice and to prevent and combat sectarian violence in cities and areas in Nigeria where there has been a history of sectarian violence.

(B) A description of violations of internationally recognized human rights and crimes against humanity perpetrated by Boko Haram in Nigeria, including a description of the conventional and unconventional weapons used for such crimes and, where possible, the origins of the weapons.

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

- (i) a description of initiatives that the United States has undertaken to train Nigerian investigators on how to document, investigate, and develop findings of crimes against humanity; and
- (ii) an assessment of the impact of those initiatives.

23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DAINES OF MONTANA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 1636. FINDINGS AND STATEMENT OF POLICY ON THE NUCLEAR TRIAD.**

(a) FINDINGS.—Congress finds the following:

(1) The April 2010 Nuclear Posture Review stated—

(A) “After considering a wide range of possible options for the U.S. strategic nuclear posture, including some that involved eliminating a leg of the Triad, the NPR concluded that for planned reductions under New START, the United States should retain a smaller Triad of SLBMs [submarine launched ballistic missiles], ICBMs [intercontinental ballistic missiles], and heavy bombers. Retaining all three Triad legs will best maintain strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities.”;

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

(C) “a survivable U.S. response force requires continuous at-sea deployments of SSBNs [ballistic missile submarines] in both the Atlantic and Pacific oceans, as well as the ability to surge additional submarines in crisis.”; and

(D) nuclear-capable bombers—

(i) “[provide] a rapid and effective hedge against technical challenges with another leg of the Triad, as well as geopolitical uncertainties”; and

(ii) “are important to extended deterrence of potential attacks on U.S. allies and partners.”.

(2) In a letter to the Senate on February 2, 2011, regarding the New START Treaty, President Obama stated that “I intend to modernize or replace the triad of strategic nuclear delivery systems: a heavy bomber and air-launched cruise missile, an ICBM, and a nuclear-powered ballistic missile submarine (SSBN) and SLBM.”.

(3) In the Resolution Of Advice And Consent To Ratification of the New START Treaty, the Senate stated that “it is the sense of the Senate that United States deterrence and flexibility is assured by a robust triad of strategic delivery vehicles.

To this end, the United States is committed to accomplishing the modernization and replacement of its strategic nuclear delivery vehicles, and to ensuring the continued flexibility of United States conventional and nuclear delivery systems.”.

(4) On June 19, 2013, the Secretary of Defense, Chuck Hagel, stated, “First, the U.S. will maintain a ready and credible deterrent. Second, we will retain a triad of bombers, ICBMs, and ballistic missile submarines. Third, we will make sure that our nuclear weapons remain safe, secure, ready and effective.”.

(5) Section 1062 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 495 note) states that—

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

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

(6) On March 6, 2014, the Chairman of the Joint Chiefs of Staff, General Martin Dempsey, testified to the Committee on Armed Services of the House of Representatives that the Joint Chiefs of Staff have determined that “our recommendation is to remain firmly committed to the triad, the three legs of the nuclear capability, and that any further reduction should be done only through negotiations, not unilaterally, and that we should commit to modernizing the stockpile while we have it.”.

(7) On April 2, 2014, the Commander of United States Strategic Command, Admiral Cecil Haney, testified to the Committee on Armed Services of the House of Representatives that “First and foremost, I think it is important that we as a country realize just how important and foundational our strategic deterrent is today for us and well into the future. As you have mentioned, there is a need for modernization in a variety of areas. When you look at the credible strategic deterrent we have today, that includes everything from the indications and warning, to the command and control and communication structure that goes all the way from the President down to the units, and to what frequently we talk about as the triad involving the intercontinental ballistic missiles, the submarines, and the bombers—each providing its unique aspect of deterrence.”.

(8) In the June 2013 Report on Nuclear Employment Strategy of the United States required by section 491 of title 10, United States Code, the Secretary of Defense, on behalf of the President, stated that “the United States will maintain a nuclear Triad, consisting of ICBMs, SLBMs, and nuclear-capable heavy bombers. Retaining all three Triad legs will best maintain strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities. These forces should be operated on a day-to-day basis in a manner that maintains strategic stability with Russia and China, deters potential regional adversaries, and assures U.S. Allies and partners.”.

(b) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to operate, sustain, and modernize or replace the triad of strategic nuclear delivery systems consisting of—

(A) heavy bombers equipped with nuclear gravity bombs and air-launched nuclear cruise missiles;

(B) land-based intercontinental ballistic missiles equipped with nuclear warheads that are capable of carrying multiple independently targetable reentry vehicles; and

(C) ballistic missile submarines equipped with submarine launched ballistic missiles and multiple nuclear warheads.

(2) to operate, sustain, and modernize or replace a capability to forward-deploy nuclear weapons and dual-capable fighter-bomber aircraft;

(3) to deter potential adversaries and assure allies and partners of the United States through strong and long-term commitment to the nuclear deterrent of the United States and the personnel, systems, and infrastructure that comprise such deterrent; and

(4) to ensure the members of the Armed Forces that operate the nuclear deterrent of the United States have the training, resources, and national support required to execute the critical national security mission of the members.

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

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

**SEC. 1636. ANNUAL CONGRESSIONAL BUDGET OFFICE REVIEW OF COST ESTIMATES FOR NUCLEAR WEAPONS.**

Section 1041(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1931) is amended—

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

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

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

**SEC. 1643. PROCUREMENT AUTHORITY FOR SPECIFIED FUZES.**

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

(b) AVAILABILITY OF FUNDS.—Notwithstanding section 1502(a) of title 31, United States Code, of the amounts authorized to be appropriated for fiscal year 2015 by section 101 and available for Missile Procurement, Air Force, as specified in the funding table in section 4101, \$4,500,000 shall be available for the procurement of

covered parts pursuant to contracts entered into under subsection (a).

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

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

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

**SEC. 3122. PROHIBITION ON USE OF FUNDS AT NATIONAL IGNITION  
FACILITY FOR CERTAIN NON-DEFENSE PURPOSES.**

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

(1) the limited defense funding of the United States should be spent on defense purposes;

(2) funding for the nuclear weapons program should be spent on activities that support, sustain, and modernize the nuclear weapons stockpile; and

(3) clean fusion energy research and development efforts should not be subsidized by defense funding.

(b) PROHIBITION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the National Ignition Facility at Lawrence Livermore National Laboratory, Livermore, California, not more than 50 percent may be obligated or expended until the date on which the Administrator for Nuclear Security certifies to the congressional defense committees that none of the funds authorized to be appropriated by this Act will be used to subsidize, support, or otherwise contribute to clean fusion energy research and development efforts.

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

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

**SEC. 3122. DEPARTMENT OF ENERGY RESEARCH AND DEVELOPMENT  
GRANTS.**

(a) RESEARCH AND DEVELOPMENT GRANTS.—

(1) IN GENERAL.—A director may accept grants for research and development activities from foundations and other non-profit organizations.

(2) WAIVER OF INDIRECT COSTS.—

(A) IN GENERAL.—Subject to subparagraph (B), a director may waive the indirect costs for the grants described in paragraph (1) to the extent required by the operating charter of the foundation or nonprofit organization.

(B) LIMITATION ON WAIVER.—

(i) TOTAL AMOUNT.—The total amount waived under subparagraph (A) may not be greater than one-half of one percent of the total budget of the National Laboratory for which the director is the head.

(ii) LABORATORY MISSION SUPPORT.—The director may not make a waiver under subparagraph (A) un-

less the director determines that the research and development supported pursuant to the grant accepted under paragraph (1) exercises capabilities that support the science, technology, energy, environmental, or national security missions of the Department of Energy or the National Nuclear Security Administration.

(b) DEFINITIONS.—In this section:

(1) The term “director” means the director of a National Laboratory.

(2) The term “National Laboratory” has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

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

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

**SEC. 3143. BUDGET INCREASE FOR DEFENSE ENVIRONMENTAL CLEANUP.**

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 3102 for defense environmental cleanup, as specified in the corresponding funding table in section 4701, is hereby increased by \$20,000,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amounts authorized to be appropriated in this title for weapons activities, as specified in the corresponding funding table in section 4701, for Inertial confinement fusion ignition and high yield campaign is hereby reduced by \$20,000,000.

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

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

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

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

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

(c) PAYMENT OF COST OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Air Force shall require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection



(a), including survey costs, costs for environmental documentation related to the conveyance, and any other administrative costs related to the conveyance. If amounts are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—

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

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

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

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

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

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

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

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

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

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

(b) SENSE OF CONGRESS.—It is the Sense of Congress that the Secretary of the Air Force, in the strategic basing process for the F-35A, should place emphasis on the benefits derived from sites that—

(1) are capable of hosting fighter-based bilateral and multi-lateral training opportunities with international partners;

(2) have sufficient airspace and range capabilities and capacity to meet the training requirements;

- (3) have existing facilities to support personnel, operations, and logistics associated with the flying mission;
- (4) have limited encroachment that would adversely impact training or operations; and
- (5) minimize the overall construction and operational costs.

31. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKINLEY OF WEST VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 47, after line 22, insert the following:

**SEC. 302. INCREASE IN FUNDING FOR CIVIL MILITARY PROGRAMS.**

(a) FUNDING.—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, Defense-wide, as specified in the corresponding funding table in section 4301, for Civil Military Programs, is hereby increased by \$55,000,000.

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

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

Page 53, after line 9, insert the following:

**SEC. 318. ENVIRONMENTAL RESTORATION AT FORMER NAVAL AIR STATION, CHINCOTEAGUE, VIRGINIA.**

(a) ENVIRONMENTAL RESTORATION PROJECT.—Notwithstanding the administrative jurisdiction of the Administrator of the National Aeronautics and Space Administration over the Wallops Flight Facility, Virginia, the Secretary of Defense may undertake an environmental restoration project in a manner consistent with chapter 160 of title 10, United States Code, at the property constituting that facility in order to provide necessary response actions for contamination from a release of a hazardous substance or a pollutant or contaminant that is attributable to the activities of the Department of Defense at the time the property was under the administrative jurisdiction of the Secretary of the Navy or used by the Navy pursuant to a permit or license issued by the National Aeronautics and Space Administration in the area formerly known as the Naval Air Station Chincoteague, Virginia. Any such project may be undertaken jointly or in conjunction with an environmental restoration project of the Administrator.

(b) INTERAGENCY AGREEMENT.—The Secretary and the Administrator may enter into an agreement or agreements to provide for the effective and efficient performance of environmental restoration projects for purposes of subsection (a). Notwithstanding section 2215 of title 10, United States Code, any such agreement may provide for environmental restoration projects conducted jointly or by one agency on behalf of the other or both agencies and for reimbursement of the agency conducting the project by the other agency

for that portion of the project for which the reimbursing agency has authority to respond.

(c) **SOURCE OF DEPARTMENT OF DEFENSE FUNDS.**—Pursuant to section 2703(c) of title 10, United States Code, the Secretary may use funds available in the Environmental Restoration, Formerly Used Defense Sites, account of the Department of Defense for environmental restoration projects conducted for or by the Secretary under subsection (a) and for reimbursable agreements entered into under subsection (b).

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

Page 66, after line 11, insert the following:

**SEC. 342. LIMITATION ON FURLOUGH OF CERTAIN WORKING-CAPITAL FUND EMPLOYEES.**

Section 2208 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(s) The Secretary of Defense, or the Secretary of the military department concerned, as appropriate, may not carry out a non-disciplinary furlough (as defined in section 7511(a)(5) of title 5) of a civilian employee of the Department of Defense whose performance is charged to a working-capital fund unless the Secretary—

“(1) determines that failure to furlough the employee will result in a violation of subsection (f); and

“(2) submits to Congress, by not later than 45 days before initiating a furlough, notice of the furlough that includes a certification that, as a result of the proposed furlough, none of the work performed by any employee of the Government will be shifted to any Department of Defense civilian employee, contractor, or member of the Armed Forces.”.

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

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

**SEC. 3\_\_\_. AGREEMENTS WITH LOCAL CIVIC ORGANIZATIONS TO SUPPORT CONDUCTING A MILITARY AIR SHOW OR OPEN HOUSE.**

(a) **AGREEMENTS AUTHORIZED.**—Chapter 155 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 2616. Military air show or open house: agreements with local civic organization; authority to charge nominal admission fee**

“(a) **AGREEMENTS AUTHORIZED.**—The Secretary concerned may enter into a contract or agreement with a non-Federal civic organization to conduct or support an air show or open house to feature any unit, aircraft, vessel, equipment, or members of the armed forces under the jurisdiction of that Secretary.

“(b) **NOMINAL FEES AUTHORIZED.**—The Secretary concerned may charge, or authorize a civic organization with which the Secretary has entered into a contract or agreement under subsection (a) to

charge, the public a nominal admission fee (to be determined by the Secretary) to attend a military air show or open house.

“(c) TREATMENT OF FEES.—Amounts collected as admission fees under subsection (b) for an air show or open house may be retained to cover costs associated with the air show or open house, including costs associated with parking for the air show or open house or the provision of temporary shuttle-bus service for air show or open house visitors. If costs are incurred and covered in advance of the collection of the fees, amounts collected shall be credited to the fund or account that was used to cover those costs. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account. Any amounts so credited under this subsection shall be subject to the Appropriations process of the United States Congress.”.

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

“2616. Military air show or open house: agreements with local civic organization; authority to charge nominal admission fee.”.

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

Page 72, after line 21, insert the following:

**SEC. 354. GIFTS MADE FOR THE BENEFIT OF MILITARY MUSICAL UNITS.**

Section 974(d)(1) of title 10, United States Code, is amended by striking “The Secretary concerned may” and inserting “The Secretary concerned shall”.

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

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

**SEC. 5 . DEFERRED RETIREMENT OF CHAPLAINS.**

Section 1253 of title 10, United States Code, is amended by adding at the end the following new subsection:

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

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

“(3) The Secretary of the military department concerned may extend a deferment under this subsection beyond the day referred to in paragraph (2) if the Secretary determines that extension of the deferment is necessary for the needs of the military department concerned. Such an extension shall be made on a case-by-case basis

and shall be for such period as the Secretary considers appropriate.”.

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

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

**SEC. 514. COMPLIANCE WITH EFFICIENCIES DIRECTIVE.**

By not later than December 31, 2015, the Secretary of Defense shall ensure that the number of flag officers and generals are reduced to comply with the Department of Defense efficiencies directive dated March 14, 2011.

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

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

**SEC. 5 \_\_. 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.

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

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

**SEC. 5 \_\_. NATIONAL GUARD CYBER PROTECTION TEAMS.**

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

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

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

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

(3) A description of what manning and basing requirements have been established.

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

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

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

(7) Any additional information deemed relevant by the Chief of the National Guard Bureau.

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

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

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

**SEC. 5 \_\_\_\_ . ENHANCEMENT OF PARTICIPATION OF MENTAL HEALTH PROFESSIONALS IN BOARDS FOR CORRECTION OF MILITARY RECORDS AND BOARDS FOR REVIEW OF DISCHARGE OR DISMISSAL OF MEMBERS OF THE ARMED FORCES.**

(a) BOARDS FOR CORRECTION OF MILITARY RECORDS.—Section 1552 of title 10, United States Code, is amended—

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

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

“(g) Any medical advisory opinion issued to a board established under subsection (a)(1) with respect to a member or former member of the armed forces who was diagnosed while serving in the armed forces as experiencing a mental health disorder shall include the opinion of a clinical psychologist or psychiatrist if the request for correction of records concerned relates to a mental health disorder.”.

(b) BOARDS FOR REVIEW OF DISCHARGE OR DISMISSAL.—

(1) REVIEW FOR CERTAIN FORMER MEMBERS WITH PTSD OR TBI.—Subsection (d)(1) of section 1553 of such title is amended by striking “physician, clinical psychologist, or psychiatrist” the second place it appears and inserting “clinical psychologist or psychiatrist, or a physician with training on mental health issues connected with post traumatic stress disorder or traumatic brain injury (as applicable)”.

(2) REVIEW FOR CERTAIN FORMER MEMBERS WITH MENTAL HEALTH DIAGNOSES.—Such section is further amended by adding at the end the following new subsection:

“(e) In the case of a former member of the armed forces (other than a former member covered by subsection (d)) who was diagnosed while serving in the armed forces as experiencing a mental health disorder, a board established under this section to review the former member’s discharge or dismissal shall include a member who is a clinical psychologist or psychiatrist, or a physician with special training on mental health disorders.”.

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41. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DUCKWORTH OF ILLINOIS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 5 \_\_\_\_ . AVAILABILITY OF ADDITIONAL LEAVE FOR MEMBERS OF THE ARMED FORCES IN CONNECTION WITH THE BIRTH OF A CHILD.**

Section 701(j) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(2) by inserting after “(j)” the following new paragraph (1):

“(1) Under regulations prescribed by the Secretary concerned, a member of the armed forces who gives birth to a child shall receive 42 days of convalescent leave to be used in connection with the birth of the child. At the discretion of the member, the member shall be allowed up to 42 additional days in a leave of absence status in connection with the birth of the child upon the expiration of the convalescent leave, except that—

“(A) a member who uses this additional leave is not entitled to basic pay for any day on which such additional leave is used, but shall be considered to be on active duty for all other purposes; and

“(B) the commanding officer of the member may recall the member to duty from such leave of absence status when necessary to maintain unit readiness.”; and

(3) in paragraph (3), as redesignated, by striking “paragraph (1)” and inserting “paragraphs (1) and (2)”.

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

Page 108, after line 17, insert the following:

**SEC. 528. PRELIMINARY MENTAL HEALTH ASSESSMENTS.**

(a) IN GENERAL.—Chapter 31 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 520d. Preliminary mental health assessments**

“(a) PROVISION OF MENTAL HEALTH ASSESSMENT.—Before any individual enlists in an armed force or is commissioned as an officer in an armed force, the Secretary concerned 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 this title.

“(b) USE OF ASSESSMENT.—The Secretary may not consider the results of a mental health assessment conducted under subsection (a) in determining the assignment or promotion of a member of the Armed Forces.

“(c) APPLICATION OF PRIVACY LAWS.—With respect to applicable laws and regulations relating to the privacy of information, the Secretary shall treat a mental health assessment conducted under subsection (a) in the same manner as the medical records of a member of the armed forces.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 520c the following new item:  
“520d. Preliminary mental health assessments.”.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the National Institute of Mental Health of the National Institutes of Health shall submit to Congress and the Secretary of Defense a report on preliminary mental health assessments of members of the Armed Forces.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) Recommendations with respect to establishing a preliminary mental health assessment of members of the Armed Forces to bring mental health screenings to parity with physical screenings of members.

(B) Recommendations with respect to the composition of the mental health assessment, best practices, and how to track assessment changes relating to traumatic brain injuries, post-traumatic stress disorder, and other conditions.

(3) COORDINATION.—The National Institute of Mental Health shall carry out paragraph (1) in coordination with the Secretary of Veterans Affairs, the Director of the Centers for Disease Control and Prevention, the surgeons general of the military departments, and other relevant experts.

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

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

**SEC. 5 \_\_\_\_ . REVISION TO REQUIREMENTS RELATING TO DEPARTMENT OF DEFENSE POLICY ON RETENTION OF EVIDENCE IN A SEXUAL ASSAULT CASE TO ALLOW RETURN OF PERSONAL PROPERTY UPON COMPLETION OF RELATED PROCEEDINGS.**

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

“(f) RETURN OF PERSONAL PROPERTY UPON COMPLETION OF RELATED PROCEEDINGS.—Notwithstanding subsection (c)(4)(A), personal property retained as evidence in connection with an incident of sexual assault involving a member of the Armed Forces may be returned to the rightful owner of such property after the conclusion of all legal, adverse action, and administrative proceedings related to such incident.”.

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

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



**SEC. 5 \_\_\_\_ . ESTABLISHMENT OF PHONE SERVICE FOR PROMPT REPORTING OF HAZING INVOLVING A MEMBER OF THE ARMED FORCES.**

(a) **ESTABLISHMENT REQUIRED.**—The Secretary concerned (as defined in section 101(a)(9) of title 10, United States Code) shall develop and implement a phone service through which an individual can anonymously call to report incidents of hazing in that branch of the Armed Forces.

(b) **HAZING DESCRIBED.**—For purposes of carrying out this section, the Secretary of Defense (and the Secretary of the Department in which the Coast Guard operates) shall use the definition of hazing contained in the August 28, 1997, Secretary of Defense Policy Memorandum, which defined hazing as any conduct whereby a member of the Armed Forces, regardless of branch or rank, without proper authority causes another member to suffer, or be exposed to, any activity which is cruel, abusive, humiliating, oppressive, demeaning, or harmful. Soliciting or coercing another person to perpetrate any such activity is also considered hazing. Hazing need not involve physical contact among or between members of the Armed Forces. Hazing can be verbal or psychological in nature. Actual or implied consent to acts of hazing does not eliminate the culpability of the perpetrator.

**45. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCMORRIS RODGERS OF WASHINGTON OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES**

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

**SEC. 548. ROLE OF MILITARY SPOUSE EMPLOYMENT PROGRAMS IN ADDRESSING UNEMPLOYMENT AND UNDEREMPLOYMENT OF SPOUSES OF MEMBERS OF THE ARMED FORCES AND CLOSING THE WAGE GAP BETWEEN MILITARY SPOUSES AND THEIR CIVILIAN COUNTERPARTS.**

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

(1) Members of the Armed Forces and their families make enormous sacrifices in defense of the United States.

(2) Military spouses face a unique lifestyle marked by frequent moves, increased family responsibility during deployments, and limited career opportunities in certain geographic locations.

(3) These circumstances present significant challenges to military spouses who desire to build a portable career commensurate with their skills, including education and experience.

(4) According to a recent Department of Defense survey, the unemployment rate for civilians married to a military member is 25 percent, but the unemployment rate is 33 percent for spouses of junior enlisted members. The same survey revealed that 85 percent of military spouses want or need to work.

(5) A recent Military Officers Association of American (MOAA)/Institute for Veterans and Military Families' (IVMF) Military Spouse Employment Report revealed that an overwhelming ninety percent of female military spouses are underemployed.

(6) The Department of Defense has demonstrated its commitment to helping military spouses obtain employment by creating the Military Spouse Employment Partnership (MSEP),

the Military Spouse Career Center, and the Military Spouse Career Advancement Accounts (MyCAA). More than 61,000 military spouses have been hired as part of the Military Spouse Employment Partnership (MSEP) since the MSEP launch in June 2011.

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

(1) the Secretary of Defense should continue to work to reduce the unemployment and underemployment of spouses of members of the Armed Forces (in this section referred to as “military spouses”) and support closing the wage gap between military spouses and their civilian counterparts;

(2) in this process, the Secretary should prioritize efforts that assist military spouses in pursuing portable careers that match their skill set, including education and experience; and

(3) in evaluating the effectiveness of military spouse employment programs, the Secretary should collect information that provides a comprehensive assessment of the program, including whether program goals are being achieved.

(c) DATA COLLECTION RELATED TO EFFORTS TO ADDRESS UNDEREMPLOYMENT OF MILITARY SPOUSES.—

(1) DATA COLLECTION REQUIRED.—In addition to monitoring the number of military spouses who obtain employment through military spouse employment programs, the Secretary of Defense shall collect data to evaluate the effectiveness of military spouse employment programs in addressing the underemployment of military spouses and in closing the wage gap between military spouses and their civilian counterparts. Information collected shall include whether positions obtained by military spouses through military spouse employment programs match their education and experience.

(2) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report evaluating the progress of military spouse employment programs in reducing military spouse unemployment, reducing the wage gap between military spouses and their civilian counterparts, and addressing the underemployment of military spouses.

(d) MILITARY SPOUSE EMPLOYMENT PROGRAMS DEFINED.—In this section, the term “military spouse employment programs” means the Military Spouse Employment Partnership (MSEP).

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

Page 127, line 10, insert after the period the following: “In establishing the eligibility requirements to be used by the program manager for the selection of the civilian employment staffing agencies, the Secretary of Defense shall also take into account civilian employment staffing agencies that are willing to work and consult with State and county Veterans Affairs offices and State National Guard offices, when appropriate.”.

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

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

**SEC. 553. DIRECT EMPLOYMENT PILOT PROGRAM FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE.**

(a) PROGRAM AUTHORITY.—The Secretary of Defense may carry out a pilot program to enhance the efforts of the Department of Defense to provide job placement assistance and related employment services directly to members in the National Guard and Reserves.

(b) ADMINISTRATION.—The pilot program shall be offered to, and administered by, the adjutants general appointed under section 314 of title 32, United States Code.

(c) COST-SHARING REQUIREMENT.—As a condition on the provision of funds under this section to a State to support the operation of the pilot program in the State, the State must agree to contribute an amount, derived from non-Federal sources, equal to at least 30 percent of the funds provided by the Secretary of Defense under this section.

(d) DIRECT EMPLOYMENT PROGRAM MODEL.—The pilot program should follow a job placement program model that focuses on working one-on-one with a member of a reserve component to cost-effectively provide job placement services, including services such as identifying unemployed and under employed members, job matching services, resume editing, interview preparation, and post-employment follow up. Development of the pilot program should be informed by State direct employment programs for members of the reserve components, such as the programs conducted in California and South Carolina.

(e) EVALUATION.—The Secretary of Defense shall develop outcome measurements to evaluate the success of the pilot program.

(f) REPORTING REQUIREMENTS.—

(1) REPORT REQUIRED.—Not later than March 1, 2019, the Secretary of Defense shall submit to the congressional defense committees a report describing the results of the pilot program. The Secretary shall prepare the report in coordination with the Chief of the National Guard Bureau.

(2) ELEMENTS OF REPORT.—A report under paragraph (1) shall include the following:

(A) A description and assessment of the effectiveness and achievements of the pilot program, including the number of members of the reserve components hired and the cost-per-placement of participating members.

(B) An assessment of the impact of the pilot program and increased reserve component employment levels on the readiness of members of the reserve components.

(C) A comparison of the pilot program to other programs conducted by the Department of Defense and Department of Veterans Affairs to provide unemployment and under-employment support to members of the reserve components.

(D) Any other matters considered appropriate by the Secretary.

(g) **LIMITATION ON TOTAL FISCAL-YEAR OBLIGATIONS.**—The total amount obligated by the Secretary of Defense to carry out the pilot program for any fiscal year may not exceed \$20,000,000.

(h) **DURATION OF AUTHORITY.**—

(1) **IN GENERAL.**—The authority to carry out the pilot program expires September 30, 2018.

(2) **EXTENSION.**—Upon the expiration of the authority under paragraph (1), the Secretary of Defense may extend the pilot program for not more than two additional fiscal years.

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

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

**SEC. 553. ENHANCEMENT OF AUTHORITY TO ACCEPT SUPPORT FOR UNITED STATES AIR FORCE ACADEMY ATHLETIC PROGRAMS.**

Section 9362 of title 10, United States Code, is amended by striking subsections (e), (f), and (g) and inserting the following new subsections:

“(e) **ACCEPTANCE OF SUPPORT.**—

“(1) **SUPPORT RECEIVED FROM THE CORPORATION.**—Notwithstanding section 1342 of title 31, the Secretary of the Air Force may accept from the corporation funds, supplies, equipment, and services for the support of the athletic programs of the Academy.

“(2) **FUNDS RECEIVED FROM OTHER SOURCES.**—The Secretary may charge fees for the support of the athletic programs of the Academy. The Secretary may accept and retain fees for services and other benefits provided incident to the operation of its athletic programs, including fees from the National Collegiate Athletic Association, fees from athletic conferences, game guarantees from other educational institutions, fees for ticketing or licensing, and other consideration provided incidental to the execution of the athletic programs of the Academy.

“(3) **LIMITATION.**—The Secretary shall ensure that contributions accepted under this subsection do not reflect unfavorably on the ability of the Department of the Air Force, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or compromise the integrity or appearance of integrity of any program of the Department of the Air Force, or any individual involved in such a program.

“(f) **LEASES AND LICENSES.**—

“(1) **SUPPORT RECEIVED FROM THE CORPORATION.**—In accordance with section 2667 of this title, the Secretary of the Air Force may enter into leases or licenses with the corporation for the purpose of supporting the athletic programs of the Academy. Consideration provided under such a lease or license may be provided in the form of funds, supplies, equipment, and services for the support of the athletic programs of the Academy.

“(2) **SUPPORT TO THE CORPORATION.**—The Secretary may provide support services to the corporation without charge while the corporation conducts its support activities at the Academy.

In this section, the term ‘support services’ includes the providing of utilities, office furnishings and equipment, communications services, records staging and archiving, audio and video support, and security systems in conjunction with the leasing or licensing of property. Any such support services may only be provided without any liability of the United States to the corporation.

“(g) **CONTRACTS AND COOPERATIVE AGREEMENTS.**—The Secretary of the Air Force may enter into contracts and cooperative agreements with the corporation for the purpose of supporting the athletic programs of the Academy. Notwithstanding section 2304(k) of this title, the Secretary may enter such contracts or cooperative agreements on a sole source basis pursuant to section 2304(c)(5) of this title. Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property, services, or travel for the direct benefit or use of the Academy athletic programs.

“(h) **TRADEMARKS AND SERVICE MARKS.**—

“(1) **LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.**—Consistent with section 2260 (other than subsection (d)) of this title, an agreement under subsection (g) may authorize the corporation to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Academy, subject to the approval of the Secretary of the Air Force.

“(2) **LIMITATIONS.**—No such licensing, marketing, or sponsorship agreement may be entered into if it would reflect unfavorably on the ability of the Department of the Air Force, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or if the Secretary determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Department of the Air Force, or any individual involved in such a program.”.

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49. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BONAMICI OF OREGON OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end of subtitle F of title V the following (and conform the table of contents accordingly):

**SEC. 553. REPORT ON TUITION ASSISTANCE.**

(a) **IN GENERAL.**—The Secretary of the Army shall, not later than 90 days after the date of the enactment of this Act, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the requirement of the Army, effective January 1, 2014, that members of the Army may become eligible for the Army’s tuition assistance program only after serving a period of 1 year after completing certain training courses, such as advance individual training, officer candidate school, and the basic officer leader course.

(b) **CONTENTS.**—The report under subsection (a) shall include the Secretary’s—

(1) evaluation of the potential savings in costs resulting from requiring all service members to wait a period of 1 year after

training described in subsection (a) before becoming eligible for the Army's tuition assistance program;

(2) evaluation of the impact that the 1-year waiting period described in subsection (a) will have on recruitment for the National Guard; and

(3) explanation of the extent to which the qualities of the National Guard, including the role of college students and college-bound students in the National Guard, were considered before reaching the decision to require all service members to wait a period of 1 year before becoming eligible for the Army's tuition assistance program.

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

Page 132, lines 18 and 19, strike "4-year" and insert "5-year".

Page 133, lines 9 and 10, strike "4-year" and insert "5-year".

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51. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GERLACH OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 5. RECOGNITION OF WERETH MASSACRE OF 11 AFRICAN-AMERICAN SOLDIERS OF THE UNITED STATES ARMY DURING THE BATTLE OF THE BULGE.**

Congress officially recognizes the dedicated service and ultimate sacrifice on behalf of the United States of the 11 African-American soldiers of the 333rd Field Artillery Battalion of the United States Army who were massacred in Wereth, Belgium, during the Battle of the Bulge on December 17, 1944.

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52. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BUSTOS OF ILLINOIS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 574. REPORT ON ARMY REVIEW, FINDINGS, AND ACTIONS PERTAINING TO MEDAL OF HONOR NOMINATION OF CAPTAIN WILLIAM L. ALBRACHT.**

Not later than 30 days after the date of the enactment of this Act, the Secretary of the Army shall—

(1) conduct a review of the initial review, findings, and actions undertaken by the Army in connection with the Medal of Honor nomination of Captain William L. Albracht; and

(2) submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing the results of the review required by this section, including an accounting of all evidence submitted with regard to the nomination.

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

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

**SEC. 5 \_\_\_\_ . COMPTROLLER GENERAL AND MILITARY DEPARTMENT REPORTS ON HAZING IN THE ARMED FORCES.**

**(a) COMPTROLLER GENERAL REPORT.—**

(1) **REPORT REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the designated congressional committees a report on the policies to prevent hazing, and systems initiated to track incidents of hazing, in each of the Armed Forces, including reserve components, officer candidate schools, military service academies, military academy preparatory schools, and basic training and professional schools for enlisted members.

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

(A) An evaluation of the definition of hazing by the Armed Forces.

(B) A description of the criteria used, and the methods implemented, in the systems to track incidents of hazing in the Armed Forces.

(C) An assessment of the following:

(i) The scope of hazing in each Armed Force.

(ii) The policies in place and the training on hazing provided to members throughout the course of their careers for each Armed Force.

(iii) The available outlets through which victims or witnesses of hazing can report hazing both within and outside their chain of command, and whether or not anonymous reporting is permitted.

(iv) The actions taken to mitigate hazing incidents in each Armed Force.

(v) The effectiveness of the training and policies in place regarding hazing.

(vi) The number of alleged and substantiated incidents of hazing over the last five years for each Armed Force, the nature of these cases and actions taken to address such matters through non-judicial and judicial action.

(D) An evaluation of the additional actions, if any, the Secretary of Defense and the Secretary of Homeland Security propose to take to further address the incidence of hazing in the Armed Forces.

(E) Such recommendations as the Comptroller General considers appropriate for improving hazing prevention programs, policies, and other actions taken to address hazing within the Armed Forces.

(3) **DESIGNATED CONGRESSIONAL COMMITTEES DEFINED.**—In this subsection, the term “designated congressional committees” means—

(A) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Commerce, Science and Transportation of the Senate; and

(B) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Transportation and Infrastructure of the House of Representatives.

## (b) MILITARY DEPARTMENT REPORTS.—

(1) REPORTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, each Secretary of a military department, in consultation with the Chief of Staff of each Armed Force under the jurisdiction of such Secretary, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing an update to the hazing reports required by section 534 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1726).

(2) ELEMENTS.—Each report on an Armed Force required by paragraph (1) shall include the following:

(A) A discussion of the policies of the Armed Force for preventing and responding to incidents of hazing, including discussion of any changes or newly implemented policies since the submission of the reports required by section 534 of the National Defense Authorization Act for Fiscal Year 2013.

(B) A description of the methods implemented to track and report, including report anonymously, incidents of hazing in the Armed Force.

(C) An assessment by the Secretary submitting such report of the following:

(i) The scope of the problem of hazing in the Armed Force.

(ii) The effectiveness of training on recognizing, reporting and preventing hazing provided members of the Armed Force.

(iii) The actions taken to prevent and respond to hazing incidents in the Armed Force since the submission of the reports under such section.

(D) A description of the additional actions, if any, the Secretary submitting such report and the Chief of Staff of the Armed Force propose to take to further address the incidence of hazing in the Armed Force.

54. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LANGEVIN OF RHODE ISLAND OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 5 \_\_\_\_ . NATIONAL INSTITUTE OF MENTAL HEALTH STUDY OF RISK AND RESILIENCY OF UNITED STATES SPECIAL OPERATIONS FORCES AND EFFECTIVENESS OF PRESERVATION OF THE FORCE AND FAMILIES PROGRAM.**

(a) STUDY REQUIRED.—The Director of the National Institute of Mental Health shall conduct a study of the risk and resiliency of the United States Special Operations Forces and effectiveness of the United States Special Operations Command's Preservation of the Force and Families Program on reducing risk and increasing resiliency.

(b) ELEMENTS OF THE STUDY.—The study conducted under subsection (a) shall specifically include an assessment of each of the following: —

(1) The mental, behavioral, and psychological health of the United States Special Operations Force, the United States Spe-



cial Operations Command's Preservation of the Force and Families Program's focus on physical development to address the mental, behavioral, and psychological health of the United States Special Operations Force, including measurements of effectiveness on reducing suicide and other mental, behavioral and psychological risks, and increasing resiliency of the United States Special Operations Forces.

(2) The United States Special Operations Command's Human Performance Program, including measurements of effectiveness on reducing risk and increasing resiliency of United States Special Operations Forces.

(3) Such other matters as the Director of the National Institute of Mental Health considers appropriate.

(c) **SUBMISSION OF REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Director of the National Institute of Mental Health shall submit to the congressional defense committees a report containing the results of the study conducted under subsection (a).

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

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

**SEC. 594. ACCESS OF CONGRESSIONAL CASEWORKERS TO INFORMATION ABOUT DEPARTMENT OF VETERANS AFFAIRS CASEWORK BROKERED TO OTHER OFFICES OF THE DEPARTMENT.**

If Department of Veterans Affairs casework is brokered out to another office of the Department from its original submission site, a caseworker in a congressional office may contact the brokered office to receive an update on the constituent's case, and that office of the Department is required to update the congressional staffer regardless of their thoughts on jurisdiction.

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56. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WALBERG OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle J of title V (page 162, after line 18) add the following:

**SEC. \_\_\_\_ . PILOT PROGRAM ON PROVISION OF CERTAIN INFORMATION TO STATE VETERANS AGENCIES TO FACILITATE THE TRANSITION OF MEMBERS OF THE ARMED FORCES FROM MILITARY SERVICE TO CIVILIAN LIFE.**

(a) **PILOT PROGRAM REQUIRED.**—Commencing not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of providing the information described in subsection (b) on members of the Armed Forces who are separating from the Armed Forces to State veterans agencies as a means of facilitating the transition of members of the Armed Forces from military service to civilian life.

(b) **COVERED INFORMATION.**—The information described in this subsection with respect to a member is as follows:

- (1) Department of Defense Form DD 214.
- (2) A personal email address.

(3) A personal telephone number.

(4) A mailing address.

(c) VOLUNTARY PARTICIPATION.—The participation of a member in the pilot program shall be at the election of the member.

(d) FORM OF PROVISION OF INFORMATION.—Information shall be provided to State veterans agencies under the pilot program in digitized electronic form.

(e) USE OF INFORMATION.—Information provided to State veterans agencies under the pilot program may be shared by such agencies with appropriate county veterans service offices in such manner and for such purposes as the Secretary shall specify for purposes of the pilot program.

(f) REPORT.—Not later than 15 months after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the pilot program. The report shall include a description of the pilot program and such recommendations, including recommendations for continuing or expanding the pilot program, as the Secretary considers appropriate in light of the pilot program.

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

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

**SEC. 5 \_\_\_\_ . SENSE OF CONGRESS REGARDING PRESERVATION OF SECOND AMENDMENT RIGHTS OF ACTIVE DUTY MILITARY PERSONNEL STATIONED OR RESIDING IN THE DISTRICT OF COLUMBIA.**

(a) FINDINGS.—Congress finds the following:

(1) The Second Amendment to the United States Constitution provides that the right of the people to keep and bear arms shall not be infringed.

(2) Approximately 40,000 servicemen and women across all branches of the Armed Forces either live in or are stationed on active duty within the 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 disassembled 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.

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

Page 162, after line 18, insert the following:

**SEC. 594. SENSE OF CONGRESS REGARDING THE RECOVERY OF THE REMAINS OF CERTAIN MEMBERS OF THE ARMED FORCES KILLED IN THURSTON ISLAND, ANTARCTICA.**

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

(1) 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/vol-

unteer-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.

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

Page 162, after line 18, insert the following:

**SEC. 594. NAME OF THE DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE JOINT OUTPATIENT CLINIC, MARINA, CALIFORNIA.**

(a) DESIGNATION.—The Department of Veterans Affairs and Department of Defense joint outpatient clinic to be constructed at the intersection of the proposed Ninth Street and the proposed First Avenue in Marina, California, shall be known and designated as the “Major General William H. Gourley VA–DOD Outpatient Clinic”.

(b) REFERENCES.—Any reference in a law, regulation, map, document, record, or other paper of the United States to the Department of Veterans Affairs and Department of Defense joint outpatient clinic referred to in subsection (a) shall be deemed to be a reference to the “Major General William H. Gourley VA–DOD Outpatient Clinic”.

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

Add at the end of title V the following new section:

**SEC. 5 \_\_\_\_ . AUTHORITY FOR REMOVAL FROM NATIONAL CEMETERIES OF REMAINS OF DECEASED MEMBERS OF THE ARMED FORCES WHO HAVE NO KNOWN NEXT OF KIN.**

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

“(c) REMOVAL WHEN NO KNOWN NEXT OF KIN.—(1) The Secretary of the Army may authorize the removal of the remains of a member of the armed forces who has no known next of kin and is buried in an Army National Military Cemetery from the Army National Military Cemetery for transfer to any other cemetery.

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

“(3) In this section, the term ‘Army National Military Cemetery’ means a cemetery specified in section 4721(b) of this title.”.

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

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

“(a) REMOVAL UPON DISCONTINUANCE OF INSTALLATION CEMETERY.—”;

(2) by striking “his jurisdiction” and inserting “the jurisdiction of the Secretary concerned”; and

(3) by inserting before “With respect to” the following:

“(b) REMOVAL FROM TEMPORARY INTERMENT OR ABANDONED GRAVE OR CEMETERY.—”.

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**61. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BILIRAKIS OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES**

At the end of subtitle C 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, is 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.

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**62. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROSS OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES**

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

**SEC. 634. PROHIBITION ON THE USE OF FUNDS TO CLOSE COMMISSARY STORES.**

None of the funds authorized to be appropriated or otherwise made available by this Act may be used to close any commissary store.

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

Page 175, after line 12, insert the following new section:

**SEC. 642. AVAILABILITY FOR PURCHASE OF DEPARTMENT OF VETERANS AFFAIRS MEMORIAL HEADSTONES AND MARKERS FOR MEMBERS OF RESERVE COMPONENTS WHO PERFORMED CERTAIN TRAINING.**

Section 2306 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(i)(1) The Secretary shall make available for purchase a memorial headstone or marker for the marked or unmarked grave of an individual described in paragraph (2) or for the purpose of commemorating such an individual whose remains are unavailable.

“(2) An individual described in this paragraph is an individual who—

“(A) as a member of a National Guard or Reserve component performed inactive duty training or active duty for training for at least six years but did not serve on active duty; and

“(B) is not otherwise ineligible for a memorial headstone or marker on account of the nature of the individual’s separation from the Armed Forces or other cause.

“(3) A headstone or marker for the grave of an individual may be purchased under this subsection by—

“(A) the individual;

“(B) the surviving spouse, child, sibling, or parent of the individual; or

“(C) an individual other than the next of kin, as determined by the Secretary of Veterans Affairs.

“(4) In establishing the prices of the headstones and markers made available for purchase under this section, the Secretary shall ensure the prices are sufficient to cover the costs associated with the production and delivery of such headstones and markers.

“(5) No person may receive any benefit under the laws administered by the Secretary of Veterans Affairs solely by reason of this subsection.

“(6) This subsection does not authorize any new burial benefit for any person or create any new authority for any individual to be buried in a national cemetery.

“(7) The Secretary shall coordinate with the Secretary of Defense in establishing procedures to determine whether an individual is an individual described in paragraph (2).”.

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

Page 177, after line 12, insert the following:

**SEC. 703. AVAILABILITY OF BREASTFEEDING SUPPORT, SUPPLIES, AND COUNSELING UNDER THE TRICARE PROGRAM.**

Section 1079(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(18) Breastfeeding support, supplies (including breast pumps and associated equipment), and counseling shall be provided as appropriate during pregnancy and the postpartum period.”.

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65. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LARSON OF CONNECTICUT OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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



**SEC. 703. BEHAVIORAL HEALTH TREATMENT OF DEVELOPMENTAL DISABILITIES UNDER THE TRICARE PROGRAM.**

(a) **BEHAVIORAL HEALTH TREATMENT OF DEVELOPMENTAL DISABILITIES UNDER TRICARE.**—Section 1077 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(g)(1) Subject to paragraph (4), in providing health care under subsection (a), the treatment of developmental disabilities (as defined by section 102(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 or psychologist.

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

“(A) except as provided by subparagraph (B), behavioral health treatment is provided pursuant to this subsection—

“(i) in the case of such treatment provided in a State that requires licensing or certification of applied behavioral analysts by State law, by an individual who is licensed or certified to practice applied behavioral analysis in accordance with the laws of the State; or

“(ii) in the case of such treatment provided in a State other than a State described in clause (i), by an individual who is licensed or certified by a State or an 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 in applicable State law, by an appropriate accredited national certification board, or by the Secretary.

“(3)(A) This subsection shall not apply to a medicare eligible beneficiary (as defined in section 1111(b) of this title).

“(B) Nothing in this subsection shall be construed as limiting or otherwise affecting the benefits 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.

“(4) In addition to the requirement under section 1100(c)(1) of this title, with respect to retired members of the Coast Guard, the Commissioned Corps of the National Oceanic and Atmospheric Administration, or the Commissioned Corps of the Public Health Service, or dependents of any such retired members, treatment shall be provided under this subsection in a fiscal year only to the extent that amounts are specifically provided in advance in appropriations Acts for the Defense Health Program Account for the provision of such treatment for such fiscal year.”.

(b) **FUNDING MATTERS.**—

(1) **IN GENERAL.**—Section 1100 of title 10, United States Code, is amended—

(A) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following new subsection (c):

“(c) **BEHAVIORAL HEALTH TREATMENT OF DEVELOPMENTAL DISABILITIES.**—(1) Funds for treatment under section 1077(g) of this title may be derived only from the Defense Health Program Account. Notwithstanding any other provision of law, such funds may not be reimbursed from any account that would otherwise provide funds for the treatment of retired members of the Coast Guard, the Commissioned Corps of the National Oceanic and Atmospheric Administration, or the Commissioned Corps of the Public Health Service, or dependents of any such retired members.

“(2) As provided for in paragraph (4) of section 1077(g), with respect to retired members of the Coast Guard, the Commissioned Corps of the National Oceanic and Atmospheric Administration, or the Commissioned Corps of the Public Health Service, or dependents of any such retired members, treatment under such section shall be provided in a fiscal year only to the extent that amounts are specifically provided in advance in appropriations Acts for the Defense Health Program Account for the provision of such treatment for such fiscal year.”.

(2) **INCREASE AND OFFSET.**—

(A) **INCREASE.**—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1405 for the Defense Health Program, as specified in the corresponding funding table in section 4501, for Private Sector Care is hereby increased by \$20,000,000.

(B) **OFFSET.**—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4301 for operation and maintenance, as specified in the corresponding funding table in section 4301, for the Office of the Secretary of Defense (Line 270) is hereby reduced by \$20,000,000.

(c) **SENSE OF CONGRESS.**—It is the sense of Congress that amounts should be appropriated for behavioral health treatment of TRICARE beneficiaries, pursuant to the amendments made by this section, in a manner to ensure the appropriate and equitable access to such treatment by all such beneficiaries.

66. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ELLMERS OF NORTH CAROLINA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 184, after line 13, insert the following:

**SEC. 715. PROVISION OF WRITTEN NOTICE OF CHANGE TO TRICARE BENEFITS.**

(a) **IN GENERAL.**—Chapter 55 of title 10, United States Code, is amended by inserting after section 1097c the following new section:

**“§ 1097d. TRICARE program: notice of change to benefits**

“(a) **PROVISION OF NOTICE.**—(1) If the Secretary makes a significant change to any benefits provided by the TRICARE program to covered beneficiaries, the Secretary shall provide individuals described in paragraph (2) with written notice explaining such changes.

“(2) The individuals described by this paragraph are covered beneficiaries and providers participating in the TRICARE program who may be affected by a significant change covered by a notification under paragraph (1).

“(3) The Secretary shall provide notice under paragraph (1) through electronic means.

“(b) TIMING OF NOTICE.—The Secretary shall provide notice under paragraph (1) of subsection (a) by the earlier of the following dates:

“(1) The date that the Secretary determines would afford individuals described in paragraph (2) of such subsection adequate time to understand the change covered by the notification.

“(2) The date that is 90 days before the date on which the change covered by the notification becomes effective.

“(3) The effective date of a significant change that is required by law.

“(c) SIGNIFICANT CHANGE DEFINED.—In this section, the term ‘significant change’ means a system-wide change—

“(1) in policy regarding services provided under the TRICARE program (not including the addition of new services or benefits); or

“(2) in payment rates of more than 20 percent.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1097c the following new item:

“1097d. TRICARE program: notice of change to benefits.”.

67. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JONES OF NORTH CAROLINA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 729. SENSE OF CONGRESS ON USE OF HYPERBARIC OXYGEN THERAPY TO TREAT TRAUMATIC BRAIN INJURY AND POST-TRAUMATIC STRESS DISORDER.**

(a) FINDINGS.—Congress finds the following:

(1) Traumatic brain injury and post-traumatic stress disorder are the signature injuries of the wars in Iraq and Afghanistan.

(2) Post-traumatic stress disorder is prevalent throughout the regular component of the Armed Forces.

(3) For example, with respect to Camp Lejeune, North Carolina, which has a base population of 41,753 active duty personnel, including 38,020 marines and 3,533 sailors—

(A) 6,616 patients with a principal diagnosis of post-traumatic stress disorder had at least one visit for post-traumatic stress disorder between February 2013 and April 2014; and

(B) the Naval Hospital Camp Lejeune, which had a total of approximately 600,000 outpatient visits during 2013, recorded 15,043 outpatient visits for which post-traumatic stress disorder was the primary reason for the visit between February 2013 and April 2014.

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

(1) hyperbaric oxygen therapy is a medical treatment that can be used to treat active duty members of the Armed Forces for traumatic brain injury and post-traumatic stress disorder if—

(A) such treatment is prescribed by a military medical doctor; and

(B) a hyperbaric chamber that is owned by the Department of Defense and cleared for clinical use is locally available; and

(2) the Secretary of Defense should increase awareness among members of the Armed Forces, including military medical doctors, of hyperbaric oxygen therapy to treat traumatic brain injury and post-traumatic stress disorder.

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

Page 195, after line 7, add the following new section:

**SEC. 729. SENSE OF CONGRESS REGARDING ACCESS TO MENTAL HEALTH SERVICES BY MEMBERS OF THE ARMED FORCES.**

It is the sense of Congress that—

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

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

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

(4) the Department of Defense should fully implement the pilot program authorized under section 706 of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 10101 note; Public Law 112–239) for purposes of enhancing the efforts of the Department of Defense in research, treatment, education, and outreach on mental health and substance use disorders and traumatic brain injury in members of the National Guard and Reserves.

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

At the end of subtitle C of title VII, insert the following:

**SEC. \_\_\_\_\_. IMPROVEMENT OF MENTAL HEALTH CARE.**

(a) EVALUATIONS OF MENTAL HEALTH CARE AND SUICIDE PREVENTION PROGRAMS.—

(1) IN GENERAL.—Not less than once each year, the Secretary concerned (as defined in section 101(a)(9) of title 10, United States Code) shall contract with a third party unaffiliated with the Department of Veterans Affairs or the Department of Defense to conduct an evaluation of the mental health care and suicide prevention programs carried out under the laws administered by such Secretary.

(2) ELEMENTS.—Each evaluation conducted under paragraph (1) shall—

(A) use metrics that are common among and useful for practitioners in the field of mental health care and suicide prevention;

(B) identify the most effective mental health care and suicide prevention programs conducted by the Secretary concerned;

(C) propose best practices for caring for individuals who suffer from mental health disorders or are at risk of suicide; and

(D) make recommendations to improve the coordination and integration of mental health and suicide prevention services between the Department of Veterans Affairs and the Department of Defense to improve the delivery and effectiveness of such services.

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70. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PASCRELL JR., OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 7\_\_ . PRIMARY BLAST INJURY RESEARCH.**

The peer-reviewed Psychological Health and Traumatic Brain Injury Research Program shall conduct a study on blast injury mechanics covering a wide range of primary blast injury conditions, including traumatic brain injury, in order to accelerate solution development in this critical area.

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

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

**SEC. 729. REPORT ON EFFORTS TO TREAT INFERTILITY OF MILITARY FAMILIES.**

(a) 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 what steps the Secretary is taking to ensure that members of the Armed Forces and the dependents of such members have access to reproductive counseling and a full spectrum of treatments for infertility, including in vitro fertilization.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) An assessment of treatment options available at military medical treatment facilities throughout the military health system.

(2) An identification of factors that might disrupt treatment, including availability of options, lack of timely access to treatment, change in duty station, or overseas deployments.

(3) The number of members of the Armed Forces who have used specific treatment options, including in vitro fertilization.

(4) The number of dependents of members who have used specific treatment options, including in vitro fertilization.

(5) An identification of non-Department of Defense treatment options for infertility that could benefit members and the dependents of members.

(6) Any other matters the Secretary determines appropriate.

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

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

**SEC. 7 . RESEARCH REGARDING BREAST CANCER.**

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

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

Page 197, after line 16, insert the following new section (and amend the table of contents accordingly):

**SEC. 805. MAXIMIZING COMPETITION IN DESIGN-BUILD CONTRACTS.**

(a) PUBLIC DESIGN-BUILD CONSTRUCTION PROCESS IMPROVEMENT.—Section 3309 of title 41, United States Code, is amended—

(1) in subsection (a), by inserting “and the contract is in an amount of \$1,000,000 or greater” after “appropriate for use”;

(2) by striking the second sentence of subsection (d) and inserting the following: “The maximum number specified in the solicitation shall not exceed 5 unless the head of the agency approves the contracting officer’s justification with respect to the solicitation that a number greater than 5 is in the Federal Government’s interest. The contracting officer shall provide written documentation of how a maximum number exceeding 5 is consistent with the purposes and objectives of the two-phase selection procedures.”; and

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

“(f) REPORT.—

“(1) IN GENERAL.—The Director of the Office of Management and Budget shall require the head of each agency to appoint an individual who shall provide to the Director an annual compilation of each instance the agency awarded a contract pursuant to this section in which—

“(A) more than 5 offerors were selected to submit competitive proposals pursuant to subsection (c)(4); or

“(B) the contract was awarded without using the two-phase selection procedures described in subsection (c).

“(2) PUBLICATION.—The Director shall prepare an annual report containing the information provided by each executive agency under subparagraph (A). The report shall be accessible to the public through electronic means, and the Director shall publish a notice of availability in the Federal Register.

“(3) FISCAL YEARS COVERED; DEADLINE.—The Director shall submit to Congress the report prepared under subparagraph (B) for the fiscal year during which this subsection is enacted, and each of the next 4 fiscal years, not later than 60 days after the end of each such fiscal year.”.

(b) DEFENSE DESIGN-BUILD CONSTRUCTION PROCESS IMPROVEMENT.—Section 2305a of title 10, United States Code, is amended—

(1) in subsection (a), by inserting “and the contract is in an amount of \$1,000,000 or greater” after “appropriate for use”;

(2) by striking the second sentence of subsection (d) and inserting the following: “The maximum number specified in the solicitation shall not exceed 5 unless the head of the agency approves the contracting officer’s justification with respect to an individual solicitation that a number greater than 5 is in the Federal Government’s interest. The contracting officer shall provide written documentation of how a maximum number exceeding 5 is consistent with the purposes and objectives of the two-phase selection procedures.”; and

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

“(g) REPORT.—(1) The Director of the Office of Management and Budget shall require the head of each agency to appoint an individual who shall provide to the Director an annual compilation of each instance the agency awarded a contract pursuant to this section in which—

“(A) more than 5 offerors were selected to submit competitive proposals pursuant to subsection (c)(4); or

“(B) the contract was awarded without using the two-phase selection procedures described in subsection (c).

“(2) The Director shall prepare an annual report containing the information provided by each executive agency under subparagraph (A). The report shall be accessible to the public through electronic means, and the Director shall publish a notice of availability in the Federal Register.

“(3) The Director shall submit to Congress the report prepared under subparagraph (B) for the fiscal year during which this subsection is enacted, and each of the next 4 fiscal years, not later than 60 days after the end of each such fiscal year”.

(c) GAO REPORT.—Not later than the end of fiscal year 2021, the Comptroller General of the United States shall issue a report analyzing the extent to which Federal agencies are in compliance with the reporting requirements in section 2305a(f) of title 10, United States Code, and section 3309(g) of title 41, United States Code.

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

At the end of subtitle A of title VIII (page 197, after line 16), insert the following new section:

**SEC. 805. PERMANENT AUTHORITY FOR USE OF SIMPLIFIED ACQUISITION PROCEDURES FOR CERTAIN COMMERCIAL ITEMS.**

Section 4202 of the Clinger-Cohen Act of 1996 (division D of Public Law 104–106; 10 U.S.C. 2304 note) is amended by striking subsection (e).

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

Page 214, line 9, insert after “terms.” the following:

“(C) DEFINITION.—For purposes of this section, the term ‘a contract awarded as part of the Federal Strategic Sourcing Initiative’ shall mean a contract award pursuant to the process established by the Interagency Strategic Sourcing Leadership Council that was created by the Office of Management and Budget pursuant to Memorandum M-13-02 issued on December 5, 2012.

“(8) STUDY OF STRATEGIC SOURCING.—

“(A) STUDY.—Not later than the last day of fiscal year 2015, the Comptroller General of the United States shall initiate a study on the affect of contracts awarded as part of the Federal Strategic Sourcing Initiative on the small business industrial base.

“(B) SCOPE.—For each North American Classification System Code assigned to a contract awarded as part of the Federal Strategic Sourcing Initiative, the Comptroller General of the United States shall examine the following:

“(i) The number of small business concerns participating as prime contractors in that North American Industrial Classification System code in the federal procurement marketplace prior to the award of a contract awarded as part of the Federal Strategic Sourcing Initiative.

“(ii) The number of small business concerns participating as prime contractors in that North American Industrial Classification System code in the federal procurement marketplace after the award of a contract awarded as part of the Federal Strategic Sourcing Initiative.

“(iii) The number of small business concerns anticipated to be participating as prime contractors in that North American Industrial Classification System code in the federal procurement marketplace at the time that the a contract awarded as part of the Federal Strategic Sourcing Initiative expires.

“(iv) The affect of any changes between subsection (a)(1), (a)(2), and (a)(3) on the health of the small business industrial base, and the sustainability of any savings achieved by contract awarded as part of the Federal Strategic Sourcing Initiative.

“(C) REPORT.—Not later than 12 months after initiating the study required by subparagraph (A), the Comptroller General of the United States shall report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on the results from such study and, if warranted, any recommendations on how to mitigate any negative affects on the small business industrial base or the sustainability of savings.”.

Page 218, insert after line 20 the following (and conform the table of contents accordingly):



**SEC. 817. PUBLICATION OF REQUIRED JUSTIFICATION THAT CONSOLIDATION OF CONTRACT REQUIREMENTS.**

Section 44(c)(2)(A) of the Small Business Act (15 U.S.C. 657q(c)(2)(A)) is amended by adding at the end the following: “This justification shall be published prior to the issuance of a solicitation.”.

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

Page 218, strike lines 17 through 20 and insert the following (and conform the table the contents accordingly):

**SEC. 816. IMPROVING FEDERAL SURETY BONDS.**

(a) SURETY BOND REQUIREMENTS.—Chapter 93 of subtitle VI of title 31, United States Code, is amended—

(1) by adding at the end the following:

**“SEC. 9310. INDIVIDUAL SURETIES.**

“If another applicable law or regulation permits the acceptance of a bond from a surety that is not subject to sections 9305 and 9306 and is based on a pledge of assets by the surety, the assets pledged by such surety shall—

“(1) consist of eligible obligations described under section 9303(a); and

“(2) be submitted to the official of the Government required to approve or accept the bond, who shall deposit the assets with a depository described under section 9303(b).”; and

(2) in the table of contents for such chapter, by adding at the end the following:

“9310. Individual sureties”.

(b) SBA SURETY BOND GUARANTEE.—Section 411(c)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(c)(1)) is amended by striking “70” and inserting “90”.

(c) GAO STUDY.—

(1) STUDY.—The Comptroller General of the United States shall carry out a study on the following:

(A) All instances during the 10-year period prior to the date of enactment of the Act in which a surety bond proposed or issued by a surety in connection with a Federal project was—

(i) rejected by a Federal contracting officer; or

(ii) accepted by a Federal contracting officer, but was later found to have been backed by insufficient collateral or to be otherwise deficient or with respect to which the surety did not perform.

(B) The consequences to the Federal Government, subcontractors, and suppliers of the instances described under paragraph (1).

(C) The percentages of all Federal contracts that were awarded to new startup businesses (including new startup businesses that are small disadvantaged businesses or disadvantaged business enterprises), small disadvantaged businesses, and disadvantaged business enterprises as prime contractors in the 2-year period prior to and the 2-year period following the date of enactment of this Act,

and an assessment of the impact of this Act and the amendments made by this Act upon such percentages.

(2) **REPORT.**—Not later than the end of the 3-year period beginning on the date of the enactment of this Act, the Comptroller General shall issue a report to the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Government Affairs of the Senate containing all findings and determinations made in carrying out the study required under subsection (a).

(3) **DEFINITIONS.**—For purposes of this section:

(A) **DISADVANTAGED BUSINESS ENTERPRISE.**—The term “disadvantaged business enterprise” has the meaning given that term under section 26.5 of title 49, Code of Federal Regulations.

(B) **NEW STARTUP BUSINESS.**—The term “new startup business” means a business that was formed in the 2-year period ending on the date on which the business bids on a Federal contract that requires giving a surety bond.

(C) **SMALL DISADVANTAGED BUSINESS.**—The term “small disadvantaged business” has the meaning given that term under section 124.1002(b) of title 13, Code of Federal Regulations.

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**77. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GRAVES OF MISSOURI OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES**

Page 218, after line 20, insert the following new section (and amend the table of contents accordingly):

**SEC. 817. SMALL BUSINESS PRIME AND SUBCONTRACT PARTICIPATION GOALS RAISED; ACCOUNTING OF SUBCONTRACTORS.**

(a) **PRIME CONTRACTING GOALS.**—Section 15(g)(1)(A) of the Small Business Act (15 U.S.C. 644(g)(1)(A)) is amended—

(1) in clause (i), by striking “23 percent” and inserting “25 percent”; and

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

“(vi) The Governmentwide goal for participation by small business concerns in subcontract awards shall be established at not less than 40 percent of the total value of all subcontract dollars awarded pursuant to section 8(d) of this Act for each fiscal year.”.

(b) **DELAYED EFFECTIVE DATE.**—The amendment made by subsection (a)(2) of this section shall take effect only beginning on the date on which the Administrator of the Small Business Administration has promulgated any regulations necessary, and the Federal Acquisition Regulation has been revised, to implement section 1614 of the National Defense Authorization Act for Fiscal Year 2014 and the amendments made by such section.

(c) **REPEAL OF CERTAIN PROVISION PERTAINING TO ACCOUNTING OF SUBCONTRACTORS.**—Section 15(g) of the Small Business Act (15 U.S.C. 644(g)) is amended by striking paragraph (3).

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

Page 218, insert after line 20 the following (and conform the table of contents accordingly):

**SEC. 817. SMALL BUSINESS CYBER EDUCATION.**

The Secretary of Defense, in consultation with the Administrator of the Small Business Administration, may make every reasonable effort to promote 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.

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

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

**SEC. 827. INNOVATIVE APPROACHES TO TECHNOLOGY TRANSFER.**

Section 9(jj) of the Small Business Act (15 U.S.C. 638(jj)) is amended to read as follows:

“(jj) INNOVATIVE APPROACHES TO TECHNOLOGY TRANSFER.—

“(1) GRANT PROGRAM.—

“(A) IN GENERAL.—Each Federal agency required by subsection (n) to establish an STTR program shall carry out a grant program to support innovative approaches to technology transfer at institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), nonprofit research institutions and Federal laboratories in order to improve or accelerate the commercialization of federally funded research and technology by small business concerns, including new businesses.

“(B) AWARDING OF GRANTS AND AWARDS.—

“(i) IN GENERAL.—Each Federal agency required by subparagraph (A) to participate in this program, shall award, through a competitive, merit-based process, grants, in the amounts listed in subparagraph (C) to institutions of higher education, technology transfer organizations that facilitate the commercialization of technologies developed by one or more such institutions of higher education, Federal laboratories, other public and private nonprofit entities, and consortia thereof, for initiatives that help identify high-quality, commercially viable federally funded research and technologies and to facilitate and accelerate their transfer into the marketplace.

“(ii) USE OF FUNDS.—Activities supported by grants under this subsection may include—

- “(I) providing early-stage proof of concept funding for translational research;

“(II) identifying research and technologies at institutions that have the potential for accelerated commercialization;

“(III) technology maturation funding to support activities such as prototype construction, experiment analysis, product comparison, and collecting performance data;

“(IV) technical validations, market research, clarifying intellectual property rights position and strategy, and investigating commercial and business opportunities;

“(V) programs to provide advice, mentoring, entrepreneurial education, project management, and technology and business development expertise to innovators and recipients of technology transfer licenses to maximize commercialization potential; and

“(VI) conducting outreach to small business concerns as potential licensees of federally funded research and technology, and providing technology transfer services to such small business concerns.

“(iii) **SELECTION PROCESS AND APPLICATIONS.**—Qualifying institutions seeking a grant under this subsection shall submit an application to a Federal agency required by subparagraph (A) to participate in this program at such time, in such manner, and containing such information as the agency may require. The application shall include, at a minimum—

“(I) a description of innovative approaches to technology transfer, technology development, and commercial readiness that have the potential to increase or accelerate technology transfer outcomes and can be adopted by other qualifying institutions, or a demonstration of proven technology transfer and commercialization strategies, or a plan to implement proven technology transfer and commercialization strategies, that can achieve greater commercialization of federally funded research and technologies with program funding;

“(II) a description of how the qualifying institution will contribute to local and regional economic development efforts; and

“(III) a plan for sustainability beyond the duration of the funding award.

“(iv) **PROGRAM OVERSIGHT BOARDS.**—

“(I) **IN GENERAL.**—Successful proposals shall include a plan to assemble a Program Oversight Board, the members of which shall have technical, scientific, or business expertise three-fifths of whom shall be drawn from industry, start-up companies, venture capital or other equity investment mechanism, technical enterprises, financial institutions, and business development organizations with a track record of success in commercializing innovations. Proposals may use oversight boards

in existence on the date of the enactment of the Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 that meet the requirements of this subclause.

“(II) PROGRAM OVERSIGHT BOARDS RESPONSIBILITIES.—Program Oversight Boards shall—

“(aa) establish award programs for individual projects;

“(bb) provide rigorous evaluation of project applications;

“(cc) determine which projects should receive awards, in accordance with guidelines established under subparagraph (C)(ii);

“(dd) establish milestones and associated award amounts for projects that reach milestones;

“(ee) determine whether awarded projects are reaching milestones; and

“(ff) develop a process to reallocate outstanding award amounts from projects that are not reaching milestones to other projects with more potential.

“(III) CONFLICT OF INTEREST.—Program Oversight Boards shall be composed of members who do not have a conflict of interest. Boards shall adopt conflict of interest policies to ensure relevant relationships are disclosed and proper recusal procedures are in place.

“(C) GRANT AND AWARD AMOUNTS.—

“(i) GRANT AMOUNTS.—Each Federal agency required by subparagraph (A) to carry out a grant program may make grants up to \$3,000,000 to a qualifying institution.

“(ii) AWARD AMOUNTS.—Each qualifying institution that receives a grant under subparagraph (B) shall provide awards for individual projects of not more than \$100,000, to be provided in phased amounts, based on reaching the milestones established by the qualifying institution’s Program Oversight Board.

“(D) AUTHORIZED EXPENDITURES FOR INNOVATIVE APPROACHES TO TECHNOLOGY TRANSFER GRANT PROGRAM.—

“(i) PERCENTAGE.—The percentage of the extramural budget for research, or research and development, each Federal agency required by subsection (n) to establish an STTR program shall expend on the Innovative Approaches to Technology Transfer Grant Program shall be—

“(I) 0.05 percent for each of fiscal years 2014 and 2015; and

“(II) 0.1 percent for each of fiscal years 2016 and 2017.

“(ii) TREATMENT OF EXPENDITURES.—Any portion of the extramural budget expended by a Federal agency on the Innovative Approaches to Technology Transfer

Grant Program shall apply towards the agency's expenditure requirements under subsection (n).

“(2) PROGRAM EVALUATION AND DATA COLLECTION AND DISSEMINATION.—

“(A) EVALUATION PLAN AND DATA COLLECTION.—Each Federal agency required by paragraph (1)(A) to establish an Innovative Approaches to Technology Transfer Grant Program shall develop a program evaluation plan and collect annually such information from grantees as is necessary to assess the Program. Program evaluation plans shall require the collection of data aimed at identifying outcomes resulting from the transfer of technology with assistance from the Innovative Approaches to Technology Transfer Grant Program. Such data may include—

“(i) specific follow-on funding identified or obtained, including follow-on funding sources, such as Federal sources or private sources, within 3 years of the completion of the award;

“(ii) number of projects which, within 5 years of receiving an award under paragraph (1), result in a license to a start-up company or an established company with sufficient resources for effective commercialization;

“(iii) the number of invention disclosures received, United States patent applications filed, and United States patents issued within 5 years of the award;

“(iv) number of projects receiving a grant under paragraph (1) that secure Phase I or Phase II SBIR or STTR awards;

“(v) available information on revenue, sales or other measures of products that have been commercialized as a result of projects awarded under paragraph (1), within 5 years of the award;

“(vi) number and location of jobs created resulting from projects awarded under paragraph (1); and

“(vii) other data as deemed appropriate by a Federal agency required by this subparagraph to develop a program evaluation plan.

“(B) EVALUATIVE REPORT TO CONGRESS.—The head of each Federal agency that participates in the Innovative Approaches to Technology Transfer Grant Program shall submit to the Committee on Science, Space, and Technology and the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate an evaluative report regarding the activities of the program. The report shall include—

“(i) a detailed description of the implementation of the program;

“(ii) a detailed description of the grantee selection process;

“(iii) an accounting of the funds used in the program; and

“(iv) a summary of the data collected under subparagraph (A).

“(C) DATA DISSEMINATION.—For the purposes of program transparency and dissemination of best practices, the Administrator shall include on the public database under subsection (k)(1) information on the Innovative Approaches to Technology Transfer Grant Program, including—

“(i) the program evaluation plan required under subparagraph (A);

“(ii) a list of recipients by State of awards under paragraph (1); and

“(iii) information on the use of grants under paragraph (1) by recipient institutions.”.

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

Page 370, after line 23, insert the following:

**SEC. 1082. SENSE OF CONGRESS REGARDING THE TRANSFER OF USED MILITARY EQUIPMENT TO FEDERAL, STATE, AND LOCAL AGENCIES.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should make every reasonable effort, by not later than one year after the date on which a piece of eligible equipment returns to the United States, to transfer such eligible equipment to a Federal, State, or local agency in accordance with subsections (b) and (c) of section 2576a of title 10, United States Code.

(b) PREFERENCE.—In considering applications for the transfer of eligible equipment under section 2576a of title 10, United States Code, the Secretary of Defense may give a preference to Federal, State, and local agencies that plan to use such eligible equipment primarily for the purpose of strengthening border security along the international border between the United States and Mexico.

(c) ELIGIBLE EQUIPMENT.—For purposes of this section, the term “eligible equipment” means equipment of the Department of Defense that—

(1) was used in Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn;

(2) the Secretary of Defense determines would be suitable for use by a Federal, State, or local agency in law enforcement activities, including—

(A) intelligence surveillance and reconnaissance equipment;

(B) night-vision goggles; and

(C) tactical wheeled vehicles; and

(3) the Secretary determines is excess to military requirements.

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

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

**SEC. 827. DEBARMENT REQUIRED OF PERSONS CONVICTED OF FRAUDULENT USE OF "MADE IN AMERICA" LABELS.**

(a) DEBARMENT REQUIRED.—Subsection (a) of section 2410f of title 10, United States Code, is amended by striking "the Secretary shall" and all that follows through the period and inserting "the person shall be debarred from contracting with the Department of Defense unless the Secretary waives the debarment under subsection (b).".

(b) WAIVER AUTHORITY AND NOTIFICATION REQUIREMENT.—Section 2410f of such title is further amended—

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

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

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

"(c) NOTIFICATION.—The Secretary shall notify the congressional defense committees annually, not later than March 1 of each year, of any exercise of the waiver authority under subsection (b).".

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

(1) in subsection (a), by inserting "DEBARMENT REQUIRED.—" after "(a)"; and

(2) in subsection (d), as redesignated by subsection (b), by inserting "DEFINITION.—" before "In this section".

**82. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SPEIER OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES**

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

**SEC. 8 \_\_\_\_ . SOLE SOURCE CONTRACTS FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.**

(a) IN GENERAL.—Subsection (m) of section 8 of the Small Business Act (15 U.S.C. 637(m)) is amended by adding at the end the following new paragraphs:

"(7) AUTHORITY FOR SOLE SOURCE CONTRACTS FOR ECONOMICALLY DISADVANTAGED SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.—A contracting officer may award a sole source contract under this subsection to any small business concern owned and controlled by women meeting the requirements of paragraph (2)(A) if—

"(A) such concern is determined to be a responsible contractor with respect to performance of the contract opportunity;

"(B) the anticipated award price of the contract (including options) will not exceed—

"(i) \$6,500,000, in the case of a contract opportunity assigned a standard industrial code for manufacturing; or

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

"(C) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.



“(8) AUTHORITY FOR SOLE SOURCE CONTRACTS FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN IN SUBSTANTIALLY UNDERREPRESENTED INDUSTRIES.—A contracting officer may award a sole source contract under this subsection to any small business concern owned and controlled by women that meets the requirements of paragraph (2)(E) and is in an industry in which small business concerns owned and controlled by women are substantially underrepresented (as determined by the Administrator) if—

“(A) such concern is determined to be a responsible contractor with respect to performance of the contract opportunity;

“(B) the anticipated award price of the contract (including options) will not exceed—

“(i) \$6,500,000, in the case of a contract opportunity assigned a standard industrial code for manufacturing;

or

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

“(C) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.”.

(b) REPORTING ON GOALS FOR SOLE SOURCE CONTRACTS FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.—Clause (viii) of subsection 15(h)(2)(E) of such Act is amended—

(1) in subclause (IV), by striking “and” after the semicolon;

(2) by redesignating subclause (V) as subclause (VIII); and

(3) by inserting after subclause (IV) the following new subclauses:

“(V) through sole source contracts awarded using the authority under subsection 8(m)(7);

“(VI) through sole source contracts awarded using the authority under section 8(m)(8);

“(VII) by industry for contracts described in subclause (III), (IV), (V), or (VI); and”.

(c) DEADLINE FOR REPORT ON SUBSTANTIALLY UNDERREPRESENTED INDUSTRIES ACCELERATED.—Paragraph (2) of section 29(o) of such Act is amended by striking “5 years after the date of enactment” and inserting “2 years after the date of enactment”.

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

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

**SEC. 827. REQUIREMENT TO BUY AMERICAN FLAGS FROM DOMESTIC SOURCES.**

Section 2533a(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) A flag of the United States of America (within the meaning of chapter 1 of title 4).”.

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84. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FORTENBERRY OF NEBRASKA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 910. REPORT RELATED TO NUCLEAR FORCES, DETERRENCE, NONPROLIFERATION, AND TERRORISM.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report discussing how the Department of Defense will manage its mission with respect to issues related to nuclear forces, deterrence, nonproliferation, and terrorism.

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

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

**SEC. 923. MODIFICATIONS TO REQUIREMENTS FOR ACCOUNTING FOR MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES LISTED AS MISSING.**

(a) DESIGNATION OF OFFICER.—Section 1501(a) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking “PERSONNEL” and inserting “PERSONS”;

(2) by striking paragraph (2);

(3) by designating the second sentence of paragraph (1) as paragraph (2); and

(4) by striking the first sentence of paragraph (1) and inserting the following:

“(A) The Secretary of Defense shall designate a single organization within the Department of Defense to have responsibility for Department of Defense matters relating to missing persons, including accounting for missing persons and persons whose remains have not been recovered from the conflict in which they were lost.

“(B) The organization designated under this paragraph shall be a Defense Agency or other entity of the Department of Defense outside the military departments and is referred to in this chapter as the ‘designated Defense Agency’.

“(C) The head of the organization designated under this paragraph is referred to in this chapter as the ‘designated Agency Director’.”.

(b) RESPONSIBILITIES.—Paragraph (2) of such section, as designated by subsection (a)(3), is amended—

(1) in the matter preceding subparagraph (A), by striking “the official designated under this paragraph shall include—” and inserting “the designated Agency Director shall include the following:”

(2) by capitalizing the first letter of the first word of each of subparagraphs (A), (B), (C), and (D);

(3) by striking the semicolon at the end of subparagraph (A) and inserting a period;

(4) in subparagraph (B)—

(A) by inserting “responsibility for” after “as well as the”; and

(B) by striking “; and” at the end and inserting a period; and

(5) by adding at the end the following new subparagraph:

“(E) The establishment of a means for communication between officials of the designated Defense Agency and family members of missing persons, veterans service organizations, concerned citizens, and the public on the Department’s efforts to account for missing persons, including a readily available means for communication of their views and recommendations to the designated Agency Director.”

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

(1) in paragraph (3), by striking “the official designated under paragraphs (1) and (2)” and inserting “the designated Agency Director”; and

(2) in paragraphs (4) and (5), by striking “The designated official” and inserting “The designated Agency Director”.

(d) RESOURCES.—Such section is further amended by striking paragraph (6).

(e) PUBLIC-PRIVATE PARTNERSHIPS AND OTHER FORMS OF SUPPORT.—Chapter 76 of such title is amended by inserting after section 1501 the following new section:

**“§ 1501a. Public-private partnerships; other forms of support**

“(a) PUBLIC-PRIVATE PARTNERSHIPS.—The Secretary of Defense may enter into arrangements known as public-private partnerships with appropriate entities outside the Government for the purposes of facilitating the activities of the designated Defense Agency. The Secretary may only partner with foreign governments or foreign entities with the concurrence of the Secretary of State. Any such arrangement shall be entered into in accordance with authorities provided under this section or any other authority otherwise available to the Secretary. Regulations prescribed under subsection (e)(1) shall include provisions for the establishment and implementation of such partnerships.

“(b) ACCEPTANCE OF VOLUNTARY PERSONAL SERVICES.—The Secretary of Defense may accept voluntary services to facilitate accounting for missing persons in the same manner as the Secretary of a military department may accept such services under section 1588(a)(9) of this title.

“(c) SOLICITATION OF GIFTS.—Under regulations prescribed under this chapter, the Secretary may solicit from any person or public or private entity, for the use and benefit of the activities of the designated Defense Agency, a gift of information and data, books, manuscripts, other documents, and artifacts.

“(d) USE OF DEPARTMENT OF DEFENSE PERSONAL PROPERTY.—The Secretary may allow a private entity to use, at no cost, personal property of the Department of Defense to assist the entity in supporting the activities of the designated Defense Agency.

“(e) REGULATIONS.—

“(1) IN GENERAL.—The Secretary of Defense shall prescribe regulations to implement this section.

“(2) LIMITATION.—Such regulations shall provide that solicitation of a gift, acceptance of a gift (including a gift of services), or use of a gift under this section may not occur if the

nature or circumstances of the solicitation, acceptance, or use would compromise the integrity, or the appearance of integrity, of any program of the Department of Defense or any individual involved in such program.”.

(f) SECTION 1505 CONFORMING AMENDMENTS.—Section 1505(c) of such title is amended—

(1) in paragraph (1), by striking “the office established under section 1501 of this title” and inserting “the designated Agency Director”; and

(2) in paragraphs (2) and (3), by striking “head of the office established under section 1501 of this title” and inserting “designated Agency Director”.

(g) SECTION 1509 AMENDMENTS.—Section 1509 of such title is amended—

(1) by striking “**PREENACTMENT**” in the section heading;

(2) in subsection (b)—

(A) in the subsection heading, by striking “PROCESS”;

(B) in paragraph (1), by striking “POW/MIA accounting community” and inserting “through the designated Agency Director”;

(C) by striking paragraph (2); and

(D) by adding at the end the following new paragraph

(2):

“(2)(A) The Secretary shall assign or detail to the designated Defense Agency on a full-time basis a senior medical examiner from the personnel of the Armed Forces Medical Examiner System. The primary duties of the medical examiner so assigned or detailed shall include the identification of remains in support of the function of the designated Agency Director to account for unaccounted for persons covered by subsection (a).

“(B) In carrying out functions under this chapter, the medical examiner so assigned or detailed shall report to the designated Agency Director.

“(C) The medical examiner so assigned or detailed shall—

“(i) exercise scientific identification authority;

“(ii) establish identification and laboratory policy consistent with the Armed Forces Medical Examiner System; and

“(iii) advise the designated Agency Director on forensic science disciplines.

“(D) Nothing in this chapter shall be interpreted as affecting the authority of the Armed Forces Medical Examiner under section 1471 of this title.”.

(3) in subsection (d)—

(A) by inserting “; CENTRALIZED DATABASE” in the subsection heading after “FILES”; and

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

“(4) The Secretary of Defense shall establish and maintain a single centralized database and case management system containing information on all missing persons for whom a file has been established under this subsection. The database and case management system shall be accessible to all elements of the Department of Defense involved in the search, recovery, identification, and communications phases of the program established by this section.”; and

(4) in subsection (f)—

(A) in paragraph (1)—

- (i) by striking “establishing and”; and
  - (ii) by striking “Secretary of Defense shall coordinate” and inserting “designated Agency Director shall ensure coordination”;
- (B) in paragraph (2)—
  - (i) by inserting “staff” after “National Security Council”; and
  - (ii) by striking “POW/MIA accounting community”; and
- (C) by adding at the end the following new paragraph:
 

“(3) In carrying out the program, the designated Agency Director shall coordinate all external communications and events associated with the program.”.
- (h) TECHNICAL AND CONFORMING AMENDMENTS.—
  - (1) CROSS-REFERENCE CORRECTION.—Section 1513(1) of such title is amended by striking “subsection (b)” in the last sentence and inserting “subsection (c)”.
  - (2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 76 of such title is amended—
    - (A) by inserting after the item relating to section 1501 the following new item:
 

“1501a. Public-private partnerships; other forms of support.”; and
    - (B) in the item relating to section 1509, by striking “preenactment”.

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

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

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

(a) RELEASE OF INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE ADMINISTRATIVE MISCONDUCT REPORTS.—Section 141 of title 10, United States Code, is amended by adding at the end the following new subsection:

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

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

“(A) employed in a position described under sections 5312 through 5316 of title 5, United States Code, (relating to the Executive Schedule);

“(B) a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as de-

fined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code; or

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

(b) RELEASE OF INSPECTOR GENERAL OF THE ARMY ADMINISTRATIVE MISCONDUCT REPORTS.—Section 3020 of such title is amended by adding at the end the following new subsection:

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

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

“(A) employed in a position described under sections 5312 through 5316 of title 5, United States Code, (relating to the Executive Schedule);

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

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

(c) RELEASE OF NAVAL INSPECTOR GENERAL ADMINISTRATIVE MISCONDUCT REPORTS.—Section 5020 of such title is amended by adding at the end the following new subsection:

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

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

“(A) employed in a position described under sections 5312 through 5316 of title 5, United States Code, (relating to the Executive Schedule);

“(B) a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as de-

fined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code; or

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

(d) RELEASE OF INSPECTOR GENERAL OF THE AIR FORCE ADMINISTRATIVE MISCONDUCT REPORTS.—Section 8020 of such title is amended by adding at the end the following new subsection:

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

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

“(A) employed in a position described under sections 5312 through 5316 of title 5, United States Code, (relating to the Executive Schedule);

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

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

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

Add at the end of subtitle A of title X the following new section:

**SEC. 1005. REPORT ON AUDITABLE FINANCIAL STATEMENTS.**

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report ranking all military departments and Defense Agencies in order of how advanced they are in achieving auditable financial statements as required by law. The report should not include information otherwise available in other reports to Congress.

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

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

**SEC. 1005. REPORT ON IMPLEMENTING AUDIT REPORTING REQUIREMENTS.**

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on

the barriers to implementing audit reporting requirements contained in section 1003 of Public Law 111–84 and recommendations to ensure reporting deadlines are met.

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

At the end of subtitle C of title X, insert the following:

**SEC. 1027. PROHIBITION ON USE OF FUNDS FOR CERTAIN PERMITTING ACTIVITIES UNDER THE SUNKEN MILITARY CRAFT ACT.**

None of the funds authorized to be appropriated by this Act may be used to issue a regulation for permitting activities set forth in section 1403 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2907; 10 U.S.C. 113 note).

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

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

**SEC. 1034. PROHIBITION ON THE USE OF FUNDS FOR RECREATIONAL FACILITIES FOR INDIVIDUALS DETAINED AT GUANTANAMO.**

None of the funds authorized to be appropriated or otherwise available to the Department of Defense may be used to provide additional or upgraded recreational facilities for individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

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91. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BRIDENSTINE OF OKLAHOMA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 300, line 12, strike “None of the” and insert “Not more than 50 percent of the”.

Page 301, line 2, insert before the period the following: “until the date that is 30 days after the date on which the Secretary delivers the certification required by subsection (a) to the congressional defense committees”.

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

Page 302, line 22, add the following after the period: “Such assessment shall address the efficacy of Lajes Air Force Base modifying its United States Air Force mission to support a permanent force structure for the United States Special Operations Command, the United States Africa Command, and other overseas United States forces in both the European and African regions, at a force structure at or above the force structure at such Air Force Base as of October 1, 2013.”

Page 302, strike line 23 and all that follows through page 303, line 7, and insert the following:



(2) The Secretary of Defense includes in the Assessment under paragraph (1) an analysis of how, with respect to the use and force structure of the Lajes Air Force Base, the United States is honoring the goals of the U.S.-Portugal Permanent Bilateral Commission, particularly how the systematic reduction in force structure at such Air Force Base is within the goals of the commission and the bilateral cooperation between the 2 countries in the fight against terrorism.

(3) The Secretary briefs the congressional defense committees regarding the results of the Assessment under paragraph (1).

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

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

**SEC. 1051. MODIFICATIONS TO OH-58D KIOWA WARRIOR HELICOPTERS.**

(a) **IN GENERAL.**—Notwithstanding section 2244A of title 10, United States Code, the Secretary of the Army may implement engineering change proposals on OH-58D Kiowa Warrior helicopters.

(b) **MANNER OF MODIFICATIONS.**—The Secretary shall carry out subsection (a) in a manner that ensures—

(1) the safety and survivability of the crews of the OH-58D Kiowa Warrior helicopters by expeditiously replacing or integrating, or both, the mast-mounted sight engineering change proposals to the current OH-58D fleet;

(2) the safety of flight; and

(3) that the minimum requirements of the commanders of the combatant commands are met.

(c) **ENGINEERING CHANGE PROPOSALS DEFINED.**—In this section, the term “engineering change proposals” means, with respect to OH-58D helicopters, engineering changes relating to the following:

(1) Mast mounted sight laser pointer.

(2) Two-card system processor.

(3) Diode pump laser.

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

At the appropriate place in subtitle E of title X, insert the following new section:

**SEC. \_\_\_\_ . PROHIBITION ON USE OF DRONES TO KILL UNITED STATES CITIZENS.**

(a) **PROHIBITION.**—No officer or employee of, or detailee or contractor to, the Department of Defense may use a drone to kill a citizen of the United States.

(b) **EXCEPTION.**—The prohibition under subsection (a) shall not apply to the use of a drone to kill an individual who is actively engaged in combat against the United States.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to create any authority, or expand any existing authority, for the Federal Government to kill any person.

(d) **DRONE DEFINED.**—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)).

95. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PALAZZO OF MISSISSIPPI OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 1065. REPORT ON FORCE STRUCTURE LAYDOWN OF TACTICAL AIRLIFT ASSETS.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the strategic laydown of tactical airlift forces following the withdrawal of combat forces from Afghanistan is cause for concern.

(b) **REPORT.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the five-year plan of the Secretary for the force structure laydown of the tactical airlift.

(c) **LIMITATION; REPORT.**—The Secretary of the Air Force shall brief the congressional defense committees prior to implementing any movements.

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

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

**SEC. 1065. REPORT ON THERMAL INJURY PREVENTION.**

The Director of the United States Army Tank Automotive Research, Development, and Engineering Center shall submit to the congressional defense committees a report addressing thermal injury prevention needs to improve occupant centric survivability systems for combat and tactical vehicles against over matching ballistic threat.

97. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE YOUNG OF ALASKA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 1065. BUSINESS CASE ANALYSIS OF THE CREATION OF AN ACTIVE DUTY ASSOCIATION FOR THE 68TH AIR REFUELING WING.**

(a) **BUSINESS CASE ANALYSIS.**—The Secretary of the Air Force shall conduct a business case analysis of the creation of a 4-PAA (Personnel-Only) KC-135R active association with the 168th Air Refueling Wing. Such analysis shall include consideration of—

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

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

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

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

98. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BRALEY  
OF IOWA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end of subtitle F of title X the following:

**SEC. 1065. REPORT ON LONG-TERM COSTS OF OPERATION IRAQI  
FREEDOM AND OPERATION ENDURING FREEDOM.**

(a) **REPORT REQUIREMENT.**—Not later than 90 days after the date of the enactment of this Act, the President, with contributions from the Secretary of Defense, the Secretary of State, and the Secretary of Veterans Affairs, shall submit to Congress a report containing an estimate of previous costs of Operation New Dawn (the successor contingency operation to Operation Iraqi Freedom) and the 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 2024, 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 members expected to be killed in Afghanistan, including noncombat casualties.

(8) The amount of funds previously appropriated for the Department of Defense, the Department of State, and the Department of Veterans Affairs for 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.

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99. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COLE OF OKLAHOMA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 340, line 11, insert "either" after "is".

Page 340, line 14, insert ", or participating in the Robotic Aircraft for Public Safety program or other activities of similar nature conducted by the Department of Homeland Security," before "to allow".

Page 340, beginning on line 16, strike "test range program" and insert in its place "a program".

Page 341, beginning on line 5, strike "test range".

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

Section 1075 is amended by adding at the end the following:

(d) UAS TEST RANGE CLARIFICATION.—For purposes of this section, the test range program authorized under section 332(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) shall include test ranges selected by the Administrator of the Federal Aviation Administration and any additional test range not initially selected by the Administration if such range enters into a partnership or agreement with a selected test range.

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

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

**SEC. 1082. REVIEW OF OPERATION OF CERTAIN SHIPS DURING THE VIETNAM ERA.**

(a) REVIEW REQUIRED.—By not later than one year after the date of the enactment of this Act, the Secretary of Defense shall review the logs of each ship under the authority of the Secretary of the Navy that is known to have operated in the waters near Vietnam during the Vietnam Era (as that term is defined in section 101(29) of title 38, United States Code) to determine—

(1) whether each such ship operated in the territorial waters of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975; and

(2) for each such ship that so operated—

(A) the date or dates when the ship so operated; and

(B) the distance from the shore of the location where the ship operated that was the closest proximity to shore.

(b) PROVISION OF INFORMATION TO THE SECRETARY OF VETERANS AFFAIRS.—Upon a determination that any such ship so operated, the Secretary of Defense shall provide such determination, together with the information described in subsection (a)(2) about the ship, to the Secretary of Veterans Affairs.

(c) PUBLIC AVAILABILITY OF INFORMATION.—The Secretary of Veterans Affairs shall make publicly available all unclassified information provided to the Secretary under subsection (b).

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

At the end of title X, add the following:

**SEC. 10 \_\_\_\_ . SENSE OF CONGRESS RECOGNIZING THE 70TH ANNIVERSARY OF THE ALLIED AMPHIBIOUS LANDING ON D-DAY, JUNE 6, 1944, AT NORMANDY, FRANCE.**

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

(1) June 6, 2014, marks the 70th anniversary of the Allied assault at Normandy, France, by American, British, and Canadian troops, which was known as Operation Overlord.

(2) Before Operation Overlord, the German Army still occupied France and the Nazi government still had access to the raw materials and industrial capacity of Western Europe.

(3) The naval assault phase on Normandy was code-named “Neptune”, and the June 6th assault date is referred to as D-Day to denote the day on which the combat attack was initiated.

(4) The D-Day landing was the largest single amphibious assault in history, consisting of approximately 31,000 members of the United States Armed Forces, 153,000 members of the Allied Expeditionary Force, 5,000 naval vessels, and more than 11,000 sorties by Allied aircraft.

(5) Soldiers of 6 divisions (3 American, 2 British, and 1 Canadian) stormed ashore in 5 main landing areas on beaches in Normandy, which were code-named “Utah”, “Omaha”, “Gold”, “Juno”, and “Sword”.

(6) Of the approximately 10,000 Allied casualties incurred on the first day of the landing, more than 6,000 casualties were members of the United States Armed Forces.

(7) The age of the remaining World War II veterans and the gradual disappearance of any living memory of World War II and the Normandy landings make it necessary to increase activities intended to pass on the history of these events, particularly to younger generations.

(8) The young people of Normandy and the United States have displayed unprecedented commitment to and involvement in celebrating the veterans of the Normandy landings and the freedom that they brought with them in 1944.

(9) The significant material remains of the Normandy landing, such as shipwrecks and various items of military equipment found both on the Normandy beaches and at the bottom of the sea in French territorial waters, bear witness to the remarkable material resources used by the Allied Armed Forces to execute the Normandy landings.

(10) 5 Normandy beaches and a number of sites on the Normandy coast, including Pointe du Hoc, were the scene of the Normandy landings, and constitute both now and for all time a unique piece of humanity’s world heritage, and a symbol of peace and freedom, whose unspoilt nature, integrity, and authenticity must be protected at all costs.

(11) The world owes a debt of gratitude to the members of the “greatest generation” who assumed the task of freeing the world from Nazi and Fascist regimes and restoring liberty to Europe.

(b) SENSE OF CONGRESS.—Congress—

(1) recognizes the 70th anniversary of the Allied amphibious landing on D-Day, June 6, 1944, at Normandy, France, during World War II;

(2) expresses gratitude and appreciation to the members of the United States Armed Forces who participated in the D-Day operations;

(3) thanks the young people of Normandy and the United States for their involvement in recognizing and celebrating the 70th Anniversary of the Normandy landings with the aim of making future generations aware of the acts of heroism and sacrifice performed by the Allied forces;

(4) recognizes the efforts of the Government of France and the people of Normandy to preserve, for future generations, the

unique world heritage represented by the Normandy beaches and the sunken material remains of the Normandy landing, by inscribing them on the United Nations Educational, Scientific, and Cultural Organization (UNESCO) World Heritage List; and

(5) requests the President to issue a proclamation calling on the people of the United States to observe the anniversary with appropriate ceremonies and programs to honor the sacrifices of their fellow countrymen to liberate Europe.

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

At the end of title X, add the following:

**SEC. 10 \_\_\_\_ . TRANSPORTATION OF SUPPLIES TO MEMBERS OF THE ARMED FORCES FROM NONPROFIT ORGANIZATIONS.**

(a) IN GENERAL.—Chapter 20 of title 10, United States Code, is amended by inserting after section 402 the following new section:

**“§ 403. Transportation of supplies from nonprofit organizations**

“(a) AUTHORIZATION OF TRANSPORTATION.—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.”.

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

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

**SEC. 1082. SENSE OF CONGRESS ON AIR FORCE FLIGHT TRAINING AIRCRAFT.**

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

(1) The Air Force uses the T-1A aircraft to train Air Force pilots to operate tanker and transport aircraft.

(2) The Air Force is seeking a replacement aircraft for the T-1A which is experiencing obsolescence issues and high costs.

(3) An effective way to mitigate the T-1A's cost, obsolescence, and complexity issues until a permanent replacement aircraft enters service, is to utilize contractor-owned, contractor-operated modern aircraft in the very light jet category.

(4) Conducting very light jet training via a contractor-owned, contractor-operated contract vehicle could provide increased flexibility and reduce unnecessary ownership costs.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Air Force should formally assess the operational feasibility, costs, potential savings, and readiness implications of utilizing contractor-owned, contractor-operated, very light jet aircraft for interim flight instruction until a permanent replacement for the T-1A enters service.

105. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROGERS OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the appropriate place in title X, insert the following new section:

**SEC. \_\_\_\_ . REPORT ON CERTAIN INFORMATION TECHNOLOGY SYSTEMS AND TECHNOLOGY AND CRITICAL NATIONAL SECURITY INFRASTRUCTURE.**

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

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

(c) ELEMENTS OF NOTIFICATION.—Each notification submitted under subsection (a) shall include—

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

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

(3) a description of any follow up or other response actions to be taken.

(d) DEFINITIONS.—In this section:

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

(A) the congressional defense committees;

(B) the Permanent Select Committee on Intelligence of the House of Representatives; and

(C) the Select Committee on Intelligence of the Senate.

(2) COVERED NETWORK.—The term “covered network” includes—

(A) information technology or telecommunications networks of the Department of Defense or the intelligence community; and

(B) information technology or telecommunications networks of network operators supporting systems in proximity to Department of Defense or intelligence community facilities.

(3) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

106. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WHITFIELD OF KENTUCKY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 1082. 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 nec-

essary (under section 3624 the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384o).

107. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BUTTERFIELD OF NORTH CAROLINA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 1082. METHODS FOR VALIDATING CERTAIN SERVICE CONSIDERED TO BE ACTIVE SERVICE BY THE SECRETARY OF VETERANS AFFAIRS.**

(a) IN GENERAL.—For the purposes of verifying that an individual performed service under honorable conditions that satisfies the requirements of a coastwise merchant seaman who is recognized pursuant to section 401 of the GI Bill Improvement Act of 1977 (Public Law 95–202; 38 U.S.C. 106 note) as having performed active duty service for the purposes described in subsection (c)(1), the Secretary of Homeland Security shall accept the following:

(1) In the case of an individual who served on a coastwise merchant vessel seeking such recognition for whom no applicable Coast Guard shipping or discharge form, ship logbook, merchant mariner's document or Z-card, or other official employment record is available, the Secretary shall provide such recognition on the basis of applicable Social Security Administration records submitted for or by the individual, together with validated testimony given by the individual or the primary next of kin of the individual that the individual performed such service during the period beginning on December 7, 1941, and ending on December 31, 1946.

(2) In the case of an individual who served on a coastwise merchant vessel seeking such recognition for whom the applicable Coast Guard shipping or discharge form, ship logbook, merchant mariner's document or Z-card, or other official employment record has been destroyed or otherwise become unavailable by reason of any action committed by a person responsible for the control and maintenance of such form, logbook, or record, the Secretary shall accept other official documentation demonstrating that the individual performed such service during period beginning on December 7, 1941, and ending on December 31, 1946.

(3) For the purpose of determining whether to recognize service allegedly performed during the period beginning on December 7, 1941, and ending on December 31, 1946, the Secretary shall recognize masters of seagoing vessels or other officers in command of similarly organized groups as agents of the United States who were authorized to document any individual for purposes of hiring the individual to perform service in the merchant marine or discharging an individual from such service.

(b) TREATMENT OF OTHER DOCUMENTATION.—Other documentation accepted by the Secretary of Homeland Security pursuant to subsection (a)(2) shall satisfy all requirements for eligibility of service during the period beginning on December 7, 1941, and ending on December 31, 1946.

(c) BENEFITS ALLOWED.—

(1) **BURIAL BENEFITS ELIGIBILITY.**—Service of an individual that is considered active duty pursuant to subsection (a) shall be considered as active duty service with respect to providing burial benefits under chapters 23 and 24 of title 38, United States Code, to the individual.

(2) **MEDALS, RIBBONS, AND DECORATIONS.**—An individual whose service is recognized as active duty pursuant to subsection (a) may be awarded an appropriate medal, ribbon, or other military decoration based on such service.

(3) **STATUS OF VETERAN.**—An individual whose service is recognized as active duty pursuant to subsection (a) shall be honored as a veteran but shall not be entitled by reason of such recognized service to any benefit that is not described in this subsection.

(d) **DETERMINATION OF COASTWISE MERCHANT SEAMAN.**—The Secretary of Homeland Security shall verify that an individual performed service under honorable conditions that satisfies the requirements of a coastwise merchant seaman pursuant to this section without regard to the sex, age, or disability of the individual during the period in which the individual served as such a coastwise merchant seaman.

(e) **DEFINITIONS.**—In this section:

(1) The term “coastwise merchant seaman” means a mariner that served on a tug boat, towboat, or seagoing barge that transported war materials to and from ports located in the territorial seas of the United States in support of the war effort during the period beginning December 7, 1941, and ending December 31, 1946.

(2) The term “primary next of kin” with respect to an individual seeking recognition for service under this section means the closest living relative of the individual who was alive during the period of such service.

(f) **EFFECTIVE DATE.**—This section shall take effect 90 days after the date of the enactment of this Act.

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108. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEWIS OF GEORGIA 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.

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

At the end of title X, insert the following:

**SEC. 1046. OBSERVANCE OF VETERANS DAY.**

(a) TWO MINUTES OF SILENCE.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following new section:

**“§ 145. Veterans Day**

“The President shall issue each year a proclamation calling on the people of the United States to observe two minutes of silence on Veterans Day in honor of the service and sacrifice of veterans throughout the history of the Nation, beginning at—

- “(1) 3:11 pm Atlantic standard time;
- “(2) 2:11 pm eastern standard time;
- “(3) 1:11 pm central standard time;
- “(4) 12:11 pm mountain standard time;
- “(5) 11:11 am Pacific standard time;
- “(6) 10:11 am Alaska standard time; and
- “(7) 9:11 am Hawaii-Aleutian standard time.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1 of title 36, United States Code, is amended by adding at the end the following new item:

“145. Veterans Day.”.

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

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

**SEC. 1082. ANNUAL REPORT ON PERFORMANCE OF REGIONAL OFFICES OF THE DEPARTMENT OF VETERANS AFFAIRS.**

Section 7734 of title 38, United States Code, is amended—

- (1) in the first sentence, by inserting before the period the following: “and on the performance of any regional office that fails to meet its administrative goals”;
- (2) in paragraph (2), by striking “and”;
- (3) by redesignating paragraph (3) as paragraph (4); and
- (4) by inserting after paragraph (2) the following new paragraph (3):

“(3) in the case of any regional office that, for the year covered by the report, did not meet the administrative goal of no claim pending for more than 125 days and an accuracy rating of 98 percent—

“(A) a signed statement prepared by the individual serving as director of the regional office as of the date of the submittal of the report containing—

- “(i) an explanation for why the regional office did not meet the goal;
- “(ii) a description of the additional resources needed to enable the regional office to reach the goal; and
- “(iii) a description of any additional actions planned for the subsequent year that are proposed to enable the regional office to meet the goal; and

“(B) a statement prepared by the Under Secretary for Benefits explaining how the failure of the regional office to meet the goal affected the performance evaluation of the director of the regional office; and”.

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

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

**SEC. 10 . FINDINGS; SENSE OF CONGRESS.**

(a) FINDINGS.—Congress finds the following:

(1) The Vietnam Veterans Memorial continues to be a popular and important place of reflection and healing for a generation.

(2) The simple inscriptions of the names of the Nation's dead bear mute testimony to the sacrifice of more than 58,000 Americans, serving as a deep source of comfort and pride for the families of those who were lost.

(3) 74 sailors were lost aboard the USS Frank E. Evans, which sank after colliding with the HMAS Melbourne on June 3, 1969, during a Southeast Asia Treaty Organization exercise just outside the designated combat zone.

(4) The Frank Evans had been providing support fire for combat operations in Vietnam before the exercise that resulted in the accident and was scheduled to return after the exercise.

(5) The families of the 74 men lost aboard the USS Frank E. Evans have been fighting for decades to have their loved ones added to the Memorial.

(6) Exceptions have been granted to inscribe the names on the Vietnam Veterans Memorial for other servicemembers who were killed outside of the designated combat zone, including in 1983 when President Ronald Reagan ordered that 68 Marines who died on a flight outside the combat zone be added to the wall.

(7) Secretary of the Navy Ray Mabus, in a letter dated December 15, 2010, expressed support for the addition of the 74 names of the men lost aboard the USS Frank E. Evans to the Vietnam Veterans Memorial.

(8) The heroism and sacrifice should never go unrecognized because of an arbitrary line on a map.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should order that the names of the 74 military personnel lost aboard the USS Frank E. Evans on June 3, 1969, be added to the Vietnam Veterans Memorial.

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

At the end of title XI, add the following:

**SEC. 1107. EXTENSION OF PART-TIME REEMPLOYMENT AUTHORITY.**

(a) CSRS.—Section 8344(l)(7) of title 5, United States Code, is amended by strike “5 years” and inserting “10 years”.

(b) FERS.—Section 8468(i)(7) of such title is amended by striking “5 years” and inserting “10 years”.

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

At the end of title XI, add the following:

**SEC. 11. RATE OF OVERTIME PAY FOR DEPARTMENT OF THE NAVY EMPLOYEES PERFORMING WORK ABOARD OR DOCKSIDE IN SUPPORT OF THE NUCLEAR AIRCRAFT CARRIER FORWARD DEPLOYED IN JAPAN.**

Section 5542(a)(6)(B) of title 5, United States Code, is amended by striking “2014” and inserting “2015”.

114. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROHR-ABACHER OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 384, line 21, strike “and”

Page 385, line 2, strike the period at the end and insert “; and”.

Page 385, after line 2, add the following:

(3) in paragraph (1), by adding at the end the following:

“(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.”.

115. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CICILLINE OF RHODE ISLAND OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 1216(b), add at the end the following:

(5) A description of efforts of the Secretary of Defense and the Secretary of State to engage United States manufacturers in procurement opportunities related to equipping the ANSF.

116. AMENDMENT TO BE OFFERED BY REPRESENTATIVE POE OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. . INDEPENDENT ASSESSMENT OF UNITED STATES EFFORTS TO DISRUPT, DISMANTLE, AND DEFEAT AL-QAEDA, ITS AFFILIATED GROUPS, ASSOCIATED GROUPS, AND ADHERENTS.**

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

(1) al-Qaeda, its affiliated groups, associated groups, and adherents continue to pose a significant threat to United States national security interests;

(2) al-Qaeda continues to evolve and reorganize to adapt to United States counterterrorism measures; and

(3) al-Qaeda has become more decentralized and less hierarchical over the past decade.

(b) INDEPENDENT ASSESSMENT.—

(1) IN GENERAL.—The Secretary of Defense shall provide for the conduct of an independent assessment of the United States efforts to disrupt, dismantle, and defeat al-Qaeda, including its

affiliated groups, associated groups, and adherents since May 2, 2011.

(2) **ELEMENTS.**—The assessment required by paragraph (1) shall include the following:

(A) An assessment of al-Qaeda core’s relationship with any and all affiliated groups, associated groups, and adherents.

(B) An assessment of the aims, objectives, and capabilities of al-Qaeda core and any and all affiliated groups, associated groups, and adherents.

(C) An assessment of the Administration’s efforts to combat al-Qaeda core and any and all affiliated groups, associated groups, and adherents.

(D) An assessment of the Authorization for Use of Military Force (Public Law 107–40) and its relevance to the current structure and objectives of al-Qaeda core, its affiliated groups, associated groups, and adherents.

(E) A comprehensive order of battle for al-Qaeda core, its affiliated groups, associated groups, and adherents.

(3) **REPORT.**—

(A) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the entity selected for the conduct of the assessment required by paragraph (1) shall provide to the Secretary and the appropriate committees of Congress a report containing its findings as a result of the assessment.

(B) **FORM.**—The report shall be submitted in unclassified form, but may include a classified annex.

(c) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the congressional defense committees;

(2) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(3) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

# 117. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROHR- ABACHER OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

## **SEC. \_\_. SENSE OF CONGRESS RELATING TO DR. SHAKIL AFRIDI.**

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

(1) The attacks of September 11, 2001, killed approximately 3,000 people, most of whom were Americans, but also included hundreds of individuals with foreign citizenships, nearly 350 New York Fire Department personnel, and about 50 law enforcement officers.

(2) Downed United Airlines flight 93 was reportedly intended, under the control of the al-Qaeda high-jackers, to crash into the White House or the Capitol in an attempt to kill the President of the United States or Members of the United States Congress.



(3) The September 11, 2001, attacks were largely planned and carried out by the al-Qaeda terrorist network led by Osama bin Laden and his deputy Ayman al Zawahiri, after which Osama bin Laden enjoyed safe haven in Pakistan from where he continued to plot deadly attacks against the United States and the world.

(4) The United States has obligated nearly \$30 billion between 2002 and 2014 in United States taxpayer money for security and economic aid to Pakistan.

(5) The United States very generously and swiftly responded to the 2005 Kashmir Earthquake in Pakistan with more than \$200 million in emergency aid and the support of several United States military aircraft, approximately 1,000 United States military personnel, including medical specialists, thousands of tents, blankets, water containers and a variety of other emergency equipment.

(6) The United States again generously and swiftly contributed approximately \$150 million in emergency aid to Pakistan following the 2010 Pakistan flood, in addition to the service of nearly twenty United States military helicopters, their flight crews, and other resources to assist the Pakistan Army's relief efforts.

(7) The United States continues to work tirelessly to support Pakistan's economic development, including millions of dollars allocated towards the development of Pakistan's energy infrastructure, health services and education system.

(8) The United States and Pakistan continue to have many critical shared interests, both economic and security related, which could be the foundation for a positive and mutually beneficial partnership.

(9) Dr. Shakil Afridi, a Pakistani physician, is a hero to whom the people of the United States, Pakistan and the world owe a debt of gratitude for his help in finally locating Osama bin Laden before more innocent American, Pakistani and other lives were lost to this terrorist leader.

(10) Pakistan, the United States and the international community had failed for nearly 10 years following attacks of September 11, 2001, to locate and bring Osama bin Laden, who continued to kill innocent civilians in the Middle East, Asia, Europe, Africa and the United States, to justice without the help of Dr. Afridi.

(11) The Government of Pakistan's imprisonment of Dr. Afridi presents a serious and growing impediment to the United States' bilateral relations with Pakistan.

(12) The Government of Pakistan has leveled and allowed baseless charges against Dr. Afridi in a politically motivated, spurious legal process.

(13) Dr. Afridi is currently imprisoned by the Government of Pakistan, a deplorable and unconscionable situation which calls into question Pakistan's actual commitment to countering terrorism and undermines the notion that Pakistan is a true ally in the struggle against terrorism.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Dr. Shakil Afridi is an international hero and that the Government of Pakistan should release him immediately from prison.

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

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

**SEC. \_\_. SENSE OF CONGRESS.**

(a) FINDINGS.—Congress finds the following:

(1) The people of Afghanistan have taken the lead in providing for the security of their country and the successful elections are a positive step in the self-determination of the future of Afghanistan.

(2) However, no country can be successful in the long-term if a majority of its population is not included in the dialogue and decision-making of such country.

(3) The women of Afghanistan have made historic strides in the last several years and the elections prove that the women need and have a right to have a voice in the future of Afghanistan.

(4) To that end, the women of Afghanistan are vital to the development of Afghanistan and the national security of Afghanistan;

(5) Women are needed to serve Afghanistan in the Afghan National Security Forces (ANSF), not just for the future standing of women in society, but for cultural reasons.

(6) Therefore, it is important that Afghanistan move forward in increasing the number of women in the ANSF with the current facilities and capacity to meet the requirements Afghanistan has proposed to achieve.

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

(1) the allocation of \$25,000,000 for fiscal year 2014 for the ANSF should be prioritized for the recruitment, retention, and training of women in the ANSF;

(2) current facilities to support women in the ANSF should be fully utilized before additional infrastructure is constructed;

(3) the Government of Afghanistan should ensure that the fund provided prioritize efforts to increase the number of women serving in the ANSF, as proposed in the Master Ministerial Development Plan for Afghan National Army (ANA) Gender Integration;

(4) as part of such plan, the conversion of the 13,000 women that were trained to support the elections is an important step in increasing the number of women in the ANSF;

(5) the United Nations Assistance Mission in Afghanistan's report, "A Way to Go: An Update on Implementation of the Law on Elimination of Violence Against Women in Afghanistan", should be integrated into efforts to enable women to serve in the ANSF; and

(6) the United States should continue to advocate for the rights and participation of women in Afghanistan in all levels of government and society.

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

At the end of subtitle B 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.

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

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

**SEC. . REVIEW PROCESS FOR USE OF UNITED STATES FUNDS FOR CONSTRUCTION PROJECTS IN AFGHANISTAN THAT CANNOT BE PHYSICALLY ACCESSED BY UNITED STATES GOVERNMENT CIVILIAN PERSONNEL.**

(a) PROHIBITION.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act may be obligated or expended for a construction project in Afghanistan in excess of \$500,000 that cannot be audited and physically inspected by authorized United States Government civilian personnel or their designated representatives, in accordance generally-accepted auditing guidelines.

(2) APPLICABILITY.—Paragraph (1) shall apply only with respect to a project that is initiated on or after the date of the enactment of this Act.

(b) WAIVER.—The prohibition in subsection (a) may be waived with respect to a project if not less than 15 days prior to the obligation of funds for the project, the agency responsible for such funds submits to the relevant authorizing committees a plan outlining how the agency will monitor the use of the funds—

(1) to ensure the funds are used for the specific purposes for which the funds are intended; and

(2) to mitigate waste, fraud, and abuse.

121. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TSONGAS OF MASSACHUSETTS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. . ACTIONS TO SUPPORT HUMAN RIGHTS, PARTICIPATION, PREVENTION OF VIOLENCE, EXISTING FRAMEWORKS, AND SECURITY AND MOBILITY WITH RESPECT TO WOMEN AND GIRLS IN AFGHANISTAN.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that promoting women's meaningful inclusion and participation in conflict prevention, management, and resolution, as well as in post-conflict relief and recovery, advances core United States national interests

of peace, national security, economic and social development, and international cooperation.

(b) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to promote and support the security of women and girls in conflict-affected and post-conflict regions and ensure their protection from sexual and gender-based violence;

(2) to promote and support the security of women and girls in Afghanistan during the security transition process and recognize that promoting security for Afghan women and girls must remain a priority of United States foreign policy; and

(3) to maintain and improve the gains of women and girls in Afghanistan made since 2002, including in terms of their political participation and integration in security forces.

(c) ACTIONS REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of State and the Administrator of the United States Agency for International Development, shall take such actions as may be necessary to ensure the indicators of success of the security transition process and establishment of an independent Afghanistan as described in paragraph (2) are achieved.

(2) INDICATORS OF SUCCESS.—The indicators of success referred to in paragraph (1) are the following:

(A) Support for human rights of women and girls in Afghanistan.

(B) Participation of women in Afghanistan at all levels of decision-making and governance in Afghanistan.

(C) Strategic integration of women in the Afghan National Security Forces.

(D) Support for initiatives to prevent sexual and gender-based violence, including implementation of Afghanistan's Elimination of Violence Against Women law and support for the Ministry of Interior's Family Response Units in the Afghan National Police.

(E) Support for existing frameworks, including the National Action Plan for the Women of Afghanistan, the Afghanistan National Development Strategy, and the Tokyo Mutual Accountability Framework.

(F) Recognition of the ability of women in Afghanistan to move freely and securely throughout Afghanistan.

(d) REPORT.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense, the Secretary of State, and the Administrator of the United States Agency for International Development shall jointly submit to the appropriate congressional committees a report on efforts by the United States Government to support the human rights, participation, prevention of violence, existing frameworks, and security and mobility with respect to women and girls in Afghanistan.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

- (A) the congressional defense committees; and
- (B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

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122. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROGERS OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. \_\_. PLAN TO REDUCE RUSSIAN FEDERATION NUCLEAR FORCE DEPENDENCIES ON UKRAINE.**

(a) FINDINGS.—Congress finds the following:

(1) The Russian Federation relies on the Ukrainian defense industry for certain elements of its land-based nuclear ballistic missile force, the Russian Strategic Rocket Force.

(2) Press reports indicate that Ukraine's Yuzhnoye Design Bureau played a prominent role during the Soviet era in producing heavy silo-based Intercontinental Ballistic Missiles.

(3) These land-based missiles include the RS-20 ICBM, known by the North Atlantic Treaty Organization Designator, SATAN.

(4) This missile has been reported to be deployed with as many as 10 independently targetable nuclear reentry vehicles.

(5) In a press conference on May 13, 2014, Russian Federation Deputy Prime Minister Dmitry Rogozin stated that his country would discontinue the sale of Russia-made rocket engines to the United States if they will be used for military purposes.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should promptly enter into discussions with the Government of Ukraine to ensure a halt to the activities of the Yuzhnoye Design Bureau and any other Ukrainian industry that supports the military or military industrial base of the Russian Federation while Russia is violating its commitments under the Budapest Memorandum, illegally occupying Ukrainian territory and supporting groups that are inciting violence and fomenting secessionist movements in Ukraine.

(c) PLAN.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, in conjunction with the Secretary of State, shall submit to the congressional defense committees a plan on how the United States Government intends to work with the Government of Ukraine to accomplish the goals expressed in subsection (b) and any recommendations it has for how the United States and its allies could benefit from the capability of the Yuzhnoye Design Bureau.

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123. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DELAURO OF CONNECTICUT OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 1228. PROHIBITION ON USE OF FUNDS TO ENTER INTO CONTRACTS OR AGREEMENTS WITH ROSOBORONEXPORT.**

(a) **PROHIBITION.**—None of the funds authorized to be appropriated for the Department of Defense for fiscal year 2015 may be used to enter into a contract (or subcontract at any tier under such a contract), memorandum of understanding, or cooperative agreement with, to make a grant to, or to provide a loan or loan guarantee to Rosoboronexport.

(b) **NATIONAL SECURITY WAIVER AUTHORITY.**—The Secretary of Defense may waive the applicability of subsection (a) if the Secretary, in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees, to the best of the Secretary's knowledge, the following:

(1) Rosoboronexport has ceased the transfer of lethal military equipment to, and the maintenance of existing lethal military equipment for, the Government of the Syrian Arab Republic.

(2) The armed forces of the Russian Federation have withdrawn from Crimea, other than armed forces present on military bases subject to agreements in force between the Government of the Russian Federation and the Government of Ukraine.

(3) The Government of the Russian Federation has withdrawn substantially all of the armed forces of the Russian Federation from the immediate vicinity of the eastern border of Ukraine.

(4) Agents of the Russian Federation have ceased taking active measures to destabilize the control of the Government of Ukraine over eastern Ukraine.

(c) **DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW.**—

(1) **IN GENERAL.**—The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport with respect to which a waiver is issued by the Secretary of Defense pursuant to subsection (b).

(2) **ELEMENTS.**—A review conducted under paragraph (1) shall assess the accuracy of the factual and legal conclusions made by the Secretary of Defense in the waiver covered by the review, including—

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

(B) whether the Secretary has previously used an alternative vendor for carrying out the same functions regarding the military equipment in question, and what vendor was previously used;

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

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

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

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

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

**SEC. \_\_. REQUIREMENTS RELATING TO CERTAIN DEFENSE TRANSFERS TO THE RUSSIAN FEDERATION.**

(a) **STATEMENT OF POLICY.**—It is the policy of the United States to oppose the transfer of defense articles or defense services (as defined in the Arms Export Control Act) from any country that is a member of the North Atlantic Treaty Organization (NATO) to, or on behalf of, the Russian Federation, during any period in which the Russian Federation forcibly occupies the territory of Ukraine or of a NATO member country.

(b) **NATO POLICY.**—The President shall use the voice and vote of the United States in NATO to seek the adoption of a policy by NATO that is consistent with the policy of the United States specified in subsection (a).

(c) **IDENTIFICATION OF CERTAIN DEFENSE TRANSFERS.**—

(1) **IN GENERAL.**—The President shall direct the appropriate departments and agencies of the United States to monitor all transfers of defense articles or defense services from NATO member countries to the Russian Federation and identify those transfers that are contrary to the policy of the United States specified in subsection (a).

(2) **REPORT.**—

(A) **IN GENERAL.**—The President shall submit a written report to the chairmen and ranking members of the appropriate committees of Congress within 5 days of the receipt of information indicating that a transfer described in paragraph (1) has occurred.

(B) **FORM.**—The report required under subparagraph (A) may be submitted in classified form.

(C) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this paragraph, the term “appropriate committees of Congress” means—

(i) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(ii) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(d) **LICENSING POLICY FOR CERTAIN DEFENSE TRANSFERS.**—

(1) **IN GENERAL.**—If a NATO member country transfers, or allows a transfer by a person subject to its national jurisdiction of, a defense article or defense service on or after the date of the enactment of this Act that is contrary to the policy of the United States specified in subsection (a) and is identified pursuant to subsection (c), an application for a license or other authorization required under the Arms Export Control Act for the transfer of any defense article or service to, or on behalf of, that NATO member country shall be subject to a presumption of denial.

(2) EFFECTIVE PERIOD.—A presumption of denial shall apply to an application for a license or other authorization under paragraph (1) only during a period in which the Russian Federation forcibly occupies the territory of Ukraine or of a NATO member country.

(3) AMENDMENT TO ITAR.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall amend the International Trafficking in Arms Regulations for purposes of implementing this subsection.

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

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

**SEC. \_\_. 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.

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

At the end of subtitle E of title XII, 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.

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

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

**SEC. \_\_. STATEMENT OF POLICY.**

It shall be the policy of the United States to undertake a whole-of-government approach to bolster regional cooperation with countries throughout the Western Hemisphere, with the exception of Cuba, to counter narcotics trafficking and illicit activities in the Western Hemisphere.

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

At the appropriate place in subtitle E of title XII of division A, add the following:

**SEC. \_\_. RULE OF CONSTRUCTION.**

Nothing in this Act shall be construed as authorizing the use of force against Syria or Iran.

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

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

**SEC. \_\_. DECLARATION OF POLICY REGARDING ISRAEL'S LAWFUL EXERCISE OF SELF-DEFENSE.**

Congress declares that it is the policy of the United States to fully support Israel's lawful exercise of self-defense, including actions to halt regional aggression.

130. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KELLY  
OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. \_\_. LIMITATION ON AVAILABILITY OF FUNDS TO IMPLEMENT THE ARMS TRADE TREATY.**

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 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 received the advice and consent of the Senate and has been the subject of implementing legislation, as required, by the Congress.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude the Department of Defense from assisting foreign countries in bringing their laws and regulations up to United States standards.

131. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROSKAM  
OF ILLINOIS 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 180 days after the date of the enactment of this Act, and every 180 days thereafter for a period not to exceed four years, 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).

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

Add at the end of subtitle F of title XII of division A the following:

**SEC. 1266. SENSE OF CONGRESS ON NIGERIA AND BOKO HARAM.**

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

(1) In recent years, Boko Haram has furthered violence and instability in Nigeria and bordering countries.

(2) The terrorist group known as “Boko Haram,” which translates to “Western education is forbidden,” perpetrates violent attacks in Nigeria and has grown in strength and sophistication since its founding in 2002.

(3) Boko Haram kidnapped over 200 female students on April 14, 2014, killed over 50 male students on February 25, 2014, and continues to violently attack innocent civilians throughout Nigeria.

(4) Boko Haram has previously attacked Western interests, bombing the United Nations building in Abuja on August 26, 2011, and was affiliated with taking Western hostages in Bauchi on February 16, 2013, and later killing seven hostages.

(5) As stated by United States Ambassador to Nigeria Terrence P. McCulley in 2012, the threat of Boko Haram is growing: “We’ve seen an increase in sophistication, we’ve seen increased lethality. We saw at least a part of the group has decided it’s in their interest to attack the international community.”

(6) In June 2012, the Department of State added three leaders of Boko Haram, Abubakar Shekau, Abubakar Adam Kamar, and Khalid al-Barnawi, to the Specially Designated Global Terrorist list.

(7) In November 2013, the Department of State designated Boko Haram and its splinter group, Ansaru, as Foreign Terrorist Organizations.

(8) Boko Haram shares the ideological designs of al Qaeda, and has made public pledges of support to Osama bin Laden, al-Qaeda, and al-Shabaab.

(9) Boko Haram poses a broader threat to interests in Nigeria, the Sahel, Europe, and the United States.

(b) SENSE OF CONGRESS.—In light of the findings specified in subsection (a), it is the sense of Congress that the Secretary of Defense should—

(1) take appropriate action with allies and partners of the United States to fight Boko Haram’s violence and ideology;

(2) partner with Nigeria’s regional neighbors to counter Boko Haram’s cross-border activity and respond to emerging threats; and

(3) develop a long-term, interagency strategy to combat Boko Haram and Ansaru, reassess United States assistance to Nigeria, and brief Congress on this strategy.

### 133. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KELLY OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

#### SEC. \_\_. SENSE OF CONGRESS REGARDING THE NAVAL CAPABILITIES OF THE RUSSIAN FEDERATION.

It is the sense of Congress that—

(1) Mistral class amphibious assault warships, each of which has the capacity to carry 16 helicopters, up to 700 soldiers, four landing craft, 60 armored vehicles, and 13 tanks, would significantly increase the the naval capabilities of the Russian navy;

(2) Mistral class warships would allow the Russian navy to expand its naval presence in the region, thereby augmenting its capabilities against Ukraine, Georgia, and Baltic member states of the North Atlantic Treaty Organization;

(3) France should not proceed with its sale of two Mistral class warships to the Russian Federation; and

(4) the President, the Secretary of State, and the Secretary of Defense should use diplomatic means to urge their counterparts in the Government of France not to proceed with its sale of two Mistral class warships to the Russian Federation.

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

At the end of subtitle F of title XII insert the following new section:

**SEC. 1266. RECOGNITION OF VICTIMS OF SOVIET COMMUNIST AND NAZI REGIMES.**

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

(1) On August 13, 1941, President Franklin D. Roosevelt and Prime Minister Winston Churchill issued a joint declaration “of certain common principles in the national policies of their respective countries on which they based their hopes for a better future for the world” and “the right of all peoples to choose the form of government under which they will live and self government restored to those who have been forcibly deprived of them” and that the people of countries may live in freedom.

(2) The United States Government has actively advocated for and continues to support the principles of the United Nations Universal Declaration of Human Rights and the United Nations General Assembly resolution 260 (III) of December 9, 1948.

(3) Captive Nations Week, signed into law by President Dwight D. Eisenhower in 1959, raised public awareness of the oppression of nations under the control of Communist and other nondemocratic governments.

(4) The European Parliament resolution on European conscience and totalitarianism of April 2, 2009, and the “Black Ribbon Day” resolution adopted by the Parliament of Canada on November 30, 2009, establish a day of remembrance for victims of Communist and Nazi regimes to remember and commemorate their victims.

(5) The extreme forms of totalitarian rule practiced by the Soviet Communist and Nazi regimes led to premeditated and vast crimes committed against millions of human beings and their basic and inalienable rights on a scale unseen before in history.

(6) Fleeing the Nazi and Soviet Communist crimes, hundreds of thousands of people sought and found refuge in the United States.

(7) August 23 would be an appropriate date to designate as “Black Ribbon Day” to remember and never forget the terror millions of citizens in Central and Eastern Europe experienced for more than 40 years by ruthless military, economic, and political repression of the people through arbitrary executions, mass arrests, deportations, the suppression of free speech, confiscation of private property, and the destruction of cultural and moral identity and civil society, all of which deprived the vast majority of the peoples of Central and Eastern Europe of

their basic human rights and dignity, separating them from the democratic world by means of the Iron Curtain and the Berlin Wall.

(8) The memories of Europe's tragic past cannot be forgotten in order to honor the victims, condemn the perpetrators, and lay the foundation for reconciliation based on truth and remembrance.

(b) **RECOGNITION.**—Congress supports the designation of “Black Ribbon Day” to recognize the victims of Soviet Communist and Nazi regimes.

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135. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BRIDENSTINE OF OKLAHOMA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 12. REPORT ON COLLECTIVE AND NATIONAL SECURITY IMPLICATIONS OF CENTRAL ASIAN AND SOUTH CAUCASUS ENERGY DEVELOPMENT.**

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

(1) Assured access to stable energy supplies is an enduring concern of both the United States and the North Atlantic Treaty Organization (NATO).

(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.

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

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

**SEC. 1266. FINDINGS AND SENSE OF CONGRESS.**

(a) FINDINGS.—Congress finds the following:

- (1) Protecting cultural property abroad is a vital part of United States cultural diplomacy, showing the respect of the United States for other cultures and the common heritage of humanity.
- (2) Cultural property abroad has been lost, damaged, or destroyed due to political instability, armed conflict, natural disasters, and other threats.
- (3) In Egypt, political instability has led to the ransacking of its museums, resulting in the destruction of countless ancient artifacts that will forever leave gaps in humanity’s knowledge of the ancient Egyptian civilization.
- (4) In Syria, the ongoing civil war has resulted in the shelling of medieval cities, damage to World Heritage Sites, and the looting of museums and archaeological sites. Archaeological and historic sites and artifacts in Syria date back more than six millennia, and include some of the earliest examples of writing.
- (5) In Mali, the Al-Qaeda-affiliated terrorist group Ansar Dine destroyed tombs and shrines in the ancient city of Timbuktu, once a major center for Islamic learning and scholarship in the 15th and 16th centuries, and threatened collections of ancient manuscripts.
- (6) In Afghanistan, the Taliban decreed that the Bamiyan Buddhas, ancient statues carved into a cliff side in central Afghanistan, were to be destroyed. In 2001 the Taliban carried out their threat and destroyed the statues, leading to world-wide condemnation.
- (7) In Iraq, after the fall of Saddam Hussein, thieves looted the Iraq Museum in Baghdad, resulting in the loss of approximately 15,000 items. These included ancient amulets, sculptures, ivories, and cylinder seals. Many of these items remain unrecovered.
- (8) The destruction of these and other cultural properties represents an irreparable loss to humanity’s common cultural heritage, and therefore to all Americans.

(9) The Armed Forces have played important roles in preserving and protecting cultural property. On June 23, 1943, President Franklin D. Roosevelt established the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas to provide expert advice to the military on the protection of cultural property. The Commission formed Monuments, Fine Arts, and Archives (MFAA) teams which became part of the Civil Affairs Division of Military Government Section of the Allied armies. The individuals serving in the MFAA were known as the “Monuments Men” and have been credited with securing, cataloguing, and returning hundreds of thousands works of art stolen by the Nazis during World War II.

(10) The U.S. Committee of the Blue Shield was founded in 2006 to support the implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, and to coordinate with the Armed Forces, other branches of the United States Government, and other cultural heritage nongovernmental organizations in preserving cultural property abroad threatened by political instability, armed conflict, or natural or other disasters.

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

(1) the Armed Forces play an important role in preserving and protecting cultural property in countries at risk of destruction due to political instability, armed conflict, or natural or other disasters; and

(2) the United States must protect cultural property abroad pursuant to its obligations under the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and customary international law in all conflicts to which the United States is a party.

(c) REPORT ON ACTIVITIES OF THE DEPARTMENT OF DEFENSE IN REGARDS TO PROTECTING CULTURAL PROPERTY ABROAD.—The Secretary of Defense shall submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on efforts of the Department of Defense to protect cultural property abroad, including activities undertaken pursuant to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, other cultural protection statutes, and international agreements, including—

(1) directives, policies, and regulations the Department has instituted to protect cultural property abroad at risk of destruction due to political instability, armed conflict, or natural or other disasters;

(2) actions the Armed Forces have taken to protect cultural property abroad, including efforts made to avoid damage, to the extent possible, to cultural property through construction activities, training to ensure deploying military personnel are able to identify, avoid, and protect cultural property abroad, and other efforts made to inform military personnel about the protection of cultural property as part of the law of war; and

(3) the status and number of specialist personnel in the Armed Forces assigned to secure respect for cultural property abroad and to cooperate with civilian authorities responsible

for safeguarding cultural property abroad, as required by existing treaty obligations under Article 7 of the 1954 Hague Convention.

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137. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KELLY OF ILLINOIS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title XII, insert the following:

**SEC. \_\_\_\_ . REPORT RELATING TO RESCUE EFFORTS IN NIGERIAN KIDNAPPING.**

Not later than 90 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall transmit to Congress a report on the findings of U.S. military personnel assisting in the search and rescue efforts of the more than 200 girls and young women who were abducted from the Government Secondary School in Chibok, Nigeria by Boko Haram. Such report shall include—

(1) the location, health, and safety of the abducted girls, to the extent such information is ascertainable;

(2) recommendations on what the Nigerian government can do to protect the girls and similarly situated girls moving forward;

(3) an assessment of the threat of Boko Haram to Nigeria and other countries in the region;

(4) information regarding efforts by the Department of Defense and Department of State to build the capacity of the Nigerian security forces to combat the threat of Boko Haram;

(5) information regarding efforts underway to address poverty and governance in Nigeria to improve the stability of that nation; and

(6) an assessment of the efforts of the government of Nigeria to address security challenges and the willingness of that government to cooperate with the efforts of the United States, including efforts to address human rights abuses by the security forces of the government of Nigeria.

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

Page 484, after line 12, insert the following:

**SEC. 1523. CODIFICATION OF OFFICE OF MANAGEMENT AND BUDGET CRITERIA.**

The Secretary of Defense shall implement the following criteria in requests for overseas contingency operations:

(1) Geographic Area Covered—For theater of operations for non-classified war overseas contingency operations funding, the geographic areas in which combat or direct combat support operations occur are: Iraq, Afghanistan, Pakistan, Kazakhstan, Tajikistan, Kyrgyzstan, the Horn of Africa, Persian Gulf and Gulf nations, Arabian Sea, the Indian Ocean, the Philippines, and other countries on a case-by-case basis.

(2) Permitted Inclusions in the Overseas Contingency Operation Budget



## (A) Major Equipment

(i) Replacement of losses that have occurred but only for items not already programmed for replacement in the Future Years Defense Plan (FYDP), but not including accelerations, which must be made in the base budget.

(ii) Replacement or repair to original capability (to upgraded capability if that is currently available) of equipment returning from theater. The replacement may be a similar end item if the original item is no longer in production. Incremental cost of non-war related upgrades, if made, should be included in the base.

(iii) Purchase of specialized, theater-specific equipment.

(iv) Funding for major equipment must be obligated within 12 months.

## (B) Ground Equipment Replacement

(i) For combat losses and returning equipment that is not economical to repair, the replacement of equipment may be given to coalition partners, if consistent with approved policy.

(ii) In-theater stocks above customary equipping levels on a case-by-case basis.

## (C) Equipment Modifications

(i) Operationally-required modifications to equipment used in theater or in direct support of combat operations and that is not already programmed in FYDP.

(ii) Funding for equipment modifications must be able to be obligated in 12 months.

## (D) Munitions

(i) Replenishment of munitions expended in combat operations in theater.

(ii) Training ammunition for theater-unique training events.

(iii) While forecasted expenditures are not permitted, a case-by-case assessment for munitions where existing stocks are insufficient to sustain theater combat operations.

## (E) Aircraft Replacement

(i) Combat losses by accident that occur in the theater of operations.

(ii) Combat losses by enemy action that occur in the theater of operations.

## (F) Military Construction

(i) Facilities and infrastructure in the theater of operations in direct support of combat operations. The level of construction should be the minimum to meet operational requirements.

(ii) At non-enduring locations, facilities and infrastructure for temporary use.

(iii) At enduring locations, facilities and infrastructure for temporary use.

(iv) At enduring locations, construction requirements must be tied to surge operations or major changes in operational requirements and will be considered on a case-by-case basis.

(G) Research and development projects for combat operations in these specific theaters that can be delivered in 12 months.

(H) Operations

(i) Direct War costs:

(I) Transport of personnel, equipment, and supplies to, from and within the theater of operations.

(II) Deployment-specific training and preparation for unites and personnel (military and civilian) to assume their directed missions as defined in the orders for deployment into the theater of operations.

(ii) Within the theater, the incremental costs above the funding programmed in the base budget to:

(I) Support commanders in the conduct of their directed missions (to include Emergency Response Programs).

(II) Build and maintain temporary facilities.

(III) Provide food, fuel, supplies, contracted services and other support.

(IV) Cover the operational costs of coalition partners supporting US military missions, as mutually agreed.

(iii) Indirect war costs incurred outside the theater of operations will be evaluated on a case-by-case basis.

(I) Health

(i) Short-term care directly related to combat.

(ii) Infrastructure that is only to be used during the current conflict.

(J) Personnel

(i) Incremental special pays and allowances for Service members and civilians deployed to a combat zone.

(ii) Incremental pay, special pays and allowances for Reserve Component personnel mobilized to support war missions.

(K) Special Operations Command

(i) Operations that meet the criteria in this guidance.

(ii) Equipment that meets the criteria in this guidance.

(L) Prepositioned supplies and equipment for resetting in-theater stocks of supplies and equipment to pre-war levels.

(M) Security force funding to train, equip, and sustain Iraqi and Afghan military and police forces.

(N) Fuel

(i) War fuel costs and funding to ensure that logistical support to combat operations is not degraded due to cash losses in the Department of Defense's baseline fuel program.

- (ii) Enough of any base fuel shortfall attributable to fuel price increases to maintain sufficient on-hand cash for the Defense Working Capital Funds to cover seven days disbursements.
- (3) Excluded items from Overseas Contingency Funding that must be funded from the base budget.
  - (A) Training vehicles, aircraft, ammunition, and simulators, but not training base stocks of specialized, theater-specific equipment that is required to support combat operations in the theater of operations, and support to deployment-specific training described above.
  - (B) Acceleration of equipment service life extension programs already in the Future Years Defense Plan.
  - (C) Base Realignment and Closure projects.
  - (D) Family support initiatives
    - (i) Construction of childcare facilities.
    - (ii) Funding for private-public partisanships to expand military families' access to childcare.
    - (iii) Support for service members' spouses professional development.
  - (E) Programs to maintain industrial base capacity including "war-stoppers."
  - (F) Personnel
    - (i) Recruiting and retention bonuses to maintain end-strength.
    - (ii) Basic Pay and the Basic allowances for Housing and Subsistence for permanently authorized end strength.
    - (iii) Individual augmentees on a case-by-case basis.
  - (G) Support for the personnel, operations, or the construction or maintenance of facilities, at U.S. Offices of Security Cooperation in theater.
  - (H) Costs for reconfiguring prepositioned supplies and equipment or for maintaining them.
- (4) Special Situations—Items proposed for increases in reprogrammings or as payback for prior reprogrammings must meet the criteria above.

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139. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WALBERG OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle C of title XV, insert the following:

**SEC. 1523. LIMITATION ON USE OF FUNDS FOR THE AFGHANISTAN INFRASTRUCTURE FUND.**

None of the funds authorized to be appropriated or otherwise made available by this Act may be used for the Afghanistan Infrastructure Fund until all funds appropriated for the Afghanistan Infrastructure Fund before the date of the enactment of this Act are obligated or expended.

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

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

**SEC. \_\_\_\_ . SPACE PROTECTION STRATEGY.**

Section 911(d) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2271 note) is amended by adding at the end the following new paragraph:

“(4) Fiscal years 2026 through 2030.”.

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

At the appropriate place in subtitle B of title 16, insert the following new section:

**SEC. 16 \_\_\_\_ . REPORT ON GOVERNANCE AND CORRUPTION IN THE RUSSIAN FEDERATION.**

(a) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives and the Committee on Foreign Relations and the Committee on Armed Services of the Senate a report on the status of governance and democratization in the Russian Federation.

(b) **CONTENTS.**—The report required under subsection (a) shall include—

(1) a description of the extent of political and economic corruption among the senior leadership of the Russian Federation; and

(2) an analysis of the assets of the senior leadership of the Russian Federation, with a particular focus on the illegal attainment and movement of those assets, including the use of family or friends to hide assets.

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

(d) **PUBLIC AVAILABILITY.**—The Director of National Intelligence shall make publicly available on the Internet the unclassified portion of the report required under subsection (a).

142. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POMPEO OF KANSAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 1622. DIRECTOR OF NATIONAL INTELLIGENCE CERTIFICATION WITH RESPECT TO THE MISSION ANALYSIS FOR CYBER OPERATIONS OF DEPARTMENT OF DEFENSE.**

Section 933 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 830) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking “before the submittal of” and all that follows and inserting “or 2015 before the

Secretary submits the report required by subsection (d) and the Director of National Intelligence submits a certification described in subsection (g).”; and

(B) in paragraph (2), by striking the period at the end and inserting “and the Director of National Intelligence submits a certification described in subsection (g).”; and

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

“(g) **DIRECTOR OF NATIONAL INTELLIGENCE CERTIFICATION.**—The Director of National Intelligence shall submit to the congressional defense committees a certification that the recommendations of the report required under subsection (d) are consistent with the cyber operations capability needs of the United States.”.

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143. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROGERS OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 516, after line 10, insert the following:

**SEC. 1636. IMPROVEMENT TO BIENNIAL ASSESSMENT ON DELIVERY PLATFORMS FOR NUCLEAR WEAPONS AND THE NUCLEAR COMMAND AND CONTROL SYSTEM.**

Section 492(a)(1) of title 10, United States Code, is amended by inserting “, and the ability to meet operational availability requirements for,” after “military effectiveness of”.

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144. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROGERS OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 1636. REPORTS AND BRIEFINGS OF STRATEGIC ADVISORY GROUP.**

Not later than 30 days after the date on which the President submits to Congress, under section 1105 of title 31, United States Code, a budget for a fiscal year after fiscal year 2015, the Commander of the United States Strategic Command shall submit to the congressional defense committees each report and briefing provided by the Strategic Advisory Group established pursuant to the Federal Advisory Committee Act (5 U.S.C. App.), including any subgroup thereof and any successor advisory group, to the Commander during the one-year period preceding the date of such submission. The Commander may include with each such submission any additional views the Commander determines appropriate.

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

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

**SEC. 1636. LIMITATION ON AVAILABILITY OF FUNDS FOR REMOVAL OR CONSOLIDATION OF DUAL-CAPABLE AIRCRAFT FROM EUROPE.**

(a) **LIMITATION.**—

(1) **IN GENERAL.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year

2015 for the Department of Defense may be used for the removal or consolidation of dual-capable aircraft from the area of responsibility of the United States European Command until the Secretary of Defense, in consultation with the Secretary of State, certifies to the appropriate congressional committees that—

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

(B) the Russian Federation is no longer violating the INF Treaty; and

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

(2) EXCEPTION.—The limitation in paragraph (1) shall not apply in instances where a dual-capable aircraft is being replaced by an F-35 aircraft.

(b) WAIVER.—The Secretary of Defense may waive the limitation in subsection (a)(1) if—

(1) the Secretary of Defense, in coordination with the Secretary of State, submits to the appropriate congressional committees—

(A) a notification that such a waiver is in the national security interest of the United States and a description of the national security interest covered by the waiver;

(B) certification that such consolidation is consistent with the policy established in the NATO Deterrence and Defense Posture Review of 2012 concerning reciprocal non-strategic nuclear weapons reductions by the Russian Federation; and

(C) a report, in unclassified form, explaining why the Secretary of Defense cannot make the certification under subsection (a)(1); and

(2) a period of 30 days has elapsed following the date on which the Secretary of Defense submits the information in the report under paragraph (1)(C).

(c) REPORT.—The Secretary of Defense shall provide a report on the cost and burden sharing arrangements of forward-deployed nuclear weapons in place with the North Atlantic Treaty Organization and its members and any recommendations for changes to these arrangements.

(d) DEFINITIONS.—In this section:

(1) The term “CFE Treaty” means the Treaty on Conventional Armed Forces in Europe, signed at Paris November 19, 1990, and entered into force July 17, 1992.

(2) The “dual-capable aircraft” means tactical fighter aircraft that can perform both conventional and nuclear missions.

(3) The term “INF Treaty” means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the Intermediate-Range Nuclear Forces (INF) Treaty, signed at Washington December 8, 1987 and entered into force June 1, 1988.

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

Page 508, after line 9, add the following new section:

**SEC. 1622. SENSE OF CONGRESS REGARDING ROLE OF NATIONAL GUARD IN DEFENSE OF UNITED STATES AGAINST CYBER ATTACKS.**

It is the sense of Congress that—

(1) members of the National Guard may possess knowledge of critical infrastructure in the States in which the members serve that may be of value for purposes of defending such infrastructure against cyber threats;

(2) traditional members of the National Guard and National Guard technicians may have experience in both the private and public sector that could benefit the readiness of the Department of Defense's cyber force and the development of cyber capabilities;

(3) the long-standing relationship the National Guard has with local and civil authorities may be beneficial for purposes of providing for a coordinated response to a cyber attack and defending against cyber threats;

(4) the States are already working to establish cyber partnerships with the National Guard; and

(5) the National Guard has a role in the defense of the United States against cyber threats and consideration should be given to how the National Guard might be integrated into a comprehensive national approach for cyber defense.

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

Page 519, line 23, insert “operationally realistic” before “intercept flight test”.

148. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROOKS OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 1643. PLAN TO COUNTER CERTAIN GROUND-LAUNCHED BALLISTIC MISSILES AND CRUISE MISSILES.**

(a) FINDINGS.—Congress finds the following:

(1) On March 5, 2014, the Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy testified before the Committee on Armed Services of the Senate that “[w]e are concerned about Russian activity that appears to be inconsistent with the Intermediate Range Nuclear Forces Treaty. We’ve raised the issue with Russia. They provided an answer that was not satisfactory to us, and we will, we told them that the issue is not closed, and we will continue to raise this.” Congress shares this concern regarding Russian behavior that is “inconsistent with” or in violation or circumvention of the INF Treaty.

(2) The Commander of the U.S. European Command, and Supreme Allied Commander Europe, stated on April 2, 2014,

that “a weapon capability that violates the INF, that is introduced into the greater European land mass is absolutely a tool that will have to be dealt with. . . I would not judge how the alliance will choose to react, but I would say they will have to consider what to do about it. . . It can’t go unanswered.”.

(3) The Director of the Missile Defense Agency stated on March 25, 2014, that Aegis Ashore missile defense sites, including those to be deployed in the Republic of Poland and the Republic of Romania, could be reconfigured to deal with the threat of intermediate-range ground launched cruise missiles with modest changes to “the software, [and] with a minor hardware addition.”.

(4) The “Report on Conventional Prompt Global Strike Options if Exempt from the Restrictions of the Intermediate-Range Nuclear Forces Treaty Between the United States of America and the Union of Soviet Socialist Republics” provided to the Committee on Armed Services of the House of Representatives in September 2013 by the Chairman of the Joint Chiefs of Staff stated, “[i]n the absence of the INF Treaty, four types of weapons systems could assist in closing the existing JROC-validated capability gap: (1) Modifications to existing short range or tactical weapon systems to extend range; (2) Forward-based, ground-launched cruise missiles (GLCMs); (3) Forward-based, ground-launched intermediate-range ballistic missiles (IRBMs); and (4) Forward-based, ground-launched intermediate-range missiles with trajectory shaping vehicles (TSVs).”.

(5) The report further stated that, “[b]ecause of INF restrictions, examination of prohibited concepts has not been performed by industry or the Services. Trade studies regarding capability, affordability, and development timelines would have to be completed prior to providing an accurate estimate of cost, technology risk, and timeline advantages that could be achieved with respect to these concepts. Extensive knowledge could be leveraged from past and current land- and sea-based systems to assist in potential development and deployment of these currently prohibited concepts.”.

(6) President Obama stated in Prague in April 2009 that “Rules must be binding. Violations must be punished. Words must mean something.”.

(7) The Nuclear Posture Review of 2010 stated, “it is not enough to detect non-compliance; violators must know that they will face consequences when they are caught.”.

(8) The July 2010 Verifiability Assessment released by the Department of State on the New START Treaty, and as quoted in a hearing of the Committee on Armed Services of the Senate, stated: “[t]he costs and risks of Russian cheating or breakout, on the other hand, would likely be very significant” and that the Russian Federation would be unlikely to cheat because of the “financial and international political costs of such an action.”.

(b) PLAN FOR TESTING OF AEGIS ASHORE.—

(1) IN GENERAL.—The Director of the Missile Defense Agency shall develop a plan to test, by not later than December 31, 2015, the capability of the Aegis Ashore system, including pur-



suant to any appropriate modifications to the hardware or software of such system, to counter intermediate-range ground launched cruise missiles.

(2) SUBMISSION.—Not later than 120 days after the date of the enactment of this Act, the Director shall submit to the congressional defense committees the plan under paragraph (1), including, if determined appropriate by the Director, whether the Director determines that such plan should be implemented.

(c) PLAN TO DEVELOP CERTAIN GROUND-LAUNCHED BALLISTIC MISSILES AND CRUISE MISSILES.—If, as of the date of the enactment of this Act, the Russian Federation is not in complete and verifiable compliance with its obligations under the INF Treaty, the Secretary of Defense shall

(1) develop a plan for the research and development of intermediate range ballistic and cruise missiles, including through trade studies regarding capability, affordability, and development timelines, for which there are validated military requirements; and

(2) by not later than 120 days after the date of the enactment of this Act, submit to the congressional defense committees the plan developed under paragraph (1), including, if determined appropriate by the Secretary, whether the Secretary determines that such plan should be implemented.

(d) INF TREATY DEFINED.—The term “INF Treaty” means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the Intermediate-Range Nuclear Forces (INF) Treaty, signed at Washington December 8, 1987, and entered into force June 1, 1988.

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

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

**SEC. 1643. STUDY ON TESTING PROGRAM OF GROUND-BASED MID-COURSE MISSILE DEFENSE SYSTEM.**

(a) STUDY.—The Secretary of Defense shall enter into an arrangement with the Institute for Defense Analyses under which the Institute shall carry out a study on the testing program of the ground based midcourse missile defense system.

(b) ELEMENTS.—The study under subsection (a) shall include the following:

(1) An assessment of whether the testing program described in subsection (a) has established, as of the date of the study, that the ground-based midcourse missile defense system will perform reliably and effectively under realistic operational conditions, including an explanation of the degree of confidence supporting such assessment.

(2) An assessment of whether the currently planned testing program, if implemented, is sufficient to establish that the ground-based midcourse missile defense system will perform both reliably and effectively against current and plausible near- and medium-term ballistic missile threats under realistic operational conditions, and if any gaps are identified, an eval-

uation of what improvements could be made to the testing program to achieve reasonable confidence that the system would be reliable and effective under realistic operational conditions.

(3) Any necessary recommendations to improve the effectiveness and reliability of the ground-based midcourse missile defense system.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report containing the study.

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

In title XXIII, insert after section 2303 the following new section (and redesignate subsequent sections accordingly):

**SEC. 2304. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.**

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 992) relating to Saipan for the construction of a maintenance facility, a hazardous cargo pad, or an airport storage facility in the Commonwealth of the Northern Mariana Islands, the Secretary of the Air Force may carry out such construction at any suitable location in the Northern Mariana Islands.

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

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

**SEC. 2805. REPORT ON PREVALENCE OF BLACK MOLD IN BUILDINGS LOCATED ON MILITARY INSTALLATIONS.**

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall report to Congress on the prevalence of black mold in buildings located on military installations.

(b) ACTION REQUIRED.—Based on the report required under subsection (a), buildings identified in such report as containing black mold shall be added to the appropriate branch's construction priority list for building replacement or renovation.

152. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BORDALLO OF GUAM OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 2832. ESTABLISHMENT OF SURFACE DANGER ZONE, RITIDIAN UNIT, GUAM NATIONAL WILDLIFE REFUGE.**

(a) AGREEMENT TO ESTABLISH.—In order to accommodate the operation of a live-fire training range complex on Andersen Air Force Base-Northwest Field and the management of the adjacent

Ritidian Unit of the Guam National Wildlife Refuge, the Secretary of the Navy and the Secretary of the Interior, notwithstanding the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), may enter into an agreement providing for the establishment and operation of a surface danger zone which overlays the Ritidian Unit or such portion thereof as the Secretaries consider necessary.

(b) **ELEMENTS OF AGREEMENT.**—The agreement to establish a surface danger zone over all or a portion of the Ritidian Unit of the Guam National Wildlife Refuge shall include—

- (1) measures to maintain the purposes of the Refuge; and
- (2) as appropriate, measures, funded by the Secretary of the Navy from funds appropriated after the date of enactment of this Act and otherwise available to the Secretary, for the following purposes:

(A) Relocation and reconstruction of structures and facilities of the Refuge in existence as of the date of the enactment of this Act.

(B) Mitigation of impacts to wildlife species present on the Refuge or to be reintroduced in the future in accordance with applicable laws.

(C) Use of Department of Defense personnel to undertake conservation activities within the Ritidian Unit normally performed by Department of the Interior personnel, including habitat maintenance, maintaining the boundary fence, and conducting the brown tree snake eradication program.

(D) Openings and closures of the surface danger zone to the public as may be necessary.

**153. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HASTINGS OF WASHINGTON OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES**

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

**SEC. 2867. ENSURING PUBLIC ACCESS TO THE SUMMIT OF RATTLESNAKE MOUNTAIN IN THE HANFORD REACH NATIONAL MONUMENT.**

(a) **IN GENERAL.**—The Secretary of the Interior, acting as the administrator of land owned by the Office of Environmental Management of the Department of Energy known as the “Hanford Reach National Monument”, shall provide public access to the summit of Rattlesnake Mountain in the Hanford Reach National Monument for educational, recreational, historical, scientific, cultural, and other purposes, including—

- (1) motor vehicle access; and
- (2) pedestrian and other nonmotorized access.

(b) **COOPERATIVE AGREEMENTS.**—The Secretary of the Interior may enter into cooperative agreements to facilitate access to the summit of Rattlesnake Mountain—

- (1) with the Secretary of Energy, the State of Washington, or any local government agency or other interested persons, for guided tours, including guided motorized tours to the summit of Rattlesnake Mountain; and

(2) with the Secretary of Energy, and with the State of Washington or any local government agency or other interested persons, to maintain the access road to the summit of Rattlesnake Mountain.

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

Page 649, after line 10, insert the following new subsection (and redesignate the subsequent subsection accordingly):

(d) EXCLUSION OF CERTAIN OPTIONS.—

(1) IN GENERAL.—The study under subsection (b)(1) and the report under subsection (c)(1) shall not include any assessment or discussion of options that involve moving plutonium to a State where the Federal Government—

(A) is not meeting all legally binding deadlines and milestones required under the Tri-Party Agreement and the Consent Decree;

(B) has provided notification that any element of the Tri-Party Agreement or the Consent Decree is at risk of being breached; or

(C) is in dispute resolution with the State regarding the Tri-Party Agreement or the Consent Decree.

(2) DEFINITIONS.—In this subsection:

(A) The term “Tri-Party Agreement” means the comprehensive cleanup and compliance agreement between the Secretary of Energy, the Administrator of the Environmental Protection Agency, and the State of Washington entered into on May 15, 1989.

(B) The term “Consent Decree” means the legal agreement between the Secretary of Energy and the State of Washington finalized in 2010.

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

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

**SEC. 3134. PLAN FOR VERIFICATION AND MONITORING OF PROLIFERATION OF NUCLEAR WEAPONS AND FISSILE MATERIAL.**

(a) PLAN.—The President, in consultation with the Secretary of State, the Secretary of Defense, the Secretary of Energy, the Secretary of Homeland Security, and the Director of National Intelligence, shall develop an interagency plan for verification and monitoring relating to the potential proliferation of nuclear weapons, components of such weapons, and fissile material.

(b) ELEMENTS.—The plan developed under subsection (a) shall include the following:

(1) An interagency plan and road map for verification and monitoring, with respect to policy, operations, and research, development, testing, and evaluation, including—

(A) identifying requirements (including funding requirements) for such verification and monitoring; and

- (B) identifying and integrating roles, responsibilities, and planning for such verification and monitoring.
- (2) An engagement plan for building cooperation and transparency to improve inspections and monitoring.
- (3) A research and development program to—
  - (A) improve monitoring, detection, and in-field inspection and analysis capabilities, including persistent surveillance, remote monitoring, rapid analysis of large data sets, including open-source data; and
  - (B) coordinate technical and operational requirements early in the process.
- (4) Engagement of relevant departments and agencies of the Federal Government and the military departments (including the Open Source Center and the U.S. Atomic Energy Detection System), national laboratories, industry, and academia.
- (c) SUBMISSION.—
  - (1) IN GENERAL.—Not later than September 1, 2015, the President shall submit to the appropriate congressional committees the plan developed under subsection (a).
  - (2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term appropriate congressional committees means the following:
    - (A) The congressional defense committees.
    - (B) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.
    - (C) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.
    - (D) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.
    - (E) The Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

156. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PIERLUISI OF PUERTO RICO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 28 \_\_\_\_ . USE OF FORMER BOMBARDMENT AREA ON ISLAND OF CULEBRA, PUERTO RICO.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that the statutory prohibition restricting environmental cleanup of the former bombardment area on the island of Culebra, Puerto Rico, is a unique anomaly for the Department of Defense and its formerly used defense sites.

(b) MODIFICATION OF RESTRICTION ON FEDERAL DECONTAMINATION AUTHORITY.—Section 204(c) of the Military Construction Authorization Act, 1974 (Public Law 93–166; 87 Stat. 668) is amended by adding at the end the following new sentence: “The first sentence of this subsection shall not apply to the portions of the former bombardment area that were identified as having regular

public access in the Department of Defense study entitled ‘Study Relating to the Presence of Unexploded Ordnance in a Portion of the Former Naval Bombardment Area of Culebra Island, Commonwealth of Puerto Rico’ and dated April 20, 2012, which was prepared in accordance with section 2815 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4464).”.

157. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CONNOLLY OF VIRGINIA 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**

### **SEC. 5001. SHORT TITLE.**

This division may be cited as the “Federal Information Technology Acquisition Reform Act”.

### **SEC. 5002. TABLE OF CONTENTS.**

The table of contents for this division is as follows:

#### **DIVISION E—FEDERAL INFORMATION TECHNOLOGY ACQUISITION REFORM**

Sec. 5001. Short title.  
Sec. 5002. Table of contents.  
Sec. 5003. Definitions.

#### **TITLE LI—MANAGEMENT OF INFORMATION TECHNOLOGY WITHIN FEDERAL GOVERNMENT**

Sec. 5101. Increased authority of agency Chief Information Officers over information technology.  
Sec. 5102. Lead coordination role of Chief Information Officers Council.  
Sec. 5103. Reports by Government Accountability Office.

#### **TITLE LII—DATA CENTER OPTIMIZATION**

Sec. 5201. Purpose.  
Sec. 5202. Definitions.  
Sec. 5203. Federal data center optimization initiative.  
Sec. 5204. Performance requirements related to data center consolidation.  
Sec. 5205. Cost savings related to data center optimization.  
Sec. 5206. Reporting requirements to Congress and the Federal Chief Information Officer.

#### **TITLE LIII—ELIMINATION OF DUPLICATION AND WASTE IN INFORMATION TECHNOLOGY ACQUISITION**

Sec. 5301. Inventory of information technology software assets.  
Sec. 5302. 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 IT ACQUISITION WORKFORCE**

Sec. 5411. Expansion of training and use of information technology acquisition cadres.  
Sec. 5412. Plan on strengthening program and project management performance.  
Sec. 5413. Personnel awards for excellence in the acquisition of information systems and information technology.

## TITLE LV—ADDITIONAL REFORMS

- Sec. 5501. Maximizing the benefit of the Federal strategic sourcing initiative.
- Sec. 5502. Governmentwide software purchasing program.
- Sec. 5503. Promoting transparency of blanket purchase agreements.
- Sec. 5504. Additional source selection technique in solicitations.
- Sec. 5505. Enhanced transparency in information technology investments.
- Sec. 5506. Enhanced communication between government and industry.
- Sec. 5507. Clarification of current law with respect to technology neutrality in acquisition of software.
- Sec. 5508. No additional funds authorized.

**SEC. 5003. DEFINITIONS.**

In this division:

(1) **CHIEF ACQUISITION OFFICERS COUNCIL.**—The term “Chief Acquisition Officers Council” means the Chief Acquisition Officers Council established by section 1311(a) of title 41, United States Code.

(2) **CHIEF INFORMATION OFFICER.**—The term “Chief Information Officer” means a Chief Information Officer (as designated under section 3506(a)(2) of title 44, United States Code) of an agency listed in section 901(b) of title 31, United States Code.

(3) **CHIEF INFORMATION OFFICERS COUNCIL.**—The term “Chief Information Officers Council” or “CIO Council” means the Chief Information Officers Council established by section 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 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 AMENDMENTS.—Section 3506(a)(2) of title 44, United States Code, is amended—

(A) by striking “(A) Except as provided under subparagraph (B), the head of each agency” and inserting “The head of each agency, other than an agency with a Presidentially appointed or designated Chief Information Officer as provided in section 11315(a)(1) of title 40,”; and

(B) by striking subparagraph (B).

(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.—Notwithstanding any other provision of law, the head of each agency listed in section 901(b)(1) or 901(b)(2) of title 31 and in section 102 of title 5 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.—Notwithstanding any other provision of law, amounts appropriated for any agency listed in section 901(b)(1) or 901(b)(2) of title 31 and in section 102 of title 5 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 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.—Notwithstanding any other provision of law, the head of each agency listed in section 901(b)(1) or 901(b)(2) of title 31 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) 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 whether agencies are actively participating in the Council and heeding the Council’s advice and guidance.

(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 center workload 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 cov-

ered 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 facilities dedicated to data center operations to frequently measure power consumption over time.
- (3) The establishment of power usage effectiveness goals for each data center.
- (4) The adoption of best practices for managing—
  - (A) temperature and airflow in facilities dedicated to data center operations; 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 realized and projected savings resulting from implementation of the Federal Data Center Optimization Initiative within the agency and submit a report on those savings annually to the Federal Chief Information Officer. Covered agencies shall determine the net savings from data consolidation on an annual basis.

(2) **FACTORS.**—In calculating net savings each year under paragraph (1), a covered agency shall use the following factors:

- (A) Energy savings.
- (B) Personnel savings.
- (C) Real estate savings.
- (D) Capital expense savings.

(E) Maintenance and support savings such as operating subsystem, database, hardware, and software license expense savings.

(F) Other appropriate savings, as determined by the agency in consultation with the Federal Chief Information Officer.

(3) PUBLIC AVAILABILITY.—The Federal Chief Information Officer shall make publicly available a summary of realized and projected savings for each covered agency. The Federal Chief Information Officer shall identify any covered agency that failed to provide the annual report required under paragraph (1).

(c) REQUIREMENT TO USE COST-EFFECTIVE MEASURES.—Covered agencies shall use the most cost-effective measures to implement the Federal Data Center Optimization Initiative, such as using estimation to measure or track costs and savings using a methodology approved by the Federal Chief Information Officer.

(d) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW.—Not later than 6 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.—

(1) IN GENERAL.—Except as provided in paragraph (2), each covered agency each year 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.

(2) DEPARTMENT OF DEFENSE.—The Secretary of Defense shall comply with paragraph (1) each year by submitting to the Federal Chief Information Officer a report with relevant information collected under section 2867 of Public Law 112–81 (10 U.S.C. 2223a note) or a copy of the report required under section 2867(d) of such law.

(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 SOFTWARE ASSETS.**

(a) **PLAN.**—The Director shall develop a plan for conducting a Governmentwide inventory of information technology software 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 software assets, through measures such as 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) **AVAILABILITY.**—The inventory of information technology software 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.

(d) **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).

(e) **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).

(f) **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. 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.**—Chapter 33 of title 41, United States Code, is amended by adding at the end the following new section:

#### **“§ 3312. Requirement for business case approval for new Governmentwide contracts**

“(a) **IN GENERAL.**—An executive agency may not issue a solicitation for a covered Governmentwide contract unless the agency performs a business case analysis for the contract and obtains an approval of the business case analysis from the Administrator for Federal Procurement Policy.

“(b) **REVIEW OF BUSINESS CASE ANALYSIS.**—

“(1) IN GENERAL.—With respect to any covered Governmentwide contract, the Administrator for Federal Procurement Policy shall review the business case analysis submitted for the contract 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.

“(2) 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 in a timely and cost-effective manner.

“(c) 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, including an analysis of all direct and indirect costs to the Federal Government of awarding and administering such contract and the impact such contract will have on the ability of the Federal Government to leverage its purchasing power.

“(b) DEFINITIONS.—In this section:

“(1) COVERED GOVERNMENTWIDE CONTRACT.—The term ‘covered Governmentwide contract’ means any contract, blanket purchase agreement, or other contractual instrument for acquisition of information technology or other goods or services that allows for an indefinite number of orders to be placed under the contract, agreement, or instrument, and that is established by one executive agency for use by multiple executive agencies to obtain goods or services. The term does not include—

“(A) a multiple award schedule contract awarded by the General Services Administration;

“(B) a Governmentwide acquisition contract for information technology awarded pursuant to sections 11302(e) and 11314(a)(2) of title 40;

“(C) orders under Governmentwide contracts in existence before the effective date of this section; or

“(D) any contract in an amount less than \$10,000,000, determined on an average annual basis.

“(2) EXECUTIVE AGENCY.—The term ‘executive agency’ has the meaning provided that term by section 105 of title 5.”.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 33 of title 41, United States Code, is amended by adding after the item relating to section 3311 the following new item:

“3312. Requirement for business case approval for new Governmentwide contracts.”.

(c) 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 section 3312 of title 41, United States Code, as added by subsection (b), including a summary of the submissions, reviews, approvals, and disapprovals of business case analyses pursuant to such section.



(d) **GUIDANCE.**—The Administrator for Federal Procurement Policy shall issue guidance for implementing section 3312 of such title.

(e) **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 section 3312 of such title.

(g) **EFFECTIVE DATE.**—Section 3312 of such title is effective on and after 180 days after the date of the enactment of this Act.

## **TITLE LIV—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 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 proc-

ess, 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.

(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 5411.

**SEC. 5413. PERSONNEL AWARDS FOR EXCELLENCE IN THE ACQUISITION OF INFORMATION SYSTEMS AND INFORMATION TECHNOLOGY.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Personnel Management shall develop policy and guidance for agencies to develop a program to recognize excellent performance by Federal Government employees and teams of such employees in the acquisition of information systems and information technology for the agency.

(b) ELEMENTS.—The program referred to in subsection (a) shall, to the extent practicable—

(1) obtain objective outcome measures; and

(2) include procedures for—

(A) the nomination of Federal Government employees and teams of such employees for eligibility for recognition under the program; and

(B) the evaluation of nominations for recognition under the program by 1 or more agency panels of individuals from Government, academia, and the private sector who have such expertise, and are appointed in such a manner, as the Director of the Office of Personal Management shall establish for purposes of the program.

(c) AWARD OF CASH BONUSES AND OTHER INCENTIVES.—In carrying out the program referred to in subsection (a), the Director of the Office of Personnel Management, in consultation with the Director of the Office of Management and Budget, shall establish policies and guidance for agencies to reward any Federal Government employee or teams of such employees recognized pursuant to the program—

(1) with a cash bonus, to the extent that the performance of such individual or team warrants 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. GOVERNMENTWIDE SOFTWARE PURCHASING PROGRAM.**

(a) **IN GENERAL.**—The Administrator of General Services, in collaboration with the Department of Defense, 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.

(b) **EXAMINATION OF METHODS.**—In developing the initiative under subsection (a), the Administrator 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.

(c) **GOVERNMENTWIDE USER LICENSE AGREEMENT.**—The Administrator, in developing the initiative under subsection (a), shall allow for the purchase of a license agreement that is available for use by all executive agencies as one user to the maximum extent practicable and as appropriate.

**SEC. 5503. PROMOTING TRANSPARENCY OF BLANKET PURCHASE AGREEMENTS.**

(a) **PRICE INFORMATION TO BE TREATED AS PUBLIC INFORMATION.**—The final negotiated price offered by an awardee of a blanket purchase agreement shall be treated as public information.

(b) **PUBLICATION OF BLANKET PURCHASE AGREEMENT INFORMATION.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of General Services shall make available to the public a list of all blanket purchase agreements entered into by Federal agencies under its Federal Supply Schedules contracts and the prices associated with those blanket purchase agreements. The list and price information shall be updated at least once every 6 months.

**SEC. 5504. ADDITIONAL SOURCE SELECTION 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. 5505. ENHANCED TRANSPARENCY IN INFORMATION TECHNOLOGY INVESTMENTS.**

(a) **PUBLIC AVAILABILITY OF INFORMATION ABOUT IT INVESTMENTS.**—Section 11302(c) of title 40, United States Code, is amended—

- (1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

“(2) PUBLIC AVAILABILITY.—

“(A) IN GENERAL.—The Director shall make available to the public the cost, schedule, and performance data for all of the IT investments listed in subparagraph (B), notwithstanding whether the investments are for new IT acquisitions or for operations and maintenance of existing IT.

“(B) INVESTMENTS LISTED.—The investments listed in this subparagraph are the following:

“(i) At least 80 percent (by dollar value) of all information technology investments Governmentwide.

“(ii) At least 60 percent (by dollar value) of all information technology investments in each Federal agency listed in section 901(b) of title 31.

“(iii) Every major information technology investment (as defined by the Office of Management and Budget) in each Federal agency listed in section 901(b) of title 31.

“(C) QUARTERLY REVIEW AND CERTIFICATION.—For each investment listed in subparagraph (B), the agency Chief Information Officer and the program manager of the investment within the agency shall certify, at least once every quarter, that the information is current, accurate, and reflects the risks associated with each listed investment. The Director shall conduct quarterly reviews and publicly identify agencies with an incomplete certification or with significant data quality issues.

“(D) CONTINUOUS AVAILABILITY.—The information required under subparagraph (A), in its most updated form, shall be publicly available at all times.

“(E) WAIVER OR LIMITATION AUTHORITY.—The applicability of subparagraph (A) may be waived or the extent of the information may be limited—

“(i) by the Director, with respect to IT investments Governmentwide; 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. 5506. ENHANCED COMMUNICATION BETWEEN GOVERNMENT AND INDUSTRY.**

Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall prescribe a 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. 5507. CLARIFICATION OF CURRENT LAW WITH RESPECT TO TECHNOLOGY NEUTRALITY IN ACQUISITION OF SOFTWARE.**

(a) **PURPOSE.**—The purpose of this section is to establish guidance and processes to clarify that software acquisitions by the Federal Government are to be made using merit-based requirements development and evaluation processes that promote procurement choices—

- (1) based on performance and value, including the long-term value proposition to the Federal Government;
- (2) 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.

(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.

**SEC. 5508. NO ADDITIONAL FUNDS AUTHORIZED.**

No additional funds are authorized to carry out the requirements of this division and the amendments made by this division. Such requirements shall be carried out using amounts otherwise authorized or appropriated.

**158. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GRAVES OF MISSOURI OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES**

At the end of title X, add the following:

**Subtitle H—National Commission on the Future of the Army**

**SEC. 1091. NATIONAL COMMISSION ON THE FUTURE OF THE ARMY.**

(a) **ESTABLISHMENT.**—There is established the National Commission on the Future of the Army (in this subtitle referred to as the “Commission”).

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Commission shall be composed of eight members, of whom—

(A) four shall be appointed by the President;

(B) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(C) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(D) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives; and

(E) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives.

(2) **APPOINTMENT DATE.**—The appointments of the members of the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(3) **EFFECT OF LACK OF APPOINTMENT BY APPOINTMENT DATE.**—If one or more appointments under subparagraph (A) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make such appointment or appointments shall expire, and the number of members of the Commission shall be reduced by the number equal to the number of appointments so not made. If an appointment under subparagraph (B), (C), (D), or (E) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make an appointment under such subparagraph shall expire, and the number of members of the Commission shall be reduced by the number equal to the number otherwise appointable under such subparagraph.



(4) **EXPERTISE.**—In making appointments under this subsection, consideration should be given to individuals with expertise in reserve forces policy.

(c) **PERIOD OF APPOINTMENT; VACANCIES.**—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) **CHAIR AND VICE CHAIR.**—The Commission shall select a Chair and Vice Chair from among its members.

(e) **INITIAL MEETING.**—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its initial meeting.

(f) **MEETINGS.**—The Commission shall meet at the call of the Chair.

(g) **QUORUM.**—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(h) **ADMINISTRATIVE AND PROCEDURAL AUTHORITIES.**—The following provisions of law do not apply to the Commission:

(1) Section 3161 of title 5, United States Code.

(2) The Federal Advisory Committee Act (5 U.S.C. App.).

#### **SEC. 1092. DUTIES OF THE COMMISSION.**

(a) **STUDY ON STRUCTURE OF THE ARMY.**—

(1) **IN GENERAL.**—The Commission shall undertake a comprehensive study of the structure of the Army, and policy assumptions related to the size and force mixture of the Army, to—

(A) determine the proper size and force mixture of the regular component of the Army and the reserve components of the Army, and

(B) make recommendations on how the structure should be modified to best fulfill current and anticipated mission requirements for the Army in a manner consistent with available resources and anticipated future resources.

(2) **CONSIDERATIONS.**—In undertaking the study required by subsection (a), the Commission shall give particular consideration to the following:

(A) An evaluation and identification of a structure for the Army that—

(i) has the depth and scalability to meet current and anticipated requirements of the combatant commands;

(ii) achieves a cost-efficiency balance between the regular and reserve components of the Army, taking advantage of the unique strengths and capabilities of each, with a particular focus on fully burdened and lifecycle cost of Army personnel;

(iii) ensures that the regular and reserve components of the Army have the capacity needed to support current and anticipated homeland defense and disaster assistance missions in the United States;

(iv) provides for sufficient numbers of regular members of the Army to provide a base of trained personnel from which the personnel of the reserve components of the Army could be recruited; and

(v) maximizes and appropriately balances affordability, efficiency, effectiveness, capability, and readiness.

(B) An evaluation and identification of force generation policies for the Army with respect to size and force mixture in order to best fulfill current and anticipated mission requirements for the Army in a manner consistent with available resources and anticipated future resources, including policies in connection with—

- (i) readiness;
- (ii) training;
- (iii) equipment;
- (iv) personnel; and
- (v) maintenance of the reserve components in an operational state in order to maintain the level of expertise and experience developed since September 11, 2001.

(b) **FINAL REPORT.**—Not later than February 1, 2016, the Commission shall submit to the President and the congressional defense committees a report setting forth a detailed statement of the findings and conclusions of the Commission as a result of the study required by subsection (a), together with its recommendations for such legislation and administrative actions as the Commission considers appropriate in light of the results of the study.

**SEC. 1093. POWERS OF THE COMMISSION.**

(a) **HEARINGS.**—The Commission shall hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out its duties under this Act.

(b) **INFORMATION FROM FEDERAL AGENCIES.**—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out its duties under this Act. Upon request of the Chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

(c) **POSTAL SERVICES.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) **GIFTS.**—The Commission may accept, use, and dispose of gifts or donations of services or property.

**SEC. 1094. COMMISSION PERSONNEL MATTERS.**

(a) **COMPENSATION OF MEMBERS.**—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) **TRAVEL EXPENSES.**—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence,

at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) **STAFF.**—

(1) **IN GENERAL.**—The Chair of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(2) **COMPENSATION.**—The Chair of the Commission may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(c) **DETAIL OF GOVERNMENT EMPLOYEES.**—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(d) **PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.**—The Chair of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

**SEC. 1095. TERMINATION OF THE COMMISSION.**

The Commission shall terminate 90 days after the date on which the Commission submits its final report under section 1092(b).

**SEC. 1096. FUNDING.**

Amounts authorized to be appropriated for fiscal year 2015 and available for operation and maintenance for the Army may be available for the activities of the Commission under this subtitle.

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**159. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FRANKS OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES**

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

**SEC. 1643. BUDGET INCREASE FOR AEGIS BALLISTIC MISSILE DEFENSE.**

(a) **INCREASE.**—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for procurement, Defense-wide, as specified in the corresponding funding table in section 4101, for Aegis BMD (Line 030) is hereby increased by \$99,000,000.

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

(1) the amounts authorized to be appropriated in section 101 for aircraft procurement, Army, as specified in the cor-

responding funding table in section 4101, for Aerial Common Sensor (Line 003) is hereby reduced by \$75,300,000; and

(2) the amounts authorized to be appropriated in section 101 for procurement, Marine Corps, as specified in the corresponding funding table in section 4101, for RQ-21 UAS (line 023) is hereby reduced by \$23,700,000.

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

Page 459, line 15, strike “None” and insert “(a) PEOPLE’S REPUBLIC OF CHINA.—None”.

Page 459, after line 21, insert the following new subsection:

(b) RUSSIAN FEDERATION.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that missile defense systems of the Russian Federation should not be integrated into the missile defense systems of the United States or the North Atlantic Treaty Organization if such integration undermines the security of the United States or NATO.

(2) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Department of Defense or for United States contributions to the North Atlantic Treaty Organization may be obligated or expended to integrate missile defense systems of the Russian Federation into missile defense systems of the United States if such integration undermines the security of the United States or NATO.

(3) WAIVER.—The Secretary of Defense may waive the prohibition in paragraph (2) if the Secretary, in consultation with the Secretary of State, determines that the Russian Federation—

(A) has withdrawn military forces and assets from Ukraine’s Crimean peninsula, other than at those operating in accordance with its 1997 agreement on the Status and Conditions of the Black Sea Fleet Stationing on the Territory of Ukraine; and

(B) has ceased aggressive actions, particularly along Ukraine’s eastern border, that have led to a destabilization of the Ukrainian government and the safety of its residents.

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161. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KILDEE OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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

**SEC. 729. EVALUATION OF WOUNDED WARRIOR CARE AND TRANSITION PROGRAM.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that gaining new ideas and an objective perspective are critical to addressing issues regarding the treatment of wounded warriors.

(b) EVALUATION.—The Secretary of Defense shall seek to enter into a contract with a private organization to evaluate the wounded

warrior care and transition program of the Department of Defense. Such evaluation shall identify deficiencies in the treatment of wounded warriors and offer recommendations to the Secretary of Defense and Congress to improve such treatment. The Secretary may not award a contract to a private organization to carry out such evaluation unless the private organization received less than 20 percent of the annual revenue of the organization during the previous five years from contracts with the Department of Defense or the Department of Veterans Affairs.

(c) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1405 for the Defense Health Program, as specified in the corresponding funding table in section 4501, is hereby increased by \$20,000,000.

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

(A) the amounts authorized to be appropriated in section 101 for shipbuilding and conversion, Navy, as specified in the corresponding funding table in section 4101, is hereby reduced by \$10,000,000; and

(B) the amounts authorized to be appropriated in division C for weapons activities, as specified in the corresponding funding table in section 4701, for the B61 life extension program and the W76 life extension program are each hereby reduced by \$5,000,000.

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

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

**SEC. 28 \_\_\_\_ . INDEMNIFICATION OF TRANSFEREES OF PROPERTY AT MILITARY INSTALLATIONS CLOSED SINCE OCTOBER 24, 1988, THAT REMAIN UNDER THE JURISDICTION OF THE DEPARTMENT OF DEFENSE.**

Section 330(a) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 10 U.S.C. 2687 note) is amended—

(1) in paragraph (1)—

(A) by striking “paragraph (3)” and inserting “paragraph (4)”; and

(B) by striking “paragraph (2)” and inserting “paragraph (3)”; and

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) in paragraph (4), as redesignated, by striking “paragraph (2) contributed to any such release or threatened release, paragraph (1)” and inserting “paragraph (3) contributed to any such release or threatened release, paragraph (1) or (2)”; and

(4) by inserting after paragraph (1) the following new paragraph (2):

“(2) The responsibility of the Secretary of Defense to hold harmless, defend, and indemnify in full certain persons and entities de-

scribed in paragraph (3) also applies with respect to any military installation (or portion thereof) that—

“(A) was closed during the period beginning on October 24, 1988, and ending on the date of the enactment of this paragraph, other than pursuant to a base closure law; and

“(B) remains under the jurisdiction of the Department of Defense as of the date of the enactment of this paragraph.”.

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PART B—TEXT OF AMENDMENT TO H.R. 3361 CONSIDERED AS ADOPTED

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the “USA FREEDOM Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Amendments to the Foreign Intelligence Surveillance Act of 1978.

**TITLE I—FISA BUSINESS RECORDS REFORMS**

Sec. 101. Additional requirements for call detail records.

Sec. 102. Emergency authority.

Sec. 103. Prohibition on bulk collection of tangible things.

Sec. 104. Judicial review of minimization procedures for the production of tangible things.

Sec. 105. Liability protection.

Sec. 106. Compensation for assistance.

Sec. 107. Definitions.

Sec. 108. Inspector general reports on business records orders.

Sec. 109. Effective date.

Sec. 110. Rule of construction.

**TITLE II—FISA PEN REGISTER AND TRAP AND TRACE DEVICE REFORM**

Sec. 201. Prohibition on bulk collection.

Sec. 202. Privacy procedures.

**TITLE III—FISA ACQUISITIONS TARGETING PERSONS OUTSIDE THE UNITED STATES REFORMS**

Sec. 301. Minimization procedures.

Sec. 302. Limits on use of unlawfully obtained information.

**TITLE IV—FOREIGN INTELLIGENCE SURVEILLANCE COURT REFORMS**

Sec. 401. Appointment of amicus curiae.

Sec. 402. Declassification of decisions, orders, and opinions.

**TITLE V—NATIONAL SECURITY LETTER REFORM**

Sec. 501. Prohibition on bulk collection.

**TITLE VI—FISA TRANSPARENCY AND REPORTING REQUIREMENTS**

Sec. 601. Additional reporting on orders requiring production of business records.

Sec. 602. Business records compliance reports to Congress.

Sec. 603. Annual reports by the Government on orders entered.

Sec. 604. Public reporting by persons subject to FISA orders.

Sec. 605. Reporting requirements for decisions of the Foreign Intelligence Surveillance Court.

Sec. 606. Submission of reports under FISA.

**TITLE VII—SUNSETS**

Sec. 701. Sunsets.

**SEC. 2. AMENDMENTS TO THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.**

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

## **TITLE I—FISA BUSINESS RECORDS REFORMS**

**SEC. 101. ADDITIONAL REQUIREMENTS FOR CALL DETAIL RECORDS.**

(a) APPLICATION.—Section 501(b)(2) (50 U.S.C. 1861(b)(2)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking “a statement” and inserting “in the case of an application other than an application described in subparagraph (C) (including an application for the production of call detail records other than in the manner described in subparagraph (C)), a statement”; and

(B) in clause (iii), by striking “; and” and inserting a semicolon;

(2) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (D), respectively; and

(3) by inserting after subparagraph (B) (as so redesignated) the following new subparagraph:

“(C) in the case of an application for the production on a daily basis of call detail records created before, on, or after the date of the application relating to an authorized investigation (other than a threat assessment) conducted in accordance with subsection (a)(2) to protect against international terrorism, a statement of facts showing that—

“(i) there are reasonable grounds to believe that the call detail records sought to be produced based on the specific selection term required under subparagraph (A) are relevant to such investigation; and

“(ii) there are facts giving rise to a reasonable, articulable suspicion that such specific selection term is associated with a foreign power or an agent of a foreign power; and”.

(b) ORDER.—Section 501(c)(2) (50 U.S.C. 1861(c)(2)) is amended—

(1) in subparagraph (D), by striking “; and” and inserting a semicolon;

(2) in subparagraph (E), by striking the period and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(F) in the case of an application described in subsection (b)(2)(C), shall—

“(i) authorize the production on a daily basis of call detail records for a period not to exceed 180 days;

“(ii) provide that an order for such production may be extended upon application under subsection (b) and the judicial finding under paragraph (1);

“(iii) provide that the Government may require the prompt production of call detail records—

“(I) using the specific selection term that satisfies the standard required under subsection (b)(2)(C)(ii) as the basis for production; and

“(II) using call detail records with a direct connection to such specific selection term as the basis for production of a second set of call detail records;

“(iv) provide that, when produced, such records be in a form that will be useful to the Government;

“(v) direct each person the Government directs to produce call detail records under the order to furnish the Government forthwith all information, facilities, or technical assistance necessary to accomplish the production in such a manner as will protect the secrecy of the production and produce a minimum of interference with the services that such person is providing to each subject of the production; and

“(vi) direct the Government to—

“(I) adopt minimization procedures that require the prompt destruction of all call detail records produced under the order that the Government determines are not foreign intelligence information; and

“(II) destroy all call detail records produced under the order as prescribed by such procedures.”.

#### **SEC. 102. EMERGENCY AUTHORITY.**

(a) **AUTHORITY.**—Section 501 (50 U.S.C. 1861) is amended by adding at the end the following new subsection:

“(i) **EMERGENCY AUTHORITY FOR PRODUCTION OF TANGIBLE THINGS.**—

“(1) Notwithstanding any other provision of this section, the Attorney General may require the emergency production of tangible things if the Attorney General—

“(A) reasonably determines that an emergency situation requires the production of tangible things before an order authorizing such production can with due diligence be obtained;

“(B) reasonably determines that the factual basis for the issuance of an order under this section to approve such production of tangible things exists;

“(C) informs, either personally or through a designee, a judge having jurisdiction under this section at the time the Attorney General requires the emergency production of tangible things that the decision has been made to employ the authority under this subsection; and

“(D) makes an application in accordance with this section to a judge having jurisdiction under this section as soon as practicable, but not later than 7 days after the Attorney General requires the emergency production of tangible things under this subsection.



“(2) If the Attorney General authorizes the emergency production of tangible things under paragraph (1), the Attorney General shall require that the minimization procedures required by this section for the issuance of a judicial order be followed.

“(3) In the absence of a judicial order approving the production of tangible things under this subsection, the production shall terminate when the information sought is obtained, when the application for the order is denied, or after the expiration of 7 days from the time the Attorney General begins requiring the emergency production of such tangible things, whichever is earliest.

“(4) A denial of the application made under this subsection may be reviewed as provided in section 103.

“(5) If such application for approval is denied, or in any other case where the production of tangible things is terminated and no order is issued approving the production, no information obtained or evidence derived from such production shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired from such production shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of such person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

“(6) The Attorney General shall assess compliance with the requirements of paragraph (5).”.

(b) CONFORMING AMENDMENT.—Section 501(d) (50 U.S.C. 1861(d)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “pursuant to an order” and inserting “pursuant to an order issued or an emergency production required”;

(B) in subparagraph (A), by striking “such order” and inserting “such order or such emergency production”; and

(C) in subparagraph (B), by striking “the order” and inserting “the order or the emergency production”; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking “an order” and inserting “an order or emergency production”; and

(B) in subparagraph (B), by striking “an order” and inserting “an order or emergency production”.

**SEC. 103. PROHIBITION ON BULK COLLECTION OF TANGIBLE THINGS.**

(a) APPLICATION.—Section 501(b)(2) (50 U.S.C. 1861(b)(2)), as amended by section 101(a) of this Act, is further amended by inserting before subparagraph (B), as redesignated by such section 101(a) of this Act, the following new subparagraph:

“(A) a specific selection term to be used as the basis for the production of the tangible things sought;”.

(b) ORDER.—Section 501(c) (50 U.S.C. 1861(c)) is amended—

(1) in paragraph (2)(A), by striking the semicolon and inserting “, including each specific selection term to be used as the basis for the production;”; and

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

“(3) No order issued under this subsection may authorize the collection of tangible things without the use of a specific selection term that meets the requirements of subsection (b)(2).”.

**SEC. 104. JUDICIAL REVIEW OF MINIMIZATION PROCEDURES FOR THE PRODUCTION OF TANGIBLE THINGS.**

Section 501(c)(1) (50 U.S.C. 1861(c)(1)) is amended by inserting after “subsections (a) and (b)” the following: “and that the minimization procedures submitted in accordance with subsection (b)(2)(D) meet the definition of minimization procedures under subsection (g)”.

**SEC. 105. LIABILITY PROTECTION.**

Section 501(e) (50 U.S.C. 1861(e)) is amended to read as follows:

“(e)(1) No cause of action shall lie in any court against a person who—

“(A) produces tangible things or provides information, facilities, or technical assistance pursuant to an order issued or an emergency production required under this section; or

“(B) otherwise provides technical assistance to the Government under this section or to implement the amendments made to this section by the USA FREEDOM Act.

“(2) A production or provision of information, facilities, or technical assistance described in paragraph (1) shall not be deemed to constitute a waiver of any privilege in any other proceeding or context.”.

**SEC. 106. COMPENSATION FOR ASSISTANCE.**

Section 501 (50 U.S.C. 1861), as amended by section 102 of this Act, is further amended by adding at the end the following new subsection:

“(j) COMPENSATION.—The Government shall compensate a person for reasonable expenses incurred for—

“(1) producing tangible things or providing information, facilities, or assistance in accordance with an order issued with respect to an application described in subsection (b)(2)(C) or an emergency production under subsection (i) that, to comply with subsection (i)(1)(D), requires an application described in subsection (b)(2)(C); or

“(2) otherwise providing technical assistance to the Government under this section or to implement the amendments made to this section by the USA FREEDOM Act.”.

**SEC. 107. DEFINITIONS.**

Section 501 (50 U.S.C. 1861), as amended by section 106 of this Act, is further amended by adding at the end the following new subsection:

“(k) DEFINITIONS.—In this section:

“(1) CALL DETAIL RECORD.—The term ‘call detail record’—

“(A) means session identifying information (including originating or terminating telephone number, International Mobile Subscriber Identity number, or International Mobile Station Equipment Identity number), a

telephone calling card number, or the time or duration of a call; and

“(B) does not include—

“(i) the contents of any communication (as defined in section 2510(8) of title 18, United States Code);

“(ii) the name, address, or financial information of a subscriber or customer; or

“(iii) cell site location information.

“(2) **SPECIFIC SELECTION TERM.**—The term ‘specific selection term’ means a discrete term, such as a term specifically identifying a person, entity, account, address, or device, used by the Government to limit the scope of the information or tangible things sought pursuant to the statute authorizing the provision of such information or tangible things to the Government.”.

**SEC. 108. INSPECTOR GENERAL REPORTS ON BUSINESS RECORDS ORDERS.**

Section 106A of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 120 Stat. 200) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting “and calendar years 2012 through 2014” after “2006”;

(B) by striking paragraphs (2) and (3);

(C) by redesignating paragraphs (4) and (5) as paragraphs (2) and (3), respectively; and

(D) in paragraph (3) (as so redesignated)—

(i) by striking subparagraph (C) and inserting the following new subparagraph:

“(C) with respect to calendar years 2012 through 2014, an examination of the minimization procedures used in relation to orders under section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) and whether the minimization procedures adequately protect the constitutional rights of United States persons;”;

(ii) in subparagraph (D), by striking “(as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)))”;

(2) in subsection (c), by adding at the end the following new paragraph:

“(3) **CALENDAR YEARS 2012 THROUGH 2014.**—Not later than December 31, 2015, the Inspector General of the Department of Justice shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the audit conducted under subsection (a) for calendar years 2012 through 2014.”;

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

(4) by inserting after subsection (c) the following new subsection:

“(d) **INTELLIGENCE ASSESSMENT.**—

“(1) **IN GENERAL.**—For the period beginning on January 1, 2012, and ending on December 31, 2014, the Inspector General of the Intelligence Community shall assess—

“(A) the importance of the information acquired under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) to the activities of the intelligence community;

“(B) the manner in which that information was collected, retained, analyzed, and disseminated by the intelligence community;

“(C) the minimization procedures used by elements of the intelligence community under such title and whether the minimization procedures adequately protect the constitutional rights of United States persons; and

“(D) any minimization procedures proposed by an element of the intelligence community under such title that were modified or denied by the court established under section 103(a) of such Act (50 U.S.C. 1803(a)).

“(2) SUBMISSION DATE FOR ASSESSMENT.—Not later than 180 days after the date on which the Inspector General of the Department of Justice submits the report required under subsection (c)(3), the Inspector General of the Intelligence Community shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the assessment for calendar years 2012 through 2014.”;

(5) in subsection (e), as redesignated by paragraph (3)—

(A) in paragraph (1)—

(i) by striking “a report under subsection (c)(1) or (c)(2)” and inserting “any report under subsection (c) or (d)”; and

(ii) by striking “Inspector General of the Department of Justice” and inserting “Inspector General of the Department of Justice, the Inspector General of the Intelligence Community, and any Inspector General of an element of the intelligence community that prepares a report to assist the Inspector General of the Department of Justice or the Inspector General of the Intelligence Community in complying with the requirements of this section”; and

(B) in paragraph (2), by striking “the reports submitted under subsections (c)(1) and (c)(2)” and inserting “any report submitted under subsection (c) or (d)”; and

(6) in subsection (f), as redesignated by paragraph (3)—

(A) by striking “The reports submitted under subsections (c)(1) and (c)(2)” and inserting “Each report submitted under subsection (c)”; and

(B) by striking “subsection (d)(2)” and inserting “subsection (e)(2)”; and

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

“(g) DEFINITIONS.—In this section:

“(1) INTELLIGENCE COMMUNITY.—The term ‘intelligence community’ has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

“(2) UNITED STATES PERSON.—The term ‘United States person’ has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).”.

**SEC. 109. EFFECTIVE DATE.**

(a) IN GENERAL.—The amendments made by sections 101 through 103 shall take effect on the date that is 180 days after the date of the enactment of this Act.

(b) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to alter or eliminate the authority of the Government to obtain an order under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) as in effect prior to the effective date described in subsection (a) during the period ending on such effective date.

**SEC. 110. RULE OF CONSTRUCTION.**

Nothing in this Act shall be construed to authorize the production of the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication from an electronic communication service provider (as such term is defined in section 701(b)(4) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881(b)(4)) under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.).

## **TITLE II—FISA PEN REGISTER AND TRAP AND TRACE DEVICE REFORM**

**SEC. 201. PROHIBITION ON BULK COLLECTION.**

(a) PROHIBITION.—Section 402(c) (50 U.S.C. 1842(c)) is amended—

(1) in paragraph (1), by striking “; and” and inserting a semicolon;

(2) in paragraph (2), by striking the period and inserting a semicolon; and

(3) by adding at the end the following new paragraph:

“(3) a specific selection term to be used as the basis for selecting the telephone line or other facility to which the pen register or trap and trace device is to be attached or applied; and”.

(b) DEFINITION.—Section 401 (50 U.S.C. 1841) is amended by adding at the end the following new paragraph:

“(4) The term ‘specific selection term’ has the meaning given the term in section 501.”.

**SEC. 202. PRIVACY PROCEDURES.**

(a) IN GENERAL.—Section 402 (50 U.S.C. 1842) is amended by adding at the end the following new subsection:

“(h) The Attorney General shall ensure that appropriate policies and procedures are in place to safeguard nonpublicly available information concerning United States persons that is collected through the use of a pen register or trap and trace device installed under this section. Such policies and procedures shall, to the maximum extent practicable and consistent with the need to protect national security, include protections for the collection, retention, and use of information concerning United States persons.”.

(b) EMERGENCY AUTHORITY.—Section 403 (50 U.S.C. 1843) is amended by adding at the end the following new subsection:

“(d) Information collected through the use of a pen register or trap and device installed under this section shall be subject to the policies and procedures required under section 402(h).”.

## **TITLE III—FISA ACQUISITIONS TARGETING PERSONS OUTSIDE THE UNITED STATES REFORMS**

### **SEC. 301. MINIMIZATION PROCEDURES.**

Section 702(e)(1) (50 U.S.C. 1881a(e)(1)) is amended—

(1) by striking “that meet” and inserting the following: “that—

“(A) meet”;

(2) in subparagraph (A) (as designated by paragraph (1) of this section), by striking the period and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(B) consistent with such definition—

“(i) minimize the acquisition, and prohibit the retention and dissemination, of any communication as to which the sender and all intended recipients are determined to be located in the United States at the time of acquisition, consistent with the need of the United States to obtain, produce, and disseminate foreign intelligence information; and

“(ii) prohibit the use of any discrete communication that is not to, from, or about the target of an acquisition and is to or from an identifiable United States person or a person reasonably believed to be located in the United States, except to protect against an immediate threat to human life.”.

### **SEC. 302. LIMITS ON USE OF UNLAWFULLY OBTAINED INFORMATION.**

Section 702(i)(3) (50 U.S.C. 1881a(i)(3)) is amended by adding at the end the following new subparagraph:

“(D) LIMITATION ON USE OF INFORMATION.—

“(i) IN GENERAL.—Except as provided in clause (ii), to the extent the Court orders a correction of a deficiency in a certification or procedures under subparagraph (B), no information obtained or evidence derived pursuant to the part of the certification or procedures that has been identified by the Court as deficient concerning any United States person shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired pursuant to such part of such certification shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of the United States person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

“(ii) EXCEPTION.—If the Government corrects any deficiency identified by the order of the Court under subparagraph (B), the Court may permit the use or disclosure of information obtained before the date of the correction under such minimization procedures as the Court shall establish for purposes of this clause.”.

## **TITLE IV—FOREIGN INTELLIGENCE SURVEILLANCE COURT REFORMS**

### **SEC. 401. APPOINTMENT OF AMICUS CURIAE.**

Section 103 (50 U.S.C. 1803) is amended by adding at the end the following new subsection:

“(i) AMICUS CURIAE.—

“(1) AUTHORIZATION.—A court established under subsection (a) or (b), consistent with the requirement of subsection (c) and any other statutory requirement that the court act expeditiously or within a stated time—

“(A) shall appoint an individual to serve as amicus curiae to assist such court in the consideration of any application for an order or review that, in the opinion of the court, presents a novel or significant interpretation of the law, unless the court issues a written finding that such appointment is not appropriate; and

“(B) may appoint an individual to serve as amicus curiae in any other instance as such court deems appropriate.

“(2) DESIGNATION.—The presiding judges of the courts established under subsections (a) and (b) shall jointly designate not less than 5 individuals to be eligible to serve as amicus curiae. Such individuals shall be persons who possess expertise in privacy and civil liberties, intelligence collection, telecommunications, or any other area that may lend legal or technical expertise to the courts and who have been determined by appropriate executive branch officials to be eligible for access to classified information.

“(3) DUTIES.—An individual appointed to serve as amicus curiae under paragraph (1) shall carry out the duties assigned by the appointing court. Such court may authorize the individual appointed to serve as amicus curiae to review any application, certification, petition, motion, or other submission that the court determines is relevant to the duties assigned by the court.

“(4) NOTIFICATION.—The presiding judges of the courts established under subsections (a) and (b) shall notify the Attorney General of each exercise of the authority to appoint an individual to serve as amicus curiae under paragraph (1).

“(5) ASSISTANCE.—A court established under subsection (a) or (b) may request and receive (including on a non-reimbursable basis) the assistance of the executive branch in the implementation of this subsection.

“(6) ADMINISTRATION.—A court established under subsection (a) or (b) may provide for the designation, appointment, removal, training, or other support for an individual appointed to

serve as *amicus curiae* under paragraph (1) in a manner that is not inconsistent with this subsection.”.

**SEC. 402. DECLASSIFICATION OF DECISIONS, ORDERS, AND OPINIONS.**

(a) DECLASSIFICATION.—Title VI (50 U.S.C. 1871 et seq.) is amended—

(1) in the heading, by striking “**REPORTING REQUIREMENT**” and inserting “**OVERSIGHT**”; and

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

**“SEC. 602. DECLASSIFICATION OF SIGNIFICANT DECISIONS, ORDERS, AND OPINIONS.**

“(a) DECLASSIFICATION REQUIRED.—Subject to subsection (b), the Director of National Intelligence, in consultation with the Attorney General, shall conduct a declassification review of each decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review (as defined in section 601(e)) that includes a significant construction or interpretation of any provision of this Act, including a construction or interpretation of the term ‘specific selection term’, and, consistent with that review, make publicly available to the greatest extent practicable each such decision, order, or opinion.

“(b) REDACTED FORM.—The Director of National Intelligence, in consultation with the Attorney General, may satisfy the requirement under subsection (a) to make a decision, order, or opinion described in such subsection publicly available to the greatest extent practicable by making such decision, order, or opinion publicly available in redacted form.

“(c) NATIONAL SECURITY WAIVER.—The Director of National Intelligence, in consultation with the Attorney General, may waive the requirement to declassify and make publicly available a particular decision, order, or opinion under subsection (a) if—

“(1) the Director of National Intelligence, in consultation with the Attorney General, determines that a waiver of such requirement is necessary to protect the national security of the United States or properly classified intelligence sources or methods; and

“(2) the Director of National Intelligence makes publicly available an unclassified statement prepared by the Attorney General, in consultation with the Director of National Intelligence—

“(A) summarizing the significant construction or interpretation of a provision under this Act; and

“(B) that specifies that the statement has been prepared by the Attorney General and constitutes no part of the opinion of the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review.”.

(b) TABLE OF CONTENTS AMENDMENTS.—The table of contents in the first section is amended—

(1) by striking the item relating to title VI and inserting the following new item:

“TITLE VI—OVERSIGHT”; AND

(2) by inserting after the item relating to section 601 the following new item:

“Sec. 602. Declassification of significant decisions, orders, and opinions.”.



## TITLE V—NATIONAL SECURITY LETTER REFORM

### SEC. 501. PROHIBITION ON BULK COLLECTION.

(a) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709(b) of title 18, United States Code, is amended in the matter preceding paragraph (1) by striking “may” and inserting “may, using a specific selection term as the basis for a request”.

(b) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114(a)(2) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(2)) is amended by striking the period and inserting “and a specific selection term to be used as the basis for the production and disclosure of financial records.”.

(c) DISCLOSURES TO FBI OF CERTAIN CONSUMER RECORDS FOR COUNTERINTELLIGENCE PURPOSES.—Section 626(a) of the Fair Credit Reporting Act (15 U.S.C. 1681u(a)) is amended by striking “that information,” and inserting “that information that includes a specific selection term to be used as the basis for the production of that information,”.

(d) DISCLOSURES TO GOVERNMENTAL AGENCIES FOR COUNTERTERRORISM PURPOSES OF CONSUMER REPORTS.—Section 627(a) of the Fair Credit Reporting Act (15 U.S.C. 1681v(a)) is amended by striking “analysis,” and inserting “analysis and a specific selection term to be used as the basis for the production of such information.”.

(e) DEFINITIONS.—

(1) COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.—Section 2709 of title 18, United States Code, is amended by adding at the end the following new subsection:

“(g) SPECIFIC SELECTION TERM DEFINED.—In this section, the term ‘specific selection term’ has the meaning given the term in section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861).”.

(2) ACCESS TO FINANCIAL RECORDS FOR CERTAIN INTELLIGENCE AND PROTECTIVE PURPOSES.—Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414) is amended by adding at the end the following new subsection:

“(e) In this section, the term ‘specific selection term’ has the meaning given the term in section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861).”.

(3) DISCLOSURES TO FBI OF CERTAIN CONSUMER RECORDS FOR COUNTERINTELLIGENCE PURPOSES.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended by adding at the end the following new subsection:

“(n) SPECIFIC SELECTION TERM DEFINED.—In this section, the term ‘specific selection term’ has the meaning given the term in section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861).”.

(4) DISCLOSURES TO GOVERNMENTAL AGENCIES FOR COUNTERTERRORISM PURPOSES OF CONSUMER REPORTS.—Section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) is amended by adding at the end the following new subsection:

“(g) SPECIFIC SELECTION TERM DEFINED.—In this section, the term ‘specific selection term’ has the meaning given the term in section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861).”.

## **TITLE VI—FISA TRANSPARENCY AND REPORTING REQUIREMENTS**

### **SEC. 601. ADDITIONAL REPORTING ON ORDERS REQUIRING PRODUCTION OF BUSINESS RECORDS.**

Section 502(b) (50 U.S.C. 1862(b)) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as paragraphs (5), (6), and (7), respectively; and

(2) by inserting before paragraph (5) (as so redesignated) the following new paragraphs:

“(1) the total number of applications described in section 501(b)(2)(B) made for orders approving requests for the production of tangible things;

“(2) the total number of such orders either granted, modified, or denied;

“(3) the total number of applications described in section 501(b)(2)(C) made for orders approving requests for the production of call detail records;

“(4) the total number of such orders either granted, modified, or denied;”.

### **SEC. 602. BUSINESS RECORDS COMPLIANCE REPORTS TO CONGRESS.**

Section 502(b) (50 U.S.C. 1862(b)), as amended by section 601 of this Act, is further amended—

(1) by redesignating paragraphs (1) through (7) as paragraphs (2) through (8), respectively; and

(2) by inserting before paragraph (2) (as so redesignated) the following new paragraph:

“(1) a summary of all compliance reviews conducted by the Federal Government of the production of tangible things under section 501;”.

### **SEC. 603. ANNUAL REPORTS BY THE GOVERNMENT ON ORDERS ENTERED.**

(a) IN GENERAL.—Title VI (50 U.S.C. 1871 et seq.), as amended by section 402 of this Act, is further amended by adding at the end the following new section:

#### **“SEC. 603. ANNUAL REPORT ON ORDERS ENTERED.**

“(a) REPORT BY DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS.—The Director of the Administrative Office of the United States Courts shall annually submit to the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate and, subject to a declassification review by the Attorney General and Director of National Intelligence, make publicly available on an Internet website—

“(1) the number of orders entered under each of sections 105, 304, 402, 501, 702, 703, and 704;

“(2) the number of orders modified under each of those sections;

“(3) the number of orders denied under each of those sections; and

“(4) the number of appointments of an individual to serve as amicus curiae under section 103, including the name of each individual appointed to serve as amicus curiae.

“(b) REPORT BY DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall annually make publicly available a report that identifies, for the preceding 12-month period—

“(1) the total number of orders issued pursuant titles I and III and sections 703 and 704 and the estimated number of targets affected by such orders;

“(2) the total number of orders issued pursuant to section 702 and the estimated number of targets affected by such orders;

“(3) the total number of orders issued pursuant to title IV and the estimated number of targets affected by such orders;

“(4) the total number of orders issued pursuant to applications made under section 501(b)(2)(B) and the estimated number of targets affected by such orders;

“(5) the total number of orders issued pursuant to applications made under section 501(b)(2)(C) and the estimated number of targets affected by such orders; and

“(6) the total number of national Security letters issued and the number of requests for information contained within such national security letters.

“(c) NATIONAL SECURITY LETTER DEFINED.—The term ‘national security letter’ means any of the following provisions:

“(1) Section 2709 of title 18, United States Code.

“(2) Section 1114(a)(5)(A) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)(A)).

“(3) Subsection (a) or (b) of section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u(a), 1681u(b)).

“(4) Section 627(a) of the Fair Credit Reporting Act (15 U.S.C. 1681v(a)).”.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section, as amended by section 402 of this Act, is further amended by inserting after the item relating to section 602, as added by such section 402, the following new item:

“Sec. 603. Annual report on orders entered.”.

**SEC. 604. PUBLIC REPORTING BY PERSONS SUBJECT TO FISA ORDERS.**

(a) IN GENERAL.—Title VI (50 U.S.C. 1871 et seq.), as amended by section 603 of this Act, is further amended by adding at the end the following new section:

**“SEC. 604. PUBLIC REPORTING BY PERSONS SUBJECT TO ORDERS.**

“(a) REPORTING.—A person may semiannually publicly report the following information with respect to the preceding half year using one of the following structures:

“(1) Subject to subsection (b), a report that aggregates the number of orders or national security letters the person was required to comply with in the following separate categories:

“(A) The number of national security letters received, reported in bands of 1000 starting with 0-999.

“(B) The number of customer accounts affected by national security letters, reported in bands of 1000 starting with 0-999.

“(C) The number of orders under this Act for content, reported in bands of 1000 starting with 0-999.

“(D) With respect to content orders under this Act, in bands of 1000 starting with 0-999, the number of customer accounts affected under orders under title I;

“(E) The number of orders under this Act for non-content, reported in bands of 1000 starting with 0-999.

“(F) With respect to non-content orders under this Act, in bands of 1000 starting with 0-999, the number of customer accounts affected under orders under—

“(i) title IV;

“(ii) title V with respect to applications described in section 501(b)(2)(B); and

“(iii) title V with respect to applications described in section 501(b)(2)(C).

“(2) A report that aggregates the number of orders, directives, or national security letters the person was required to comply with in the following separate categories:

“(A) The total number of all national security process received, including all national security letters and orders or directives under this Act, reported as a single number in a band of 0-249 and thereafter in bands of 250.

“(B) The total number of customer selectors targeted under all national security process received, including all national security letters and orders or directives under this Act, reported as a single number in a band of 0-249 and thereafter in bands of 250.

“(3) Subject to subsection (b), a report that aggregates the number of orders or national security letters the person was required to comply with in the following separate categories:

“(A) The number of national security letters received, reported in bands of 500 starting with 0-499.

“(B) The number of customer accounts affected by national security letters, reported in bands of 500 starting with 0-499.

“(C) The number of orders under this Act for content, reported in bands of 500 starting with 0-499.

“(D) The number of customer selectors targeted under such orders, in bands of 500 starting with 0-499.

“(E) The number of orders under this Act for non-content, reported in bands of 500 starting with 0-499.

“(F) The number of customer selectors targeted under such orders, reported in bands of 500 starting with 0-499.

“(b) PERIOD OF TIME COVERED BY REPORTS.—With respect to a report described in paragraph (1) or (3) of subsection (a), such report shall only include information—

“(1) except as provided in paragraph (2), for the period of time ending on the date that is at least 180 days before the date of the publication of such report; and

“(2) with respect to an order under this Act or national security letter received with respect to a platform, product, or service for which a person did not previously receive such an order

or national security letter (not including an enhancement to or iteration of an existing publicly available platform, product, or service), for the period of time ending on the date that is at least 2 years before the date of the publication of such report.

“(c) OTHER FORMS OF AGREED TO PUBLICATION.—Nothing in this section shall be construed to prohibit the Government and any person from jointly agreeing to the publication of information referred to in this subsection in a time, form, or manner other than as described in this section.

“(d) NATIONAL SECURITY LETTER DEFINED.—The term ‘national security letter’ has the meaning given the term in section 603.”

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section, as amended by section 603 of this Act, is further amended by inserting after the item relating to section 603, as added by section 603 of this Act, the following new item:

“Sec. 604. Public reporting by persons subject to orders.”

**SEC. 605. REPORTING REQUIREMENTS FOR DECISIONS OF THE FOREIGN INTELLIGENCE SURVEILLANCE COURT.**

Section 601(c)(1) (50 U.S.C. 1871(c)) is amended to read as follows:

“(1) not later than 45 days after the date on which the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review issues a decision, order, or opinion, including any denial or modification of an application under this Act, that includes a significant construction or interpretation of any provision of this Act or results in a change of application of any provision of this Act or a new application of any provision of this Act, a copy of such decision, order, or opinion and any pleadings, applications, or memoranda of law associated with such decision, order, or opinion; and”.

**SEC. 606. SUBMISSION OF REPORTS UNDER FISA.**

(a) ELECTRONIC SURVEILLANCE.—Section 108(a)(1) (50 U.S.C. 1808(a)(1)) is amended by striking “the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence, and the Committee on the Judiciary of the Senate,” and inserting “the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate”.

(b) PHYSICAL SEARCHES.—Section 306 (50 U.S.C. 1826) is amended—

(1) in the first sentence, by striking “Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, and the Committee on the Judiciary of the Senate,” and inserting “Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate”; and

(2) in the second sentence, by striking “and the Committee on the Judiciary of the House of Representatives”.

(c) PEN REGISTER AND TRAP AND TRACE DEVICES.—Section 406(b) (50 U.S.C. 1846(b)) is amended—

(1) in paragraph (2), by striking “; and” and inserting a semicolon;

(2) in paragraph (3), by striking the period and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(4) each department or agency on behalf of which the Government has made application for orders approving the use of pen registers or trap and trace devices under this title; and

“(5) for each department or agency described in paragraph (4), a breakdown of the numbers required by paragraphs (1), (2), and (3).”.

(d) **ACCESS TO CERTAIN BUSINESS RECORDS AND OTHER TANGIBLE THINGS.**—Section 502(a) (50 U.S.C. 1862(a)) is amended by striking “Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate” and inserting “Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, and the Committees on the Judiciary of the House of Representatives and the Senate”.

## TITLE VII—SUNSETS

### SEC. 701. SUNSETS.

(a) **USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005.**—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (50 U.S.C. 1805 note) is amended by striking “June 1, 2015” and inserting “December 31, 2017”.

(b) **INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.**—Section 6001(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 1801 note) is amended by striking “June 1, 2015” and inserting “December 31, 2017”.

