THE REPUBLICAN STUDY COMMITTEE
Rep. Jim Jordan, Chairman
Paul Teller, Executive Director
RSC
202.226.9717
rsc.jordan.house.gov

Legislative Bulletin……..……...July 18, 2012

Contents:

Amendments to H.R. 5856 (Part 3) – Department of Defense Appropriations Act, 2013 (Young, R-FL)

Order of Business: H.R. 5856 is scheduled to be considered under an **open rule** on July 18-19, 2012 that provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Appropriations Committee. The rule authorizes the Chair to give priority recognition to Members who have pre-printed their amendments in the *Congressional Record*, and requires amendments to be considered under the five-minute rule. The rule also waives all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (which prevents appropriations bills from containing unauthorized appropriations or legislative provisions) except for section 8121 (regarding funds being used to sponsor any professional or semi-professional sporting event or competitor). Note that Members still cannot add authorizing language via amendment on the floor.

AMENDMENTS IN CONGRESSIONAL RECORD

1. **Rep. Kingston (R-GA)** – This amendment would reduce the recruitment account to eliminate professional sports sponsorships by the DOD. This amendment would reduce the recruitment account by $72 million and place this $72 million in the Deficit Reduction Account. This amendment is supported by the Council for Citizens Against Government Waste and will be scored in CCAGW's 2012 Congressional Ratings

   Some conservatives are in favor of this amendment because it reduces spending, others are against it because they fear that it could harm recruitment efforts.

   That number is based on DOD figures for professional and or semi-professional sponsorships in support of military recruitment:
   Army/Army Reserve:
   FY11: $18.7M
   FY12: $16.1M

   Army Guard:

FY11: $67.1M
FY12: $53.9M

Navy/Navy Reserve:
FY11: $3.7M
FY12: $4.2M

Marine Corps:
FY11: $2.5M
FY12: $2.3M

Air Force:
FY11: $1.8M
FY12: $1.9M

Air Guard:
FY11: $1.6M
FY12: $1.2M

Air Reserve:
FY11: $0.7M
FY12: $0.7M

2. **Rep. Poe (R-TX)** – This amendment would reduce the "Operation and Maintenance, Defense-Wide" fund by $1.3 billion to $6.49 billion. It would also limit these funds to $450 million to be usable for payments to reimburse "key cooperating nations in logistical, military, and other support, including access, provided to United States military operations in support of Operation Enduring Freedom." According to the sponsor, this is designed to cut aid to Pakistan because:

   - "Pakistan closed the southern supply route into Afghanistan for the last 7 months."
   - "Pakistan still refuses to go after terrorist sanctuaries in the tribal areas of Pakistan. Terrorist groups like the LET, Pakistani Taliban, and al Qaeda frequently cross over into Afghanistan, kill our troops, and then run back into Pakistan where our troops can't follow them."
   - "On May 23, 2012 Pakistan sentenced the doctor that helped us get Osama bin Laden to 33 years in prison. Apparently, helping apprehend the world's #1 terrorist and killer of thousands of Americans deserves decades in jail."
   - "On Sept 22, 2011 Adm. Mike Mullen, then chairman of the Joint Chiefs of Staff, testified before the Senate Armed Services Committee that "With ISI support, Haqqani operatives planned and conducted that truck bomb attack, as well as the assault on our embassy." The truck bombing he mentions here wounded more than 70 U.S. and NATO troops. Adm. Mullen went on to say, 'the Haqqani network acts as a veritable arm of Pakistan's Inter-Services Intelligence agency.'"

   These savings would be placed in the Deficit Reduction Account. The RSC has previously written extensively on the topic of limiting aid to Pakistan (see here).

3. ***Rep. McCollum (D- MN)*** – This amendment would make the following reductions and use those funds for deficit reduction:
   - $97 million reduction – Army Department of Defense Military Retirement Funds
   - $25.5 million reduction – Navy Department of Defense Military Retirement Funds
   - $23.7 million reduction – Marine Department of Defense Military Retirement Funds
   - $23.9 million reduction – Air Force Department of Defense Military Retirement Funds

- $10.1 million reduction – Army Operation and Maintenance funds for confidential military purposes
- $1.36 million reduction – Navy Operation and Maintenance funds for confidential military purposes
- $2.23 million reduction – Marine Operation and Maintenance funds for confidential military purposes
- $3.97 million reduction – Air Force Operation and Maintenance funds for confidential military purposes

4. ***Rep. Nadler (D-NY)*** – This amendment makes the following reductions and increases in the legislation:
    - $426.6 million increase – Army Department of Defense Military Retirement Funds
    - $217.28 million increase – Navy Department of Defense Military Retirement Funds
    - $191.9 million increase – Marine Department of Defense Military Retirement Funds
    - $236.4 million increase – Air Force Department of Defense Military Retirement Funds
    - $49.9 million increase – Army Reserve Department of Defense Military Retirement Funds
    - $16.7 million increase – Navy Reserve Department of Defense Military Retirement Funds
    - $13.6 million increase – Marine Reserve Department of Defense Military Retirement Funds
    - $15.4 million increase – Air Force Reserve Department of Defense Military Retirement Funds
    - $75.8 million increase – Army National Guard Department of Defense Military Retirement Funds
    - $26.7 million increase – Air Force National Guard Department of Defense Military Retirement Funds
    - $568 million reduction – Army Operation and Maintenance funds for confidential military purposes
    - $295 million reduction – Navy Operation and Maintenance funds for confidential military purposes
    - $255 million reduction – Marine Operation and Maintenance funds for confidential military purposes
    - $314 million reduction – Air Force Operation and Maintenance funds for confidential military purposes
    - $67 million reduction - Army Reserve Operations and Maintenance
    - $21 million reduction - Navy Reserve Operations and Maintenance
    - $17 million reduction - Marine Reserve Operations and Maintenance
    - $20 million reduction – Air Force Reserve Operations and Maintenance
    - $101 million reduction – National Guard Operations and Maintenance
    - $36 million reduction – Air National Guard Operations and Maintenance

5. ***Rep. Langevin (D-RI)*** – This amendment would reduce funding for the Defense-wide DOD account on Operations and Maintenance by $15 million and use those funds to increase the Defense Health Program for medical and health care programs of the DOD by $15 million to include $15 million more for procurement.

6. ***Rep. Richardson (D-CA)* –** This amendment would add a prohibition on the DOD using its appropriated funds to reduce the DOD's number of C-17 aircraft.

7. ***Rep. Blumenaeuer (D-OR)* –** This amendment would reduce funding for the Defense-wide DOD account on Operations and Maintenance by $88.95 million and use those funds, $88.95 million, to pay for environmental restoration of formerly used defense sites for the Army.

8. **Rep. Mulvaney (R-SC)/ *Rep. Frank (D-MA)* –** This amendment freezes defense spending at the current level by reducing total funding in the bill by $1.1 billion. The DoD/OMB has discretion on how to apply the reductions, but accounts associated with Military Personal, the Defense Health Program, and the Global War on Terror are protected from being reduced.

   This amendment would keep the funding level at $2.1 billion above the President's request. It funds defense at a level that was supported in last years "megabus" legislation.

OTHER AMENDMENTS NOT IN THE CONGRESSIONAL RECORD

9. **Rep. Gosar (R-AZ)** - This amendment would add that none of the funds in this legislation may be obligated or expended for assistance to Iran, Syria, Hamas, Hezbollah, or the Muslim Brotherhood.

10. **Rep. Stearns (R-FL) –** This amendment would specify that none of the funds in this legislation may be used to implement an enrollment fee for the TRICARE for Life program with regard to military health care.

11. **Rep. Stearns (R-FL) –** This amendment would reduce the defense-wide funding for Operations and Maintenance by $650 million. These savings would be placed in the Deficit Reduction Account.

    According to the sponsor, this is designed to reduce aid to Pakistan because Pakistan has not taken enough steps to fulfill its counter-terrorism benchmarks as part of the Enhanced Partnership with Pakistan Act of 2009. The RSC has previously written extensively on the topic of limiting aid to Pakistan (see here).

12. **Rep. Flake (R-AZ)** – This amendment would specify that none of the funds in this act may be used to enter into a contract for "UH-60 Leak Proof Drip Pans" using procedures other than competitive procedures. According to its sponsor, the Army has spent $6.5 million on 374 leak proof drip pans.

13. **Rep. Kucinich (D-OH) –** This amendment reduces the Operation and Maintenance, Defense-Wide account by $10 million and increase the Other Department of Defense Programs Defense Health Program by $10 million.

14. **Rep. Pompeo (R-KS)** – This amendment would eliminate $250 million for the Rapid Innovation Fund. These savings would be placed in the Deficit Reduction Account. The sponsor of the legislation referred to this account as a slush fund, because the projects it gives money are similar to those previously supported in the earmarking process. Over $700 million has been put in the fund in the past 2 years, but the DOD has only spent $32.5 million of this funding so far. The sponsor argues that there is no data demonstrating that this fund holds any value to our military or taxpayers.

    This amendment is supported by the National Taxpayer Union.

15. **Rep. Berg (R-ND) –** This amendment specifies that none of the funds in this act may be used to reduce the number of nuclear weapons delivery vehicles of the United States, specifically including:

    A. Heavy bomber aircraft
    B. Air-launched cruise missiles
    C. Nuclear-powered ballistic missile submarines
    D. Submarine-launched ballistic missiles
    E. Intercontinental ballistic missiles

16. **Rep. Mulvaney (R-SC)/ *Rep. Welch (D-VT)*/ Rep. Jordan (R-OH) –** This amendment intends to offer a non-partisan, good governance amendment to bring accountability and transparency to an issue in the DoD budget request and appropriations process. Since 9/11, it has been DoD's and Congress' policy to keep "base" defense spending and spending for Overseas Contingency Operations separate. That policy is being disregarded in this year's DoD budget request and appropriations process: $5.6 billion of personnel costs unrelated to the war have been moved from the base budget to the war budget.

    The GAO, CBO, and CRS have testified before Congress about the limited transparency in DoD war cost estimating and reporting. *The Mulvaney-Welch-Jordan amendment, similar to a Sense of the House resolution, supports the policy of moving $5.6 billion in non-war costs back to the Base Budget. It fully supports the resources our troops will need on the battlefield, but it does not actually transfer any funding. It simply highlights a non-partisan issue – accountability and transparency – by demonstrating support to move these non-war costs back to the Base Budget in the FY13 CR and future budget requests.*

17. **Rep. Quigley (D-IL) –** This amendment would reduce the Shipbuilding and Conversion Navy account by $988,000,000. These savings would be placed in the Deficit Reduction Account.

18. **Rep. Cohn (R-TN) –** This amendment would reduce the Navy's Other Procurement Account by $506,660,000 and increase the DOD's Defense Health Program account by $235,000,000.

RSC Staff Contacts: Derek Khanna, Derek.Khanna@mail.house.gov, (202)-226-0718.