



Amendments to H.R. 4909 — National Defense Authorization Act for Fiscal Year 2017 (Rep. Thornberry, R-TX) Part I

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FLOOR SCHEDULE:

Scheduled for consideration on May 17, 2016, under a structured [rule](#).

ADDITIONAL INFORMATION:

The House report (H. Rept. 114-537) accompanying H.R. 4909 can be found [here](#) (Part 1), [here](#) (Part 2), and the text of the legislation can be found [here](#).

AMENDMENTS CONSIDERED AS ADOPTED:

(2) [Sessions \(R-TX\)](#): would strike section 528, a provision requiring both males and females between the ages of 18 and 26 to register with the Selective Service. The amendment would further direct the Secretary of Defense to submit a report to Congress including: (1) a detailed analysis of the current benefits derived from the Military Selective Service System; (2) an analysis of the functions currently performed by the Selective Service System that would be assumed by the Department of Defense in the absence of a national registration capability; (3) an analysis of the systems, manpower, and facilities that would be needed by the Department to physically mobilize inductees in the absence of the Selective Service System; (4) an analysis of the feasibility and utility of eliminating the current focus on mass mobilization of primarily combat troops in favor of a system that focuses on mobilization of all military occupational specialties; (5) a detailed analysis of the Department's personnel needs in the event of an emergency requiring mass mobilization; and (6) a list of the assumptions used by the Department when conducting its analysis in preparing the report. The amendment would require the Government Accountability Office (GAO) to conduct a review of the procedures used by the Department of Defense in evaluating selective service requirements.

AMENDMENTS MADE IN ORDER:

(376) [Thornberry \(R-TX\)](#): would clarify that the authority in section 1702 of a Secretary of a military department to transfer funds would be subject to appropriations Acts. Section 1702 allows for the transfer of funds that remain available for obligation in procurement appropriation accounts to fund the low-rate initial production of a rapid fielding project until required funding for full-rate production can be submitted and approved through the regular budget process of the Department of Defense (DOD).

(204) [Westerman \(R-AR\)](#): would increase the amount authorized for the Surface-To-Air missile MSE (MIM-104 Patriot surface-to-air missile (SAM) PAC-3 Missile Segment Enhancement) procurement by \$82.4 million. An offset of \$82.4 million would be taken from the Defense Nuclear Nonproliferation Programs, Defense Nuclear Nonproliferation R&D, Material management and minimization account.

(152) [Garamendi \(D-CA\)](#): would increase the amount authorized for Air Force procurement of Large Aircraft Infrared Countermeasures by \$17.93 million. An offset of \$17.93 million would be taken from the research, development, test, and evaluation, advanced component development and prototypes, Ground Based Strategic Deterrent account, the ground-based Intercontinental Ballistic Missile (ICBM) component of the nuclear triad. Some conservatives would have concerns over this amendment due to the offset taking funds away from an [essential leg](#) of the nuclear triad in need of investment and modernization.

(77) [McKinley \(R-WV\)](#): would direct the Secretary of Defense to ensure that every DOD tactical missile program that uses solid propellant as the primary propulsion system would have at least two fully certified rocket motor suppliers in the event that one of the rocket motor suppliers is foreign. The amendment would grant the Secretary waiver authority in the case of compelling national security reasons. The [amendment](#) would require that the prime contractor certify a domestic source if they choose to use an allied nation for the production of their propulsion system. There are only two U.S. producers of solid propellant propulsion manufacturers.

(89) [Thornberry \(R-TX\)](#): would amend [section 101 of the National Security Act of 1947](#) to address issues related to National Security Council (NSC) overreach. The amendment would stipulate that if the staff of the Council exceeds 100 covered employees at any point during a term of the president, and for the duration of such term (without regard to any changes to the number of such covered employees), the Assistant to the President for National Security Affairs (the National Security Advisor) would be subject to Senate confirmation, and would be able to serve in an acting capacity for no longer than 210 days. The amendment would express a sense of Congress that: (1) the function of the National Security Council 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.

The amendment comes in response to [allegations](#) from former cabinet level officials of the current Administration's bloated NSC staff overreaching in the formulation of foreign and defense policy. **[The National Taxpayers Union](#) is key voting in favor of this amendment.**

(62) [Nadler \(D-NY\)](#): would strike sections 1032 and 1033 pertaining to the U.S. Naval Detention Facility at Guantanamo Bay, Cuba. The amendment would strike the prohibition on the use of funds for transfer or release of individuals detained at Guantanamo Bay, Cuba to the United States, and would strike the prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from Guantanamo Bay, Cuba. This amendment would pose grave national security concerns over transferring high value terrorists detained at [Guantanamo Bay](#) to United States soil to face trial.

(1) [Walorski \(R-IN\)](#): would amend the Freedom of Information Act ([FOIA](#)) ([Section 552\(f\)\(1\) of title 5, United States Code](#)) to include the National Security Council (NSC), thus making the NSC subject to FOIA

requests. The amendment, and the FIOA requirement would take effect after the National Security Advisor becomes a Senate confirmed position, as provided for in [Thornberry Amendment #89](#).

(124) [Poe \(R-TX\)](#): would direct the Secretary of Defense to give preference for distribution of surveillance unmanned aerial vehicles to federal and state agencies that agree to use the property primarily for the purpose of strengthening border security along the southern border. The property defined in the amendment would consist of surveillance unmanned aerial vehicles, including the MQ-9 Reaper, the Aerostat radar system, night-vision goggles, and Humvees.

(73) [Kelly \(R-PA\)](#): would prohibit funds from being authorized for the destruction of anti-personnel landmine munitions unless the Secretary of Defense submits a report to Congress that includes an assessment of the current state of research into operational alternatives to anti-personnel landmines. The amendment would 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. The United States is not a party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, or the Ottawa Treaty, due in part to the use of land mines in the Korean demilitarized zone.

(26) [Walorski \(R-IN\)](#): would require the United States government and the government of a foreign country to enter into a written memorandum of understanding regarding the transfer of the individual from the U.S. Naval Detention Center at Guantanamo Bay, Cuba. The memorandum of understanding would be required to be transmitted to Congress prior to any transfer.

(170) [Larsen \(D-WA\)](#): would amend waiver authority given to the Secretary of Energy on the prohibition of funds being obligated to enter into an atomic energy contract with the Russian Federation. The waiver would be amended to allow the Secretary to enter into a contract if it will significantly reduce the nuclear threat. The amendment would additionally strike a certification requirement that there is no backlog of deferred maintenance with respect to physical security equipment and related infrastructure at each Department of Energy defense nuclear facility. Some conservatives would be concerned that if enacted, the amendment would allow the Department of Energy to assist the Russian Federation in securing its nuclear facilities, while neglecting U.S. nuclear facilities. The [Russian Federation](#) has currently embarked on major [modernization](#) efforts to its own nuclear arsenal.

(362) [Zinke \(R-MT\)](#): would require the Chairman of the Joint Chiefs of Staff to certify to Congress that the Chairman has approved any requests for forces of a commander of a combatant command to meet the security requirements of land-based nuclear forces. The amendment would limit funding for the travel and representational expenses of the Secretary of Defense to not more than 75 percent until the Secretary of Defense certifies to Congress that there is a competitive acquisition process in place to ensure the fielding of a [UH-1N replacement](#) aircraft in fiscal year 2018. Aging UH-1N helicopters are currently used by the Air Force for VIP transportation and to ensure security for ground-based nuclear missile bases at Malmstrom AFB, Montana, Minot AFB, North Dakota, and F.E. Warren AFB, Wyoming. According to the sponsor of the amendment, the fiscal year 2018 date was set as a requirement to start fielding a replacement, due to an additional \$40 million a year in supplemental security costs and risks associated with operating over 40 year-old UH-1N aircraft. **The [National Taxpayers Union](#) is key voting no on this amendment** due to concerns over the fiscal year 2018 fielding date which might inhibit open competition for the replacement.

(193) [Mike Rogers \(R-AL\)](#): would impose a limitation of funds that not more than 50 percent may be obligated or expended to the Office of the Secretary of Energy until the Secretary of Energy submits a complete report titled "U.S. Nuclear Deterrence in the Coming Decades" and any related materials to Congress.

En Bloc Amendment #1

The following amendments will be considered together En Bloc

(25) [McKinley \(R-WV\)](#): would increase the amount authorized for Civil Military Programs by \$15 million (to be used in support of the National Guard Youth Challenge Program). An offset of \$15 million would be taken from the operation and maintenance, Defense-wide account.

(212) [Guthrie \(R-KY\)](#): would allow the Secretary of the Army to 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](#)). The Secretary would be authorized to enter into a contract with an appropriate entity to carry out the production of natural gas. The amendment clarifies that any natural gas produced would only be used only to support activities and operations at Fort Knox and may not be sold for use elsewhere. The Secretary of the Army would additionally be authorized to take ownership of any gas production, treatment equipment, facilities, and associated infrastructure from an entity contracted with which the Secretary.

(316) [Gallego \(D-AZ\)](#): would require the Secretary of Defense to: (1) conduct a comprehensive review of the prescribing practices at military treatment facilities of pharmaceutical agents for post-traumatic stress treatment; (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 (3) implement a plan to address any deviations from such guideline in prescribing practices of pharmaceutical agents for management of post-traumatic stress at such facilities.

(215) [Graves \(R-MO\)](#): would direct the Secretary of Defense to provide a briefing to Congress on a certain type of procurement process, specifically on: (1) how the Department of Defense continues to implement the updates to the Federal Acquisition Regulation that implemented the 2015 amendments to [section 2305a, title 10, United States Code](#) on design-build selection procedures; (2) a list of instances in which the Department awarded a design-build contract pursuant to section 2305a that had more than five finalists for phase-two requests for proposals during fiscal year 2016, and the list of design-build requests for proposals that used a one-step process; (3) any feedback the Department has received from industry; (4) any challenges to the implementation of the statute; (5) any additional criteria identified by the Secretary.

(352) [Jackson Lee \(D-TX\)](#): would prohibit any DOD function that is performed by DOD civilian employees and is tied to a certain military base from being 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 and by socially and economically disadvantaged individuals that are located in the geographic area near the military base.

(349) [Jackson Lee \(D-TX\)](#): would direct the Government Accountability Office (GAO) to include in the annual GAO report to Congress, a list of the most common grounds for sustaining protests relating to bids for contracts during such year.

(164) [Hunter \(R-CA\)](#): would direct the Secretary of Defense to ensure that the Transportation Worker Identification Credential ([TWIC](#)) be accepted as a valid credential for unescorted access to DOD installations by transportation workers, during the fielding period of physical access standards, capabilities, processes, and electronic access control systems. TWIC-carrying transportation workers

who also have a current Secret Level Clearance issued by the DOD would be considered exempt from further vetting when seeking unescorted access at DOD facilities. Access security personnel would be required to verify such person's security clearance in a timely manner and provide them with unescorted access to complete their freight service. The amendment would further require a report to Congress on each instance when a credentialed transportation worker is denied unescorted access to a military facility in the United States.

(202) [Royce \(R-CA\)](#): would seek to prevent the Administration from modifying the Guantanamo Lease Agreement without Congressional approval in order to return U.S. territory at Guantanamo Bay back to the Cuban government. Specifically, the amendment would prohibit any action from being taken to modify, abrogate, or replace the stipulations, agreements, and commitments contained in the Guantanamo Lease Agreements, or to impair or abandon the jurisdiction and control of the United States over United States Naval Station, Guantanamo Bay, Cuba, unless specifically authorized or otherwise provided by: (1) a statute that is enacted on or after the date of the NDAA's enactment; (2) a treaty that is ratified with the advice and consent of the Senate; or (3) a ratified modification of the Treaty Between the United States of America and Cuba signed at Washington, DC, on May 29, 1934.

(11) [Gwen Moore \(D-WI\)](#): would express a sense of Congress that: (1) the Department of Defense and all other appropriate United States government agencies should continue to strongly condemn and call for an immediate end to attacks on medical facilities and medical providers in Syria and work to ensure that doctors can do their job and provide care to the those in need; (2) humanitarian crises in Syria and Iraq, exacerbated by targeted attacks on medical facilities, personnel, and schools, threaten the achievement of United States goals in the region, such as destroying and dismantling the Islamic State in Iraq and the Levant (ISIL) and peace and stability in the region, including Syria; (3) the United States and international community should do more to support medical professionals and medical nonprofit organizations working in Syria, at great risk to their personal well-being, to treat the ill and infirm and ensure some level of medical care for Syrians; and (4) the Department of Defense is strongly encouraged to support, where appropriate, other appropriate United States government agencies and entities engaged in meeting urgent and increasing humanitarian and medical needs in Syria, especially in areas where medical facilities and providers have been targeted by the Syrian regime, ISIL, or Al Qaeda.

(256) [Forbes \(R-VA\)](#): would direct the Secretary of Defense submit a report to Congress that lists each request received from Taiwan and each letter of offer to sell any defense articles or services under the bill to Taiwan during such fiscal year. The report would be submitted in unclassified form, but may contain a classified annex.

(162) [Graves \(R-MO\)](#): would prohibit the Small Business Administration from funding initiatives that surpass its present authority. The amendment would also require the Small Business administrator to submit an annual report to Congress on all entrepreneurial activities undertaken in the current fiscal year. The Small Business Administrator would also be required to report to Congress on any data collection activities related to the Small Business Development Center Program. It would establish a Data Collection Working Group of entrepreneurial development grant recipients, associations, organizations, and Administration officials to study the best way to gather data, and would submit a report to Congress. This amendment would permit small business centers to collect fees in relation to the operation of private partnerships and cosponsorships. It would also permit no more than \$600 thousand to be used to pay administration expenses. It would include confidentiality requirements for small business development centers. Finally, the amendment would prohibit the award of grants pertaining to the establishment of small business centers and opportunities, to any entity, other than those that received grants prior to the date of enactment and are seeking to renew.

(3) [Adams \(D-NC\)](#): would require the [Service Corps of Retired Executives](#) (SCORE) make use of online counseling, including by developing and implementing webinars and an electronic mentoring platform to expand access to services provided under this subsection and to further support entrepreneurs. The amendment would require the SCORE Association to issue a report to Congress on the effectiveness of the online counseling and webinars required as part of the SCORE program. The amendment would further direct the SCORE Association to carry out a study on the future role of the SCORE program and develop a strategic plan for how the SCORE program will evolve to meet the needs of small business concerns and potential future small business concerns over the course of the 5 years following the bill's enactment. SCORE would be required to issue a report to Congress on their findings.

En Bloc Amendments #2

The following amendments will be considered together En Bloc

(161) [Calvert \(R-CA\)](#): would require the Secretary of Defense to submit a report to Congress detailing the structure and number of the civilian workforce and contractors of the Department of Defense. Each report would be required to include the following for each of fiscal years 2017 through 2020, including a breakdown in location, job function, General Schedule (GS) level, and date of when the job was created for the following individuals: (1) the total number of full time equivalent employees; and (2) the total number of civilian contractors of the Department of Defense.

(148) [Chris Collins \(R-NY\)](#): would direct the Secretary of the Army to 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, when disposing of munitions in the stockpile of conventional ammunition awaiting demilitarization and disposal.

(88) [Russell \(R-OK\)](#): would express a 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. The amendment would direct the Secretary of Defense to evaluate the need for proven safety technology in vehicles transporting Transportation Protective Services shipments, such as electronic logging devices, roll stability control, forward collision avoidance, lane departure warning systems, and speed limiters to avoid catastrophic accidents and exposure of material.

(86) [Costa \(D-CA\)](#): would direct the Secretary of Congress to brief Congress on the well-drilling capabilities of the active and reserve components to include: (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.

(4) [McKinley \(R-WV\)](#): would require the Secretary of Defense to 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. The tour calculator would specify early retirement credit authorized for each qualifying tour of active duty, as well as cumulative early reserve retirement credit authorized to date.

(157) [Meng \(D-NY\)](#): would require the GAO to submit a report to Congress on the demographic composition of service academies that includes: (1) an analysis of the demographic composition of each service academy's recruits, nominees, applicants, qualified applicants, admits, enrollees, graduates, and graduate occupation placement; (2) how such composition compares to the demographic composition of the United States, enlisted members of the Armed Forces, officers of the Armed Forces, and other

institutions of higher education; (3) the demographic composition of each quintile of academic ranking for each service academy's graduating class; and (4) a description of the considerations given to demographic composition in each service academy's recruitment efforts, qualification decisions, and admissions decisions.

(84) [Palmer \(R-AL\)](#): would authorize the Secretary of the Army to award the Distinguished-Service Cross to First Lieutenant [Melvin M. Spruiell](#) of the Army for the acts of valor during World War II 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) [Sewell \(D-AL\)](#): would authorize the cyber institute at each of the senior military colleges to place a special emphasis on entering into a partnership with a local educational agency located in a rural, underserved, or underrepresented community. Section 562 of the NDAA would establish ROTC cyber institutes for the purpose of accelerating the development of foundational expertise in critical cyber operational skills for future military and civilian leaders of the armed forces and the Department of Defense, including within the reserve components.

(70) [Takano \(D-CA\)](#): would amend a reporting requirement for the Secretary of Defense to submit a report to Congress on the results of a pilot program to enhance the efforts of the Department of Defense to provide job placement assistance and related employment services directly to members in the National Guard and Reserves. The amendment mandates that the report include 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.

(111) [Grayson \(D-FL\)](#): would require the inclusion of information concerning the availability of treatment options and resources to address substance abuse, including alcohol, prescription drug, and opioid abuse as part of the required servicemember preseparation counseling.

(138) [Bost \(R-IL\)](#): would make technical changes to the [Impact Aid](#) program. The amendment would amend the Every Student Succeeds Act ([Public Law 114-95](#)) and would factor in a certain housing population on a military installation at Scott Air Force base in calculating aid disbursements under the Impact Aid program. The amendment would apply already enacted legislation on the issue in FY 2017 to FY 2016.

(139) [DelBene \(D-WA\)](#): would allow a relocating spouse of a member of the Armed Forces to remain eligible for noncompetitive appointment regarding federal hiring practices for the duration of the spouse's relocation to the permanent duty station of the member. The amendment would eliminate 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.

En Bloc Amendments #3

The following amendments will be considered together En Bloc

(61) [Turner \(R-OH\)](#): would express a sense of Congress that at the July 2016 NATO Summit in Warsaw, Poland and beyond, the United States should: (1) welcome Montenegro's accession to NATO; (2) continue to work with aspirant countries to prepare them for entry into NATO; (3) continue supporting a Membership Action Plan (MAP) for Georgia; (4) encourage the leaders of Macedonia and Greece to find a mutually agreeable solution to the name dispute between the two countries; (5) seek a Dayton II agreement to resolve the constitutional issues of Bosnia and Herzegovina; (6) work with the Republic of

Kosovo to prepare the country for entrance into the Partnership for Peace (PfP) program; (7) take a leading role in working with NATO member states to identify the current and future security threats facing the Alliance; and (8) take a leading role to work with other NATO member states to ensure the alliance maintains the required capabilities, including the gains in interoperability from combat in Afghanistan, necessary to meet the security threats to the Alliance. The amendment clarify that: (1) in Warsaw, NATO member states should build upon the progress made since the 2014 Wales Summit, by committing additional resources to NATO's Readiness Action Plan and related measures to enhance allied readiness and deterrence; (2) NATO member states should review defense spending to ensure sufficient funding is obligated to meet NATO responsibilities, including to allocate at least 2 percent of Gross Domestic Product (GDP) to defense spending, and to devote at least 20 percent of defense spending to defense modernization and new equipment; (3) the United States should commit to maintaining a robust military presence in Europe as a means of promoting allied interoperability, providing visible assurance to NATO allies, and deterring Russian aggression in the region; and (4) the United States reaffirms and remains committed to the policies enumerated by NATO member states in the Deterrence and Defense Posture Review.

(182) [Hanna \(R-NY\)](#): would direct the Small Business Development Centers (SBDC) to provide, to the best of their ability, cyber assistance to small businesses through access to analysts and specialists to assist small business concern clients. The Department of Homeland Security would also be permitted to provide assistance to small business development centers on cyber security. This legislation would require a Government Accountability Office Report and a report to Congress detailing all federal programs currently providing cyber security assistance to small business concerns. It would require the Small Business Administration (SBA) and the Department of Homeland Security to develop a joint "SBDC Cyber Strategy" to provide guidance to SBDCs, providing information on how they can improve coordination and the provision of federal cyber security assistance to small businesses.

(27) [Bera \(D-CA\)](#): would require the Secretary of Defense in consultation with the Secretaries of Veterans Affairs, Education, and Labor to submit a report to Congress on the transfer of skills into equivalent college credits or technical certifications for members of the Armed Forces leaving the military. The report would describe: (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; (3) each academic institution that awards an equivalent college credit or technical certification for such skills; and (4) the number of members of the Armed Forces who left the military in the last fiscal year and the number of those individuals who met with an academic or technical training advisor as part of their participation in the Transition Assistance Program.

(80) [McGovern \(D-MA\)](#): would require the Secretary of Defense to 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. The Secretary of Defense would be required to issue the Atomic Veterans Service Medal to the veteran at the request of a radiation-exposed veteran.

(120) [Grayson \(D-FL\)](#): would amend the authority of the Secretary of Defense to enter into a partnership agreement between facilities of the uniformed services and local or regional health care systems if the agreement would result in the delivery of health care to which covered beneficiaries are entitled in a more effective, efficient, or economical manner, and at a level of quality at least comparable to the quality of services beneficiaries would receive from a military medical treatment facility.

(78) [John Carter \(R-TX\)](#): would direct the Secretary of Defense to 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. The Secretary of Defense would be required to expand the missions of the Hearing Center of Excellence, the Vision Center of Excellence, the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury (including the Deployment Health Clinical Center), and the Center for Deployment Health Research to include, as appropriate, improving the clinical evaluation, diagnosis, management, and epidemiological study of adverse health effects among members of the Armed Forces following exposure to mefloquine.

(76) [Joe Wilson \(R-SC\)](#): would modify a report requirement on a DOD commercial solutions opening pilot program, in section 825(f) of the FY17 NDAA to sunset after five years. The pilot program would allow innovative commercial items to be acquired through a competitive selection of proposals resulting from a general solicitation and the peer review of such proposals.

(66) [Joe Wilson \(R-SC\)](#): would amend [section 901\(a\)\(1\) of the National Defense Authorization Act for Fiscal Year 2015](#) by making the conversion of the position of Deputy Chief Management Officer to the position of Under Secretary of Defense for Business Management and Information effective on February 1, 2018.

(20) [Beyer \(D-VA\)](#): would state the policy of the Department of Defense to avoid using lowest price technically acceptable (LPTA) source selection criteria in inappropriate circumstances that potentially deny the Department the benefits of cost and technical tradeoffs in the source selection process. The amendment would additionally direct that for new solicitations, LPTA criteria would 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; (2) the Department would realize no, or minimal, value from a contract proposal exceeding the minimum technical or performance requirements set forth in the request for proposal in addition to other specified conditions. The amendment would require that, to the maximum extent practicable, the use of LPTA criteria would be avoided when the procurement is predominately for the acquisition of information technology services, systems engineering and technical assistance services, audit or audit readiness services, or other knowledge-based professional services.

(16) [Burgess \(R-TX\)](#): would direct the Secretary of Defense to submit a report to Congress 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 would not include information otherwise available in other reports to Congress. **The [National Taxpayers Union](#) is key voting in favor of this amendment.**

(159) [Turner \(R-OH\)](#): would require the Secretary of the Air Force to provide a briefing to Congress 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.

(64) [Frankel \(D-FL\)](#): would state that Congress: (1) expresses its appreciation to the men and women left permanently wounded, ill, or injured as a result of their service in the Armed Forces; (2) supports the annual recognition of American veterans disabled for life each year; and (3) encourages the American people to honor American veterans disabled for life each year with appropriate programs and activities.

(50) [Beyer \(D-VA\)](#): would require the Secretary of Defense, in coordination with the Administrator of the Federal Aviation Administration (FAA), to: (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. In conducting the study the Secretary of Defense and the FAA Administrator would be direct to 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.

En Bloc Amendments #4

The following amendments will be considered together En Bloc

(143) [Zeldin \(R-NY\)](#): would require the Secretary of the Navy to submit a report to Congress that contains the findings of an assessment of all operational minehunting Synthetic Aperture Sonar (SAS) technologies suitable to meet the requirements for use on the Littoral Combat Ship Mine Countermeasures Mission Package. The Secretary of the Navy would be encouraged to perform at-sea testing and experimentation of sonar systems in order to provide data in support of the assessment.

(127) [Trott \(R-MI\)](#): would direct the president to 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.

(107) [Vela \(D-TX\)](#): would direct the Secretary of Defense to submit a report to Congress on violence and cartel activity in Mexico and the impact of such on United States national security.

(19) [Thornberry \(R-TX\)](#): would require the Secretary of Defense and the Secretary of State to jointly submit a report to Congress that contains 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 seq.). According to the findings of the amendment, “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.”

(145) [Nolan \(D-MN\)](#): would prohibit funding for the Syria Train and Equip programs to any recipient that the Secretary of Defense has reported, pursuant to a congressionally mandated quarterly progress report, as having misused provided training and equipment.

(129) [Aguilar \(D-CA\)](#): would authorize the Secretary of the Army and the Secretary of the Air Force to each carry out a pilot program to improve the ability of the Army and the Air Force to recruit cyber professionals. Under the pilot program, the Secretaries would 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. The amendment would express that Congress supports the direct commission of individuals trained in cyber specialties because the demand for skilled cyber personnel outstrips the supply of such personnel, in light of great competition for such personnel with private industry.

(10) [Dold \(R-IL\)](#): would extend the military construction authorization of a 2014 Naval Unaccompanied Housing barracks project at Great Lakes, Illinois for \$35.851 million. The amendment would not authorize any additional funds.

(103) [Chu \(D-CA\)](#): would amend requirement for the Administrator of the Small Business Administration to review applications to determine whether the applicant for certain grants under the women’s

business center program can meet obligations to perform the activities required by a grant, to additionally factor in the population density of the area to be served by the women's business center.

(65) [Perlmutter \(D-CO\)](#): would allow the restriction attached to any deed to any real property designated for disposal that prohibits the use of the property for residential or industrial purposes to 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. The amendment would thus allow 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. The Secretary of the Army would not be responsible or liable for: (1) the cost of any risk assessment or any actions taken in response to risk assessments; (2) any damages attributable to the use of property for residential or industrial purposes as the result of the modification or removal of a deed restriction pursuant to clause; or (3) the costs of any actions taken in response to damages.

(122) [Pompeo \(R-KS\)](#): would require the Director of National Intelligence to: (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 (3) submit a report to Congress on the results of the declassification review, and if any information was not declassified pursuant to the review, a justification for the determination not to declassify the information.

(372) [McSally \(R-AZ\)](#): would prohibit the enforcement of a military commission determination that 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 based on gender. In the case of an order, ruling, finding, or other determination that was issued before the NDAA's enactment in a military commission such order would retroactively be deemed to be vacated and null and void if any prohibition or restriction on the duties of members of the Armed Forces was based on gender. The amendment would pertain to guards at the U.S. Naval Detention Center Guantanamo Bay, Cuba being prevented from executing an order based on their gender due to detainee petitions. A letter from the amendment's sponsor can be found [here](#).

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