

**En Bloc Amendments to H.R. 5515****FULL COMMITTEE EN BLOC #4**

<b>Log #</b>	<b>Sponsor</b>	<b>Description</b>
<b>041</b>	Wilson	Sense of Congress regarding Russia's violations of the Chemical Weapon Convention.
<b>074</b>	Cook	Raises the cap on small-scale construction from \$750,000 to \$2 million.
<b>173</b>	O'Rourke	Changes eligibility for ex gratia payments for damage, personal liability, or death that is incident to combat operations of the Armed Forces to include Somalia, Libya, and Yemen in addition to Afghanistan, Iraq, and Syria.
<b>145</b>	Cheney	Amends the FY18 NDAA to include language clarifying the requirements of the Secretary of Defense when/if the Secretary decides to certify the return of certain veterans memorial objects would be in the national security interest of the United States.
<b>205</b>	Bacon	Sense of Congress on the age of the OC-135 fleet, requires SECAF to report on the viability of the OC-135 and authorizes a suspension of OC-135 operations for undue risk or excessive cost.
<b>354r1</b>	Gallego	Report on casualty estimates for North Korean Armed Conflict

**AMENDMENT TO H.R. 5515**  
**OFFERED BY MR. WILSON OF SOUTH CAROLINA**

At the appropriate place in title XII, insert the following new section:

1 **SEC. 12\_\_ . SENSE OF CONGRESS REGARDING RUSSIA'S**  
2 **VIOLATIONS OF THE CHEMICAL WARFARE**  
3 **CONVENTION.**

4 (a) **FINDINGS.**—Congress finds the following:

5 (1) The United States ratified the Convention  
6 on the Prohibition of the Development, Production,  
7 Stockpiling and Use of Chemical Weapons and on  
8 their Destruction, known as the “Chemical Weapons  
9 Convention”, on April 24, 1997.

10 (2) The Russian Federation ratified the Chem-  
11 ical Weapons Convention on November 5, 1997.

12 (3) Article 1 of the Chemical Weapons Conven-  
13 tion requires all signatories to “never under any cir-  
14 cumstances...use chemical weapons”.

15 (4) Russia’s stock of chemical weapons has  
16 been implicated in the assassination or injuries of  
17 the following individuals:

18 (A) Sergei Skripal, Yulia Skripal, and  
19 Wiltshire Police Detective Sergeant Nicholas

1 Bailey, poisoned using the nerve agent  
2 “novichok” in Salisbury, England, in March  
3 2018.

4 (B) Alexander Litvinenko, poisoned using  
5 polonium, in London, England, in November  
6 2006, about whose death a January 2016 in-  
7 quest ordered by the British Parliament con-  
8 cluded “the FSB operation to kill Mr  
9 Litvinenko was probably approved by Mr  
10 Patrushev [then-director of the FSB] and also  
11 by President Putin”.

12 (5) Russia has also demonstrated its disregard  
13 for the obligations imposed by the Chemical Weap-  
14 ons Convention by—

15 (A) continuing to provide military and dip-  
16 lomatic support for Syrian President Bashar al-  
17 Assad, who has used chemical weapons includ-  
18 ing chlorine gas and sarin against Syrian citi-  
19 zens;

20 (B) actively working to hinder the efforts  
21 of inspectors of the Organization for the Prohi-  
22 bition of Chemical Weapons in Syria; and

23 (C) consistently using its veto power at the  
24 United Nations Security Council to prevent ef-

1           fective international action against Assad for  
2           such activities.

3           (6) The Condition 10(C) Report on Compliance  
4           with the Convention on the Prohibition of the Devel-  
5           opment, Production, Stockpiling and Use of Chem-  
6           ical Weapons and on Their Destruction published by  
7           the Department of State in March 2018 asserts that  
8           “Based on available information, the United States  
9           cannot certify that Russia has met its obligations  
10          under the Chemical Weapons Convention for dec-  
11          laration of its: (1) [chemical weapons production fa-  
12          cilities]; (2) [chemical weapons] development facili-  
13          ties; and (3) [chemical weapons] stockpiles. In fact,  
14          due to Russia’s March 4, 2018, use of a military-  
15          grade nerve agent to attack two individuals in the  
16          United Kingdom, the United States certifies that the  
17          Russian Federation is in non-compliance with its ob-  
18          ligations under the [Chemical Weapons Conven-  
19          tion].”.

20          (b) SENSE OF CONGRESS.—It is the sense of Con-  
21          gress that the Russia’s actions constitute violations of  
22          Russia’s obligations under the Chemical Weapons Conven-  
23          tion.



**AMENDMENT TO H. R. 5515**  
**OFFERED BY MR. COOK OF CALIFORNIA**

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

1 **SEC. 12\_. INCREASE IN COST LIMITATION FOR SMALL**  
2 **SCALE CONSTRUCTION RELATED TO SECU-**  
3 **RITY COOPERATION.**

4 Section 301(8) of title 10, United States Code, is  
5 amended by striking “\$750,000” and inserting  
6 “\$2,000,000”.



**AMENDMENT TO H.R. 5515**  
**OFFERED BY MR. O'ROURKE OF TEXAS**

At the appropriate place in title XII, insert the following new section:

1 **SEC. 12\_\_\_.** **EXTENSION AND MODIFICATION OF COM-**  
2 **MANDERS' EMERGENCY RESPONSE PRO-**  
3 **GRAM.**

4 (a) **EXTENSION.**—Section 1201 of the National De-  
5 fense Authorization Act for Fiscal Year 2012 (Public Law  
6 112–81; 125 Stat. 1619), as most recently amended by  
7 section 1211 of the National Defense Authorization Act  
8 for Fiscal Year 2017 (Public Law 114–328; 130 Stat.  
9 2477), is further amended—

10 (1) in subsection (a), by striking “December  
11 31, 2018” and inserting “December 31, 2020”;

12 (2) in subsection (b), by striking “fiscal year  
13 2017 and fiscal year 2018” and inserting “fiscal  
14 years 2017 through 2020”; and

15 (3) in subsection (f), by striking “December 31,  
16 2018” and inserting “December 31, 2020”.

17 (b) **MODIFICATION.**—Subsection (b) of section 1211  
18 of the National Defense Authorization Act for Fiscal Year

1 2017 (Public Law 114–328; 130 Stat. 2477) is amend-  
2 ed—

3           (1) in the heading, by striking “AND SYRIA”  
4           and inserting “SYRIA, SOMALIA, LIBYA, AND  
5           YEMEN”; and

6           (2) in paragraph (1), by striking “or Syria”  
7           and inserting “Syria, Somalia, Libya, or Yemen”.



**AMENDMENT TO H.R. 5515**  
**OFFERED BY MS. CHENEY OF WYOMING**

Add at the end of subtitle E of title XXVIII the following new section:

1 **SEC. 284 . CERTIFICATIONS REQUIRED PRIOR TO TRANS-**  
2 **FER OF CERTAIN VETERANS MEMORIAL OB-**  
3 **JECT.**

4 (a) CERTIFICATIONS.—Subsection (c) of section 2864  
5 of the National Defense Authorization Act for Fiscal Year  
6 2018 (Public Law 115–91; 131 Stat. 1869) is amended—

7 (1) in the heading, by striking “TRANSFER”  
8 and all that follows and inserting “TRANSFER OF  
9 CERTAIN VETERANS MEMORIAL OBJECT”;

10 (2) in the matter preceding paragraph (1), by  
11 striking “certifies to Congress” and inserting “pro-  
12 vides a certification to Congress”

13 (3) by redesignating paragraph (2) as para-  
14 graph (3); and

15 (4) by inserting after paragraph (1) the fol-  
16 lowing new paragraph:

17 “(2) CERTIFICATION REQUIREMENTS.—The  
18 certification required under paragraph (1) shall in-  
19 clude a report with a classified annex describing the



1 effects of the transfer of the object under this sub-  
2 section on the national security interests of the  
3 United States (as required under subparagraph (A)  
4 of paragraph (1)) and the efforts undertaken to con-  
5 sult with veterans organizations and government of-  
6 ficials in the State of Wyoming in order to preserve  
7 the history of the veterans associated with the object  
8 (as required by subparagraph (B) of paragraph  
9 (1)).”.

10 (b) EFFECTIVE DATE.—The amendment made by  
11 subsection (a) shall take effect as if included in the enact-  
12 ment of the National Defense Authorization Act for Fiscal  
13 Year 2018.



**AMENDMENT TO H.R. 5515**  
**OFFERED BY MR. BACON OF NEBRASKA**

In section 1232(b), add at the end the following new paragraph:

- 1           (3) OPERATION OF OC-135 AIRCRAFT.—
- 2                   (A) IN GENERAL.—It is the sense of Con-
- 3           gress that—
- 4                           (i) the United States continues to con-
- 5                           duct observation flights under the Open
- 6                           Skies Treaty using OC-135 aircraft, a fleet
- 7                           now in its 57th year of service; and
- 8                           (ii) advances in commercial surveil-
- 9                           lance technology have surpassed the value
- 10                          of aerial observation under the terms of
- 11                          the Open Skies Treaty and brings into
- 12                          questions the continued use of the OC-135
- 13                          fleet for this purpose.
- 14           (B) REPORT.—
- 15                           (i) IN GENERAL.—Not later than Jan-
- 16                           uary 31, 2019, the Secretary of Defense
- 17                           shall submit to the appropriate congress-
- 18                           sional committees a report on the state of
- 19                           United States OC-135 aircraft with respect

1 to airworthiness, safety of flight, and  
2 maintenance reliability. The report shall  
3 also include a recommendation as to the  
4 prospective date of retirement of the OC-  
5 135 fleet.

6 (ii) DEFINITION.—In this subpara-  
7 graph, the term “appropriate congressional  
8 committees” means—

9 (I) the congressional defense  
10 committees; and

11 (II) the Committee on Foreign  
12 Relations of the Senate and the Com-  
13 mittee on Foreign Affairs of the  
14 House of Representatives.

15 (C) SUSPENSION OF OPERATION OF OC-135  
16 AIRCRAFT.—The Secretary of Defense is au-  
17 thorized to cease operation of United States  
18 OC-135 aircraft under the Open Skies Treaty if  
19 continued operation of these aircraft would im-  
20 pose undue risk to personnel or excessive cost.



Log 354v1

**Amendment to H.R. 5515**  
**National Defense Authorization Act for Fiscal Year 2019**

**Offered by: Mr. Gallego**

In the appropriate place in the report to accompany H.R. 5515, insert the following new Directive Report Language:

Report on U.S. Casualty Estimates for Armed Conflict with North Korea

The committee directs the Secretary of Defense to provide a report to the House Committee Armed Services, not later than September 30, 2018, and again 180 days thereafter, on the U.S. casualty estimates for likely scenarios of an armed conflict with North Korea. The reports should be unclassified, but each may contain a classified annex.