



Amendments to H.R. 5293: Fiscal Year 2017 Defense Appropriations (Rep. Frelinghuysen, R-NJ) – Part II

CONTACT: [Matt Dickerson](#), 202-226-9718; [Nicholas Rodman](#), 202-226-8576

FLOOR SCHEDULE:

Amendments to H.R. 5293 are expected to be considered beginning on June 15, 2016, under a [structured rule](#).

The Committee Report can be found [here](#), and the text of the legislation can be found [here](#). The Legislative Bulletin can be found [here](#).

The rule considers the bill as read up to the Spending Reduction Account.

The rule makes in order 75 amendments. The rule waives all points of order against the amendments made in order. Amendments will be debated for 10 minutes equally divided by the proponent and an opponent.

The rule allows the Chair of the Committee on Appropriations to offer amendments made in order en-block. Amendments offered en-block will be debated for 20 minutes equally divided.

The rule permits up to 10 pro forma amendments to “strike the last word” each for the Chair and Ranking Member of the Committee on Appropriations.

The rule also provides suspension authority for Thursday, June 16, 2016.

AMENDMENTS:

1. [Summary And Analysis Of Amendments For Which Votes Have Been Requested](#)
2. [Summary And Analysis Of Amendments Made In Order And Still To Be Debated](#)
3. [Summary And Analysis Of Amendments Disposed Of](#)

SUMMARY AND ANALYSIS OF AMENDMENTS FOR WHICH VOTES HAVE BEEN REQUESTED:

2. **Shuster (R-PA)**: Would increase Army Operation and Maintenance by \$170 million with the intent of funding depots and the Organic Industrial Base (AOIB). According to the Army, “The [AOIB](#) consists of resource providers, acquisition and sustainment planners, and maintenance and manufacturing performers.”

The amendment would reduce four other accounts by a total of \$195 million, including: Defense Wide Operation and Maintenance by \$135 million, Army Environmental Restoration by \$20 million, Navy Environmental Restoration by \$20 million, and Air Force Environmental Restoration by \$20 million.

9. **Ellison (D-MN)**: Would establish Congressional intent that \$1 million of the Defense Wide Operations and Maintenance account funding would be to create an “Office of Good Jobs” within the Department of Defense.

Such an office has been advocated for by the [leadership PAC associated with the Congressional Progressive Caucus](#) on a federal government-wide basis.

12. **Rogers (R-AL)**: Would increase funding by \$108.515 million for a critical and classified homeland missile defense program to improve ballistic missile defense discrimination and offset it by reducing funding by \$108.515 million from the Air Force RDT&E account. According to the amendment sponsors, the offset would be taken from an account with the explicit approval of the prime contractor (Boeing) in charge of the program, because the contractor does not believe it can obligate the total amount of funding provided in the bill in FY 2017. The Government Accountability Office (GAO) has additionally recommended a cut to the Air Force RDT&E KC-46A account program.

13. **Quigley (D-IL)**: Would decrease funding for the Long Range Standoff Weapon by \$75.802 million and would increase the spending reduction account by the same amount. Some conservatives may be concerned if the [Long Range Standoff Weapon](#), a critical part of the new long-range strike bomber’s arsenal, was defunded. The [Air Force Association](#) has expressed strong support for the program.

Key Vote Support: [National Taxpayers Union](#)

16. **O’Rourke (D-TX)**: Would strike section 8121 of the bill and allow the Department of Defense to use funds to implement an additional round Base Realignment and Closure (BRAC).

Key Vote Support: [National Taxpayers Union](#)

17. **Huffman (D-CA)**: Would strike section 8127 of the bill, which requires the Air Force to use of energy sourced domestically within the United States to be sent to heat facility modernization in the Kaiserslautern Military Community, in Germany. Section 8127 has been characterized as an earmark to certain anthracite coal producing districts in Pennsylvania. A similar amendment was adopted to the FY 2016 Defense Appropriations bill by a vote of [252-179](#).

Groups in Support:

[National Taxpayers Union](#)

[Campaign for Liberty](#)

[Center for Freedom and Prosperity](#)
[Coalition to Reduce Spending](#)
[Council for Citizens Against Government Waste](#)
[Heritage Action for America](#)
[Less Government](#)
[Niskanen Center](#)
[R Street Institute](#)
[Taxpayers for Common Sense](#)
[Taxpayers Protection Alliance](#)

19. **Poe (R-TX)**: Would reduce funding to the government of Pakistan by \$200 million from the Operations and Maintenance - Defense Wide account. Some conservatives may believe that reducing aid to Pakistan would have national security implications by reducing that country's ability to combat terrorist organizations like the Pakistani Taliban, al Qaeda, and the [Haqqani network](#) in the Federally Administered Tribal Areas. Pakistan has recently made [several concerted efforts](#) to curb Taliban expansion within its borders. However, a Taliban leader was killed by a U.S. drone strike in Pakistan in May, a move that was [criticized by Pakistan](#) and was seen as [sending a message](#) to Pakistan. Other conservatives may be concerned that providing aid to Pakistan's government has not resulted in that government sufficiently countering terrorist activities within its borders.

The underlying bill includes Section 9017, which prohibits the use of Defense Wide Operation and Maintenance funds to reimburse Pakistan unless the Secretary of Defense certifies that Pakistan is cooperating with the U.S. in counterterrorism efforts, among other requirements.

21. **Sanford (R-SC)**: Would prohibit funding to be used in contravention of [section 418 of title 37, United States Code](#), pertaining to athletic shoes. The amendment would exempt the Department of Defense from a requirement to issue 100-percent American-made athletic shoes to new enlisted recruits upon entrance to basic training. Instead, the Department would be allowed to continue to issue small cash vouchers to recruits to purchase running shoes of their own choice for training. Some conservatives would argue that an initial provision in the House-passed FY 2017 NDAA requiring American-made athletic shoes would effectively force the Department of Defense to provide shoes from a single source, New Balance. However, others would argue that multiple companies would eventually be eligible to compete, to include [Saucony](#). The House-passed FY 2017 NDAA would also allow waivers to be granted in cases of medical necessity.

Under current law, most military clothing including boots must be made in America including all clothing item components under the [Berry Amendment](#). However military branches have the option of giving recruits a cash allowance to purchase athletic shoes. Some conservatives have argued that requiring recruits to use certain types of running shoes would restrict choice and would make recruits more susceptible to injury if the shoe is not properly comfortable and fitted to the recruit's foot.

Two articles from the Charleston Post and Courier can be found [here](#) and [here](#) on the footwear provision and the proposed NDAA amendment to strike it. Op-eds from Heritage Action in support of Rep. Sanford's NDAA amendment and from AEI's Mackenzie Eaglen can be found [here](#) and [here](#).

Groups in Support:

Key Vote Support: [Club for Growth](#)

Key Vote Support: [FreedomWorks](#)

Key Vote Support: [Heritage Action](#)

The Association of the United States Army

[National Taxpayers Union](#)

[Campaign for Liberty](#)

[Center for Freedom and Prosperity](#)
[Coalition to Reduce Spending](#)
[Council for Citizens Against Government Waste](#)
[Less Government](#)
[Niskanen Center](#)
[R Street Institute](#)
[Taxpayers for Common Sense](#)
[Taxpayers Protection Alliance](#)

Groups in Opposition:

AFL-CIO
American Apparel & Footwear Association
National Council of Textile Organizations
National Cotton Council
Alliance for American Manufacturing

22. **Buck (R-CO)**: Would prohibit funding to implement Department of Defense [Directive 4715.21 on Climate Change Adaption and Resilience](#), which would require the Pentagon to prioritize climate change over national security.

24. **Byrne (R-AL)**: Would prohibit funding to modify a military installation in the United States, including construction or modification of a facility on a military installation, to provide temporary housing for unaccompanied alien children.

25. **King (R-IA)**: Would prohibit funding to be used to carry out or in response to the memorandum of the Deputy Assistant Secretary of Defense for Homeland Defense Integration and Defense Support of Civil Authorities titled “[Memorandum for Secretaries of the Military Departments Director, Joint Staff](#)” dated November 25, 2015, related to Department of Defense temporary housing support for Unaccompanied Alien Children.

26. **Gosar (R-AZ)**: Would prohibit funding to be used to extend the expiration date of, or to reissue with a new date of expiration, the “[Military Accessions Vital to the National Interest Program Changes](#)” (MAVNI) memorandum issued on September 25, 2014. According to the Department of Defense, the Secretary of Defense has authorized the military services to recruit certain otherwise illegal aliens whose skills are considered to be vital to the national interest. Those holding critical skills, physicians, nurses, and certain experts in language with associated cultural backgrounds, would be eligible for recruitment under the MAVNI program. The amendment would prohibit Deferred Action for Childhood Arrivals (DACA) aliens from entering into the MAVNI program.

Groups in Support:

Key Vote Support: [Heritage Action](#)
Key Vote Support: Numbers USA
Federation for Immigration Reform (FAIR)
Eagle Forum

27. [King \(R-IA\)](#): Would prohibit funding to be used to extend the expiration date of the memorandum titled “Military Accessions Vital to the National Interest Program Changes” and dated September 25, 2014.

29. [Lamborn \(R-CO\)](#): Would prohibit funding to be used by the Department of Defense to survey, assess, or review potential locations in the United States to detain any individual detained at United States Naval Station, Guantanamo Bay, Cuba.

30. [Massie \(R-KY\)](#): Would prohibit funding to be used for drug interdiction or counter-drug activities in Afghanistan. Some conservatives may be concerned the amendment would reduce funding for [U.S. and global efforts](#) to curb narcotic production in Afghanistan. The underlying bill would provide \$215 million for OCO Drug Interdiction and Counter Drug Activities and \$909 million in base funding for Drug Interdiction and Counter Drug Activities.

31. [Massie \(R-KY\)](#): Would prohibit funding to be use by an officer or employee of the United States to query a collection of foreign intelligence information acquired under section 702 of the [Foreign Intelligence Surveillance Act of 1978](#) (50 U.S.C. 1881a) using a United States person identifier. Section 702 permits the Attorney General and the Director of National Intelligence to authorize targeting of non-U.S. persons reasonably believed to be located outside the United States. It has [been reported](#) that, in practice, the government collected large amounts of electronic communications of both U.S. and Non-U.S. citizens who were not intended to be targeted by the collection. It has also [been reported](#) that the NSA has searched the contents of U.S. persons’ communications without warrants. This practice has raised [concerns](#) that the actions taken by the NSA are unconstitutional. According to the Permanent Select Committee on Intelligence, the amendment would prohibit the Intelligence Community from lawfully querying its databases for information on whether or not suspects contacted terrorist groups outside the United States.

The amendment would further prohibit funding be used by the National Security Agency or the Central Intelligence Agency to mandate or request that a person alter its product or service to create a “backdoor” that would permit the electronic surveillance of any user of such product or service for such agencies.

A similar amendment to the FY 2016 Defense Appropriations bill was adopted by a [255 – 174](#) vote.

Groups in Support:

Key Vote Support: [FreedomWorks](#)

Groups in Opposition:

[Heritage Foundation](#)

32. [McClintock \(R-CA\)](#): Would prohibit funding to be used to carry out certain sections of [Executive Order 13653](#), pertaining to climate change initiatives, [Executive Order 13693](#), pertaining to federal government sustainability initiatives, certain subsections of section [2911 of title 10, United States Code](#), related to DOD energy performance goals, [section 400AA or 400FF of the Energy Policy and Conservation Act](#), related to alternative fuel use by federally-owned vehicles, and sections [303](#) and [203](#) of the [Energy Policy Act of 1992](#), related to minimum federal

fleet requirements and renewable energy requirement guidance. A similar amendment to the FY 2016 Defense Appropriations bill was adopted by a voice vote.

33. **[Mulvaney \(R-SC\)](#)**: Would prohibit funding made available by Title IX pertaining to Overseas Contingency Operations (OCO) funding, to be used in contravention of [section 101\(a\)\(13\) of title 10, United States Code which defines what contingency operations are](#). The amendment would prevent the shifting of funds from the OCO account into the base budget to support military readiness. The bill includes \$58.626 billion in Overseas Contingency Operations (OCO/GWOT) funding that is exempt from the BCA spending caps. Within this total, the bill would provide \$42.95 billion for actual OCO/GWOT requirements, a level that is \$15.656 billion below the president's budget request. According to the [Committee Report](#), this would support OCO/GOT requirements until the end of April 2017. At that time a supplemental appropriation would be required to further support ongoing OCO/GWOT operations. According to the House Armed Services Committee, the amendment would impact military readiness by reducing accounts by \$20 billion, and cut 20,000 Soldiers, 3,000 Marines, 4,000 Airmen, and 1,715 Sailors. The amendment would remove the committee's increase to readiness accounts, which comes in response to a series of military readiness shortfalls. According to the House Armed Services Committee, "in the Marine Corps, [Class A Mishaps](#), accidents that result in fatalities or the loss of aircraft, are 84% above their 10-year average, and have increased 50% since sequestration took hold".

34. **[DeSantis \(R-FL\)/Pompeo \(R-KS\)](#)**: Would prohibit the use of funds for positions of the [Special Envoy for Guantanamo Detention Closure](#) and the [Principal Director of Detainee Affairs](#).

36. **[Rohrabacher \(R-CA\)](#)**: Would prohibit the use of funds to provide [assistance to Pakistan](#). An identical amendment to the FY 2016 Defense Appropriations bill failed by a voice vote.

The underlying bill includes Section 9017, which prohibits the use of Defense Wide Operation and Maintenance funds to reimburse Pakistan unless the Secretary of Defense certifies that Pakistan is cooperating with the U.S. in counterterrorism efforts, among other requirements.

37. **[Walberg \(R-MI\)](#)**: Would prohibit the Department of Defense from funding Afghanistan Infrastructure Fund projects. The Special Inspector General for Afghanistan Reconstruction (SIGAR) has [criticized](#) projects supported by this Fund. The FY 2016 Omnibus provided that \$3.7 billion for the OCO Afghanistan Security Forces Fund may be obligated through FY 2017 for existing Afghanistan Infrastructure Fund projects. A similar amendment to the FY 2016 Defense Appropriations bill passed by a [233 - 199](#) vote.

40. **[Conyers \(D-MI\)](#)**: Would prohibit the use of funds to transfer cluster munitions to Saudi Arabia. Saudi Arabia has [reportedly](#) used cluster munitions in civilian areas in Yemen, leading the Obama Administration to [place a hold](#) on transfers of such munitions in May.

SUMMARY AND ANALYSIS OF AMENDMENTS MADE IN ORDER AND STILL TO BE DEBATED:

41. **Yoho (R-FL)**: Would prohibit the use of funds in Libya in contravention of the [War Powers Resolution](#).

According to the [president's June 13, 2016, letter reporting under the War Powers Resolution](#), in February 2016, U.S. forces conducted an airstrike targeting an ISIL training camp in Libya. The president states that he has directed this operation pursuant to his constitutional and statutory authority as Commander in Chief and as Chief Executive, including the authority to carry out the [2001 Authorization for the Use of Military Force](#) and other statutes.

42. **Gabbard (D-HI)**: Would prohibit the use of funds to provide assistance to Syrian oppositions forces, as authorized by the [FY 2015 National Defense Authorization Act](#). The underlying bill would provide \$880 million in OCO funding for the [Counter-Islamic State of Iraq and the Levant Train and Equip Fund](#).

43. **Grayson (D-FL)**: Would prohibit the use of funds for the Department of Defense and the National Security Agency to consult with other agencies in contravention of the [National Institute of Standards and Technology Act](#).

44. **McGovern (D-MA)**: Would prohibit the use of funds for the engagement of U.S. Armed Forces in combat operations in Iraq or Syria until an authorization for the use of military force has been enacted to authorize such operations.

According to the [president's June 13, 2016, letter reporting under the War Powers Resolution](#), there are currently 4,087 U.S. Armed Forces in Iraq and 300 in Syria. The president states that he has directed these operations pursuant to his constitutional and statutory authority as Commander in Chief and as Chief Executive, including the authority to carry out the [2001 Authorization for the Use of Military Force](#) and other statutes.

45. **Lee (D-CA)**: Would prohibit the use of funds to be used pursuant to the [2001 Authorization for the Use of Military Force](#) for the Global War on Terror "against those nations, organizations, or persons [the President] determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons," beginning on April 30, 2017.

The bill would provide \$42.95 billion for actual OCO/GWOT requirements, [which would](#) support OCO/GWOT requirements until the end of April 2017.

46. **Polis (D-CO)**: Would reduce the funding made available by the bill by one percent across the board, excluding the Military Personnel, Defense Health Program, and Overseas Contingency Operations titles. This would reduce budget authority by about \$3.5 billion.

Key Vote Support: [National Taxpayers Union](#)

48. **McSally (R-AZ)**: Would prohibit the use of funds for military musical units. It has been [reported](#) that the Department of Defense has at least 137 bands with 5,900 personnel at an annual cost of \$437 million.

Groups in Support:

Key Vote Support: [National Taxpayers Union](#)
Council for Citizens Against Government Waste
Taxpayers for Common Sense,
Project on Government Oversight
Coalition to Reduce Spending
Taxpayers Protection Alliance

74. [Barletta \(R-PA\)](#): Would prohibit the use of funds to enter into a contract for energy or fuel for military installations that is procured from Russia.

75. [Smith \(NE\)](#): Would prohibit the use of funds to revise the [DoD Food Service Program Manual](#) to exclude meat. According to [media reports](#), the Humane Society of the United States has set its sights on the military with its “Meatless Monday campaign, an effort to get schools, hospitals and other facilities to reduce their meat offerings”.

SUMMARY AND ANALYSIS OF AMENDMENTS DISPOSED OF:

1. [Jackson-Lee \(D-TX\)](#): Would reduce and increase funding for the Navy Personnel account to allow the amendment sponsor to express Congressional intent that \$2 million would be for a purpose to be announced by the sponsor during debate on the House floor.

Adopted Voice

3. [Lujan-Grisham \(D-NM\)](#): Would increase Air Force Research Development Test and Evaluation by \$7 million with the intent of funding the development of beam directors and adaptive optics.

The amendment would reduce three accounts by a total of \$7 million, including: Army Operation and Maintenance by \$1 million, Navy Operation and Maintenance by \$3 million, and Air Force Operation and Maintenance by \$3 million.

Withdrawn

4. [Hartzler \(R-MO\)](#): Would increase Army Procurement of Ammunition by \$20 million and reduce Defense Wide Operation and Maintenance by \$20 million.

Adopted Voice

5. [Meehan \(R-PA\)](#): Would express Congressional intent that \$7 million of Defense Wide Operation and Maintenance should be used for “health screenings in communities near formerly used defense sites with contaminated groundwater.”

Withdrawn

7. **Rooney (R-FL)**: Would increase funding for TRICARE reimbursement rates by \$32 million for Applied Behavior Analysis under the **Comprehensive Autism Demonstration** program and would reduce the Defense Wide Operations and Maintenance account by \$40 million.

Adopted Voice En-Bloc

47. **McSally (R-AZ)**: Would express Congressional intent that \$100 million of OCO Air Force Aircraft Procurement funding should be used for A-10 wing upgrades. The underlying bill would prohibit the use of funds to retire the A-10 aircraft (Sec. 8113).

Adopted Voice En-Bloc

49. **Jackson-Lee (D-TX)**: Would increase funding for the Defense Health Program by \$1 million to remain available until; September 30, 2018, with the intent of addressing PTSD and would reduce Army Environmental Restoration by \$1 million.

Adopted Voice En-Bloc

50. **Lowenthal (D-CA)**: Would increase Defense Wide Operation and Maintenance by \$5 million with the intent of supporting the STARBASE youth education program and would decrease Army Operation and Maintenance by \$5.6 million. The **STARBASE program** is meant to motivate fifth graders to explore Science, Technology, Engineering and Math (STEM). The underlying bill would provide \$25 million for STARBASE.

Adopted Voice En-Bloc

51. **Coffman (R-CO)**: Would express Congressional intent that \$6.086 million of Navy Operation and Maintenance funding would be for the Weapons Support, Fleet Ballistic Missiles, Project 934, Engineering and Technical Services sub-account managed by the Navy's Strategic Systems Program office.

Adopted Voice En-Bloc

52. **Duffy (R-WI)**: Would express Congressional intent that \$1 million of Defense Wide Operation and Maintenance would be for the Student Transportation Security Services Program.

Adopted Voice En-Bloc

53. **McKinley (R-WV)**: Would express Congressional intent that \$ 5 million of Defense Wide Operation and Maintenance would be for the **National Guard Youth Challenge Program**, which is a "dropout recovery program that helps at-risk youths earn their high school diploma or GED".

Adopted Voice En-Bloc

54. **Aguilar (D-CA)**: Would express Congressional intent that \$5 million of Defense Wide Operations and Maintenance would be for the **Information Assurance Scholarship Program**, which is "designed to assist in recruiting and retaining highly qualified personnel in the field of IA (information assurance).

Adopted Voice En-Bloc

55. **Nadler (D-NY)**: Would increase funding for Defense Wide Procurement by \$5 million and Defense Wide Research Development Test and Evaluation by \$5 million for Israeli Cooperative Programs to support procurement of the Iron Dome missile defense system and would reduce Defense Wide Operation and Maintenance by \$10 million.

Adopted Voice En-Bloc

56. **Noem (R-SD)**: Would increase Air Force Aircraft Procurement by \$7 million for B-1 Bomber modifications and would reduce Defense Wide Operation and Maintenance by \$7 million.

Adopted Voice En-Bloc

57. **Aderholt (R-AL)**: Would increase Army Research Development Test and Evaluation by \$17 million and would reduce Defense Wide Operation and Maintenance by \$17 million.

Adopted Voice En-Bloc

58. **Grayson (D-FL)**: Would increase Army Research Development Test and Evaluation by \$5 million and would reduce Defense Wide Operation and Maintenance by \$5 million.

Adopted Voice En-Bloc

59. **Bera (D-CA)**: Would increase Defense Wide Research Development Test and Evaluation by \$5 million for the Defense Advanced Research Projects Agency (DARPA) and would reduce Defense Wide Operation and Maintenance by \$5 million.

Adopted Voice En-Bloc

60. **Grayson (D-FL)**: Would increase the Defense Health Program by \$5 million for prostate cancer research and would reduce Defense Wide Operation and Maintenance by \$5 million.

Adopted Voice En-Bloc

61. **Grayson (D-FL)**: Would increase the Defense Health Program by \$1 million for Gulf War illness research and would reduce Defense Wide Operation and Maintenance by \$1 million.

Adopted Voice En-Bloc

62. **Hartzler (R-MO)**: Would increase the Defense Health Program by \$5 million and would reduce Defense Wide Operation and Maintenance by \$5 million.

Adopted Voice En-Bloc

63. [Meng \(D-CA\)](#): Would increase the Defense Health Program by \$8 million for peer reviewed cancer research and would reduce Defense Wide Operation and Maintenance by \$8 million.

Adopted Voice En-Bloc

64. [Nolan \(D-MN\)](#): Would increase the Defense Health Program by \$2 million for lung cancer research and would reduce Defense Wide Operation and Maintenance by \$2 million.

Adopted Voice En-Bloc

65. [Delaney \(D-MD\)](#): Would increase funding for grants to the Fisher House Foundation by \$5 million and would reduce Defense Wide Operation and Maintenance by \$7.8 million. The [Fisher House Foundation](#) provides free housing near military medical centers for the families of wounded soldiers. The underlying bill provides \$5 million in grants to the Fisher House Foundation.

Adopted Voice En-Bloc

66. [Fitzpatrick \(R-PA\)](#): Would increase the Defense Health Program by \$2 million for tuberous sclerosis complex research and would reduce Defense Wide Operation and Maintenance by \$2 million.

Adopted Voice En-Bloc

67. [Jackson-Lee \(D-TX\)](#): Would increase the Defense Health Program by \$10 million for breast cancer research and would decrease Defense Wide Procurement by \$10 million.

Adopted Voice En-Bloc

68. [MacArthur \(R-NI\)](#): Would increase Defense Wide Procurement by \$12.5 million and reduce Defense Wide Research Development Test and Evaluation by a net of \$12.5 million. The amendment is meant to increase the funding for US-Israel Cooperative Directed Energy missile defense by \$25 million and to reduce Missile Defense Agency Headquarters by \$25 million.

Adopted Voice En-Bloc

69. [Larsen \(D-WA\)](#): Would express Congressional intent that \$2 million of Navy Research Development Test and Evaluation would be for F/A – 18 noise reduction programs.

Adopted Voice En-Bloc

70. [Gabbard \(D-HI\)](#): Would increase Defense Wide Research Development Test and Evaluation by \$5 million for Ballistic Missile Defense Sensors and would reduce Air Force Research Development Test and Evaluation by \$5 million.

Adopted Voice En-Bloc

71. **Walberg (R-MI)**: Would prohibit the use of funds to promulgate [Directive 293](#), a Department of Labor directive that would treat any health care providers who participate in TRCIARE as federal contractors subject to Office of Federal Contract Compliance Programs regulations.

Adopted Voice En-Bloc

72. **Grayson (D-FL)**: Would prohibit the use of funds to hire a contractor that: 1) has been in the last three years convicted or had a civil judgement for antitrust statutes, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating federal tax law, or receiving stolen property; 2) are under indictment for the offenses listed above; or, 3) is delinquent on more than \$3,000 in federal taxes in the last three years.

Adopted Voice En-Bloc

73. **Yoho (R-FL)**: Would prohibit the use of funds to provide arms, training, or other assistance to the Azov Battalion of Ukraine. The Azov Battalion is a volunteer military organization engaged against the pro-Russian forces in Ukraine. According to [media reports](#), the unit is “openly neo-Nazi”.

Adopted Voice En-Bloc

6. **Paulsen (R-MN)**: Would increase Defense Production Act Purchases by \$25 million and would reduce Defense Wide Operation and Maintenance by \$25 million. According to [CRS](#), “The Defense Production Act (DPA) of 1950 (P.L. 81-774, 50 U.S.C. Appx §2061 et seq.), as amended, confers upon the President a broad set of authorities to influence domestic industry in the interest of national defense.”

This amendment is intended to fund the sustainment of a strategic radiation-hardened microelectronics foundry. More information on the Trusted Foundry Program is available [here](#).

Adopted Voice

8. **Zinke (R-MT)**: Would increase funding for the [UH-1N Replacement Program](#) by \$80 million, and reduce the Defense Wide Operations and Maintenance account by \$80 million. The offset would be a reduction of \$50 million from the Office of the Secretary of Defense and \$30 million from the Washington Headquarters' Services accounts. 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.

Adopted Voice

10. **Gibson (R-NY)**: Would increase funding for the Weapons and Munitions Advanced technology account for [extended range cannon artillery](#) by \$1 million and offset it by reducing funding for the Aerostat Joint Project Office by \$1 million. The Aerostat Joint Project Office is tasked to oversee the Joint Land Attack Cruise Missile Defense Elevated Netted Sensor System ([JLENS](#)) program.

Adopted Voice

11. [Langevin \(D-RI\)](#): Would increase funding for the Navy Research, Development, Test, and Evaluation (RDT&E) account by \$29.8 million for the development and demonstration of advanced technologies, including high-energy lasers and the Electromagnetic Railgun, and offset it by reducing funding by \$33.9 million from the RDT&E Defense Wide account.

Adopted Voice

14. [Wittman \(R-VA\)/Forbes \(R-VA\)](#): Would strike section 8055 of the underlying bill and would allow Fleet Forces Command some operational and administrative control of United States Navy forces assigned to the Pacific fleet. The amendment would allow the Department to modify the command and control relationships between both commands. According to [recent guidance](#) from the [Chief of Naval Operations](#) (CNO), there could exist some duplicate initiatives between both commands. According to the guidance, the Navy should “examine the organization of United States Fleet Forces Command, Commander Pacific Fleet and their subordinate commands to better support clearly defining operational and warfighting demands and then to generate ready forces to meet those demands.”

Adopted Voice

15. [Nadler \(D-NY\)](#): Would strike sections 8097 and 8098 of the bill. Section 8097 would prohibit funds from being used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions [Khalid Sheikh Mohammed](#) or any other detainee who is not a United States citizen or a member of the Armed Forces of the United States; and is or was held on or after June 24, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense. Section 8098 would prohibit funds from being used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo Bay, in the custody of the Department of Defense. This amendment would pose grave national security concerns over transferring high value terrorists detained at [Guantanamo Bay](#) to United States soil to face trial.

Not Offered

18. [Peters \(D-CA\)](#): Would strike section 8132 of the bill which would prohibit funding to enforce section 526 of the [Energy Independence and Security Act of 2007](#) that restricts Federal Agencies from purchasing fuel from non-conventional sources such as coal-to-liquids, oil shale, and oil sands, if such fuels have higher lifecycle greenhouse gas emissions than traditional fuel.

Rejected Voice

20. [Duncan \(R-TN\)](#): Would reduce funding for the [Afghanistan Security Forces Fund](#) by \$448.715 million and would transfer that funding towards deficit reduction. Some conservatives may believe that reducing the Afghanistan Security Forces Fund would have national security implications by reducing the U.S. backed Afghan military’s ability to combat the [Taliban](#), al Qaeda, the Haqqani network, as well as [Islamic State elements](#) in Eastern Afghanistan.

Key Vote Support: National Taxpayers Union

Withdrawn

23. **Buck (R-CO)**: Would prohibit the DOD from partnering with private organizations to create or expand national heritage asset areas in southeast Colorado

Adopted Voice

28. **Hudson (R-NC)**: Would prohibit funding to be used to transfer any individual detained at United States Naval Station, Guantanamo Bay, Cuba, to any other location.

Adopted Voice

35. **Reichert (R-WA)**: Would prohibit the use of funds to implement [Executive Order 13688 “Federal Support for Local Law Enforcement Equipment Acquisition.”](#) This Executive Order establishes an interagency Law Enforcement Equipment Working Group to provide recommendations to improve the provision of Federal support for the acquisition of controlled equipment (excess military equipment) by” state and local law enforcement agencies.

Under the [1033 Program](#) excess DOD property can be transferred to state and local governments, including local law enforcement agencies. According to the [Law Enforcement Support Office](#), which administers this program, over \$980 million worth of property was transferred in 2014.

Adopted Voice

38. **Beyer (D-VA)**: Would prohibit the use of funds for public private competitions under [OMB Circular A-76](#). According to [CRS](#), under Circular A-76, “whenever possible, and to achieve greater efficiency and productivity, the federal government should conduct competitions between public agencies and the private sector to determine who should perform the work.”

Not Offered

39. **Cartwright (D-PA)**: Identical to the Beyer Amendment (Amendment 38). Would prohibit the use of funds for public private competitions under [OMB Circular A-76](#). According to [CRS](#), under Circular A-76, “whenever possible, and to achieve greater efficiency and productivity, the federal government should conduct competitions between public agencies and the private sector to determine who should perform the work.”

Adopted Voice

NOTE: *RSC Legislative Bulletins are for informational purposes only and should not be taken as statements of support or opposition from the Republican Study Committee.*

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