114th CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
114–

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 4909) TO AUTHORIZE APPROPRIATIONS FOR FISCAL YEAR 2017 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

May 16, 2016.—Referred to the House Calendar and ordered to be printed.

MR. BYRNE of Alabama, from the Committee on Rules, submitted the following

REPORT

[To accompany H. Res.__]

The Committee on Rules, having had under consideration House Resolution____, 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 consideration of H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-51, modified by the amendment printed in part A 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 makes in order only those further amendments printed in part B this report and amendments en bloc described in section 3 of the resolution. The resolution provides that the amendments printed in part B of this report may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division

of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in part B of this report or against amendments en bloc as described in section 3 of the resolution.

Section 3 of the resolution provides that it shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in part B of this report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or the Committee of the Whole.

Section 4 of the resolution provides that no further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill includes a waiver of clause 3(e)(1) of rule XIII (Ramseyer), requiring a committee report accompanying a bill amending or repealing statutes to show, by typographical device, parts of statute affected.

The waiver of all points of order against provisions in the bill, as amended, includes a waiver of clause 4 of rule XXI, which prohibits reporting a bill or joint resolution carrying an appropriation from a committee not having jurisdiction to report an appropriation. It is important to note that if amendment #1 offered by Rep. Thornberry is adopted, this violation will be cured.

Although the resolution waives all points of order against the amendments printed in part B of this report or against amendments en bloc as described in section 3 of the resolution, 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. 167

Motion by Mr. McGovern to strike the portion of the resolution self-executing amendment #2, offered by Mr. Sessions. Defeated: 2–9

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	
Mr. Cole	Nay	Mr. McGovern	Yea
Mr. Woodall	Nay	Mr. Hastings of Florida	Yea
Mr. Burgess	Nay	Mr. Polis	
Mr. Stivers	Nay		
Mr. Collins	Nay		
Mr. Byrne	Nay		
Mr. Newhouse	Nay		
Mr. Sessions, Chairman	Nay		

SUMMARY OF THE AMENDMENT IN PART A CONSIDERED AS ADOPTED

Sessions (TX): Strikes Sec. 528, which requires selective service registration and conscription requirements for female residents of the United States between the ages of 18 and 26 and requires a study of the Selective Service.

SUMMARY OF THE AMENDMENTS IN PART B MADE IN ORDER

1. Thornberry (TX): Clarifies that the special transfer authority in section 1702 is subject to appropriation Acts. (10 minutes)
2. Westerman (AR): Provides an additional $82.4 million for the Surface-To-Air missile MSE program that mitigates critical shortfall in Army War Reserve requirements. Takes $82.4 million from Atomic Energy Defense Activities, National Nuclear Security Administration, Defense Nuclear Nonproliferation, Material management and minimization account.
   (10 minutes)
3. Garamendi (CA): Reduces the authorization for the Ground Based Strategic Deterrent program by $17.93 million, the amount identified by the Government Accountability Office as in excess of program need for Fiscal Year 2016.

   This amendment increases the authorization for Air Force procurement of Large Aircraft Infrared Countermeasures by $17.93 million to address an unfunded requirement identified by the Air Force. (10 minutes)
4. McKinley (WV), Napolitano (CA): Increases the National Guard Youth Challenge Program under Civil Military Programs by $15 million and decreases by the same amount Operations and Maintenance, Defense-wide. (10 minutes)
5. Guthrie (KY): Authorizes the Secretary of the Army to continue to provide for the production, treatment, management, and use of natural gas located under Fort Knox, Kentucky. (10 minutes)
6. Gallego (AZ): Requires each branch of the Armed Services to monitor prescribing of medications to treat PTSD among Service Members. (10 minutes)
7. Graves (MO), Takai (HI): Requires the DOD to report to the Armed Services Committee on the agency's use of a two-phase procurement process. (10 minutes)
8. Jackson Lee (TX): Requires outreach for small business concerns owned and controlled by women and minorities required before conversation of certain functions to contractor performance (10 minutes)
9. Jackson Lee (TX): Requires the Government Accountability Office to include in its annual report to congress a list of the most common grounds for sustaining protests related to bids for contracts. (10 minutes)
10. McKinley (WV), Delaney (MD), Cook (CA), Garamendi (CA), Harris (MD), King, Peter (NY): Requires the Secretary of Defense to ensure that every tactical missile program of the Department of Defense that uses solid propellant as the primary propulsion system shall have at least two fully certified rocket motor suppliers in the event that one of the rocket motor suppliers is outside the national technology and industrial base. (10 minutes)
11. Thornberry (TX): Amends Section 101 of the National Security Act of 1947 (50 U.S.C. 3021) to address the National Security Council's

enlarged staff size and subsequent micromanagement of military operations, which is inconsistent with its statutory advisory and coordination roles. The amendment would also increase oversight and accountability by requiring Senate confirmation of the National Security Advisor if the staff size of the National Security Council exceeds 100 employees. (10 minutes)

12. Nadler (NY): Removes funding prohibitions on the closure of the prison at Guantanamo Bay, Cuba. (10 minutes)
13. Walorski (IN): Amends the Freedom of Information Act to include the National Security Council (NSC) and makes the FOIA requirement effective after Senate confirmation of National Security Advisor. (10 minutes)
14. Poe (TX): Directs the Secretary of Defense to give preference to State and Federal agencies who conduct border security functions for distribution of surveillance unmanned aerial vehicles including the MQ-9 Reaper, the Aerostat radar system; night-vision goggles; and Humvees as part of the DOD's Excess Property Program (1033 program). (10 minutes)
15. Hunter (CA): Expands the use of the Transportation Worker Identification Credential (TWIC) regarding access at DoD installations. (10 minutes)
16. Kelly (PA): Prohibits funds from being used to destroy anti-personnel landmine munitions unless the Secretary of Defense submits a report on research into operational alternatives to these munitions. (10 minutes)
17. Royce (CA): Prohibits any action to impair U.S. jurisdiction and control over Naval Station Guantanamo Bay unless authorized or provided by subsequent statute or treaty, based on unique legal history of that U.S. base. (10 minutes)
18. Walorski (IN): Requires the United States Government and the government of a foreign country to enter into a written memorandum of understanding regarding the transfer of an individual from Guantanamo Bay and transmitted to the Congress. (10 minutes)
19. Calvert (CA): Requires a report on the Department of Defense civilian work force and contractors. (10 minutes)
20. Moore, Gwen (WI): Expresses the sense of Congress regarding the intentional targeting of and attacks against medical facilities and medical providers in Syria. (10 minutes)
21. Forbes (VA): Requires that the Secretary of Defense submit a report at the end of each fiscal year listing each request received from Taiwan and each letter of offer to sell any defense articles or services under the Arms Export Control Act to Taiwan during such fiscal year. (10 minutes)
22. Turner (OH): Expresses a Sense of Congress that the United States should take certain actions relevant to maintaining NATO's solidarity, strength, and deterrent capability in addition to promoting NATO enlargement at the July 2016 NATO Summit in Warsaw, Poland. (10 minutes)
23. Graves (MO): Reins in SBA's authority to fund initiatives outside its current authorized authority. (10 minutes)

24. Hanna (NY), Kilmer (WA): Directs Small Business Development Centers to provide, to the extent practicable, cyber assistance to small businesses. Requires the Small Business Administration and the Department of Homeland Security to develop a joint "SBDC Cyber Strategy" to provide necessary guidance to Small Business Development Centers regarding how they can improve the coordination and provision of federal cyber assistance to small businesses. (10 minutes)
25. Larsen, Rick (WA): Amends waiver on prohibition of use of atomic energy defense funding for work with Russia to allow the Secretary of Energy to issue waiver if activity will significantly reduce the nuclear threat, regardless of backlog at DOE defense nuclear facilities. (10 minutes)
26. Rogers, Mike (AL): Fences 50% of the funds for the Office of the Secretary of Energy until he provides a specific report to the specified congressional committees. (10 minutes)
27. Adams (NC): Provides for online entrepreneurial counseling services through the Service Corps of Retired Executives (SCORE) program and requires SCORE to submit a study and report on the future of the program through a strategic plan that covers the course of the next 5 years. (10 minutes)
28. Collins, Chris (NY), Higgins (NY): Requires the Secretary of the Army to consider using cost-competitive technologies that minimize waste generation and air emissions as alternatives to current disposal methods when reducing munitions in the stock-pile of conventional ammunition or B5A Account. (10 minutes)
29. Russell (OK): Expresses the Sense of Congress that the Dept. of Defense should reassess their guidelines on how they evaluate motor carrier safety performance. The GAO found that DOD lowered standards to Dept. of Transportation standards, even for the transport of hazardous materials. (10 minutes)
30. Costa (CA): Directs the Secretary to report to the Committees of jurisdiction regarding the efficacy of prioritizing training exercises for National Guard IRT teams with well drilling capability in locations in disadvantaged communities with drinking water supplies that have been impacted as a result of drought. (10 minutes)
31. 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.
    (10 minutes)
32. Meng (NY), McSally (AZ): Requires GAO report on admissions practices and gender composition of military service academies. (10 minutes)
33. Palmer (AL): Allows for the award of a Distinguished Service Cross to 1st LT Melvin M. Spruiell for his acts of valor during WWII as a member of the Army serving in France with the 377th Parachute Field Artillery, 101st Airborne Division. (10 minutes)
34. Sewell (AL): Allows cyber institutes to place a special emphasis on entering into a partnership with a local educational agency located in a rural, under served,or underrepresented community. (10 minutes)

35. Takano (CA): Includes in the report to Congress on the direct employment pilot program for members of the National Guard and Reserve (Sec. 566) a comparison of the pilot program to other DOD and VA unemployment and underemployment programs. (10 minutes)
36. Grayson (FL): Requires the inclusion of information concerning the availability of treatment options and resources available to address substance abuse (including alcohol, prescription drug, and opioid abuse), as part of the required servicemember preseparation counseling. (10 minutes)
37. Bost (IL): Makes a technical change to impact aid program. (10 minutes)
38. DelBene (WA): Eliminates the 2-year eligibility limitation for noncompetitive appointment of military spouses to civil service positions when a member of the Armed Forces is relocated in connection with their service. (10 minutes)
39. Bera (CA): Requires the Secretary of Defense, in consultation with the Secretaries of the VA, Education, and Labor, to submit a report to Congress detailing the transfer of skills into college credit or technical certifications for members of the Armed Forces leaving the military. (10 minutes)
40. McGovern (MA), Pompeo (KS): Requires the Secretary of Defense to design and produce a military service medal to honor retired and former members of the Armed Forces who are radiation-exposed veterans (Atomic Veterans). (10 minutes)
41. Grayson (FL): Requires the Secretary of Defense to consider "comparable quality of service" as criteria used to determine partnership agreements between facilities of the uniformed services and local or regional health care systems. (10 minutes)
42. Carter, John (TX): Places specific reporting requirements on the Defense Department when prescribing and distributing Mefloquine to members of the Armed Forces, and requires the Secretary of Defense to conduct an annual review for each Mefloquine prescription. Expands the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury's mission to include the study of the adverse health effects of Mefloquine. (10 minutes)
43. Wilson, Joe (SC): Modifies Section 825(f) of the FY17 NDAA to sunset the required report after five years. (10 minutes)
44. Wilson, Joe (SC): Modifies the effective date for section 901(a)(1) of the National Defense Authorization Act for Fiscal Year 2015 by extending it one year to February, 1, 2018. (10 minutes)
45. Beyer (VA), Wittman (VA), Connolly (VA), Lamborn (CO), Comstock (VA), Ruppersberger (MD): Ensures that DOD is using LPTA in an effective and appropriate manner as a source selection process. States that it should be DOD policy to avoid LPTA use in circumstances that potentially deny the Department the benefits of cost and technical tradeoffs in the source selection process. (10 minutes)
46. Burgess (TX), Schakowsky (IL), DeFazio (OR), Welch (VT): 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)

47. Turner (OH): Requires the Secretary of the Air Force to provide a briefing to the House Armed Services Committee on the process used to include proximity to certain commercial airports as part of its Strategic Basing Process. (10 minutes)
48. Zeldin (NY): Requires the United States Navy to specifically assess synthetic aperture sonar systems and subsequently report on whether they are a suitable for incorporation on the Littoral Combat Ship (LCS). (10 minutes)
49. Frankel (FL): Expresses Congress's appreciation to American veterans disabled for life and supports the annual recognition of these individuals each year. (10 minutes)
50. Beyer (VA): Pairs the FAA and the DOD to study possible changes to these routes and altitude caps to minimize the impact from these overflight operations. (10 minutes)
51. Trott (MI): States that the President shall instruct the U.S. Ambassador to the United Nations to use the voice and vote of the United States to seek the establishment of a United Nations processing center in Erbil, Iraq to assist internationally displaced communities. (10 minutes)
52. Vela (TX): Requires the Department of Defense to submit a report to Congress on the impact of cartel violence in Mexico on U.S. national security. (10 minutes)
53. Thornberry (TX): Requires the Secretaries of Defense and State to submit to the appropriate committees of Congress a report containing a description of the steps the United States has taken, plans to take, and will take to provide Taiwan with arms of a defensive character in accordance with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et 14 seq.). (10 minutes)
54. Nolan (MN): Prohibits funding from the Syria Train and Equip program to recipients that the Secretary of Defense has reported as having misused provided training and equipment. (10 minutes)
55. Aguilar (CA): Creates a pilot program to improve the ability of the Army and Air Force, respectively, to recruit cyber professionals. (10 minutes)
56. Dold (IL): Extends the authorization of a 2014 project for barracks at Great Lakes, IL. (10 minutes)
57. Chu (CA): Ensures that the Small Business Administration considers the population density of the area to be serviced by women's business centers when reviewing and selecting eligible entities for WBC grants. (10 minutes)
58. Perlmutter (CO): Allows deed restrictions on former U.S. Army land at Rocky Mountain Arsenal to be modified or removed should an environmental risk assessment determine the property is protective for residential or industrial uses. (10 minutes)
59. Pompeo (KS): Requires the Director of National Intelligence to complete a declassification review of intelligence reports related to the past terrorist activities of individuals who were transferred or released from GTMO, and make available to the public any information declassified as a result of the declassification review. (10 minutes)

60. Zinke (MT), Rogers, Mike (AL), Lummis (WY), DeLauro (CT): Ensures the security of our land-based nuclear forces and ensures an acquisition strategy that will field a UH-1N replacement aircraft in fiscal year 2018. (10 minutes)
61. McSally (AZ): Places a prohibition on enforcement of military commission rulings preventing members of the Armed Forces from carrying out otherwise lawful duties based on member gender, such as guarding high-value detainees at Guantanamo Bay. (10 minutes)

PART A—TEXT OF AMENDMENT CONSIDERED AS ADOPTED

2R

AMENDMENT TO RULES COMMITTEE PRINT 114–51

OFFERED BY MR. SESSIONS OF TEXAS

Strike section 528 (page 127, beginning line 14), and insert the following new section:

SEC. 528. REPORT ON PURPOSE AND UTILITY OF REGISTRATION SYSTEM UNDER MILITARY SELECTIVE SERVICE ACT.

(a) REPORT REQUIRED.—Not later than July 1, 2017, the Secretary of Defense shall—

(1) submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the current and future need for a centralized registration system under the Military Selective Service Act (50 U.S.C. 3801 et seq.); and

(2) provide a briefing on the results of the report.

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

(1) A detailed analysis of the current benefits derived, both directly and indirectly, from the Military Selective Service System, including—

1 (A) the extent to which mandatory reg-
2 istration benefits military recruiting;
3 (B) the extent to which a national registra-
4 tion capability serves as a deterrent to potential
5 enemies of the United States; and
6 (C) the extent to which expanding registra-
7 tion to include women would impact these bene-
8 fits.
9 (2) An analysis of the functions currently per-
10 formed by the Selective Service System that would
11 be assumed by the Department of Defense in the ab-
12 sence of a national registration capability.
13 (3) An analysis of the systems, manpower, and
14 facilities that would be needed by the Department to
15 physically mobilize inductees in the absence of the
16 Selective Service System.
17 (4) An analysis of the feasibility and utility of
18 eliminating the current focus on mass mobilization
19 of primarily combat troops in favor of a system that
20 focuses on mobilization of all military occupational
21 specialties, and the extent to which such a change
22 would impact the need for both male and female in-
23 ductees.

1 (5) A detailed analysis of the Department's per-
2 sonnel needs in the event of an emergency requiring
3 mass mobilization, including—
4 (A) a detailed timeline, along with the fac-
5 tors considered in arriving at this timeline, of
6 when the Department would require—
7 (i) the first inductees to report for
8 service;
9 (ii) the first 100,000 inductees to re-
10 port for service; and
11 (iii) the first medical personnel to re-
12 port for service; and
13 (B) an analysis of any additional critical
14 skills that would be needed in the event of a na-
15 tional emergency, and a timeline for when the
16 Department would require the first inductees to
17 report for service.
18 (6) A list of the assumptions used by the De-
19 partment when conducting its analysis in preparing
20 the report.
21 (c) COMPTROLLER GENERAL REVIEW.—Not later
22 than December 1, 2017, the Comptroller General of the
23 United States shall submit to the Committees on Armed
24 Services of the Senate and the House of Representatives

1 a review of the procedures used by the Department of De-
2 fense in evaluating selective service requirements.

PART B—TEXT OF AMENDMENTS MADE IN ORDER

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

376R

AMENDMENT TO THE RULES COMMITTEE PRINT

FOR H.R. 4909

OFFERED BY MR. THORNBERRY OF TEXAS

Page 727, line 5, insert after "may" the following:

", as specified in advance by appropriations Acts,".

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

204

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909

OFFERED BY MR. WESTERMAN OF ARKANSAS

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

SEC. 1___. FUNDING FOR SURFACE-TO-AIR MISSILE SYSTEM.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for procurement, as specified in the corresponding funding table in section 4101, for missile procurement, Army, surface-to-air missile system, MSE missile (Line 002) is hereby increased by $82,400,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for Department of Energy national security programs, as specified in the corresponding funding table in section 4701, for Defense Nuclear Nonproliferation, Defense Nuclear Nonproliferation Programs, Defense Nuclear Nonproliferation R&D, Material management and minimization is hereby reduced by $82,400,000.

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

152

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. GARAMENDI OF CALIFORNIA

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

SEC. 1___. FUNDING FOR LARGE AIRCRAFT INFRARED COUNTERMEASURES.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, there is authorized to be appropriated $17,930,000 for procurement, Air Force, Large Aircraft Infrared Countermeasures.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for research, development, test, and evaluation, as specified in the corresponding funding table in section 4201, for advanced component development & prototypes, Ground Based Strategic Deterrent (Line 044) is hereby reduced by $17,930,000.

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

25

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. MCKINLEY OF WEST VIRGINIA

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

SEC. 3___. INCREASE IN FUNDING FOR CIVIL MILITARY PROGRAMS.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for operation and maintenance, Defense-wide, as specified in the corresponding funding table in section 4301, for Civil Military Programs is hereby increased by $15,000,000 (to be used in support of the National Guard Youth Challenge Program).

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for operation and maintenance, Defense-wide, as specified in the corresponding funding table in section 4301, for Operation and Maintenance, Defense-wide is hereby reduced by $15,000,000.

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

AMENDMENT TO H.R. 4909

OFFERED BY MR. GUTHRIE OF KENTUCKY 212

Page 81, insert after line 14 the following:

SEC. 312. PRODUCTION AND USE OF NATURAL GAS AT FORT KNOX.

(a) PRODUCTION AND USE OF NATURAL GAS AT FORT KNOX.—Chapter 449 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 4781. Natural gas: production, treatment, management, and use at Fort Knox, Kentucky

"(a) AUTHORITY.—(1) The Secretary of the Army may provide for the production, treatment, management, and use of natural gas located under Fort Knox, Kentucky, without regard to section 3 of the Mineral Leasing Act for Acquired Lands (30 U.S.C. 352).

"(2) The Secretary is authorized to enter into a contract with an appropriate entity to carry out paragraph (1).

"(b) LIMITATION ON USES.—Any natural gas produced under subsection (a) may be used only to support activities and operations at Fort Knox and may not be sold for use elsewhere.

1 "(c) OWNERSHIP OF FACILITIES.—The Secretary of
2 the Army may take ownership of any gas production and
3 treatment equipment and facilities and associated infra-
4 structure from an entity with which the Secretary has en-
5 tered into a contract under subsection (a) in accordance
6 with the terms of the contract.
7 "(d) APPLICABILITY.—The authority of the Sec-
8 retary of the Army under this section is effective as of
9 August 2, 2007.".
10 (b) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of such chapter is amended by adding
12 at the end the following new item:

"4781. Natural gas: production, treatment, management, and use at Fort Knox, Kentucky.".

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

316

AMENDMENT TO THE RULES COMMITTEE PRINT

FOR H.R. 4909

OFFERED BY MR. GALLEGO OF ARIZONA

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

SEC. _____. REQUIREMENT TO REVIEW AND MONITOR PRESCRIBING PRACTICES AT MILITARY TREATMENT FACILITIES OF PHARMACEUTICAL AGENTS FOR TREATMENT OF POST-TRAUMATIC STRESS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) conduct a comprehensive review of the prescribing practices at military treatment facilities of pharmaceutical agents for the treatment of post-traumatic stress;

(2) implement a process or processes to monitor the prescribing practices at military treatment facilities of pharmaceutical agents that are discouraged from use under the VA/DOD Clinical Practice Guideline for Management of Post-Traumatic Stress; and

1 (3) implement a plan to address any deviations
2 from such guideline in prescribing practices of phar-
3 maceutical agents for management of post-traumatic
4 stress at such facilities.
5 (b) PHARMACEUTICAL AGENT DEFINED.—In this
6 section, the term "pharmaceutical agent" has the meaning
7 given that term in section 1074g(g) of title 10, United
8 States Code.

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

215

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909

OFFERED BY MR. GRAVES OF MISSOURI

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

SEC. 843. IMPROVEMENTS TO THE DESIGN-BUILD CONSTRUCTION PROCESS FOR DEFENSE CONTRACTS.

(a) IN GENERAL.—Section 2305a of title 10, United States Code, is amended—

(1) by amending subsection (b) to read as follows:

"(b) CRITERIA FOR USE.—

"(1) CONTRACTS WITH A VALUE OF AT LEAST $4,000,000.—Two-phase selection procedures shall be used for entering into a contract for the design and construction of a public building, facility, or work when a contracting officer determines that the contract has a value of $4,000,000 or greater.

"(2) CONTRACTS WITH A VALUE LESS THAN $4,000,000.—For projects that a contracting officer determines have a value of less than $4,000,000, the contracting officer shall make a determination

1 whether two-phase selection procedures are appro-
2 priate for use for entering into a contract for the de-
3 sign and construction of a public building, facility,
4 or work when—
5 "(A) the contracting officer anticipates
6 that 3 or more offers will be received for the
7 contract;
8 "(B) design work must be performed be-
9 fore an offeror can develop a price or cost pro-
10 posal for the contract;
11 "(C) the offeror will incur a substantial
12 amount of expense in preparing the offer; and
13 "(D) the contracting officer has considered
14 information such as—
15 "(i) the extent to which the project re-
16 quirements have been adequately defined;
17 "(ii) the time constraints for delivery
18 of the project;
19 "(iii) the capability and experience of
20 potential contractors;
21 "(iv) the suitability of the project for
22 use of the two-phase selection procedures;
23 "(v) the capability of the agency to
24 manage the two-phase selection process;
25 and

1 "(vi) other criteria established by the
2 agency.";
3 (2) by striking the second sentence in sub-
4 section (d) and inserting the following: "The max-
5 imum number specified in the solicitation shall not
6 be greater than 5 unless the head of the contracting
7 activity (or a designee of the head who is in a posi-
8 tion not lower than the supervisor of the contracting
9 officer) approves the contracting officer's justifica-
10 tion with respect to an individual solicitation that a
11 specified number greater than 5 is in the Federal
12 Government's interest."; and
13 (3) by adding at the end the following new sub-
14 section:
15 "(g) ANNUAL REPORTS.—
16 "(1) IN GENERAL.—Not later than November
17 30 of each of the years 2016 through 2020, the Sec-
18 retary of Defense shall submit to the Director of the
19 Office of Management and Budget an annual report
20 containing each instance in which the agency award-
21 ed a design-build contract pursuant to section 2305a
22 of this title, during the preceding fiscal year in
23 which—
24 "(A) more than 5 finalists were selected
25 for phase-two requests for proposals; or

1 "(B) the contract was awarded without
2 using two-phase selection procedures.
3 "(2) PUBLIC AVAILABILITY.—The Director of
4 the Office of Management and Budget shall make
5 available to the public, including on the Internet, the
6 annual reports described in paragraph (1), and pub-
7 lish a notice of the availability of each report in the
8 Federal Register.".
9 (b) GOVERNMENT ACCOUNTABILITY OFFICE RE-
10 PORT.—Not later than 270 days after November 30,
11 2020, the Comptroller General of the United States shall
12 issue a report analyzing the compliance of the various
13 Federal agencies with the requirements of subsection (g)
14 of section 2305a of title 10, United States Code (as added
15 by subsection (a)(3)).

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

AMENDMENT TO THE RULES COMMITTEE PRINT

FOR H.R. 4909

OFFERED BY MS. JACKSON LEE OF TEXAS

352 L

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

SEC. 843. ASSESSMENT OF OUTREACH FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN AND MINORITIES REQUIRED BEFORE CONVERSION OF CERTAIN FUNCTIONS TO CONTRACTOR PERFORMANCE.

No Department of Defense function that is performed by Department of Defense civilian employees and is tied to a certain military base may be converted to performance by a contractor until the Secretary of Defense conducts an assessment to determine if the Department of Defense has carried out sufficient outreach programs to assist small business concerns owned and controlled by women (as such term is defined in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D))) and small business concerns owned and controlled by socially and economically disadvantaged individuals (as such term is defined in section 8(d)(3)(C) of the Small Business Act

1 (15 U.S.C. 637(d)(3)(C))) that are located in the geo-
2 graphic area near the military base.

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

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AMENDMENT TO RULES COMM PRINT 114–51

OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of title VIII (page 326, after line 4), insert the following:

SEC. 843. INCLUSION OF INFORMATION ON COMMON GROUNDS FOR SUSTAINING BID PROTESTS IN ANNUAL GOVERNMENT ACCOUNTABILITY OFFICE REPORTS TO CONGRESS.

The Comptroller General of the United States shall include in the annual report to Congress on the Government Accountability Office each year a list of the most common grounds for sustaining protests relating to bids for contracts during such year.

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

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AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. MCKINLEY OF WEST VIRGINIA

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

SEC. 843. POLICY REGARDING SOLID ROCKET MOTORS USED IN TACTICAL MISSILES.

(a) POLICY.—The Secretary of Defense shall ensure that every tactical missile program of the Department of Defense that uses solid propellant as the primary propulsion system shall have at least two fully certified rocket motor suppliers in the event that one of the rocket motor suppliers is outside the national technology and industrial base (as defined in section 2500(1) of title 10, United States Code).

(b) WAIVER.—The Secretary may waive subsection (a) in the case of compelling national security reasons.

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

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AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. THORNBERRY OF TEXAS

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

SEC. 9___. REFORM OF NATIONAL SECURITY COUNCIL.

(a) FINDINGS.—Congress finds the following:

(1) The National Security Council has increasingly micromanaged military operations and centralized decisionmaking within the staff of the National Security Council. The size of the staff has contributed this problem.

(2) As stated by former Secretary of Defense Robert M. Gates, "It was the operational micromanagement that drove me nuts of White House and [National Security Council] staffers calling senior commanders out in the field and asking them questions, second guessing commanders", and by another former Secretary of Defense Leon Panetta, "[B]ecause of that centralization of that authority at the White House, there are too few voices being heard in terms of the ability to make decisions and that includes members of the cabinet.".

1 (3) Gates stated, "You have 25 people working
2 on a single military problem... They are going to be
3 doing things they shouldn't be doing," and Panetta
4 noted, "The National Security Council has grown
5 enormously, which means you have a lot more staff
6 people running around at the White House on these
7 foreign policy issues.".
8 (4) Press reports indicate that National Secu-
9 rity Council micromanagement has included select-
10 ing targets in ongoing military operations, specifying
11 detailed parameters and limitations on military oper-
12 ations, and managing military planning and the exe-
13 cution of plans.
14 (5) As stated in section 101(a) of the National
15 Security Act of 1947 (50 U.S.C. 3021(a)), the
16 "function of the Council shall be to advise the Presi-
17 dent with respect to the integration of domestic, for-
18 eign, and military policies relating to the national se-
19 curity so as to enable the military services and the
20 other departments and agencies of the Government
21 to cooperate more effectively in matters involving the
22 national security".
23 (6) As stated in the November 1961 staff re-
24 ports and recommendations on "Organizing for Na-
25 tional Security" submitted to the Committee on Gov-

1 ernment Operations of the Senate by the Sub-
2 committee on National Policy Machinery, "The
3 Council is an interagency committee: It can inform,
4 debate, review, adjust, and validate... The Council is
5 not a decisionmaking body; it does not itself make
6 policy. It serves only in an advisory capacity to the
7 President, helping him arrive at decisions which he
8 alone can make.".

9 (7) As noted in the 1987 Report of the Presi-
10 dent's Special Review Board (commonly known as
11 the "Tower Commission Report"), "As a general
12 matter, the [National Security Council] staff should
13 not engage in the implementation of policy or the
14 conduct of operations. This compromises their over-
15 sight role and usurps the responsibilities of the de-
16 partments and agencies.".

17 (8) As noted in the "Addendum on Structure
18 and Process Analyses: Volume II – Executive Office
19 of the President," accompanying the February 2001
20 U.S. Commission on National Security/21st Century
21 (commonly known as the "Hart-Rudman Commis-
22 sion"), "[T]he degree to which the [National Secu-
23 rity Council] gets involved in operational issues
24 raises a question of congressional oversight. Today
25 there is limited congressional oversight of the [Na-

1 tional Security Council]... Assigning the [National
2 Security Council] greater operational responsibility
3 would likely result in calls for more congressional
4 oversight and legislative control...".

5 (9) According to analysis from the Brookings
6 Institution's National Security Council Project, the
7 size of the National Security Council staff from the
8 early 1960s to the mid-1990s remained consistently
9 under 60 personnel. Since then, it has grown signifi-
10 cantly in size.

11 (10) As former National Security Advisor,
12 Zbigniew Brzezinski, wrote in "The NSC's Midlife
13 Crisis" in Foreign Policy, Winter 1987–1988,
14 "There is no magic number, but it would appear
15 that for successful strategic planning and policy co-
16 ordination 30-40 senior staff members are probably
17 adequate. However, to ensure effective supervision
18 over policy implementation as well, the size of the
19 staff should be somewhat larger. An optimal figure
20 for the senior staff probably would be about 50 sen-
21 ior staff members.".

22 (b) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that—

24 (1) the function of the National Security Coun-
25 cil, consistent with the National Security Act of

1947 (50 U.S.C. 3001 et seq.), is to advise the President as an independent honest broker on national security matters, to coordinate national security activities across departments and agencies, and to make recommendations to the President regarding national security objectives and policy, and the size of the staff of the National Security Council should be appropriately aligned to this function;

(2) the President is entitled to privacy in the Office of the President and to a confidential relationship with the National Security Advisor and the National Security Council; and

(3) however, a National Security Council, enabled by a large staff, that assumes a central policymaking or operational role is no longer advisory and should be publicly accountable to the American people through Senate confirmation of its leadership and the activities of the Council subject to direct oversight by Congress.

(c) AMENDMENTS TO NATIONAL SECURITY ACT OF 1947.—Section 101 of the National Security Act of 1947 (50 U.S.C. 3021), is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking "and";

1 (B) in paragraph (6), by striking the pe-
2 riod at the end and inserting "; and"; and
3 (C) by adding after paragraph (6) the fol-
4 lowing new paragraph:
5 "(7) the Assistant to the President for National
6 Security Affairs.";
7 (2) in subsection (c), by striking "shall receive
8 compensation at the rate of $10,000 a year." and
9 inserting "shall report to, and be under the general
10 supervision of, the Assistant to the President for
11 National Security Affairs.";
12 (3) by redesignating subsections (d) through (l)
13 as subsections (e) through (m), respectively; and
14 (4) by inserting after subsection (c) the fol-
15 lowing new subsection:
16 "(d)(1)(A) Except as provided by subparagraph (B),
17 the Assistant to the President for National Security Af-
18 fairs shall be appointed by the President.
19 "(B) If the staff of the Council exceeds 100 covered
20 employees at any point during a term of the President,
21 and for the duration of such term (without regard to any
22 changes to the number of such covered employees), the
23 Assistant to the President for National Security Affairs
24 shall be appointed by the President, by and with the advice
25 and consent of the Senate.

1 "(2)(A) Beginning on the date on which the staff of
2 the Council exceeds 100 covered employees, the person ap-
3 pointed as the Assistant under paragraph (1)(A), the per-
4 son nominated by the President to be appointed the As-
5 sistant under paragraph (1)(B), or any other person des-
6 ignated by the President to serve as the Assistant in an
7 acting capacity, may serve in an acting capacity for no
8 longer than 210 days.

9 "(B) If the person nominated by the President to be
10 appointed the Assistant under paragraph (1)(B) is re-
11 jected by the Senate, withdrawn, or returned to the Presi-
12 dent by the Senate, the President shall nominate another
13 person and the person serving as the acting Assistant may
14 continue to serve—

15 "(i) until the second nomination is confirmed;
16 or

17 "(ii) for no more than 210 days after the sec-
18 ond nomination is rejected, withdrawn, or returned.

19 "(3) The President shall notify Congress in writing
20 not more than seven days after the date on which the staff
21 of the Council exceeds 100 covered employees.

22 "(4) In this subsection, the term 'covered employees'
23 means each of the following officers and employees (count-
24 ed without regard to full-time equivalent basis):

1 "(A) Officers and employees occupying a posi-
2 tion funded by the Executive Office of the President
3 performing a function of the Council.
4 "(B) Officers, employees, and members of the
5 Armed Forces from any department, agency, or
6 independent establishment of the executive branch of
7 the Government that are on detail to the Council
8 performing a function of the Council.".
9 (d) CONFORMING AMENDMENT.—Section 3(12) of
10 the International Religious Freedom Act of 1998 (22
11 U.S.C. 6402(12)) is amended by striking "section 101(i)"
12 and inserting "section 101(l)".

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

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AMENDMENT TO RULES COMMITTEE PRINT 114-51

OFFERED BY MR. NADLER OF NEW YORK

Strike sections 1032 and 1033.

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

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AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MRS. WALORSKI OF INDIANA

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

SEC. 10___. APPLICATION OF THE FREEDOM OF INFORMATION ACT TO THE NATIONAL SECURITY COUNCIL.

(a) IN GENERAL.—Section 552(f)(1) of title 5, United States Code (commonly referred to as the Freedom of Information Act), is amended by inserting "and the National Security Council" after "the Executive Office of the President".

(b) EFFECTIVE DATE; APPLICATION.—

(1) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date on which the first Assistant to the President for National Security Affairs is appointed by the President, by and with the advice and consent of the Senate, pursuant to section 101(d)(1)(B) of the National Security Act of 1947 (50 U.S.C. 3021(d)(1)(B)), as added by title IX of this Act.

(2) APPLICATION.—The amendment made by subsection (a) shall apply with respect to any record

1 created by the National Security Council on or after

2 the date specified in paragraph (1).

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

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AMENDMENT TO RULES COMMITTEE PRINT 114-51

OFFERED BY MR. POE OF TEXAS

Page 394, after line 5, insert the following:

SEC. 1048. REQUIREMENT RELATING TO TRANSFER OF EXCESS DEPARTMENT OF DEFENSE EQUIPMENT TO FEDERAL AND STATE AGENCIES.

Section 2576a of title 10, United States Code, is amended by adding at the end the following new subsection:

"(g) PREFERENCE FOR BORDER SECURITY PURPOSES.—(1) In transferring the personal property described in paragraph (2) under this section, the Secretary of Defense shall give preference to Federal and State agencies that agree to use the property primarily for the purpose of strengthening border security along the southern border of the United States.

"(2) The personal property described in this section is—

"(A) surveillance unmanned aerial vehicles, including the MQ-9 Reaper (also known as the 'Predator B') and the Aerostat radar system;

"(B) night-vision goggles; and

1 "(C) high mobility multi-purpose wheel vehicles

2 (commonly known as 'humvees').".

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

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AMENDMENT TO RULES COMMITTEE PRINT 114-51

OFFERED BY MR. HUNTER OF CALIFORNIA

Page 462, after line 13, insert the following:

SEC. 1098. USE OF TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL TO GAIN ACCESS AT DEPARTMENT OF DEFENSE INSTALLATIONS.

(a) ACCESS TO INSTALLATIONS FOR CREDENTIALED TRANSPORTATION WORKERS.—During the period that the Secretary is developing and fielding physical access standards, capabilities, processes, and electronic access control systems, the Secretary shall, to the maximum extent practicable, ensure that the Transportation Worker Identification Credential (TWIC) shall be accepted as a valid credential for unescorted access to Department of Defense installations by transportation workers.

(b) CREDENTIALED TRANSPORTATION WORKERS WITH SECRET CLEARANCE.—TWIC-carrying transportation workers who also have a current Secret Level Clearance issued by the Department of Defense shall be considered exempt from further vetting when seeking unescorted access at Department of Defense facilities. Access security personnel shall verify such person's security clearance in

1 a timely manner and provide them with unescorted access
2 to complete their freight service.
3 (c) REPORT ON CREDENTIALED PERSONS DENIED
4 ACCESS TO DEPARTMENT OF DEFENSE INSTALLA-
5 TIONS.—Not later than 90 days after the date of enact-
6 ment of this Act, the Secretary of Defense shall begin doc-
7 umenting each instance when a credentialed transpor-
8 tation worker is denied unescorted access to a military fa-
9 cility in the Continental United States, Hawaii, Alaska,
10 Guam, or Native American lands. The report shall include,
11 but not be limited to, the reasons for such denial, and the
12 amount of time the credentialed party denied entrance
13 waited to obtain access. The report shall be submitted to
14 the Armed Services Committees of the House and Senate
15 no later than the first day of February of each year until
16 complete fielding of Identity Management Enterprise
17 Services Architecture and electronic access control systems
18 are achieved.

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

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AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. KELLY OF PENNSYLVANIA

Page 462, after line 13, insert the following:

SEC. _____. LIMITATION ON AVAILABILITY OF FUNDS FOR DESTRUCTION OF CERTAIN LANDMINES AND REPORT ON DEVELOPMENT OF REPLACEMENT ANTI-PERSONNEL LANDMINE MUNITIONS.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Department of Defense may be obligated or expended for the destruction of anti-personnel landmine munitions before the date on which the Secretary of Defense submits the report required by subsection (c).

(b) EXCEPTION FOR SAFETY.—Subsection (a) shall not apply to any anti-personnel landmine munitions that the Secretary determines are unsafe or could pose a safety risk if not demilitarized or destroyed.

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Sec-

1 retary of Defense shall submit to the Congress a re-
2 port that includes the following:
3 (A) An assessment of the current state of
4 research into operational alternatives to anti-
5 personnel landmines.
6 (B) Any other matter that the Secretary
7 determines should be included in the report.
8 (2) FORM OF REPORT.—The report required by
9 paragraph (1) shall be submitted in unclassified
10 form, but may include a classified annex.
11 (d) ANTI-PERSONNEL LANDMINE MUNITIONS DE-
12 FINED.—In this section, the term "anti-personnel land-
13 mine munitions" includes anti-personnel landmines and
14 sub-munitions as defined by the Convention on the Prohi-
15 bition of the Use, Stockpiling, Production and Transfer
16 of Anti-Personnel Mines and on their Destruction, as de-
17 termined by the Secretary.

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

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AMENDMENT TO RULES COMM. PRINT 114–51

OFFERED BY MR. ROYCE OF CALIFORNIA

At the end of title X, add the following:

Subtitle H—United States Naval Station Guantanamo Bay Preservation Act

SEC. 10xx. SHORT TITLE.

This subtitle may be cited as the "United States Naval Station Guantanamo Bay Preservation Act".

SEC. 10xx. FINDINGS.

Congress makes the following findings:

(1) United States Naval Station, Guantanamo Bay, Cuba, has been a strategic military asset critical to the defense of the United States and the maintenance of regional security for more than a century.

(2) The United States continues to exercise control over the area of United States Naval Station, Guantanamo Bay, Cuba, pursuant to the Guantanamo Lease Agreements, which were initiated and concluded pursuant to an Act of Congress.

(3) Senior United States military leaders have consistently voiced strong support for maintaining

1 United States Naval Station, Guantanamo Bay,
2 Cuba, noting its strategic value for military basing
3 and logistics, disaster relief, humanitarian work, ter-
4 rorist detention, and counter-narcotics purposes.
5 (4) On February 29, 2016, Secretary of De-
6 fense Ashton B. Carter, discussing United States
7 Naval Station, Guantanamo Bay, Cuba, stated that
8 "it's a strategic location, we've had it for a long
9 time, it's important to us and we intend to hold onto
10 it".
11 (5) On March 12, 2015, Commander of United
12 States Southern Command, General John Kelly, tes-
13 tified that the United States facilities at Naval Sta-
14 tion Guantanamo Bay "are indispensable to the De-
15 partments of Defense, Homeland Security, and
16 State's operational and contingency plans. . . . As
17 the only permanent U.S. military base in Latin
18 America and the Caribbean, its location provides
19 persistent U.S. presence and immediate access to the
20 region, as well as supporting a layered defense to se-
21 cure the air and maritime approaches to the United
22 States".
23 (6) In testimony before Congress in 2012, then-
24 Commander of United States Southern Command,
25 General Douglas Fraser, stated that "the strategic

capability provided by U.S. Naval Station Guantanamo Bay remains essential for executing national priorities throughout the Caribbean, Latin America, and South America''.

(7) Following a 1991 coup in Haiti that prompted a mass exodus of people by boat, United States Naval Station, Guantanamo Bay, Cuba, provided a location for temporary housing and the orderly adjudication of asylum claims outside of the continental United States.

(8) In 2010, United States Naval Station, Guantanamo Bay, Cuba, was a critical hub for the provision of humanitarian disaster relief following the devastating earthquakes in Haiti.

(9) The United States presence at United States Naval Station, Guantanamo Bay, Cuba, has its origins in Acts of Congress undertaken pursuant to the powers of Congress expressly enumerated in the Constitution of the United States.

(10) By joint resolution approved on April 20, 1898, Congress ''directed and empowered'' the President ''to use the entire land and naval forces of the United States'' as necessary to ensure that the Government of Spain ''relinquish its authority and government in the island of Cuba, and withdraw

1 its land and naval forces from Cuba and Cuban
2 waters''.
3 (11) Congress declared war against Spain on
4 April 25, 1898, which lasted until December 10,
5 1898, when the United States and Spain signed the
6 Treaty of Paris, in which Spain relinquished all
7 claims of sovereignty over Cuba, and United States
8 governance of Cuba was established.
9 (12) Nearly three years later, in the Act of
10 March 2, 1901 (Chapter 803; 31 Stat. 898), Con-
11 gress granted the President the authority to return
12 ''the government and control of the island of Cuba
13 to its people'' subject to several express conditions
14 including, in article VII of the Act of March 2,
15 1901, the sale or lease by Cuba to the United States
16 of lands necessary for naval stations.
17 (13) Pursuant to the authority granted by arti-
18 cle VII of the Act of March 2, 1901, the United
19 States negotiated the Guantanamo Lease Agree-
20 ments, which specified the area of, and United
21 States jurisdiction and control over, what became
22 United States Naval Station, Guantanamo Bay,
23 Cuba.
24 (14) On October 2, 1903, when approving the
25 Lease to the United States by the Government of

1 Cuba of Certain Areas of Land and Water for Naval
2 or Coaling Stations, signed in Havana on July 2,
3 1903, President Theodore Roosevelt cited the Act of
4 March 2, 1901, as providing his authority to do so:
5 "I, Theodore Roosevelt, President of the United
6 States of America, having seen and considered the
7 foregoing lease, do hereby approve the same, by vir-
8 tue of the authority conferred by the seventh of the
9 provisions defining the relations which are to exist
10 between the United States and Cuba, contained in
11 the Act of Congress approved March 2, 1901, enti-
12 tled 'An Act making appropriation for the support
13 of the Army for the fiscal year ending June 30,
14 1902.'".
15 (15) Obtaining United States naval station
16 rights in Cuba was an express condition of the au-
17 thority that Congress gave the President to return
18 control and governance of Cuba to the people of
19 Cuba. In exercising that authority and concluding
20 the Guantanamo Lease Agreements, President Theo-
21 dore Roosevelt recognized the source of that author-
22 ity as the Act of March 2, 1901.
23 (16) The Treaty of Relations between the
24 United States of America and the Republic of Cuba,
25 signed at Washington, May 29, 1934, did not super-

1 sede, abrogate, or modify the Guantanamo Lease
2 Agreements, but noted that the stipulations of those
3 agreements "shall continue in effect" until the
4 United States and Cuba agree to modify them.
5 (17) The Constitution of the United States ex-
6 pressly grants to Congress the power to provide for
7 the common defense of the United States, the power
8 to provide and maintain a Navy, and the power "to
9 dispose of and make all needful Rules and Regula-
10 tions respecting the Territory or other Property be-
11 longing to the United States".

12 **SEC. 10xx. PROHIBITION ON MODIFICATION, ABROGATION,**
13 **OR OTHER RELATED ACTIONS WITH RESPECT**
14 **TO UNITED STATES JURISDICTION AND CON-**
15 **TROL OVER UNITED STATES NAVAL STATION,**
16 **GUANTANAMO BAY, CUBA, WITHOUT CON-**
17 **GRESSIONAL ACTION.**

18 No action may be taken to modify, abrogate, or re-
19 place the stipulations, agreements, and commitments con-
20 tained in the Guantanamo Lease Agreements, or to impair
21 or abandon the jurisdiction and control of the United
22 States over United States Naval Station, Guantanamo
23 Bay, Cuba, unless specifically authorized or otherwise pro-
24 vided by—

1 (1) a statute that is enacted on or after the
2 date of the enactment of this Act;
3 (2) a treaty that is ratified with the advice and
4 consent of the Senate on or after the date of the en-
5 actment of this Act; or
6 (3) a modification of the Treaty Between the
7 United States of America and Cuba signed at Wash-
8 ington, DC, on May 29, 1934, that is ratified with
9 the advice and consent of the Senate on or after the
10 date of the enactment of this Act.

11 **SEC. 10xx. GUANTANAMO LEASE AGREEMENTS DEFINED.**

12 In this subtitle, the term "Guantanamo Lease Agree-
13 ments" means—
14 (1) the Agreement Between the United States
15 of America and the Republic of Cuba for the Lease
16 to the United States of Lands in Cuba for coaling
17 and naval stations, signed by the President of the
18 United States on February 23, 1903; and
19 (2) the Lease to the United States by the Gov-
20 ernment of Cuba of Certain Areas of Land and
21 Water for Naval or Coaling Stations, signed by the
22 President of the United States on October 2, 1903.

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

AMENDMENT TO H.R. 4909

OFFERED BY MRS. WALORSKI OF INDIANA

At the appropriate place in title X, add the following:

SEC. 10___. REQUIREMENT FOR MEMORANDUM OF UNDERSTANDING REGARDING TRANSFER OF DETAINEES.

Section 1034(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 969; 10 U.S.C. 801 note) is amended—

(1) by striking "and" at the end of paragraph (3);

(2) by striking the period and inserting "; and" at the end of paragraph (4); and

(3) by adding at the end the following new paragraph:

"(5) the United States Government and the government of the foreign country have entered into a written memorandum of understanding regarding the transfer of the individual and such memorandum of understanding has previously been transmitted to the appropriate committees of Congress.".

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

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AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. CALVERT OF CALIFORNIA

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

SEC. 1112. REPORT ON DEPARTMENT OF DEFENSE CIVILIAN WORKFORCE PERSONNEL AND CONTRACTORS.

(a) FINDINGS.—Congress finds the following:

(1) A large, disproportionate, and duplicative civilian work force coupled with bureaucratic, structural inefficiencies has detracted from the Pentagon's production of combat power and its ability to modernize.

(2) The recent uniformed military drawdown has not been accompanied by an equivalent reduction of either the civilian or contractor work force. Right sizing the civilian workforce must be statutory in number but implemented with executive discretion. Across-the-board cuts to the defense civilian workforce are not the answer.

(3) Spending on contract services is over 50 percent of all Department of Defense purchases even as the total defense budget has dropped. Expendi-

1 tures in services contracting lack appropriate over-
2 sight, accountability, and scrutiny.
3 (b) REPORTS.—
4 (1) IN GENERAL.—The Secretary of Defense
5 shall submit a preliminary report within 90 days
6 after the date of the enactment of this Act, and a
7 final report within 180 days after such date, to the
8 congressional defense committees detailing the struc-
9 ture and number of the civilian workforce and con-
10 tractors of the Department of Defense.
11 (2) CONTENTS.—Except as provided in para-
12 graph (3), each report shall include the following for
13 each of fiscal years 2017 through 2020, including a
14 breakdown in location, job function, General Sched-
15 ule (GS) level, and date of when the job was created
16 for the following individuals:
17 (A) The total number of full time equiva-
18 lent employees, including each of the following:
19 (i) The total number of Senior Execu-
20 tive Service employees and their assign-
21 ments.
22 (ii) The total number of civilian em-
23 ployees of the Department of Defense
24 within the military health care system.

1 (iii) The total number of civilian em-
2 ployees of the Department employed at de-
3 pots, arsenals, and ammunition facilities.
4 (B) The total number of civilian contrac-
5 tors of the Department of Defense, including
6 each of the following:
7 (i) The total number of civilian con-
8 tractors for weapons acquisitions.
9 (ii) The total number of civilian con-
10 tractors for services or labor for non-weap-
11 on systems acquisitions.
12 (iii) The total number of civilian con-
13 tractors employed at depots, arsenals, and
14 ammunition facilities.
15 (3) PRELIMINARY REPORT.—The preliminary
16 report provided under this subsection—
17 (A) shall cover the contents described in
18 paragraph (2) in as much detail as is ascertain-
19 able within 90 days after the date of the enact-
20 ment of this Act; and
21 (B) shall include an explanation of any im-
22 pediments to developing a complete and final
23 report by 180 days after such date of enact-
24 ment.

20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MOORE OF WISCONSIN OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

11R

AMENDMENT TO RULES COMM. PRINT 114–51

OFFERED BY MS. MOORE OF WISCONSIN

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

SEC. 12xx. SENSE OF CONGRESS CONDEMNING CONTINUING ATTACKS ON MEDICAL FACILITIES IN SYRIA.

(a) FINDINGS.—Congress finds the following:

(1) Attacks intentionally targeting civilians, medical personnel, or medical facilities constitute grave violations of international humanitarian law.

(2) In Syria, schools, markets, and hospitals are routinely destroyed in attacks and medical providers routinely targeted for attacks.

(3) Physicians for Human Rights has documented at least 350 airstrikes against medical facilities and the deaths of over 700 medical personnel in Syria since 2011.

(4) So far in May 2016, there have been at least six attacks on medical facilities in the city of Aleppo alone in less than a week killing dozens, including the last pediatrician still working in Aleppo.

1 (5) These attacks seriously hinder access to
2 medical care and are compounded by ongoing efforts
3 by the Syrian regime to block or limit humanitarian
4 aid to Syrians.
5 (6) Secretary of State John Kerry has con-
6 demned these attacks arguing, "there is no justifica-
7 tion for this horrific violence that targets civilians or
8 medical facilities or first responders no matter who
9 it is, whether it's a member of the opposition retali-
10 ating or the regime in its brutality against the civil-
11 ians which has continued for five years.".
12 (b) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that—
14 (1) the Department of Defense and all other
15 appropriate United States Government agencies
16 should continue to strongly condemn and call for an
17 immediate end to attacks on medical facilities and
18 medical providers in Syria and work to ensure that
19 doctors can do their job and provide care to the
20 those in need;
21 (2) humanitarian crises in Syria and Iraq, exac-
22 erbated by targeted attacks on medical facilities,
23 personnel, and schools, threaten the achievement of
24 United States goals in the region, such as destroying
25 and dismantling the Islamic State in Iraq and the

1 Levant (ISIL) and peace and stability in the region,
2 including Syria;
3 (3) the United States and international commu-
4 nity should do more to support medical professionals
5 and medical nonprofit organizations working in
6 Syria, at great risk to their personal well-being, to
7 treat the ill and infirm and ensure some level of
8 medical care for Syrians; and
9 (4) the Department of Defense is strongly en-
10 couraged to support, where appropriate, other ap-
11 propriate United States Government agencies and
12 entities engaged in meeting urgent and increasing
13 humanitarian and medical needs in Syria, especially
14 in areas where medical facilities and providers have
15 been targeted by the Syrian regime, ISIL, or Al-
16 Qaeda.

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

256e

AMENDMENT TO RULES COMM. PRINT 114–51

OFFERED BY MR. FORBES OF VIRGINIA

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

SEC. 12xx. ANNUAL REPORT ON FOREIGN MILITARY SALES TO TAIWAN.

Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended by adding at the end the following:

"(j) At the end of each fiscal year, the Secretary of Defense shall submit to the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and Foreign Affairs of the House of Representatives a report that lists each request received from Taiwan and each letter of offer to sell any defense articles or services under this Act to Taiwan during such fiscal year. The report shall be submitted in unclassified form, but may contain a classified annex.".

☒

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

AMENDMENT TO H.R. 4909, AS REPORTED

OFFERED BY MR. TURNER OF OHIO

61R

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

SEC. 12xx. SENSE OF CONGRESS ON JULY 2016 NATO SUMMIT IN WARSAW, POLAND.

(a) FINDINGS.—Congress finds the following:

(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) NATO currently faces a range of evolving security challenges, including Russian aggression in Eastern Europe, and instability and conflict in the Middle East and North Africa. In the face of these varied challenges, NATO must deter threats and, if necessary, defend NATO member states against adversaries.

(3) Since NATO's 2014 summit in Wales, NATO member states have made progress in implementing a Readiness Action Plan to enhance allied readiness and collective defense in response to Rus-

1 sian aggression. However, much work remains to be
2 done.
3 (4) NATO's solidarity is strengthened by the
4 bolstering of NATO's conventional and nuclear de-
5 terrence, increased defense spending by NATO
6 member states, and continued enlargement of the
7 Alliance.
8 (b) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that—
10 (1) at the July 2016 NATO Summit in War-
11 saw, Poland and beyond, the United States should—
12 (A) welcome Montenegro's accession to
13 NATO;
14 (B) continue to work with aspirant coun-
15 tries to prepare them for entry into NATO;
16 (C) continue supporting a Membership Ac-
17 tion Plan (MAP) for Georgia;
18 (D) encourage the leaders of Macedonia
19 and Greece to find a mutually agreeable solu-
20 tion to the name dispute between the two coun-
21 tries;
22 (E) seek a Dayton II agreement to resolve
23 the constitutional issues of Bosnia and
24 Herzegovina;

1 (F) work with the Republic of Kosovo to
2 prepare the country for entrance into the Part-
3 nership for Peace (PfP) program;
4 (G) take a leading role in working with
5 NATO member states to identify, through con-
6 sensus, the current and future security threats
7 facing the Alliance; and
8 (H) take a leading role to work with other
9 NATO member states to ensure the alliance
10 maintains the required capabilities, including
11 the gains in interoperability from combat in Af-
12 ghanistan, necessary to meet the security
13 threats to the Alliance;
14 (2) in Warsaw, NATO member states should
15 build upon the progress made since the 2014 Wales
16 Summit, by committing additional resources to
17 NATO's Readiness Action Plan and related meas-
18 ures to enhance allied readiness and deterrence;
19 (3) NATO member states should review defense
20 spending to ensure sufficient funding is obligated to
21 meet NATO responsibilities, including to allocate at
22 least 2 percent of Gross Domestic Product (GDP) to
23 defense spending, and to devote at least 20 percent
24 of defense spending to defense modernization and
25 new equipment;

1 (4) the United States should commit to main-
2 taining a robust military presence in Europe as a
3 means of promoting allied interoperability, providing
4 visible assurance to NATO allies, and deterring Rus-
5 sian aggression in the region; and
6 (5) the United States reaffirms and remains
7 committed to the policies enumerated by NATO
8 member states in the Deterrence and Defense Pos-
9 ture Review, dated May 20, 2012, and the Wales
10 Summit Declaration of September 2014, including
11 the following statement: "Deterrence, based on an
12 appropriate mix of nuclear, conventional, and missile
13 defence capabilities, remains a core element of our
14 overall strategy.".

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

162

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. GRAVES OF MISSOURI

In the table of contents for bill, insert after the item pertaining to section 1867 the following:

Subtitle F—Small Business Development Centers Improvements

Sec. 1871. Short title.
Sec. 1872. Use of authorized entrepreneurial development programs.
Sec. 1873. Marketing of services.
Sec. 1874. Data collection.
Sec. 1875. Fees from private partnerships and cosponsorships.
Sec. 1876. Equity for small business development centers.
Sec. 1877. Confidentiality requirements.
Sec. 1878. Limitation on award of grants to small business development centers.

Page 832, insert after line 5 the following:

Subtitle F—Small Business Development Centers Improvements

SEC. 1871. SHORT TITLE.

This subtitle may be cited as the "Small Business Development Centers Improvement Act of 2016"

SEC. 1872. USE OF AUTHORIZED ENTREPRENEURIAL DEVELOPMENT PROGRAMS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended by adding at the end the following:

1 **"SEC. 48. USE OF AUTHORIZED ENTREPRENEURIAL DEVEL-**
2 **OPMENT PROGRAMS.**

3 "(a) EXPANDED SUPPORT FOR ENTREPRENEURS.—

4 "(1) IN GENERAL.—Notwithstanding any other
5 provision of law, the Administrator shall only use
6 the programs authorized in sections 7(j), 7(m), 8(a),
7 8(b)(1), 21, 22, 29, and 32 of this Act, and sections
8 358 and 389 of the Small Business Investment Act
9 to deliver entrepreneurial development services, en-
10 trepreneurial education, support for the development
11 and maintenance of clusters, or business training.

12 "(2) EXCEPTION.—This section shall not apply
13 to services provided to assist small business concerns
14 owned by an Indian tribe (as such term is defined
15 in section 8(a)(13)).

16 "(b) ANNUAL REPORT.—Beginning on the first De-
17 cember 1 after the date of enactment of this subsection,
18 the Administrator shall annually report to the Committee
19 on Small Business of the House of Representatives and
20 the Committee on Small Business and Entrepreneurship
21 of the Senate on all entrepreneurial development activities
22 undertaken in the current fiscal year. This report shall
23 include—

24 "(1) a description and operating details for
25 each program and activity;

1 "(2) operating circulars, manuals, and standard
2 operating procedures for each program and activity;
3 "(3) a description of the process used to award
4 grants under each program and activity;
5 "(4) a list of all awardees, contractors, and ven-
6 dors (including organization name and location) and
7 the amount of awards for the current fiscal year for
8 each program and activity;
9 "(5) the amount of funding obligated for the
10 current fiscal year for each program and activity;
11 and
12 "(6) the names and titles for those individuals
13 responsible for each program and activity.".

14 **SEC. 1873. MARKETING OF SERVICES.**

15 Section 21 of the Small Business Act (15 U.S.C. 648)
16 is amended by adding at the end the following:
17 "(o) NO PROHIBITION OF MARKETING OF SERV-
18 ICES.—The Administrator shall not prohibit applicants re-
19 ceiving grants under this section from marketing and ad-
20 vertising their services to individuals and small business
21 concerns.".

22 **SEC. 1874. DATA COLLECTION.**

23 (a) IN GENERAL.—Section 21(a)(3)(A) of the Small
24 Business Act (15 U.S.C. 648(a)(3)(A)) is amended—

1 (1) by striking "as provided in this section
2 and" and inserting "as provided in this section,";
3 and
4 (2) by inserting before the period at the end the
5 following: ", and (iv) governing data collection ac-
6 tivities related to applicants receiving grants under
7 this section".
8 (b) ANNUAL REPORT ON DATA COLLECTION.—Sec-
9 tion 21 of the Small Business Act (15 U.S.C. 648), as
10 amended by section 1873 of this Act, is further amended
11 by adding at the end the following:
12 "(p) ANNUAL REPORT ON DATA COLLECTION.—The
13 Administrator shall report annually to the Committee on
14 Small Business of the House of Representatives and the
15 Committee on Small Business and Entrepreneurship of
16 the Senate on any data collection activities related to the
17 Small Business Development Center program.".
18 (c) WORKING GROUP TO IMPROVE DATA COLLEC-
19 TION.—
20 (1) ESTABLISHMENT AND STUDY.—The Admin-
21 istrator of the Small Business Administration shall
22 establish a Data Collection Working Group con-
23 sisting of members from entrepreneurial develop-
24 ment grant recipients associations and organizations
25 and Administration officials, to carry out a study to

1 determine the best way to capture data collection
2 and create or revise existing systems dedicated to
3 data collection.
4 (2) REPORT.—Not later than the end of the
5 180-day period beginning on the date of the enact-
6 ment of this Act, the Data Collection Working
7 Group shall issue a report to the Committee on
8 Small Business of the House of Representatives and
9 the Committee on Small Business and Entrepre-
10 neurship of the Senate containing the findings and
11 determinations made in carrying out the study re-
12 quired under paragraph (1), including—
13 (A) recommendations for revising existing
14 data collection practices; and
15 (B) a proposed plan for the Small Busi-
16 ness Administration to implement such rec-
17 ommendations.

18 **SEC. 1875. FEES FROM PRIVATE PARTNERSHIPS AND CO-**
19 **SPONSORSHIPS.**

20 Section 21(a)(3) of the Small Business Act (15
21 U.S.C. 648(a)(3)(C)), as amended by section 1874, is fur-
22 ther amended by adding at the end the following:
23 "(D) FEES FROM PRIVATE PARTNERSHIPS AND CO-
24 SPONSORSHIPS.—Participation in private partnerships
25 and cosponsorships with the Administration shall not limit

1 small business development centers from collecting fees or
2 other income related to the operation of such private part-
3 nerships and cosponsorships.".

4 **SEC. 1876. EQUITY FOR SMALL BUSINESS DEVELOPMENT**
5 **CENTERS.**

6 Subclause (I) of section 21(a)(4)(C)(v) of the Small
7 Business Act (15 U.S.C. 648(a)(4)(C)(v)) is amended to
8 read as follows:

9 "(I) IN GENERAL.—Of the
10 amounts made available in any fiscal
11 year to carry out this section not
12 more than $600,000 may be used by
13 the Administration to pay expenses
14 enumerated in subparagraphs (B)
15 through (D) of section 20(a)(1).".

16 **SEC. 1877. CONFIDENTIALITY REQUIREMENTS.**

17 Section 21(a)(7)(A) of the Small Business Act (15
18 U.S.C. 648(a)(7)(A)) is amended by inserting after
19 "under this section" the following: "to any State, local or
20 Federal agency, or third party".

21 **SEC. 1878. LIMITATION ON AWARD OF GRANTS TO SMALL**
22 **BUSINESS DEVELOPMENT CENTERS.**

23 (a) IN GENERAL.—Section 21 of the Small Business
24 Act (15 U.S.C. 648), as amended by section 1874, is fur-
25 ther amended—

1 (1) in subsection (a)(1), by striking "any wom-
2 en's business center operating pursuant to section
3 29,";
4 (2) by adding at the end the following:
5 "(q) LIMITATION ON AWARD OF GRANTS.—Except
6 for not-for-profit institutions of higher education, and not-
7 withstanding any other provision of law, the Administrator
8 may not award grants (including contracts and coopera-
9 tive agreements) under this section to any entity other
10 than those that received grants (including contracts and
11 cooperative agreements) under this section prior to the
12 date of the enactment of this subsection, and that seek
13 to renew such grants (including contracts and cooperative
14 agreements) after such date.".
15 (b) RULE OF CONSTRUCTION.—The amendments
16 made by this section may not be construed as prohibiting
17 a women's business center from receiving a subgrant from
18 an entity receiving a grant under section 21 of the Small
19 Business Act (15 U.S.C. 648).

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

182

AMENDMENT TO RULES COMMITTEE PRINT 114-51

OFFERED BY MR. HANNA OF NEW YORK

In the table of contents for bill, insert after the item pertaining to section 1867 the following:

Sec. 1868. Role of small business development centers in cyber security and preparedness.
Sec. 1869. Additional cyber security assistance for small business development centers.
Sec. 1870. Cybersecurity outreach for small business development centers.
Sec. 1871. GAO study on small business cyber support services and small business development center cyber strategy.
Sec. 1872. Prohibition on additional funds.

Page 832, insert after line 5 the following:

1 **SEC. 1868. ROLE OF SMALL BUSINESS DEVELOPMENT CEN-**
2 **TERS IN CYBER SECURITY AND PREPARED-**
3 **NESS.**

4 Section 21 of the Small Business Act (15 U.S.C. 648)
5 is amended—

6 (1) in subsection (a)(1), by striking "and pro-
7 viding access to business analysts who can refer
8 small business concerns to available experts:" and
9 inserting "providing access to business analysts who
10 can refer small business concerns to available ex-
11 perts; and, to the extent practicable, providing as-
12 sistance in furtherance of the Small Business Devel-

1 opment Center Cyber Strategy developed under sec-
2 tion 1871(b) of the National Defense Authorization
3 Act for Fiscal Year 2017:"; and
4 (2) in subsection (c)—
5 (A) in paragraph (2)—
6 (i) in subparagraph (E), by striking
7 "and" at the end;
8 (ii) in subparagraph (F), by striking
9 the period and inserting "; and"; and
10 (iii) by adding at the end of the fol-
11 lowing:
12 "(G) access to cyber security specialists to
13 counsel, assist, and inform small business concern
14 clients, in furtherance of the Small Business Devel-
15 opment Center Cyber Strategy developed under sec-
16 tion .".

17 **SEC. 1869. ADDITIONAL CYBER SECURITY ASSISTANCE FOR**
18 **SMALL BUSINESS DEVELOPMENT CENTERS.**

19 Section 21(a) of the Small Business Act (15 U.S.C.
20 648(a)) is amended by adding at the end the following:
21 "(8) CYBER SECURITY ASSISTANCE.—The De-
22 partment of Homeland Security, and any other Fed-
23 eral department or agency in coordination with the
24 Department of Homeland Security, may provide as-
25 sistance to small business development centers,

1 through the dissemination of cybersecurity risk in-
2 formation and other homeland security information,
3 to help small business concerns in developing or en-
4 hancing cyber security infrastructure, cyber threat
5 awareness, and cyber training programs for employ-
6 ees.".

7 **SEC. 1870. CYBERSECURITY OUTREACH FOR SMALL BUSI-**
8 **NESS DEVELOPMENT CENTERS.**

9 Section 227 of the Homeland Security Act of 2002
10 (6 U.S.C. 148) is amended—

11 (1) by redesignating subsection (l) as subsection
12 (m); and

13 (2) by inserting after subsection (k) the fol-
14 lowing:

15 "(l) CYBERSECURITY OUTREACH.—

16 "(1) IN GENERAL.—The Secretary may provide
17 assistance to small business development centers,
18 through the dissemination of cybersecurity risk in-
19 formation and other homeland security information,
20 to help small business concerns in developing or en-
21 hancing cyber security infrastructure, cyber threat
22 awareness, and cyber training programs for employ-
23 ees.

24 "(2) DEFINITIONS.—For purposes of this sub-
25 section, the terms 'small business concern' and

1 'small business development center' have the mean-
2 ing given such terms, respectively, under section 3 of
3 the Small Business Act.''.

4 **SEC. 1871. GAO STUDY ON SMALL BUSINESS CYBER SUP-**
5 **PORT SERVICES AND SMALL BUSINESS DE-**
6 **VELOPMENT CENTER CYBER STRATEGY.**

7 (a) REVIEW OF CURRENT CYBER SECURITY RE-
8 SOURCES.—

9 (1) IN GENERAL.—The Comptroller General of
10 the United States shall conduct a review of current
11 cyber security resources at the Federal level aimed
12 at assisting small business concerns with developing
13 or enhancing cyber security infrastructure, cyber
14 threat awareness, or cyber training programs for
15 employees.

16 (2) CONTENT.—The review required under
17 paragraph (1) shall include the following:

18 (A) An accounting and description of all
19 Federal Government programs, projects, and
20 activities that currently provide assistance to
21 small business concerns in developing or en-
22 hancing cyber security infrastructure, cyber
23 threat awareness, or cyber training programs
24 for employees.

1 (B) An assessment of how widely utilized
2 the resources described under subparagraph (A)
3 are by small business concerns and a review of
4 whether or not such resources are duplicative of
5 other programs and structured in a manner
6 that makes them accessible to and supportive of
7 small business concerns.
8 (3) REPORT.—The Comptroller General shall
9 issue a report to the Congress, the Small Business
10 Administrator, the Secretary of Homeland Security,
11 and any association recognized under section
12 21(a)(3)(A) of the Small Business Act containing all
13 findings and determinations made in carrying out
14 the review required under paragraph (1).
15 (b) SMALL BUSINESS DEVELOPMENT CENTER
16 CYBER STRATEGY.—
17 (1) IN GENERAL.—Not later than 90 days after
18 the issuance of the report under subsection (a)(3),
19 the Small Business Administrator and the Secretary
20 of Homeland Security shall work collaboratively to
21 develop a Small Business Development Center Cyber
22 Strategy.
23 (2) CONSULTATION.—In developing the strat-
24 egy under this subsection, the Small Business Ad-
25 ministrator and the Secretary of Homeland Security

1 shall consult with entities representing the concerns
2 of small business development centers, including any
3 association recognized under section 21(a)(3)(A) of
4 the Small Business Act.

5 (3) CONTENT.—The strategy required under
6 paragraph (1) shall include, at minimum, the fol-
7 lowing:

8 (A) Plans for incorporating small business
9 development centers (hereinafter in this section
10 referred to as "SBDCs") into existing cyber
11 programs to enhance services and streamline
12 cyber assistance to small business concerns.

13 (B) To the extent practicable, methods for
14 the provision of counsel and assistance to im-
15 prove a small business concern's cyber security
16 infrastructure, cyber threat awareness, and
17 cyber training programs for employees, includ-
18 ing—

19 (i) working to ensure individuals are
20 aware of best practices in the areas of
21 cyber security, cyber threat awareness, and
22 cyber training;

23 (ii) working with individuals to de-
24 velop cost-effective plans for implementing
25 best practices in these areas;

1 (iii) entering into agreements, where
2 practical, with Information Sharing and
3 Analysis Centers or similar cyber informa-
4 tion sharing entities to gain an awareness
5 of actionable threat information that may
6 be beneficial to small business concerns;
7 and
8 (iv) providing referrals to area special-
9 ists when necessary.
10 (C) An analysis of—
11 (i) how Federal Government pro-
12 grams, projects, and activities identified by
13 the Comptroller General in the report
14 issued under subsection (a)(1) can be le-
15 veraged by SBDCs to improve access to
16 high-quality cyber support for small busi-
17 ness concerns;
18 (ii) additional resources SBDCs may
19 need to effectively carry out their role; and
20 (iii) how SBDCs can leverage existing
21 partnerships and develop new ones with
22 Federal, State, and local government enti-
23 ties as well as private entities to improve
24 the quality of cyber support services to
25 small business concerns.

1 (4) DELIVERY OF STRATEGY.—Not later than
2 180 days after the issuance of the report under sub-
3 section (a)(3), the Small Business Development Cen-
4 ter Cyber Strategy shall be issued to the Committees
5 on Homeland Security and Small Business of the
6 House of Representatives and the Committees on
7 Homeland Security and Governmental Affairs and
8 Small Business and Entrepreneurship of the Senate.

9 **SEC. 1872. PROHIBITION ON ADDITIONAL FUNDS.**

10 No additional funds are authorized to be appro-
11 priated to carry out sections 1868 through 1871 or the
12 amendments made by such sections.

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

170

AMENDMENT TO THE RULES COMMITTEE PRINT

FOR H.R. 4909

OFFERED BY MR. LARSEN OF WASHINGTON

Page 995, line 2, strike "to be new and emergency in nature" and insert "will significantly reduce the nuclear threat".

Page 995, line 9, insert "and" after the semicolon.

Page 995, strike lines 13 through 17.

26. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROGERS (AL) OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

193 R

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. ROGERS OF ALABAMA

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

SEC. 31___. LIMITATION ON AVAILABILITY OF FUNDS FOR THE DEPARTMENT OF ENERGY.

(a) LIMITATION.—Of the funds authorized to be appropriated or otherwise made available for fiscal year 2017 for the Department of Energy for the Office of the Secretary of Energy, not more than 50 percent may be obligated or expended until the date on which the Secretary submits to the appropriate congressional committees the report under subsection (b).

(b) REPORT.—Not later than 15 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees the full report, and any related materials, titled "U.S. Nuclear Deterrence in the Coming Decades", dated August 15, 2014.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the congressional defense committees; and

1 (2) the Permanent Select Committee on Intel-
2 ligence of the House of Representatives and the Se-
3 lect Committee on Intelligence of the Senate.

27. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ADAMS OF NORTH CAROLINA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

3R

AMENDMENT TO RULES COMMITTEE PRINT 114-51

OFFERED BY MS. ADAMS OF NORTH CAROLINA

In the table of contents for bill, insert after the item pertaining to section 1852 the following:

Sec. 1853. Online component.
Sec. 1854. Study and report on the future of the SCORE program.
Sec. 1855. Technical and conforming amendments.

Page 819, insert after line 2 the following:

1 **SEC. 1853. ONLINE COMPONENT.**

2 (a) IN GENERAL.—Section 8(c) of the Small Busi-
3 ness Act (15 U.S.C. 637(c)), as amended by section 1852,
4 is further amended by adding at the end the following:

5 "(6) ONLINE COMPONENT.—In carrying out
6 this subsection, the SCORE Association shall make
7 use of online counseling, including by developing and
8 implementing webinars and an electronic mentoring
9 platform to expand access to services provided under
10 this subsection and to further support entre-
11 preneurs.".

12 (b) ONLINE COMPONENT REPORT.—

13 (1) IN GENERAL.—At the end of fiscal year
14 2018, the SCORE Association shall issue a report to

1 the Committee on Small Business of the House of
2 Representatives and the Committee on Small Busi-
3 ness and Entrepreneurship of the Senate on the ef-
4 fectiveness of the online counseling and webinars re-
5 quired as part of the SCORE program, including—
6 (A) how the SCORE Association deter-
7 mines electronic mentoring and webinar needs,
8 develops training for electronic mentoring, es-
9 tablishes webinar criteria curricula, and evalu-
10 ates webinar and electronic mentoring results;
11 (B) describing the internal controls that
12 are used and a summary of the topics covered
13 by the webinars; and
14 (C) performance metrics, including the
15 number of small business concerns counseled
16 by, the number of small business concerns cre-
17 ated by, the number of jobs created and re-
18 tained by, and the funding amounts directed to-
19 wards such online counseling and webinars.
20 (2) DEFINITIONS.—For purposes of this sub-
21 section, the terms "SCORE Association" and
22 "SCORE program" have the meaning given those
23 terms, respectively, under section 8(c)(1) of the
24 Small Business Act (15 U.S.C. 637(c)(1)).

1 **SEC. 1854. STUDY AND REPORT ON THE FUTURE ROLE OF**
2 **THE SCORE PROGRAM.**

3 (a) STUDY.—The SCORE Association shall carry out
4 a study on the future role of the SCORE program and
5 develop a strategic plan for how the SCORE program will
6 evolve to meet the needs of small business concerns and
7 potential future small business concerns over the course
8 of the 5 years following the date of enactment of this Act,
9 with markers and specific objectives for year 1, year 3,
10 and year 5.

11 (b) REPORT.—Not later than the end of the 6-month
12 period beginning on the date of the enactment of this Act,
13 the SCORE Association shall issue a report to the Com-
14 mittee on Small Business of the House of Representatives
15 and the Committee on Small Business and Entrepreneur-
16 ship of the Senate containing—

17 (1) all findings and determination made in car-
18 rying out the study required under subsection (a);

19 (2) the strategic plan developed under sub-
20 section (a);

21 (3) an explanation of how the SCORE Associa-
22 tion plans to achieve the strategic plan, assuming
23 both stagnant and increased funding levels.

24 (c) DEFINITIONS.—For purposes of this section, the
25 terms "SCORE Association" and "SCORE program"
26 have the meaning given those terms, respectively, under

1 section 8(c)(1) of the Small Business Act (15 U.S.C.
2 637(c)(1)).

3 **SEC. 1855. TECHNICAL AND CONFORMING AMENDMENTS.**

4 (a) SMALL BUSINESS ACT.—The Small Business Act
5 (15 U.S.C. 631 et seq.) is amended—

6 (1) in section 7(m)(3)(A)(i)(VIII) (15 U.S.C.
7 636(m)(3)(A)(i)(VIII)), by striking "Service Corps
8 of Retired Executives" and inserting "SCORE pro-
9 gram"; and

10 (2) in section 22 (15 U.S.C. 649)—

11 (A) in subsection (b)—

12 (i) in paragraph (1), by striking
13 "Service Corps of Retired Executives" and
14 inserting "SCORE program"; and

15 (ii) in paragraph (3), by striking
16 "Service Corps of Retired Executives" and
17 inserting "SCORE program"; and

18 (B) in subsection (c)(12), by striking
19 "Service Corps of Retired Executives" and in-
20 serting "SCORE program".

21 (b) OTHER LAWS.—

22 (1) Section 621 of the Children's Health Insur-
23 ance Program Reauthorization Act of 2009 (15
24 U.S.C. 657p) is amended—

1 (A) in subsection (a), by striking para-
2 graph (4) and inserting the following:
3 "(4) the term 'SCORE program' means the
4 SCORE program authorized by section 8(b)(1)(B)
5 of the Small Business Act (15 U.S.C.
6 637(b)(1)(B));"; and
7 (B) in subsection (b)(4)(A)(iv), by striking
8 "Service Corps of Retired Executives" and in-
9 serting "SCORE program".
10 (2) Section 337(d)(2)(A) of the Energy Policy
11 and Conservation Act (42 U.S.C. 6307(d)(2)(A)) is
12 amended by striking "Service Corps of Retired Ex-
13 ecutives (SCORE)" and inserting "SCORE pro-
14 gram".

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

148

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. COLLINS OF NEW YORK

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

SEC. 3___. ALTERNATIVE TECHNOLOGIES FOR MUNITIONS DISPOSAL.

In carrying out the disposal of munitions in the stockpile of conventional ammunition awaiting demilitarization and disposal (commonly referred to as munitions in the "B5A account") the Secretary of the Army shall consider using cost-competitive technologies that minimize waste generation and air emissions as alternatives to disposal by open burning, open detonation, direct contact combustion, and incineration.

☒

29. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RUSSELL OF OKLAHOMA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

882

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. RUSSELL OF OKLAHOMA

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

SEC. 3___. MOTOR CARRIER SAFETY PERFORMANCE AND SAFETY TECHNOLOGY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense, acting through the commander of the United States Transportation Command, should reassess the guidelines for the evaluation of motor carrier safety performance under the Transportation Protective Services program taking into consideration the Government Accountability Office report numbered GAO-16-82 and titled "Defense Transportation; DoD Needs to Improve the Evaluation of Safety and Performance Information for Carriers Transporting Security-Sensitive Materials".

(b) EVALUATION OF SAFETY TECHNOLOGY.—To avoid catastrophic accidents and exposure of material, the Secretary shall evaluate the need for proven safety technology in vehicles transporting Transportation Protective Services shipments, such as electronic logging devices, roll

1 stability control, forward collision avoidance, lane depar-
2 ture warning systems, and speed limiters.

☒

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

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909

OFFERED BY MR. COSTA OF CALIFORNIA

86

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

SEC. 3____. BRIEFING ON WELL-DRILLING CAPABILITIES OF ACTIVE DUTY AND RESERVE COMPONENTS.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives (and other congressional defense committees on request) a briefing on the well-drilling capabilities of the active and reserve components.

(b) ELEMENTS.—The briefing under subsection (a) shall include a description of—

(1) the training requirements of active and reserve units with well-drilling capabilities;

(2) the locations at which such units conduct training relating to well-drilling; and

(3) the cost and feasibility of rotating the training locations of such units to areas in the United States that are affected by drought conditions.

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

4

AMENDMENT TO RULES COMM PRINT 114–51

OFFERED BY MR. MCKINLEY OF WEST VIRGINIA

At the end of subtitle B of title V (page 119, after line 18), add the following new section:

SEC. 515. ELECTRONIC TRACKING OF OPERATIONAL ACTIVE-DUTY SERVICE PERFORMED BY MEMBERS OF THE READY RESERVE OF THE ARMED FORCES.

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.

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

1ST

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MS. MENG OF NEW YORK

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

SEC. 568. REPORT ON COMPOSITION OF SERVICE ACADEMIES.

(a) REPORT.—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 Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on the demographic composition of service academies that includes—

(1) an analysis of—

(A) the demographic composition of each service academy's—

(i) recruits;

(ii) nominees;

(iii) applicants;

(iv) qualified applicants;

(v) admits;

(vi) enrollees;

(vii) graduates; and

1 (viii) graduate occupation placement;
2 (B) how such composition compares to the
3 demographic composition of—
4 (i) the United States;
5 (ii) enlisted members of the Armed
6 Forces;
7 (iii) officers of the Armed Forces; and
8 (iv) other institutions of higher edu-
9 cation (as defined in section 101(a) of the
10 Higher Education Act of 1965 (20 U.S.C.
11 1001(a)); and
12 (C) the demographic composition of each
13 quintile of academic ranking for each service
14 academy's graduating class;
15 (2) a description of the considerations given to
16 demographic composition in each service acad-
17 emy's—
18 (A) recruitment efforts (including funding
19 decisions made to further such efforts);
20 (B) qualification decisions; and
21 (C) admissions decisions; and
22 (3) recommendations for best—
23 (A) recruitment practices;
24 (B) nominating practices;
25 (C) qualification decision practices; and

1 (D) admissions practices.

2 (b) DEFINITION.—In this section the term "service
3 academy" means each of the following:

4 (1) The United States Military Academy.

5 (2) The United States Naval Academy.

6 (3) The United States Air Force Academy.

7 (4) The United States Coast Guard Academy.

8 (5) The United States Merchant Marine Acad-
9 emy.

10 (c) SCOPE OF REPORT.—The report required by this
11 section shall examine each service academy class admitted
12 following the date of enactment of section 543 of the Na-
13 tional Defense Authorization Act for Fiscal Year 1994
14 (Public Law 103–160).

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

84

AMENDMENT TO RULES COMM PRINT 114–51

OFFERED BY MR. PALMER OF ALABAMA

At the end of subtitle G of title V (page 162, after line 20), add the following new section:

SEC. 585. AUTHORIZATION FOR AWARD OF DISTINGUISHED-SERVICE CROSS TO FIRST LIEUTENANT MELVIN M. SPRUIELL FOR ACTS OF VALOR DURING WORLD WAR II.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished-Service Cross under section 3742 of such title to First Lieutenant Melvin M. Spruiell of the Army for the acts of valor during World War II described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of First Lieutenant Melvin M. Spruiell on June 10 and 11, 1944, as a member of the Army serving in France with the 377th Parachute Field Artillery, 101st Airborne Division.

34. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SEWELL OF ALABAMA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

34

AMENDMENT TO RULES COMM PRINT 114–51

OFFERED BY MS. SEWELL OF ALABAMA

Page 143, line 3, add after the period the following: "The cyber institute may place a special emphasis on entering into a partnership under this subsection with a local educational agency located in a rural, underserved, or underrepresented community.".

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

AMENDMENT TO RULES COMMITTEE PRINT 114-51

70

OFFERED BY MR. TAKANO OF CALIFORNIA

Page 150, after line 4, insert the following:

(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 underemployment support to members of the reserve components and veterans.

Page 150, line 5, strike "(C)" and insert "(D)".

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

AMENDMENT TO RULES COMM PRINT 114–51

OFFERED BY MR. GRAYSON OF FLORIDA

At the end of subtitle E of title V (page 153, after line 9), add the following new section:

SEC. 568. INCLUSION OF ALCOHOL, PRESCRIPTION DRUG, OPIOID, AND OTHER SUBSTANCE ABUSE COUNSELING AS PART OF REQUIRED PRESEPARATION COUNSELING.

Section 1142(b)(11) of title 10, United States Code, is amended by inserting before the period the following: "and information concerning the availability of treatment options and resources to address substance abuse, including alcohol, prescription drug, and opioid abuse".

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

138

AMENDMENT TO THE RULES COMMITTEE PRINT

FOR H.R. 4909

OFFERED BY M. Bost

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

SEC. _____. IMPACT AID.

Notwithstanding section 5(d) of the Every Student Succeeds Act (Public Law 114–95; 129 Stat. 1806), the amendment made by section 7004(1) of such Act (Public Law 114–95; 129 Stat. 2077)—

(1) for fiscal year 2016, shall—

(A) be applied as if amending section 8003(a)(5)(A) of the Elementary and Secondary Education Act of 1965, as in effect on the day before the date of enactment of the Every Student Succeeds Act (Public Law 114–95; 129 Stat. 1802); and

(B) be in effect with respect to appropriations for use under title VIII of the Elementary and Secondary Education Act of 1965, as in effect on the day before the date of enactment of the Every Student Succeeds Act; and

1 (2) for fiscal year 2017 and each succeeding fis-
2 cal year, shall be in effect with respect to appropria-
3 tions for use under title VII of the Elementary and
4 Secondary Education Act of 1965, as amended by
5 the Every Student Succeeds Act (Public Law 114–
6 95; 129 Stat. 1802).

38. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DELBENE OF WASHINGTON OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

139

AMENDMENT TO RULES COMM PRINT 114–51

OFFERED BY MS. DELBENE OF WASHINGTON

At the end of subtitle F of title V (page 156, after line 23), add the following new section:

SEC. 573. ELIMINATION OF TWO-YEAR ELIGIBILITY LIMITATION FOR NONCOMPETITIVE APPOINTMENT OF SPOUSES OF MEMBERS OF THE ARMED FORCES.

Section 3330d(c) of title 5, United States Code, is amended by adding at the end the following new paragraph:

"(3) NO TIME LIMITATION ON APPOINTMENT.—A relocating spouse of a member of the Armed Forces remains eligible for noncompetitive appointment under this section for the duration of the spouse's relocation to the permanent duty station of the member.".

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

27

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. BERA OF CALIFORNIA

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

SEC. ___. REPORT ON AVAILABILITY OF COLLEGE CREDIT FOR SKILLS ACQUIRED DURING MILITARY SERVICE.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of Veterans Affairs, Education, and Labor, shall submit to Congress a report on the transfer of skills into equivalent college credits or technical certifications for members of the Armed Forces leaving the military. Such report shall describe each the following:

(1) Each skill that may be acquired during military service that is eligible for transfer into an equivalent college credit or technical certification.

(2) The academic level of the equivalent college credit or technical certification for which each such skill is eligible.

1 (3) Each academic institution that awards an
2 equivalent college credit or technical certification for
3 such skills, including—
4 (A) whether each such academic institution
5 is public or private and whether such institution
6 is for profit; and
7 (B) the number of veterans that applied to
8 such academic institutions who were able to re-
9 ceive equivalent college credits or technical cer-
10 tifications in the last fiscal year, and the aca-
11 demic level of the credits or certifications.
12 (4) The number of members of the Armed
13 Forces who left the military in the last fiscal year
14 and the number of those individuals who met with
15 an academic or technical training advisor as part of
16 their participation in the Transition Assistance Pro-
17 gram.

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

80

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

Page 173, after line 2, add the following new section:

SEC. 599A. ATOMIC VETERANS SERVICE MEDAL.

(a) SERVICE MEDAL REQUIRED.—The Secretary of Defense shall design and produce a military service medal, to be known as the "Atomic Veterans Service Medal", to honor retired and former members of the Armed Forces who are radiation-exposed veterans (as such term is defined in section 1112(c)(3) of title 38, United States Code).

(b) DISTRIBUTION OF MEDAL.—

(1) ISSUANCE TO RETIRED AND FORMER MEMBERS.—At the request of a radiation-exposed veteran, the Secretary of Defense shall issue the Atomic Veterans Service Medal to the veteran.

(2) ISSUANCE TO NEXT-OF-KIN.—In the case of a radiation-exposed veteran who is deceased, the Secretary may provide for issuance of the Atomic

1 Veterans Service Medal to the next-of-kin of the per-
2 son.
3 (3) APPLICATION.—The Secretary shall prepare
4 and disseminate as appropriate an application by
5 which radiation-exposed veterans and their next-of-
6 kin may apply to receive the Atomic Veterans Serv-
7 ice Medal.

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

120

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. GRAYSON OF FLORIDA

Page 243, strike lines 14 and 15 and insert the following:

"chapter—

"(A) in a more effective, efficient, or economical manner; and

"(B) at a level of quality at least comparable to the quality of services beneficiaries would receive from a military medical treatment facility; or"

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

78R

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. CARTER OF TEXAS

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

SEC. 7____. USE OF MEFLOQUINE FOR MALARIA.

(a) MEFLOQUINE.—In providing health care to members of the Armed Forces, the Secretary of Defense shall require—

(1) that the use of mefloquine for the prophylaxis of malaria be limited to members with intolerance or contraindications to other chemoprophylaxis;

(2) that mefloquine be prescribed by a licensed medical provider on an individual basis, and

(3) that members prescribed mefloquine for malaria prophylaxis be counseled by the medical provider about the potential side effects of the drug and be provided the Food and Drug Administration-required patient information handouts.

(b) PROCESS AND REVIEW.—

(1) PROCESS.—Not later than 180 days after the date of the enactment of this Act, in providing health care to members of the Armed Forces, the

1 Secretary shall develop a standardized process to
2 document the screening for contraindications and
3 patient education, including a prior authorization
4 form, to be used by all medical providers prescribing
5 mefloquine for malaria prophylaxis.
6 (2) ANNUAL REVIEW.—The Secretary shall con-
7 duct an annual review of each mefloquine prescrip-
8 tion at all military medical treatment facilities to
9 evaluate the documentation of the assessment for
10 contraindications, justification for not using other
11 chemoprophylaxis, and patient education for the safe
12 use of mefloquine and its side effects.
13 (c) ADVERSE HEALTH EFFECTS OF MEFLOQUINE.—
14 The Secretary of Defense shall expand the missions of the
15 Hearing Center of Excellence, the Vision Center of Excel-
16 lence, the Defense Centers of Excellence for Psychological
17 Health and Traumatic Brain Injury (including the De-
18 ployment Health Clinical Center), and the Center for De-
19 ployment Health Research to include, as appropriate, im-
20 proving the clinical evaluation, diagnosis, management,
21 and epidemiological study of adverse health effects among
22 members of the Armed Forces following exposure to
23 mefloquine.

43. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WILSON OF SOUTH CAROLINA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

74

AMENDMENT TO THE RULES COMMITTEE PRINT

FOR H.R. 4909

OFFERED BY MR. WILSON OF SOUTH CAROLINA

Section 825 is amended by inserting at the end of subsection (f) (page 304, after line 12) the following:

(3) TERMINATION OF REPORT REQUIREMENT.—The requirement to submit a report under this subsection shall terminate on the date occurring five years after the date of the enactment of this Act.

44. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WILSON OF SOUTH CAROLINA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. WILSON OF SOUTH CAROLINA

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

SEC. 843. REVISION OF EFFECTIVE DATE FOR AMENDMENTS RELATING TO UNDER SECRETARY OF DEFENSE FOR BUSINESS MANAGEMENT AND INFORMATION.

Section 901(a)(1) of the Carl Levin and Howard P. "Buck" Mckeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3462; 10 U.S.C. 132a note) is amended by striking "February 1, 2017" and inserting "February 1, 2018".

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

20R

AMENDMENT TO THE RULES COMMITTEE PRINT

FOR H.R. 4909

OFFERED BY MR. BEYER OF VIRGINIA

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

SEC. 843. PROMOTION OF VALUE-BASED DEFENSE PROCUREMENT.

(a) STATEMENT OF POLICY.—It shall be the policy of the Department of Defense to avoid using lowest price technically acceptable source selection criteria in inappropriate circumstances that potentially deny the Department the benefits of cost and technical tradeoffs in the source selection process.

(b) REQUIREMENT FOR SOLICITATIONS.—For new solicitations issued on or after the date that is 120 days after the date of the enactment of this Act, lowest price technically acceptable source selection criteria shall be used only in situations in which—

(1) the Department of Defense is able to comprehensively and clearly describe the minimum requirements expressed in term of performance objectives, measures, and standards that will be used to determine acceptability of offers;

1 (2) the Department would realize no, or mini-
2 mal, value from a contract proposal exceeding the
3 minimum technical or performance requirements set
4 forth in the request for proposal;
5 (3) the proposed technical approaches will re-
6 quire no, or minimal, subjective judgment by the
7 source selection authority as to the desirability of
8 one offeror's proposal versus a competing proposal;
9 (4) a review of technical proposals of offerors
10 other than the lowest bidder would result in no, or
11 minimal, benefit to the Department; and
12 (5) the contracting officer has included a jus-
13 tification for the use of a lowest price technically ac-
14 ceptable evaluation methodology in the contract file,
15 if the contract to be awarded is predominately for
16 the acquisition of information technology services,
17 systems engineering and technical assistance serv-
18 ices, or other knowledge-based professional services.
19 (c) AVOIDANCE OF USE OF LOWEST PRICE TECH-
20 NICALLY ACCEPTABLE SOURCE SELECTION CRITERIA IN
21 PROCUREMENTS OF INFORMATION TECHNOLOGY AND
22 AUDITING.—To the maximum extent practicable, the use
23 of lowest price technically acceptable source selection cri-
24 teria shall be avoided when the procurement is predomi-
25 nately for the acquisition of information technology serv-

1 ices, systems engineering and technical assistance services,
2 audit or audit readiness services, or other knowledge-based
3 professional services.

4 (d) REPORTING.—Not later than 180 days after the
5 date of the enactment of this Act, and annually thereafter
6 for 3 years, the Secretary of Defense shall submit to the
7 congressional defense committees a report on the number
8 of instances in which lowest-price technically acceptable
9 source selection criteria is used, including an explanation
10 of how the criteria was considered when making a deter-
11 mination to use lowest price technically acceptable source
12 selection criteria.

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

16

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909

OFFERED BY MR. BURGESS OF TEXAS

[Rules Committee Print 114-51]

At the end of subtitle A of title X (page 370, after line 17), insert the following new section:

SEC. 1003. 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.

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

159R

AMENDMENT TO H.R. 4099

(RULES COMM. PRINT 114–51)

OFFERED BY MR. TURNER OF OHIO

Add at the end of subtitle F of title X the following new section:

SEC. 10____. BRIEFING ON CRITERIA FOR DETERMINING LOCATIONS OF AIR FORCE INSTALLATION AND MISSION SUPPORT CENTER HEADQUARTERS.

(a) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall provide a briefing to the Committee on Armed Services of the House of Representatives on the Department of the Air Force's process and reasoning for using proximity to primary medium commercial hub airports as part of the mission criteria for the Air Force Installation and Mission Support Center headquarters strategic basing process.

(b) CONTENTS OF BRIEFING.—The briefing under subsection (a) will specifically address the rationale behind the distance categories used to allocate points under this mission criteria referred to in subsection (a), and shall provide references to any existing government guidance that supports use of these distance categories. In addition,

the briefing shall include an analysis regarding the reasons why the Department did not consider commuting times as a more equitable way of determining proximity to commercial hub airports that would account for the impact of different traffic conditions across the candidate locations.

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

143

AMENDMENT TO RULES COMMITTEE PRINT 114-51

OFFERED BY MR. ZELDIN OF NEW YORK

Page 423, after line 3, insert the following:

SEC. 1070. REPORT ON TESTING AND INTEGRATION OF MINEHUNTING SONAR SYSTEMS TO IMPROVE LITTORAL COMBAT SHIP MINEHUNTING CAPABILITIES.

(a) REPORT TO CONGRESS.—Not later than April 1, 2018, the Secretary of the Navy shall submit to the congressional defense committees a report that contains the findings of an assessment of all operational minehunting Synthetic Aperture Sonar (hereinafter referred to as "SAS") technologies suitable to meet the requirements for use on the Littoral Combat Ship Mine Countermeasures Mission Package.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an explanation of the future acquisition strategy for the minehunting mission package;

(2) specific details regarding the capabilities of all in-production SAS systems available for integra-

1 tion into the Littoral Combat Ship Mine Counter-
2 measure Mission Package;
3 (3) an assessment of key performance param-
4 eters for the Littoral Combat Ship Mine Counter-
5 measures Mission Package with each of the assessed
6 SAS technologies; and
7 (4) a review of the Department of the Navy's
8 efforts to evaluate SAS technologies in operation
9 with allied Navies for future use on the Littoral
10 Combat Ship Mine Countermeasures Mission Pack-
11 age.
12 (c) SYSTEM TESTING.—The Secretary of the Navy
13 is encouraged to perform at-sea testing and experimen-
14 tation of sonar systems in order to provide data in support
15 of the assessment required by subsection (a).

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

64

AMENDMENT TO THE RULES COMMITTEE PRINT

FOR H.R. 4909

OFFERED BY MS. FRANKEL OF FLORIDA

Page 462, after line 13, insert the following new section:

SEC. 1098. SENSE OF CONGRESS REGARDING AMERICAN VETERANS DISABLED FOR LIFE.

(a) FINDINGS.—Congress finds the following:

(1) There are at least 3,600,000 veterans currently living with service-connected disabilities.

(2) As a result of their service, many veterans are permanently disabled throughout their lives and in many cases must rely on the support of their families and friends when these visible and invisible burdens become too much to bear alone.

(3) October 5, which is the anniversary of the dedication of the American Veterans Disabled for Life Memorial, has been recognized as an appropriate day on which to honor American veterans disabled for life each year.

(b) SENSE OF CONGRESS.—Congress—

1 (1) expresses its appreciation to the men and
2 women left permanently wounded, ill, or injured as
3 a result of their service in the Armed Forces;
4 (2) supports the annual recognition of Amer-
5 ican veterans disabled for life each year; and
6 (3) encourages the American people to honor
7 American veterans disabled for life each year with
8 appropriate programs and activities.

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

AMENDMENT TO RULES COMMITTEE PRINT 114-51

50

OFFERED BY MR. BEYER OF VIRGINIA

Page 462, after line 13, insert the following:

SEC. 1098. STUDY ON MILITARY HELICOPTER NOISE.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Administrator of the Federal Aviation Administration, shall—

(1) conduct a study on the effects of military helicopter noise on National Capital Region communities and individuals; and

(2) develop recommendations for the reduction of the effects of military helicopter noise on individuals, structures, and property values in the National Capital Region.

(b) FOCUS.—In conducting the study under subsection (a) , the Secretary and the Administrator shall focus on air traffic control, airspace design, airspace management, and types of aircraft, to address helicopter noise problems and shall take into account the needs of law enforcement, emergency, and military operations.

1 (c) CONSIDERATION OF VIEWS.—In conducting the
2 study under subsection (a), the Secretary shall consider
3 the views of representatives of—
4 (1) members of the Armed Forces;
5 (2) law enforcement agencies;
6 (3) community stakeholders, including residents
7 and local government officials; and
8 (4) organizations with an interest in reducing
9 military helicopter noise.
10 (d) REPORT.—
11 (1) IN GENERAL.—Not later than 90 days after
12 the date of the enactment of this Act, the Secretary
13 shall submit to Congress a report on the results of
14 the study conducted under subsection (a).
15 (2) AVAILABILITY TO THE PUBLIC.—The Sec-
16 retary shall make the report required under para-
17 graph (1) publicly available.

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

127

AMENDMENT TO RULES COMM. PRINT 114–51

OFFERED BY MR. TROTT OF MICHIGAN

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

SEC. 12xx. UNITED NATIONS PROCESSING CENTER IN ERBIL, IRAQI KURDISTAN, TO ASSIST INTERNATIONALLY-DISPLACED COMMUNITIES.

The President shall instruct the United States Permanent Representative to the United Nations to use the voice and vote of the United States at the United Nations to seek the establishment of a United Nations processing center in Erbil, Iraqi Kurdistan, to assist internationally-displaced communities.

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

107

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. VELA OF TEXAS

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

SEC. 12xx. REPORT ON VIOLENCE AND CARTEL ACTIVITY IN MEXICO.

The Secretary of Defense shall submit to the congressional defense committees a report on violence and cartel activity in Mexico and the impact of such on United States national security.

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

19R

AMENDMENT TO RULES COMM. PRINT 114–51

OFFERED BY MR. THORNBERRY OF TEXAS

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

SEC. 12xx. UNITED STATES POLICY ON TAIWAN.

(a) FINDINGS.—Congress finds the following:

(1) For more than 50 years, the United States and Taiwan have had a unique and close relationship, which has supported the economic, cultural, and strategic advantage to both countries.

(2) The United States has vital security and strategic interests in the Taiwan Strait.

(3) The Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) has been instrumental in maintaining peace, security, and stability in the Taiwan Strait since its enactment in 1979.

(4) The Taiwan Relations Act states that it is the policy of the United States to provide Taiwan with arms of a defensive character and to maintain the capacity of the United States to defend against any forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan.

1 (b) STATEMENT OF POLICY.—The Taiwan Relations
2 Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) forms the
3 cornerstone of United States policy and relations with Tai-
4 wan.
5 (c) REPORT.—
6 (1) IN GENERAL.—Not later than February 15,
7 2017, the Secretary of Defense and the Secretary of
8 State shall jointly submit to the appropriate commit-
9 tees of Congress a report that contains a description
10 of the steps the United States has taken, plans to
11 take, and will take to provide Taiwan with arms of
12 a defensive character in accordance with the Taiwan
13 Relations Act (Public Law 96–8; 22 U.S.C. 3301 et
14 seq.).
15 (2) APPROPRIATE COMMITTEES OF CONGRESS
16 DEFINED.—In this subsection, the term "appro-
17 priate committees of Congress" means—
18 (A) the congressional defense committees;
19 and
20 (B) Committee on Foreign Relations of the
21 Senate and the Committee on Foreign Affairs
22 of the House of Representatives.

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

145

AMENDMENT TO RULES COMM. PRINT 114–51

OFFERED BY MR. NOLAN OF MINNESOTA

At the end of section 1504, page 599, line 3, add the following new subsection:

(c) CONDITION ON USE OF FUNDS FOR SYRIA TRAIN AND EQUIP PROGRAMS.—Amounts authorized to be appropriated by this section for the Syria Train and Equip programs, as specified in the funding table in section 4302, may not be provided to any recipient that the Secretary of Defense has reported, pursuant to a quarterly progress report submitted pursuant to section 1209 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541), as having misused provided training and equipment.

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

129

AMENDMENT TO THE RULES COMMITTEE PRINT FOR H.R. 4909 OFFERED BY MR. AGUILAR OF CALIFORNIA

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

SEC. 16___. PILOT PROGRAMS ON DIRECT COMMISSIONS TO CYBER POSITIONS.

(a) AUTHORITY.—The Secretary of the Army and the Secretary of the Air Force shall each carry out a pilot program to improve the ability of the Army and the Air Force, respectively, to recruit cyber professionals.

(b) ELEMENTS.—Under the pilot program, the Secretaries shall each allow individuals who meet educational, physical, and other requirements determined appropriate by the Secretary to receive original appointments as commissioned officers in a cyber specialty.

(c) CONSULTATION.—In developing the pilot program, the Secretaries may consult with the Secretary of the Navy with respect to a similar program carried out by the Secretary of the Navy.

(d) SENSE OF CONGRESS.—It is the sense of Congress that Congress supports the direct commission of individuals trained in cyber specialties because the demand

1 for skilled cyber personnel outstrips the supply of such
2 personnel, and there is great competition for such per-
3 sonnel with private industry.

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

10

AMENDMENT TO H.R. 4909
(RULES COMM. PRINT 114–51)
OFFERED BY MR. DOLD OF ILLINOIS

In the table in section 2207(b) of division B (relating to the Extension of 2014 Project Authorizations for the Navy), insert after the projects relating to Hawaii a new item as follows:

Illinois	Great Lakes	Unaccompanied Housing	$35,851,000

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

103

AMENDMENT TO RULES COMMITTEE PRINT 114-51

OFFERED BY MS. CHU OF CALIFORNIA

Page 798, line 22, strike "and".

Page 799, strike the period and insert "; and".

Page 799, insert after line 2 the following:

(VI) the population density of the area to be served by the women's business center.

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

65

AMENDMENT TO H.R. 4909

(RULES COMM. PRINT 114-51)

OFFERED BY MR. PERLMUTTER OF COLORADO

Add at the end of subtitle D of title XXVIII the following:

SEC. 28___. MODIFICATION OF LAND CONVEYANCE, ROCKY MOUNTAIN ARSENAL NATIONAL WILDLIFE REFUGE.

Section 5(d)(1) of the Rocky Mountain Arsenal National Wildlife Refuge Act of 1992 (Public Law 102–402; 16 U.S.C. 668dd note) is amended by adding at the end the following new subparagraph:

"(C)(i) Notwithstanding clause (i) of subparagraph (A), the restriction attached to any deed to any real property designated for disposal under this section that prohibits the use of the property for residential or industrial purposes may be modified or removed if it is determined, through a risk assessment performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), that the property is protective for the proposed use.

1 "(ii) The Secretary of the Army shall not be re-
2 sponsible or liable for any of the following:
3 "(I) The cost of any risk assessment de-
4 scribed in clause (i) or any actions taken in re-
5 sponse to such risk assessment.
6 "(II) Any damages attributable to the use
7 of property for residential or industrial pur-
8 poses as the result of the modification or re-
9 moval of a deed restriction pursuant to clause
10 (i), or the costs of any actions taken in re-
11 sponse to such damages.".

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

D2R

AMENDMENT TO RULES COMMITTEE PRINT 114–51

OFFERED BY MR. POMPEO OF KANSAS

Page 384, after line 15, insert the following:

SEC. 1038. DECLASSIFICATION OF INFORMATION ON PAST TERRORIST ACTIVITIES OF DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) complete a declassification review of intelligence reports prepared by the National Counterterrorism Center prior to Periodic Review Board sessions or detainee transfers on the past terrorist activities of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, who were transferred or released from United States Naval Station, Guantanamo Bay; and

(2) make available to the public any information declassified as a result of the declassification review; and

1 (3) submit to the appropriate congressional
2 committees, consistent with the protection of sources
3 and methods, a report setting forth—
4 (A) the results of the declassification re-
5 view; and
6 (B) if any information covered by the de-
7 classification review was not declassified pursu-
8 ant to the review, a justification for the deter-
9 mination not to declassify such information.
10 (b) PAST TERRORIST ACTIVITIES.—For purposes of
11 this section, the past terrorist activities of an individual
12 shall include the terrorist activities conducted by the indi-
13 vidual before the transfer of the individual to the detention
14 facility at United States Naval Station, Guantanamo Bay,
15 including, at a minimum, the following:
16 (1) The terrorist organization, if any, with
17 which affiliated.
18 (2) The terrorist training, if any, received.
19 (3) The role in past terrorist attacks against
20 the interests or allies of the United States.
21 (4) The direct responsibility, if any, for the
22 death of citizens of the United States or members of
23 the Armed Forces.
24 (5) Any admission of any matter specified in
25 paragraphs (1) through (4).

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term "appropriate congres-
3 sional committees" means—
4 (1) the congressional defense committees;
5 (2) the Committee on Foreign Affairs of the
6 House of Representatives;
7 (3) the Committee on Foreign Relations of the
8 Senate;
9 (4) the Permanent Committee on Intelligence of
10 the House of Representatives; and
11 (5) the Select Committee on Intelligence of the
12 Senate.

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

362

AMENDMENT TO THE RULES COMMITTEE PRINT

FOR H.R. 4909

OFFERED BY Zinke

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

SEC. 16___. REQUESTS FOR FORCES TO MEET SECURITY REQUIREMENTS FOR LAND-BASED NUCLEAR FORCES.

(a) CERTIFICATION.—Not later than five days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff shall certify to the congressional defense committees that the Chairmans has approved any requests for forces, as of the date of the enactment of this Act, of a commander of a combatant command to meet the security requirements of land-based nuclear forces.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the travel and representational expenses of the Secretary of Defense, not more than 75 percent may be obligated or expended until the date on which the Secretary certifies to the congressional defense committees that there is a competitive acquisition process in place to

1 ensure the fielding of a UH–1N replacement aircraft in
2 fiscal year 2018.

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61. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCSALLY OF ARIZONA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

372L

AMENDMENT TO RULES COMMITTEE PRINT 114-51

OFFERED BY MS. MCSALLY OF ARIZONA

Page 384, after line 15, insert the following:

SEC. 1038. PROHIBITION ON ENFORCEMENT OF MILITARY COMMISSION RULINGS PREVENTING MEMBERS OF THE ARMED FORCES FROM CARRYING OUT OTHERWISE LAWFUL DUTIES BASED ON MEMBER GENDER.

(a) PROHIBITION.—No order, ruling, finding, or other determination of a military commission may be construed or implemented to prohibit or restrict a member of the Armed Forces from carrying out duties otherwise lawfully assigned to such member to the extent that the basis for such prohibition or restriction is the gender of such member.

(b) APPLICABILITY TO PRIOR ORDERS, ETC..—In the case of an order, ruling, finding, or other determination described in subsection (a) that was issued before the date of the enactment of this Act in a military commission and is still effective as of the date of the enactment of this Act, such order, ruling, finding, or determination shall be deemed to be vacated and null and void only to the extent

1 of any prohibition or restriction on the duties of members
2 of the Armed Forces that is based on the gender of mem-
3 bers.

4 (c) MILITARY COMMISSION DEFINED.—In this sec-
5 tion, the term "military commission" means a military
6 commission established under chapter 47A of title 10,
7 United States Code, and any military commission other-
8 wise established or convened by law.