Providing for further consideration of the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes, and providing for proceedings during the period from June 29, 2018, through July 9, 2018

June 26, 2018.—Referred to the House Calendar and ordered to be printed

Ms. Cheney, from the Committee on Rules, submitted the following

REPORT

[To accompany H. Res. 964]

The Committee on Rules, having had under consideration House Resolution 964, by a record vote of 7 to 2, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for further consideration of H.R. 6157, the Department of Defense Appropriations Act, 2019, under a structured rule. The resolution provides for no additional general debate. The resolution makes in order only those amendments printed in this report, and available pro forma amendments described in section 3 of House Resolution 961. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except amendments described in section 3 of House Resolution 961, and shall not be subject to a demand for division of the question in the House or the Committee of the Whole. The resolution waives all points of order against the amendments printed in this report. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides that on any legislative day during the period from June 29, 2018, through July 9, 2018: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment.
Section 3 of the resolution provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2 of the resolution as though under clause 8(a) of rule I.

Section 4 of the resolution provides that it shall be in order without intervention of any point of order to consider concurrent resolutions providing for adjournment during the month of July, 2018.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against the amendments printed in this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Section 4 of the resolution includes a waiver of all points of order against consideration of a July 4th adjournment resolution. While adjournment resolutions are ordinarily privileged, a point of order could be raised against the July 4th district work period adjournment resolution for failure to comply with section 309 of the Congressional Budget Act. Section 309 prohibits the House from adjourning for more than three days in July unless the House has completed action on all appropriations bills. Since the House has not yet completed all action on appropriations bills, this provision is necessary.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 250

Motion by Mr. McGovern to make in order and provide the appropriate waivers to amendment #75, offered en bloc by Rep. Doggett (TX) and Rep. Correa (CA) and Rep. Blumenauer (OR) and Rep. DeSaulnier (CA) and Rep. Rosen (NV) and Rep. Titus (NV), which prohibits DOD from using funds to provide housing for children who are unaccompanied, including those separated from their parents at the border; and amendment #72, offered by Rep. Doggett (TX) and Rep. Correa (CA) and Rep. Pascrell Jr. (NJ) and Rep. Blumenauer (OR) and Rep. Velazquez (NY) and Rep. Thompson (CA) and Rep. Delaney (MD) and Rep. Pocan (WI) and Rep. Clarke (NY) and Rep. Jackson Lee (TX) and Rep. Peters (CA) and Rep. Welch (VT) and Rep. Panetta (CA) and Rep. Soto (FL) and Rep. Wilson (FL) and Rep. Meng (NY) and Rep. Payne, Jr (NJ) and Rep. Lee (CA) and Rep. Takano (CA) and Rep. Maloney (NY) and Rep. Johnson (GA) and Rep. Sánchez (CA) and Rep. Ellison (MN) and Rep. Crowley (NY) and Rep. Jayapal (WA) and Rep. Norton (DC) and Rep. Gomez (CA) and Rep. Rosen (NV) and Rep. Rush (IL) and Rep. Huffman (CA) and Rep. Vargas (CA) and Rep. Lawrence (MI) and Rep. Polis (CO) and Rep. Espaillat (NY) and Rep. Ruppersberger (MD) and Rep. Schakowsky (IL) and Rep. Green (TX) and Rep. Raskin (MD), which prohibits DOD from fulfilling any requests from HHS in regards to the care or custody of an unaccompanied child, including those separated from their parents at the border. Defeated: 2–6
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<td>Mr. Cole</td>
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<td>Mr. McGovern</td>
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<td>Mr. Woodall</td>
<td>Nay</td>
<td>Mr. Hastings of Florida</td>
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<td>Mr. Burgess</td>
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<td>Mr. Sessions, Chairman</td>
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**Rules Committee record vote No. 251**

Motion by Mr. McGovern to make in order and provide the appropriate waivers to amendment #38, offered by Rep. Lee (CA) and Rep. Welch (VT) and Rep. Cicilline (RI) and Rep. McGovern (MA) and Rep. Amash (MI) and Rep. Jones (NC) and Rep. Schiff (CA), which sunsets the 2001 AUMF 240 days after enactment of this act. Defeated: 2–6

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<td>Mr. Sessions, Chairman</td>
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**Rules Committee record vote No. 252**

Motion by Mr. Hastings of Florida to make in order and provide the appropriate waivers to amendment #25, offered by Rep. Krishnamoorthi (IL) and Rep. Correa (CA) and Rep. Velázquez (NY) and Rep. Clarke (NY) and Rep. Swalwell (CA) and Rep. Lewis (GA) and Rep. Welch (VT) and Rep. DeSaulnier (CA) and Rep. Cicilline (RI) and Rep. Walz (MN) and Rep. Veasey (TX) and Rep. Payne, Jr (NJ) and Rep. Eshoo (CA) and Rep. Lee (CA) and Rep. McGovern (MA) and Rep. Ellison (MN) and Rep. Jayapal (WA) and Rep. Norton (DC) and Rep. Sires (NJ) and Rep. Cárdenas (CA) and Rep. Khanna (CA) and Rep. Polis (CO) and Rep. Espaillat (NY), which prohibits any of the funds in this Act from being used to enforce President Trump’s family immigration detention Executive Order. Defeated: 2–7

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<td>Mr. Sessions, Chairman</td>
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**Rules Committee record vote No. 253**

Motion by Mr. Woodall to report the rule. Adopted: 7–2
### SUMMARY OF THE AMENDMENTS MADE IN ORDER

1. **Jackson Lee (TX)**: States that no funding in this Act shall be used or otherwise made available by this Act to end Reserve Officers Training Corps (ROTC) programs at HBUCs, Hispanic Serving Institutions and Tribal Colleges and Universities. (10 minutes)

2. **Frankel (FL), Keating (MA), Speier (CA), Torres (CA)**: Allocates $3,000,000 for training on gender perspectives and full-time advisors on Women, Peace and Security at each of the Combatant Commands, the Office of the Secretary of Defense, the Defense Security Cooperation Agency, and the Joint Staff; $900,000 for training on the meaningful participation of women through foreign national security forces capacity building programs and for the collection of gender-disaggregated data in that programming; and $100,000 for training on gender perspectives at the war colleges and research on women's contributions to security at the National Defense University Institute for National Security Studies. (10 minutes)

3. **Heck, Denny (WA)**: Funds the Defense Community Infrastructure Program under the Office of Economic Adjustment. It increases the funding to $36 million of the total $100 million authorized. This increase is offset by reducing the funding for the administration of the Office of the Secretary of Defense. (10 minutes)

4. **Hastings, Alcee (FL), Rosen (NV)**: Increases funding for the training and retention of cybersecurity professionals under the Defense-Wide Operation and Maintenance Account by $5,000,000. (10 minutes)

5. **Lynch (MA)**: Reduces funding for the Office of the Secretary of Defense by $10,000,000 and increases funding for the Defense POW/MIA Accounting Agency by $10,000,000. (10 minutes)

6. **Kuster, Ann (NH), Love (UT), Speier (CA)**: Provides $1M to the Defense Advisory Committee on Investigations, Prosecution, and Defense of Sexual Assault in the Armed Forces (DAC–IPAD) for additional staff to conduct a first-ever review of collateral misconduct and disciplinary actions brought against survivors of sexual assault. (10 minutes)

7. **Gallagher (WI), McSally (AZ)**: Increases funding for Navy AIM–120D missile procurement by $23.8M to help meet IndoPACOM required critical capabilities and match the House-passed authorization in the FY 2019 NDAA, while reducing defense-wide operation and maintenance by the same amount. (10 minutes)

8. **Gallagher (WI), McSally (AZ)**: Increases funding for Air Force AIM–120D missile procurement by $33M to help meet IndoPACOM required critical capabilities and match the House-passed authorization in the FY 2019 NDAA, while reducing defense-wide operation and maintenance by the same amount. (10 minutes)
9. Hudson (NC): Increases Operation and Maintenance, Defense-Wide funds by $5 million to provide for additional training of Special Operations Forces. (10 minutes)

10. Welch (VT), Soto (FL), Bilirakis (FL), Wenstrup (OH), Gabbard (HI), Ruiz (CA), Rosen (NV): Increases funding for the Defense Health programs by $1 million and decreases the Operations and Maintenance account, Defense-Wide, by $1.3 million to improve coordination between DoD and the VA as both agencies study the effects of toxic exposure to burn pits. (10 minutes)

11. Nolan (MN), LoBiondo (NJ): Provides an additional $6 million for the Department of Defense’s Lung Cancer Research Program and decreases the Operations and Maintenance, Defense-wide account by the same amount. (10 minutes)

12. Gabbard (HI): Increases open air burn pits research funding by $1 million. (10 minutes)

13. Delaney (MD), Dingell (MI), Young, Don (AK), Wagner (MO), Soto (FL), Welch (VT): Provides for an additional $5 million for the Fisher House Foundation which is offset by an outlay neutral reduction in the Operation and Maintenance, Defense-wide account. (10 minutes)

14. Jackson Lee (TX): Reduces funding for Procurement, Defense-Wide, by $10 million and increases funding for Defense Health Programs by $10 million in order to address Triple Negative Breast Cancer research. (10 minutes)

15. Clark, Katherine (MA), Russell (OK), Tsongas (MA), Gallagher (WI): Reduces and then increases the defense-wide research, development, test and evaluation account by $14.364 million with the intent of supporting DOD innovation. (10 minutes)

16. Crawford (AR): Reduces Research, Development, Test and Evaluation, Defense-Wide by $1,000,000 and increases it by the same to be used for explosive ordnance disposal equipment upgrades and technology enhancements. (10 minutes)

17. Suozzi (NY): Provides $1,000,000 for Removal of national interest determination requirements for certain entities. (10 minutes)

18. Langevin (RI), Lieu (CA): Removes $50 million from the Strategic Capabilities Office (0604250D8Z), and provides $50 million to be used for directed energy solutions for boost phase missile defense, specifically the DPAL program with Technology Maturation Initiatives (0604115C). (10 minutes)

19. Cheney (WY): Removes $25M from GMD (0603882C) and provides to BMD System Space Programs to begin work on the Missile Defense Space Tracking System (1206895C). (10 minutes)

20. Cheney (WY): Removes $20M from Sea Based X–Band Radar (0603907C) and provided to Technology Maturation Initiatives for Laser Scaling boost phase efforts (0604115C). (10 minutes)

21. Langevin (RI), Correa (CA), Lieu (CA), Shea-Porter (NH), Ratcliffe (TX), Stefanik (NY): Removes $10 million from Next Generation Air Dominance (0207110F), and provides $10 million to be used for the DOD Cyber Scholarship Program within the Information Systems Security Program (0303140D8Z). (10 minutes)

22. Esty (CT): Increases funding for the Sexual Assault Special Victims’ Counsel Program by $2 million for sexual assault prevention and response programs. (10 minutes)
23. Kelly (PA): Prohibits funds for the transfer of personnel security and background investigation functions from the Office of Personnel Management to the Department of Defense. (10 minutes)

24. Foster (IL): Prohibits the use of funds to develop a space-based ballistic missile intercept layer. (10 minutes)

25. Gallego (AZ): Prohibits the use of funds in this bill to procure any good or service or enter into any contract with the Chinese companies ZTE and Huawei. (10 minutes)

26. Wittman (VA), Courtney (CT), Scott, Bobby (VA), Gallagher (WI), Cheney (WY), Neal (MA), Gallego (AZ), Royce (CA), Peters, Scott (CA), Norcross (NJ), Crist (FL), Coffman (CO), Murphy, Stephanie (FL), King, Peter (NY), Hanabusa (HI), Davis, Susan (CA), McEachin (VA), Conaway (TX): Strips the limiting language of “CVN–80” from the text which would allow funding for both CVN–80 and CVN–81 and thereby enable dual-buy. (10 minutes)

27. Murphy, Stephanie (FL), Barr (KY), Sinema (AZ), Biggs (AZ): Increases funding for Drug Interdiction and Counter-Drug Activities, Defense; National Guard counter-drug program by $3.0 million, and reduces funding for Operation and Maintenance, Defense-Wide by $3.2 million. (10 minutes)

28. Poe (TX): Reduces and then increases the Operations and Maintenance Account of the Navy by $75,000,000 with the intent of the recruitment of new service members through the refurbishment of retired battleships. (10 minutes)

29. Courtney (CT), Stefanik (NY), Wittman (VA), Gallagher (WI), Langevin (RI), Cicilline (RI), Walz (MN), Neal (MA), Gallego (AZ), Larson, John (CT), Cheney (WY), Hanabusa (HI), Scott, Bobby (VA), Himes (CT), King, Peter (NY), McEachin (VA), Hartzler (MO), Shea-Porter (NH), Perlmutter (CO), Norcross (NJ), Davis, Susan (CA), Kuster, Ann (NH): Provides funding for long lead time materials to construct additional Virginia-class submarines in FY 2022 and FY 2023. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

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

None of the funds made available by this Act may be used to terminate a Reserve Officers’ Training Corps program at—

(1) a Historically Black College or University (which has the meaning given the term “part B institution” in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061));

(2) a Hispanic-serving institution (as defined in section 502 of such Act (20 U.S.C. 1101a)); or

(3) a Tribal College or University (as defined in section 316 of such Act (20 U.S.C. 1059c)).

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

Page 8, line 15, after the dollar amount, insert “(reduced by $4,000,000) (increased by $4,000,000)”.


3. **AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HECK OF WASHINGTON OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES**

Page 8, line 15, after the dollar amount, insert “(reduced by $36,000,000) (increased by $36,000,000)”.

4. **AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HASTINGS OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES**

Page 8, line 15, after the dollar amount, insert “(reduced by $5,000,000) (increased by $5,000,000)”.

5. **AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LYNCH OF MASSACHUSETTS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES**

Page 8, line 15, after the dollar amount insert the following: “(reduced by $10,000,000) (increased by $10,000,000)”.

6. **AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KUSTER OF NEW HAMPSHIRE OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES**

Page 8, line 15, after the dollar amount insert the following: “(increased by $1,000,000)”.
Page 18, line 4, after the dollar amount insert the following: “(reduced by $2,100,000)”.

7. **AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GALLAGHER OF WISCONSIN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES**

Page 8, line 15, after the dollar amount, insert “(reduced by $23,800,000)”.
Page 22, line 18, after the dollar amount, insert “(increased by $23,800,000)”.

8. **AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GALLAGHER OF WISCONSIN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES**

Page 8, line 15, after the dollar amount, insert “(reduced by $33,000,000)”.
Page 28, line 1, after the dollar amount, insert “(increased by $33,000,000)”.

9. **AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HUDSON OF NORTH CAROLINA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES**

Page 8, line 15, after the dollar amount, insert “(increased by $5,000,000)”.
Page 32, line 23, after the dollar amount, insert “(reduced by $7,000,000)”.
10. An Amendment To Be Offered By Representative Welch of Vermont or His Designee, Debatable for 10 Minutes

Page 8, line 15, after the dollar amount, insert “(reduced by $1,300,000)”.  
Page 34, line 13, after the dollar amount, insert “(increased by $1,000,000)”.  
Page 34, line 14, after the dollar amount, insert “(increased by $1,000,000)”. 

11. An Amendment To Be Offered By Representative Nolan of Minnesota or His Designee, Debatable for 10 Minutes

Page 8, line 15, after the dollar amount, insert “(reduced by $6,000,000)”.  
Page 34, line 13, after the dollar amount, insert “(increased by $6,000,000)”.  
Page 34, line 21, after the dollar amount, insert “(increased by $6,000,000)”. 

12. An Amendment To Be Offered By Representative Gabbard of Hawaii or Her Designee, Debatable for 10 Minutes

Page 8, line 15, after the dollar amount, insert “(reduced by $1,000,000)”.  
Page 34, line 13, after the dollar amount, insert “(increased by $1,000,000)”.  
Page 34, line 21, after the dollar amount, insert “(increased by $1,000,000)”. 

13. An Amendment To Be Offered By Representative Delaney of Maryland or His Designee, Debatable for 10 Minutes

Page 8, line 15, after the dollar amount insert the following: “(reduced by $8,300,000)”.  
Page 82, line 20, after the dollar amount insert the following: “(increased by $5,000,000)”. 

14. An Amendment To Be Offered By Representative Jackson Lee of Texas or Her Designee, Debatable for 10 Minutes

Page 30, line 14, after the dollar amount, insert “(reduced by $10,000,000)”.  
Page 34, line 13, after the dollar amount, insert “(increased by $10,000,000)”.  
Page 34, line 21, after the dollar amount, insert “(increased by $10,000,000)”. 

15. An Amendment to be offered by Representative Clark of Massachusetts or her designee, debatable for 10 minutes

Page 32, line 23, after the dollar amount, insert “(reduced by $14,364,000) (increased by $14,364,000)”.

16. An Amendment to be offered by Representative Crawford of Arkansas or his designee, debatable for 10 minutes

Page 32, line 23, after the dollar amount, insert “(reduced by $1,000,000) (increased by $1,000,000)”.

17. An Amendment to be offered by Representative Suozzi of New York or his designee, debatable for 10 minutes

Page 32, line 23, after the dollar amount, insert “(reduced by $1,000,000) (increased by $1,000,000)”.

18. An Amendment to be offered by Representative Langevin of Rhode Island or his designee, debatable for 10 minutes

Page 32, line 23, after the dollar amount, insert “(reduced by $50,000,000) (increased by $50,000,000)”.

19. An Amendment to be offered by Representative Cheney of Wyoming or her designee, debatable for 10 minutes

Page 32, line 23, after the dollar amount, insert “(reduced by $25,000,000) (increased by $25,000,000)”.

20. An Amendment to be offered by Representative Cheney of Wyoming or her designee, debatable for 10 minutes

Page 32, line 23, after the dollar amount, insert “(reduced by $20,000,000) (increased by $20,000,000)”.

21. An Amendment to be offered by Representative Langevin of Rhode Island or his designee, debatable for 10 minutes

Page 32, line 11, after the dollar amount, insert “(reduced by $10,000,000)”.

Page 32, line 23, after the dollar amount, insert “(increased by $10,000,000)”.

22. An Amendment to be offered by Representative Esty of Connecticut or her designee, debatable for 10 minutes

Page 75, line 12, after the dollar amount, insert “(increased by $2,000,000)”.
23. An Amendment To Be Offered By Representative Kelly of Pennsylvania or His Designee, Debatable for 10 Minutes

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to carry out section 925(d) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) (relating to the transfer of certain personnel security and background investigation functions from the Office of Personnel Management to the Department of Defense).

24. An Amendment To Be Offered By Representative Foster of Illinois or His Designee, Debatable for 10 Minutes

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for the procurement, the deployment, or the research, development, test, and evaluation of a space-based ballistic missile intercept layer.

25. An Amendment To Be Offered By Representative Gallego of Arizona or His Designee, Debatable for 10 Minutes

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to procure, or to extend or renew a contract to procure, any good or service from Zhongxing Telecommunications Equipment Corporation, ZTE Kangxun Telecommunications Ltd., or Huawei Technologies Co., Ltd.

26. An Amendment To Be Offered By Representative Wittman of Virginia or His Designee, Debatable for 10 Minutes

Page 24, line 1, strike “(CVN 80)”.

27. An Amendment To Be Offered By Representative Murphy of Florida or Her Designee, Debatable for 10 Minutes

Page 8, line 15, after the dollar amount, insert “(reduced by $3,200,000)”.

Page 36, line 18, after the dollar amount, insert “(increased by $3,000,000)”.

Page 36, line 21, after the dollar amount, insert “(increased by $3,000,000)”.

28. An Amendment To Be Offered By Representative Poe of Texas or His Designee, Debatable for 10 Minutes

Page 7, line 15, after the dollar amount, insert “(reduced by $75,000,000) (increased by $75,000,000)”.
29. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COURTNEY OF CONNECTICUT OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 22, line 18, after the dollar amount, insert “(reduced by $10,500,000)”.  
Page 24, line 2, after the dollar amount, insert “(reduced by $49,100,000)”.  
Page 24, line 4, after the dollar amount, insert “(increased by $1,001,435,000)”.  
Page 24, line 7, after the dollar amount, insert “(reduced by $246,510,000)”.  
Page 24, line 11, after the dollar amount, insert “(reduced by $20,000,000)”.  
Page 24, line 22, after the dollar amount, insert “(increased by $685,825,000)”.  
Page 26, line 6, after the dollar amount, insert “(reduced by $386,325,000)”.  
Page 27, line 11, after the dollar amount, insert “(reduced by $30,900,000)”.  
Page 29, line 22, after the dollar amount, insert “(reduced by $73,000,000)”.  
Page 32, line 1, after the dollar amount, insert “(reduced by $26,100,000)”.  
Page 32, line 11, after the dollar amount, insert “(reduced by $159,000,000)”.  

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