

100 National Guard helicopters. This would just pay for the use and the crew and the maintenance and upkeep of eight of those they already have. It won't purchase any more. I wish we could get helicopters that cheaply.

It will keep eight of them in use with the drug interdiction on our border right now because there is an invasion going on at our southern border. It is an invasion, and it is increasing, as I say, every day.

With that request, I don't think it is asking too much to have eight helicopters that have already been purchased—they just need crews, equipment, and upkeep—to help in the interdiction of the invasion in which drugs are being brought across our border in the south.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. GOHMERT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GOHMERT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

Mr. FRELINGHUYSEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. COFFMAN) having assumed the chair, Mr. DUNCAN of Tennessee, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4870) making appropriations for the Department of Defense for the fiscal year ending September 30, 2015, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4413, CUSTOMER PROTECTION AND END-USER RELIEF ACT

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 113-476) on the resolution (H. Res. 629) providing for consideration of the bill (H.R. 4413) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end users manage risks to help keep consumer costs low, and for other purposes, which was referred to the House Calendar and ordered to be printed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2015

The SPEAKER pro tempore. Pursuant to House Resolution 628 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4870.

Will the gentleman from Tennessee (Mr. DUNCAN) kindly resume the chair.

□ 1659

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4870) making appropriations for the Department of Defense for the fiscal year ending September 30, 2015, and for other purposes, with Mr. DUNCAN of Tennessee (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole House rose earlier today, a request for a recorded vote on the amendment offered by the gentleman from Texas (Mr. GOHMERT) had been postponed, and the bill had been read through page 10, line 15.

□ 1700

AMENDMENT OFFERED BY MR. ELLISON

Mr. ELLISON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount insert the following: "(reduced by \$10,000,000) (increased by \$10,000,000)".

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chairman, the purpose of this amendment is very simple. It is to help American workers as defense-related factories wind down production. The intent of the amendment is to allocate an additional \$10 million to the Office of Economic Adjustment from the general operations and maintenance funds.

The Office of Economic Adjustment helps communities across America when a factory shuts down. Over the last decade of war, middle class factory workers have stepped up to the plate to make sure our troops on the battlefield have had the weapons and equipment they have needed. As we transition away from two long wars and as defense production lines slow down, we cannot leave these workers with only pink slips in their hands. That is where the Office of Economic Adjustment comes in.

This little known but very important office in the Pentagon helps communities that would otherwise be devastated when a factory shuts its doors for the last time. The Office of Economic Adjustment provides grants and technical assistance to communities so that they can develop their own strategies to transition to a postwar economy. Just this month, the Office of Economic Adjustment provided grants to Ohio, Michigan, and Indiana. Nearly

4,000 defense workers have lost their jobs in these States since 2012, but thanks to a grant from the Office of Economic Adjustment, a regional Defense Manufacturing Assistance Program is underway to help them find new areas of livelihood.

Simply put, the Office of Economic Adjustment helps hardworking Americans keep their jobs, so I urge my colleagues to support this modest amendment to create jobs and help the Americans who keep our men and women in uniform equipped with what they need.

I would also like to submit for the RECORD a good article from Roll Call which carefully details this issue of slowing down the wartime economy. The title of it reads, "Don't Cut Programs that Help Communities Adjust to Pentagon Spending Reductions." It is dated June 9, 2014, and it is written by Miriam Pemberton and William Hartung.

[From Roll Call, June 9, 2014]

DON'T CUT PROGRAMS THAT HELP COMMUNITIES ADJUST TO PENTAGON SPENDING REDUCTIONS—COMMENTARY

(By Miriam Pemberton and William D. Hartung)

Spring budget season is almost over, and the House and Senate have once again placed parochial politics above budget discipline in their consideration of the Pentagon budget. The most extreme example came in the House version of the National Defense Authorization Act, which rejected virtually every cost-cutting measure put forward by the Pentagon, from base closings to retiring unneeded weapons systems. If the House's actions aren't reversed, they would bust the current budget caps to the tune of \$50 billion over the next five years.

There was one place the House authorizers were willing to cut way back: a program designed to help communities adjust to defense downsizings. This is particularly ill-advised at a time when the Pentagon budget has been set on a path to come down from a wartime buildup that brought it to its highest levels since World War II.

While modest by historical terms, the defense build-down that is now underway will demand adjustments in the unrealistic spending plans Congress continues to authorize for the Pentagon. And the cuts that are coming will have impacts in scores of communities across the country.

Since the 1970s a small office within the Pentagon, the Office of Economic Adjustment, has offered planning grants and technical assistance to help these communities develop their own strategies to capitalize on existing economic strengths and adjust to postwar economic conditions. Once these strategies are in place, the OEA serves as a point of contact for impacted communities in accessing resources from other federal agencies to help with implementation of their plans. Just this week Ohio, Michigan and Indiana received a grant of more than \$2.4 million to fund a regional Defense Manufacturing Assistance Program to address the loss of 3,900 defense-related jobs in those three states since 2012.

Most members of Congress want to base their judgments on Pentagon spending on what is needed to defend the country. But they also need to show defense-dependent communities, businesses and workers in their states and districts that they are watching out for their interests. The OEA's programs give them a way to judge procurement spending accounts on their merits,

while attending to the economic needs of their constituents.

Supporting the OEA does not mean that members of Congress don't care about the existing jobs base. It just means that they want in addition to have a Plan B in place in the event of decisions that reduce Pentagon-related activities in their areas.

It's troubling to watch the House voting to slash the OEA, while standing firm in supporting costly, unneeded sacred cows like the F-35 combat aircraft. Even slightly slowing the pace of the F-35 program would pay for the OEA's programs many times over.

The F-35—the Pentagon's most expensive weapons program ever undertaken—is a poster child of waste. Current cost estimates for building and maintaining the plane: roughly \$1.4 trillion over its lifetime. It has more than doubled in price since it went into development, and it has had numerous high profile failures, from cracked wings to unresolved software problems. It is likely to perform many of its assigned tasks less effectively than current generation aircraft. An Air Force far superior to any other should be in no rush to build over 2,400 F-35s.

The F-35 merely tops the House's list of unnecessary expenditures. It rejected plans to delay the refueling of an aircraft carrier at a savings of over \$800 million—more than ten times the cut proposed for the OEA. It attempts to block the closure of excess military bases, stop the administration from reducing the size of the Army, and prevent the Air Force from retiring the U-2 spy plane, even as it funds Global Hawk drones to do the same job. And the list goes on.

The common thread in all of these actions is a state of denial about the trends in Pentagon spending. It will come down this year, and under current law it will stabilize at levels considerably lower than what the Pentagon's overly ambitious plans will cost.

Funding programs that will help communities make the transition to more diversified economies that can weather reductions in Pentagon spending will make it easier to craft budgets that put security concerns above pork barrel politics. When the House and Senate put together a final Pentagon budget proposal later this year, funding for OEA's crucial programs should be restored.

Mr. ELLISON. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RUNYAN

Mr. RUNYAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount, insert "(reduced by \$6,000,000)".

Page 29, line 7, after the dollar amount, insert "(increased by \$6,000,000)".

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from New Jersey and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. RUNYAN. Mr. Chairman, my amendment moves \$6 million to Air Force Other Procurement to provide for a much-needed joint training platform and for facility upgrades. More specifically, the funding is aimed at supporting upgrades to joint training and training development facilities at Air Force installations. The offset for

this amendment reduces the amount allocated for the Office of the Secretary of Defense.

Over the last decade, many of the service branches have procured various training systems and infrastructure that are in desperate need of repair. These are not expensive upgrades, and they will preserve the shelf life of some of the most state-of-the-art training systems in the United States military. My amendment seeks to increase the Air Force procurement funding to provide for critical upgrades for these underfunded systems, technologies, and training infrastructure.

We have made great investments in our joint training aids and support systems to ensure our servicemembers are combat ready and proficient at a low cost for high value to the taxpayer. It would be a shame to see these assets atrophy from the withholding of what is a relatively small amount in comparison to our initial investments in these programs.

I urge my colleagues to support the passage of this commonsense amendment and support our warfighters.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. RUNYAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DELANEY

Mr. DELANEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount insert the following: "(reduced by \$24,000,000)".

Page 88, line 6, after the dollar amount insert the following: "(increased by \$16,000,000)".

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Maryland and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. DELANEY. Mr. Chairman, I yield myself 3 minutes.

We have all been very disturbed by the recent allegations of negligence and of the falsification of information at some of the VA medical centers across the country. We must work together to better serve our servicemembers, veterans, and their families, who have served us all with such great distinction.

My amendment works to solve one specific but very important problem facing military families.

When our warfighters and veterans need medical care, their families are often faced with a very difficult dilemma: either to stay home because it is too expensive to travel in order to be with their families or to travel and bear the burden of the costs associated with being with their loved ones at this great time of need.

Unfortunately, too many families are staying home without having the opportunity to be with their loved ones who have served our country when

those loved ones are receiving care at a military hospital. Others make the trip, but they often sleep in their cars or sleep in tents that they have set up in parking lots around these hospitals. Our veterans and servicemen and -women and their families deserve much better than this.

My amendment increases the funding for Fisher Houses by \$16 million. This additional funding has the potential to provide more free housing for the families of patients receiving care at military and VA hospitals. In order to pay for this increased funding, this amendment reduces funding for the defense-wide operations and maintenance account, and my amendment is outlay neutral as a result.

Since 1990, over 180,000 families have been served by Fisher Houses—more than 22,000 families in the last year alone. The services offered by Fisher Houses have saved military families almost \$240 million in out-of-pocket expenses since the program's inception. Families do not have to make these tough financial choices to visit and care for their loved ones. This amendment has the potential of funding the construction of at least four new Fisher homes next year. Four new homes mean the lodging for 2,000 military family members.

So many men and women have served us with such distinction, and for those who return home and who need medical care, Fisher Houses can make a stay in a military hospital or in a clinic a little bit easier and a little bit kinder for our soldiers and their families. No veteran or no servicemember should do without his loved ones at this time of need.

I encourage my colleagues to support this amendment. Last year, the House came together to support this same amendment, and I hope they will do the same this year.

Mr. VISCLOSKEY. Will the gentleman yield?

Mr. DELANEY. I yield to the gentleman from Indiana, the ranking member.

Mr. VISCLOSKEY. I appreciate the gentleman for offering the amendment. I do not oppose it. I would simply mention a concern I have, which is not with the intent of the gentleman's but, rather, with the amount.

I just want my colleagues to know that the underlying bill already provides \$11 million from the operations and maintenance funds of the Army, Navy, and Air Force for the construction and furnishing of additional Fisher Houses, a total not to exceed \$33 million. This amendment, obviously, would add \$20 million to that amount. I am concerned that the rapid increase in construction funding in a single fiscal year would be very difficult for the foundation to utilize.

Mr. DELANEY. My response to the ranking member is that I have great confidence in the Fisher House team's ability to handle the funds. I think this is an example of where we need to get

ahead of the need and not be behind some of the needs, but I appreciate the ranking member's support.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. DELANEY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LOWENTHAL

Mr. LOWENTHAL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount, insert "(reduced by \$5,000,000) (increased by \$5,000,000)".

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Chairman FRELINGHUYSEN and Ranking Member VISCLOSKY, thank you for providing me this time to speak on the floor today.

Mr. Chairman, as we all know, providing science, technology, engineering, and math education to America's youth is critical to the global competitiveness of our Nation. The STARBASE program engages local fifth grade elementary students by exposing them to STEM subjects through an inquiry-based curriculum that is currently active in 56 congressional districts throughout the country. We need to be committed to ensuring the United States remains competitive globally by strengthening the pipeline of American graduates with degrees in STEM fields.

That is why I am offering STARBASE amendment No. 32 to H.R. 4870, the Department of Defense Appropriations Act. My bipartisan amendment, with Congressman BENISHEK, increases funding to the STARBASE Youth Program by \$5 million. The STARBASE program is carried out by the military because the lack of STEM-educated youth in America has been identified as a future national security issue by the Department of Defense.

Last year, both the House and the Senate rejected the Office of Management and Budget's proposal to terminate this critical program. As a Member of Congress, I appreciate the OMB's desire to consolidate the STEM programs across the spectrum into one funding line. However, this is a national defense issue, and it has been identified by the Joint Chiefs of Staff as such.

STARBASE was created under the auspices of the Department of Defense to meet its critical needs in STEM-related fields. Regrettably, the funding uncertainty caused by last year's OMB action has resulted in the elimination of all of the programs operated by the Navy, and it has reduced the fiscal year 2014 number of DOD STARBASE programs from 79 down to 56 sites. Despite the funding issues, the DOD currently

has 25 sites on a waiting list for a program, and that is why we need a small increase in the number of STARBASE programs.

I want to thank the chairman and the ranking member for their strong leadership in reestablishing the funding for the program, and I respectfully request an additional \$5 million to help expand the program. It is one of the most cost-effective programs, and it is also reported by the Department of Defense as being one of the most effective of the STEM programs.

My amendment makes a significant step towards providing and engaging America's youth with the tools they need to pursue careers in STEM—fields in which jobs are available and in which there is a significant lack of trained workers. STARBASE inspires America's youth to discover technical fields that are imperative for our future national security challenges. During this time of economic recovery, we cannot lose this battle and concede our technical edge to the rest of the world.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. LOWENTHAL. I yield to the gentleman from New Jersey.

□ 1715

Mr. FRELINGHUYSEN. The committee wants to commend the gentleman for his support of this program. As you know, this program currently operates, I think, at 65 military installations and facilities around the country. This would increase that amount. And what is good about it is military volunteers are, in their own free time and volunteer capacity, doing some remarkable things with these young people.

So we commend you for your efforts. I know I share similar views to Ranking Member VISCLOSKY, if you would yield to him.

Mr. LOWENTHAL. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I also want to join the chairman and thank you for offering the amendment. You raise a number of good points, and it is a very good program. I appreciate your attention to it. Thank you so much.

Mr. LOWENTHAL. Mr. Chairman, I urge support of this amendment and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LOWENTHAL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk, Grayson Number 8.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount insert the following: "(reduced by \$10,000,000)".

Page 33, line 11, after the dollar amount insert the following: "(increased by \$10,000,000)".

Page 33, line 19, after the dollar amount insert the following: "(increased by \$10,000,000)".

Mr. GRAYSON (during the reading). Mr. Chairman, I ask unanimous consent that the reading be waived.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

Mr. FRELINGHUYSEN. Mr. Chairman, could we have it read so we know which amendment we are working on? Otherwise, I will reserve a point of order on the gentleman's amendment.

The Acting CHAIR. The Clerk will continue to read.

The Clerk continued to read.

Mr. FRELINGHUYSEN. Mr. Chairman, I ask unanimous consent to withdraw my objection.

The Acting CHAIR. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, this amendment increases the Defense Health Program account by \$10 million in order to help find a cure for Gulf War illness. Currently, there is no cure for Gulf War illness, and it affects over a third of the veterans who served in the first Gulf War.

This amendment is identical to an amendment offered last year that passed this body by a voice vote. I respectfully urge the same today.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OPERATION AND MAINTENANCE, ARMY
RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$2,535,606,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$1,011,827,000.

OPERATION AND MAINTENANCE, MARINE CORPS
RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$270,485,000.

OPERATION AND MAINTENANCE, AIR FORCE
RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$2,989,214,000.

OPERATION AND MAINTENANCE, ARMY
NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), \$6,116,307,000.

OPERATION AND MAINTENANCE, AIR NATIONAL
GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, \$6,393,919,000.

UNITED STATES COURT OF APPEALS FOR THE
ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, \$13,723,000, of which not to exceed \$5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$201,560,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided*

further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, \$277,294,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, \$408,716,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

AMENDMENT OFFERED BY MR. MURPHY OF
PENNSYLVANIA

Mr. MURPHY of Pennsylvania. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 8, after the dollar amount, insert "(reduced by \$37,000,000)".

Page 33, line 11, after the dollar amount, insert "(increased by \$10,000,000)".

Page 33, line 12, after the dollar amount, insert "(increased by \$10,000,000)".

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MURPHY of Pennsylvania. I thank the gentleman and I also thank the chairman and the ranking member of the committee.

I should say that, in addition to being a Member Congress, I am also a member of the Navy Reserve as a psychologist, but I want to make it clear

I am not here representing the Navy or Navy psychology, but talking about those things which I see in our military.

We have the best military in the world. We are strong, we are filled with strong servicemen and servicewomen, but our country has a crisis on its hands.

On average, 22 military servicemembers and veterans die each day by their own hands. Nearly 1 in 5 suicides nationally is a veteran, even though veterans only make up 10 percent of the population, or about a million or so overall, 2 million overall.

The suicide rate for veterans increased an average of 2.6 percent a year from 2005 to 2011, more than double the rate of increase for civilian suicide.

Let me tell you what I hear from servicemembers: that those who are in high-tempo work, such as those in SOCOM, those who are Active Duty, those who have come back from Guard and Reserve, they have a very difficult time accessing mental health care.

Whether it is family problems, financial crisis, or adapting from the stress of combat or post-traumatic stress, and preventing it from becoming post-traumatic stress disorder, we know that treatment early and identification early can be effective.

But, quite frankly, there are just too few providers. Psychologists, psychiatrists, and clinical social workers and therapists are burdened with paperwork and screening duties, and oftentimes have too little time to counsel.

We hear, time and time again, where someone has sought help off base, only to find there people who may not themselves understand all the needs of someone in the military.

Plus, many times, those in the military dealing with classified missions, particularly those in SOCOM, need to have folks that they can talk to and deal with these problems so they do not become worse. Or if they transfer to Guard and Reserve, many times they have no one they can go to. The purpose of this amendment is to help make sure we are providing more of those services.

A survey by the Iraq and Afghanistan Veterans of America showed that 30 percent of servicemembers have considered taking their own life; 45 percent say they know an Iraq or Afghanistan veteran who has attempted suicide.

While DOD has done many things, and should be complimented for the work that they have done, we still have a serious, serious problem on our hands. The reason we are offering this amendment today is to do all we can to help provide more providers.

Granted, I do not believe this will be anywhere near enough, but it does give us a surge of providers at a time when it is needed, at a time when the suicide rate has climbed, at a time when many servicemembers continue to need help. So I am offering this, and I hope it will be accepted.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. MURPHY of Pennsylvania. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I can say, and I am sure my colleagues would agree, your service in the Congress has been enormously beneficial because you have been perhaps one of the strongest advocates on behalf of those with mental illness. And certainly, your service in the Navy Reserve as a psychologist is one of the reasons when you get up to talk, people listen.

So we are certainly accepting of your amendment and acknowledge your very, very strong and well-reasoned advocacy.

Our bill, of course, does make investments. This will make more investments, and we look forward to working with you and relying on your expertise and your advocacy.

I thank you for yielding.

Mr. MURPHY of Pennsylvania. Mr. Chairman, let me just close with this. In this, I know for example those who come back from SOCOM, from being the tip of the spear, a very important part of their return are such things as Third Location Decompression. They come back, they meet with psychologists, with detailed review.

What we also have to make sure is, for so many others who come back, whether they have been on a combat mission or even a training mission that can have its own stress associated with that, we want to prevent these from accelerating to the level where later on they will need VA services, where we have so many families deteriorate.

I thank the chairman, I thank the ranking member, et cetera, and I ask my colleagues to support this amendment so we can get help to our military in need.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. MURPHY).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, \$8,547,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY
USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$233,353,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

AMENDMENT NO. 4 OFFERED BY MR.

BLUMENAUER

Mr. BLUMENAUER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 16, line 24, after the dollar amount, insert "(increased by \$3,400,000)".

Page 31, line 6, after the dollar amount, insert "(reduced by \$3,400,000)".

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Oregon and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, I yield myself 4 minutes.

This is a simple amendment that would cut \$3.4 million for a new nuclear-armed, air-launched cruise missile and redirect the funding towards the cleanup and removal of unexploded ordnance that litters most congressional districts in every State of the Union.

It would save the taxpayers from footing the bill for a program whose rationale remains ill-defined.

First, the United States currently has a robust arsenal of air-launched cruise missiles, and with the life extension program, they are expected to be in service well past 2030.

These existing cruise missiles are also compatible with the Air Force's greatest procurement priority, the long-range strike bomber.

Now the Pentagon has not yet made a final decision on how or when it will replace its existing nuclear air-launched cruise missile, so it seems ill-advised to spend money before we know what our long-term plans are.

We no longer need a bomber with standoff nuclear weapons like the ALCM. The new Air Force bomber that will be designed to penetrate air defenses, it needs bombs that can be dropped, not a new cruise missile.

The procurement of the new cruise missile will also have a destabilizing

effect in our efforts to control nuclear proliferation. A mass deployment of cruise missiles probably would trigger, potentially could trigger a new arms race that we have already agreed to begin to end.

Currently, only the United States, France, and Russia have such weapons. But are we going to be more secure if this sets off an effort for other countries to develop them?

Are we going to be more secure if China has them, if Pakistan develops them? I think certainly not.

Now, maybe this amendment looks modest, only directing \$3.4 million. But allowing this seed money to go forward could potentially mean billions down the road if we don't have a reason, a rationale, a commitment to do it.

The new ALCM does not yet have an official pricetag, but the research we have done suggests it is in the range of 20 to \$30 billion. And a rebuilt nuclear warhead to go on it would cost another \$12 billion, according to the National Nuclear Security Administration.

So a potential of over \$40 billion, and based on our past experience with weapons developments and the nuclear area, it is very likely that that is going to increase over time.

Remember, we recently had a debate on the floor of the House that highlighted that the costs of the current nuclear program were understated by the Pentagon by \$150 billion.

□ 1730

This program, whose true utility remains a mystery, even to those requesting money for it, will directly compete with other priorities.

Let me repeat that. This is not free money. If we launch this program, it is going to directly compete with other priorities. The Navy, as we all know—which the committee has been wrestling with—is looking for \$100 billion to build 12 new nuclear-armed submarines.

The Air Force is coming up short looking for the \$70 billion it needs to buy up to 100 new long-range bombers. A down payment on a cruise missile today that we don't need means cuts to other programs tomorrow.

Mr. Chairman, I suggest that, instead of launching us down this path of unnecessary spending and potentially huge outyear costs, that we, instead, spend this money on Formerly Used Defense Sites that have been contaminated by our activities over the better part of the last century in the United States. It is better use for the money. I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, the President's budget requested \$208.4 million for these Formerly Used Defense Sites. It is important to clean up these properties that have been used by the Department of Defense.

May I say, our bill already provides \$25 million for the cleanup of such sites over the President's request, so the administration isn't looking for any more money.

While I sympathize with the gentleman's amendment, I cannot support his offset. I understand that his amendment intends to eliminate funding for the long-range standoff weapon, this cruise missile.

This program will provide a new air-launched cruise missile to replace a rapidly aging AGM-86. This is essential to our strategic deterrent and our ability to hold enemy targets at risk from standoff distances.

The Air Force requested \$4.9 million for the program in fiscal year 2015 to continue studies and analysis in preparation for a formal acquisition program. This bill already takes a fiscally responsible \$1.5 million cut from that amount.

In a year of tight budget, the additional funding the committee has already provided for the cleanup of Formerly Used Defense Sites will accelerate the cleanup of the sites and reduce the long-term government liability, which is important.

While I appreciate the gentleman's intent, I cannot support a cut that would eliminate a critical element of our military's future arsenal, so I oppose the amendment and urge a "no" vote.

I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Chairman, first let me point out that this is a minuscule sum. I have pointed out that we have the capacity with the current plans to be able to deal past 2030, so this is not an urgent effect. We have a chance to sort it out and see if it truly is a priority.

I respect the gentleman's point about—I think he is sincere in wanting to clear up these Formerly Used Defense Sites, but the amount in the budget is \$50 million less than we had in fiscal year 2014 and is less than we enacted in fiscal year 2013.

At the current rate of funding, the Pentagon estimates that it will take 250 years to clean up the backlog of dealing with the military contamination and unexploded ordnance. That is unacceptable.

In a defense budget of this magnitude, we can and should be doing more. I appreciate what the gentleman is saying. It is not nearly adequate, and we certainly don't need to launch down this other path that may lead to dramatic unnecessary spending in the future.

I respectfully urge adoption of this amendment and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BLUMENAUER. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

The Clerk will read.

The Clerk read as follows:

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), \$103,000,000 to remain available until September 30, 2016.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, \$365,108,000, to remain available until September 30, 2017.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, \$51,875,000.

TITLE III
PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$5,295,957,000, to remain available for obligation until September 30, 2017.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,217,483,000, to remain available for obligation until September 30, 2017.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and

tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,703,736,000, to remain available for obligation until September 30, 2017.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,011,477,000, to remain available for obligation until September 30, 2017.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$4,812,234,000, to remain available for obligation until September 30, 2017.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$14,054,523,000, to remain available for obligation until September 30, 2017.

AMENDMENT OFFERED BY MR. KILDEE

Mr. KILDEE. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 22, line 14, after the dollar amount, insert "(reduced by \$20,000,000)".

Page 33, line 11, after the dollar amount, insert "(increased by \$20,000,000)".

Page 33, line 17, after the dollar amount, insert "(increased by \$20,000,000)".

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KILDEE. Mr. Chairman, much like the VA, the Department of Defense is confronting significant challenges regarding its care and transition of wounded warriors.

In fact, following the recent death of two individuals at the Army's Fort Bragg hospital, the Secretary of Defense ordered his own comprehensive review of DOD health care. Simply, it is obvious and is becoming increasingly more obvious that wounded warriors are still failing to receive the care that they need and that they clearly deserve.

We know that the DOD has undertaken countless studies and has appointed numerous working groups to identify ways to improve wounded warrior care. Moreover, Congress has rightfully engaged and has held a multitude of hearings and initiatives. There has been a lot of review internally and a lot of conversation.

I believe, though, that we need to engage some of the brightest minds in our country to gain a new and objective perspective on improving care for wounded warriors.

So this amendment appropriates \$20 million to fund an amendment that, again, was passed in the FY15 NDAA to provide for an outside, independent study to identify challenges confronting the DOD's care of wounded warriors and offer specific recommendations to improve that.

This study, passed in the NDAA, will only be awarded to an entity that has received a small percentage—at the very most—of its revenue from contracts with the DOD, essentially an outside organization with little or no contact or relationship with the DOD or the VA. We are really trying to get a fresh set of eyes on this question.

This study of the Department of Defense's health care for wounded warriors is almost identical to the independent study of the VA, mandated by H.R. 4810, Chairman MILLER's Veteran Access to Care Act, which just passed the House last week; so the same set of fresh eyes that will be looking at VA care, I believe, need to be focused on the Department of Defense care as well.

This amendment is funded by allocating \$20 million from the Navy's \$14 billion aircraft procurement account, which includes nearly \$1 billion in funding over the Navy's request to purchase 12 EA-18G Growler aircraft.

The Navy requested none of these aircraft in its budget request, and it would seem to me that, out of the \$14 billion in that procurement, with nearly \$1 billion in new money for something that wasn't requested, we could find \$20 million to make sure that the billions of dollars that we are spending in DOD health care—particularly for

our wounded warriors—is spent in the most efficient way and provides the absolute best care in the timeliest fashion available.

That is what this amendment would do. I urge its passage.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, while I recognize the gentleman's concerns that the wounded warrior care program is effectively and efficiently monitored—and perhaps an outside group taking a look at it would not be a bad idea in and of itself—but removing \$20 million from the aircraft procurement account, specifically that Navy account for Growlers, is excessive to fund a study that is really unrelated to the purpose of that aircraft. There are better ways to fund studies.

We can request the Government Accountability Office—and our committee would be happy to do that—to do a study, one that will certainly cost less than \$20 million.

Additionally, the loss of funding for the Growler program will result in the loss of an airframe which is critical for the Nation's airborne electronic attack mission. We probably need more of these Growlers, rather than less.

So I would be happy to work with the gentleman on finding another source for an outside study, and I would be happy to yield to the gentleman from Indiana (Mr. VISCLOSKY), the ranking member, for any comments that he may care to make.

Mr. VISCLOSKY. I appreciate the chairman yielding.

Mr. Chairman, I would reluctantly add my voice to the chair. I certainly appreciate the gentleman's concern for wounded warriors, his sensitivity, and the fact that he is asking for, if you would, a fresh set of eyes.

The chairman talked about his concerns about the offset. I would simply inform my colleagues that we have had a number of studies. The Office of Inspector General has completed seven different studies, but perhaps more importantly, to the gentleman's point about an independent study, is that the Government Accountability Office has also done two.

I would remind our colleagues that the GAO is a creature of the legislative branch and is not captive to the Department of Defense.

Perhaps the emphasis here—and, again, I appreciate the gentleman's concern and what he is trying to get at—is to implement some of the findings in these nine studies, particularly the findings from the Government Accountability Office on behalf of the legislative branch and see that they are implemented.

Mr. KILDEE. I thank the chairman and the ranking member for their comments.

I will say that, when I speak of a set of fresh eyes—I understand the studies that have been done by the GAO and other internal studies, and I will acknowledge a certain irony in making the comment because it is so often that we hear that we can't be continually looking for answers to these difficult questions only from those of us in government, that we ought to be taking a look at it from a fresh set of eyes that come from outside, from the private sector. I think that that would be a great advantage in this case.

Regarding the offset, I understand and wholly support all of the work that we need to do and the investments that we need to make to ensure that our military is fully capable.

I just believe that the same commitment that we have to our own protection ought to extend to protecting those who put on the uniform of the country and suffer as a result. They ought to get the best care.

Out of the \$970 million increase from what was requested, it would seem to me that finding \$20 million from that would not be a bridge too far.

I appreciate the comments, and I hope that we can work together on finding solutions on this.

I think Chairman MILLER was right in his approach with the VA, and I think the same could be said for the DOD, and that is what my amendment would do.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. KILDEE).

The amendment was rejected.

The Clerk will read.

The Clerk read as follows:

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$3,111,931,000, to remain available for obligation until September 30, 2017.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing

purposes, \$629,372,000, to remain available for obligation until September 30, 2017.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier	Replacement	Program,
\$1,289,425,000;		
Virginia Class Submarine,	\$3,507,175,000;	
Virginia Class Submarine (AP),		
\$2,301,825,000;		
CVN Refueling Overhauls (AP),	\$491,100,000;	
DDG-1000 Program,	\$419,532,000;	
DDG-51 Destroyer,	\$2,655,785,000;	
DDG-51 Destroyer (AP),	\$134,039,000;	
Littoral Combat Ship,	\$951,366,000;	
LPD-17 Amphibious Transport Dock,		
\$12,565,000;		
LHA replacement (AP),	\$29,093,000;	
Moored Training Ship,	\$737,268,000;	
Moored Training Ship (AP),	\$64,388,000;	
LCAC Service Life Extension Program,		
\$40,485,000;		
Outfitting, post delivery, conversions, and first destination transportation,	\$491,797,000;	
and		
Ship to Shore Connector,	\$123,233,000;	
For completion of Prior Year Shipbuilding Programs,	\$1,007,285,000.	

In all: \$14,256,361,000, to remain available for obligation until September 30, 2019: *Provided*, That additional obligations may be incurred after September 30, 2019, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$5,923,379,000, to remain available for obligation until September 30, 2017.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the pur-

chase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, \$927,232,000, to remain available for obligation until September 30, 2017.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$12,046,941,000, to remain available for obligation until September 30, 2017.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$4,546,211,000, to remain available for obligation until September 30, 2017.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$648,200,000, to remain available for obligation until September 30, 2017.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$16,633,023,000, to remain available for obligation until September 30, 2017.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$4,358,121,000, to remain available for obligation until September 30, 2017.

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AMENDMENT OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 29, line 22, after the dollar amount, insert "(reduced by \$5,000,000)".

Page 33, line 11, after the dollar amount, insert "(increased by \$5,000,000)".

Page 33, line 19, after the dollar amount, insert "(increased by \$5,000,000)".

The Acting CHAIR. Pursuant to House Resolution 628, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I, again, add my appreciation of the chairman and ranking member of the Appropriations Defense Subcommittee and add my appreciation of their concern for the health and welfare of the men and women of the United States military. Their appropriations bill evidences that.

I thank them again for working with me and their staff for working with me on this amendment dealing with increasing the funding for breast cancer research by \$5 million, offset by a reduction of like amount in funding for procurement. Equally important is that this amendment has been supported by this committee.

I would say that my fellow survivors and those in the United States military would appreciate the emphasis that we are making on addressing this phenomenon of breast cancer. My amendment, as indicated, increases the opportunity for research. The American Cancer Society calls several strains of breast cancer particularly aggressive subtypes associated with a lower survival rate. In this instance, it is called a triple negative. But I raise an article that says: "Fighting a Different Battle; Breast Cancer and the Military."

This triple negative strain has killed many individuals in a very quick manner.

Mr. VISCLOSKEY. Will the gentlewoman yield?

Ms. JACKSON LEE. I yield to the gentleman from Indiana.

Mr. VISCLOSKEY. I would be happy to express my support for the amendment

and certainly believe there is no objection on behalf of the committee.

Ms. JACKSON LEE. I thank the ranking member very much. I would like to conclude, but I thank you for this support and make this statement as I conclude.

Breast cancer has been just about as brutal on women in the military as combat. More than 800 women have been wounded in Iraq and Afghanistan, according to the Army Times, and 874 military women were diagnosed with breast cancer between 2000 and 2011. According to that same study, more are expected as it goes.

So, in conclusion, let me thank the chairman and the ranking member for their focus on this amendment. I will conclude by saying that breast cancer is striking relatively young military women at an alarming rate, but male servicemembers, veterans, and their dependents, are at risk, as well.

So I ask my colleagues to support this amendment. Again, those of us who are survivors recognize that the more research and the more intervention, the more lives we can save.

With that, I ask the committee to support the Jackson Lee amendment, and I thank the ranking member and chairman.

I yield back the balance of my time. Mr. Chair, I want to thank Chairman FRELINGHUYSEN and Ranking Member VISCLOSKEY for shepherding this legislation to the floor and for their devotion to the men and women of the Armed Forces who risk their lives to keep our nation safe.

Mr. Chair, thank you for the opportunity to explain my amendment, which is identical to an amendment that I offered and was adopted in last year's Defense Appropriations Act (H.R. 2397).

My amendment increases funding for the Defense Health Program's research and development by \$5 million. These funds will address the question of breast cancer in the United States military.

The American Cancer Society calls several strains of breast cancer as a particularly aggressive subtype associated with lower survival rates; in this instance, it's a triple negative. But I raise an article that says: "Fighting a Different Battle; Breast Cancer and the Military."

We all know, by the way, that breast cancer can affect both men and women. The bad news is breast cancer has been just about as brutal on women in the military as combat.

Let me say that sentence again. Breast cancer has been just about as brutal on women in the military as combat. More than 800 women have been wounded in Iraq and Afghanistan, according to the Army Times; 874 military women were diagnosed with breast cancer just between 2000 and 2011. And according to that same study, more are suspected. It grows.

The good news is that we have been working on it, and I want to add my appreciation to the military.

The Jackson Lee Amendment, however, will allow for the additional research.

That research is particularly needed since women are joining the Armed Services in increasing numbers and serving longer, ascend-

ing to leadership. With increased age comes increased risk and incidence of breast cancer.

Not only is breast cancer striking relatively young military women at an alarming rate, but male service members, veterans and their dependents are at risk as well.

With a younger and generally healthier population, those in the military tend to have a lower risk for most cancers than civilians—including significantly lower colorectal, lung and cervical—but breast cancer is a different story.

Military people in general, and in some cases very specifically, are at a significantly greater risk for contracting breast cancer, according to Dr. Richard Clapp, a top cancer expert at Boston University who works at the Centers for Disease Control and Prevention on military breast cancer issues.

Dr. Clapp notes that life in the military can mean exposure to a witch's brew of risk factors directly linked to greater chances of getting breast cancer.

So, I am asking that we do the right thing. We are on the right track, we're on the right road.

But with the expansion of women in the military, I can assure you, for long life, a vital service that these men and women give, it is extremely important to move forward with this amendment.

Researchers point to a high use of oral contraception that's linked to breast cancer among women that would ensure that this particular amendment would be a positive step forward.

I urge my colleagues to support the Jackson Lee Amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), \$51,638,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$6,720,000,000, to remain available for obligation until September 30, 2016.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$15,877,770,000, to remain available for obligation until September 30, 2016: *Provided*, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique operational requirements of the Special Operations Forces.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test

and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$23,438,982,000, to remain available for obligation until September 30, 2016.

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 31, line 6, after the dollar amount, insert "(reduced by \$15,600,000)".

Page 141, line 4, after the dollar amount, insert "(increased by \$15,600,000)".

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 628, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, this amendment deals with a profoundly important issue that will be before the House of Representatives and this Nation for the next three decades at least. This is an amendment that deals with the Joint Strike Fighter, the F-35, and the dual capability of that fighter, basically meaning how to retrofit or make that fighter capable of handling the B-61 nuclear weapon.

This is a weapon that is principally designed for our allies, to be used in Europe. It is a weapon that is now in the process of being life-extended at a cost of several billion dollars over the next decade.

The question is, Do we need to re-vamp the F-35 in such a way as to be able to handle both conventional as well as nuclear weapons? This is the question before us. It is a question that involves our allies, and it is a very, very expensive issue that we must deal with.

If we just continue on, we will spend billions upon billions of dollars on a system that may or may not be desired by our allies around the world. We are just pushing our way forward here without really considering all of the issues involved.

This amendment that I brought forth on the floor today is really the wake up to this larger issue and the extraordinary expense and the ramifications that it has with not only our allies but with potential adversaries around the world.

What I really would like to do is to expand upon a study that has already been put into this legislation, a study that Mr. QUIGLEY has successfully brought in, and expand upon it so that the report that comes back to us be more full, providing more information. We need that information in order to make a wise decision here about how we are going to proceed.

This is an issue that the Armed Services Committee is wrestling with, as well as, I am certain, the Appropriations Committee. Later in this process,

when we get to the end of this bill, I will have another amendment that I will put forward that will fence off this \$15 million until such time as that report comes in, and I would recommend that that report be more full and more complete.

Mr. Chairman, with that, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I withdraw my reservation and seek the time in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. It is my understanding the gentleman is going to withdraw his amendment. I yield to the gentleman from California.

Mr. GARAMENDI. That is true. I intend to withdraw my amendment in hopes that we could, at the end of the bill, undertake a more full report and fence off the \$15 million until that comes forward. I am not asking for a commitment now, but as we proceed through this bill, if the members of the Appropriations Committee, the chair and the ranking member specifically, would consider that language, it would be much appreciated.

Mr. FRELINGHUYSEN. Thank you for talking about this very important issue. I appreciate it and yield back the balance of my time.

Mr. GARAMENDI. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDMENT NO. 5 OFFERED BY MR. COFFMAN

Mr. COFFMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, line 6, after the dollar amount, insert "(reduced by \$15,722,000)".

Page 141, line 4, after the dollar amount, insert "(increased by \$15,722,000)".

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. COFFMAN. Mr. Chairman, this amendment seeks to take \$15.7 million out of the Air Force research, development, test and evaluation account, equal to the amount the Air Force has budgeted for sixth-generation fighter development, and places those funds into the spending reduction account for debt relief.

Mr. Chairman, this amendment is not about capabilities; it is quite simply about priorities. I could understand the need for sixth-generation fighter development funding had the administration not attempted to scrap our military's only dedicated close air support platform, the A-10, citing budgetary concerns.

I could understand the need for sixth-generation fighter development funding had the administration not attempted to scrap the U-2, an aging but capable aircraft that continues to provide the warfighter with actionable intelligence in some of the world's most dangerous areas, citing budgetary concerns.

I could understand the need for sixth-generation fighter development funding had the administration not capped America's premier air dominance fighter, the fifth-generation F-22 Raptor, at 187 aircraft, citing, once again, budgetary concerns.

And I could understand the need for sixth-generation fighter development funding if the F-35 Joint Strike Fighter, a fifth-generation program I do support, was not admittedly over budget and behind schedule.

Mr. Chairman, our Nation is over \$17 trillion in debt and is running a budget deficit of over half a billion dollars. As a result, it has become almost a cliché to quote Admiral Mullen's warning of our national debt as America's greatest threat. That is why I cannot support millions of dollars in funding for the Department of Defense to begin developing the follow-on to the F-35 when the F-35 itself is years away from being operational.

Mr. Chairman, I urge my fellow Members to support this commonsense amendment. By supporting my amendment you will be sending a message to the Department of Defense to get its current programs under control and its fiscal house in order before asking the American taxpayer to foot the bill for any future programs.

Mr. Chairman, I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR (Mr. WOODALL). The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I would point out that while we are at the beginning, so to speak, of the production of the F-35, it has always inured to the benefit of this country to look to the future, to look at the next generation. And when it comes to an examination of technology and how it can be used in the defense of this Nation in the future, I don't think we should close that door.

We have a resurgence in China. We have a resurgence in Russia. We have problems in the Middle East. We ought not to be taking our oar, if you would, out of the water. And so we ought to continue down this road. We are not, by doing this initial research, instituting a billion or multibillion-dollar procurement program.

So I am opposed and would be happy to yield to the chairman of the subcommittee.

□ 1800

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

It is a small investment which this amendment would eliminate. We want

to have air superiority for decades to come. It is money that I think needs to be kept in there. It would be a great mistake to move it. I thank the gentleman for yielding.

Mr. VISCLOSKY. I appreciate the chairman's remarks.

I yield back the balance of my time.

Mr. COFFMAN. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. COFFMAN).

The amendment was rejected.

AMENDMENT OFFERED BY MR. NUGENT

Mr. NUGENT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 31, line 6, after the dollar amount, insert "(reduced by \$10,000,000) (increased by \$10,000,000)".

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. NUGENT. Mr. Chairman, the Counter-electronics High Power Microwave Missile Project, better known as CHAMP, is an Air Force program to disrupt or eliminate an adversary's electronics without causing physical damage to facilities or people.

My amendment would transfer \$10 million within the Air Force R&D budget from directed energy technology to advanced weapons technology. This will move duplicative funds from laboratory development of high-power microwave technology to integration on a delivery vehicle for actual use on the battlefield a decade ahead of schedule.

The Air Force intends to develop CHAMP for use on a reusable delivery vehicle that will be available to combatant commanders in 2025. For a small investment of \$10 million this year, the Air Force can get CHAMP to the combatant commanders on a cruise missile delivery system 18 months after enactment of this bill, almost a decade ahead of schedule.

The reason we can do this so quickly and at such a low cost is by utilizing unused cruise missiles, just like the ones the Air Force used to test CHAMP recently. There is an existing stockpile of cruise missiles that have been removed from their original mission and can be cost-effectively repurposed as a delivery vehicle for CHAMP. Over the next few years, the Air Force has an opportunity to fit CHAMP on a proven delivery vehicle already in stock.

In this window, it is very cheap to make a cruise missile-delivered CHAMP system and very expensive for adversaries to defend. The \$10 million my amendment allocates to advanced weapons technology will improve the size and weight of the weapon to optimize its performance on a cruise missile.

It is important to note this amendment will ensure that sufficient funds

exist to develop both the short-term cruise missile system and the long-term reusable delivery system.

The offset for this amendment pulls from an increase in another directed energy program in the Air Force that is doing duplicative work to reduce the size and weight of high-power microwave.

Instead of just doing lab work, we can do the lab work and get it out into the field. As I said, these two programs are doing duplicative work, and one is closer to the finish line than the other.

This is a bipartisan bill. I am happy to have support of the ranking member of the Armed Services subcommittee of jurisdiction and cochair of the Directed Energy Caucus, Mr. LANGEVIN. The authorization for this program increase has been in the National Defense Authorization Act since the chairman's mark and was in the bill the House passed earlier this year.

In the Armed Services Committee, we have heard the desire of this game-changing technology in testimony from combatant commanders and from the Under Secretary of Defense for Acquisition, Technology, and Logistics.

Let's get the warfighter this capability in 18 months by passing this simple amendment today.

I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I appreciate what the gentleman from Florida is putting forth and the position he has taken. I certainly believe there is merit, if you would, in the technology.

As you may know, we have included some very encouraging language in the report for this bill, noting our pleasure with the Air Force incorporating this type of technology into their non-kinetic counterelectronics analysis of alternatives.

However, we have carefully refrained from prejudicing the Air Force's analysis of alternatives by adding funds from one program to another.

I would like to work with the gentleman further to ensure, again, that the technology is given consideration, without prejudicing the study undertaken by the Air Force. I do think we ought to give them a full breadth of options, so that the best choice can be made on behalf of this country.

I reserve the balance of my time.

Mr. NUGENT. Mr. Chairman, I thank the gentleman for his consideration. What I would like to add to this is that the Air Force tested CHAMP on that delivery vehicle—a successful test, as it may be—and the testimony from those combatant commanders, the guys in the field that actually need it, are saying: hey, I would rather have it in 18 months than in 2025.

It is just that simple. We heard testimony with regards to China and about

Russia. Wouldn't it be better to use these limited funds that we have already spent millions of dollars on to develop the process, develop the technology, wouldn't it be better today to spend \$10 million to actually get it in the field to support our troops and our warfighters? That is our argument.

While I respect the Air Force, I think what the Air Force has—and they are looking at a long-term solution, a reusable vehicle, which I support, but I also support those who are out on the front line today. I have three kids out on the front line.

This helps those soldiers, airmen, marines, and sailors with more protection. We can do it cheap, and we can do it today, and we can have it done in 18 months.

With that, I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. NUGENT).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, \$17,077,900,000, to remain available for obligation until September 30, 2016: *Provided*, That of the funds made available in this paragraph, \$250,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: *Provided further*, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 31, line 18, after the dollar amount, insert the following: “(reduced by \$10,000,000)”.

Page 33, line 11, after the dollar amount, insert the following: “(increased by \$10,000,000)”.

Page 33, line 19, after the dollar amount insert the following: “(increased by \$10,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, my amendment would increase funding for prostate cancer research under the Defense Health Program by \$10 million.

This increase would result in a total funding level of \$90 million, which is still \$10 million below what this account was funded at in 2001, more than a decade ago.

This amendment passed the House as part of an en bloc amendment last year. I hope we will all agree on its passage again this year.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. GRAYSON. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We commend you on your focus on prostate cancer and appreciate your limited remarks.

Mr. GRAYSON. I thank the chairman.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OPERATIONAL TEST AND EVALUATION,
DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, \$248,238,000, to remain available for obligation until September 30, 2016.

TITLE V

REVOLVING AND MANAGEMENT FUNDS
DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, \$1,334,468,000.

TITLE VI

OTHER DEPARTMENT OF DEFENSE
PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, \$31,634,870,000; of which \$30,080,563,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available for obligation until September 30, 2016, and of which up to \$14,582,044,000 may be available for contracts entered into under the TRICARE program; of which \$308,413,000, to remain available for obligation until September 30, 2017, shall be for procurement; and of which \$1,245,894,000, to remain available for obligation until September 30, 2016, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than \$8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military

training, exercises, and humanitarian assistance activities conducted primarily in African nations: *Provided further*, That of the funds provided under this heading for operation and maintenance, procurement, and research, development, test and evaluation for the Interagency Program Office, the Defense Healthcare Management Systems Modernization (DHMSM) program, and the Defense Medical Information Exchange, not more than 25 percent may be obligated until the Secretary of Defense submits to the Committees on Appropriations of the House of Representatives and the Senate, and such Committees approve, a plan for expenditure that describes: (1) the status of the final request for proposal for DHMSM and how the program office used comments received from industry from draft requests for proposal to refine the final request for proposal; (2) any changes to the deployment timeline, including benchmarks, for full operating capability; (3) any refinements to the cost estimate for full operating capability and the total life cycle cost of the project; (4) an assurance that the acquisition strategy will comply with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government; (5) the status of the effort to achieve interoperability between the electronic health record systems of the Department of Defense and the Department of Veterans Affairs, including the scope, cost, schedule, mapping to health data standards, and performance benchmarks of the interoperable record; and (6) the progress toward developing, implementing, and fielding the interoperable electronic health record throughout the two Departments' medical facilities.

AMENDMENT OFFERED BY MR. HOLT

Mr. HOLT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 11, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

Page 33, line 19, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from New Jersey and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, I rise to offer an amendment to address another facet of a national tragedy, the epidemic of suicide among our soldiers and veterans.

In March of this year, zero U.S. troops died in combat. In that same month, almost 700 soldiers and veterans died at their own hand.

This bill, the bill that is before us today, takes enormous strides to treat mental health problems underlying this epidemic. It provides tens of millions of dollars for therapy, outreach, and peer-to-peer support. For that, the chairman and the ranking member and all of the committee members have my sincere praise and gratitude.

Suicide and the decision to take one's own life is complex and often mysterious, but we err if we think suicide is only a mental health problem. In truth, suicide is often the desperate act of a soldier or veteran in a des-

perate situation. One important component of that desperation is financial stress.

My amendment has been endorsed by the American Foundation for Suicide Prevention and would set aside \$1 million to study these issues to improve our understanding of the links between financial stress, financial abuse, and military suicide and to generate recommendations to fix these interlinked problems.

A few years ago, Army Sergeant Angelo Stevens was living with \$100,000 of debt. He had just been told that, because of his deteriorating finances, he was at risk of losing his security clearance. If he lost his clearance, he would lose his job, which would make his debt even more unmanageable.

Sergeant Stevens met with a military financial planner. He left feeling hopeless and humiliated. He told a reporter:

I walked out thinking, “If I'm dead, my family can get \$500,000 in life insurance, but I have to kill myself.”

Sergeant Stevens ultimately found help and survived, but he was far from alone in his desperation.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. HOLT. I am happy to yield to the gentleman.

Mr. VISCLOSKY. I appreciate the gentleman's concern and his focus, as far as the problems that financial stress causes, and the additional \$1 million and certainly believe it would be a good addition to the bill. I think I speak on behalf of the committee, as far as accepting the gentleman's amendment.

Mr. HOLT. I appreciate the gentleman's comments, and I can certainly sum up quickly to say that I think it is important that we understand how effectively suicide prevention programs at the Department of Defense, the VA, and the Consumer Financial Protection Bureau are working together and how they can work together better.

This is a serious national problem. This is one component of that problem, and I thank the gentleman. Again, I commend everyone on the subcommittee for the attention they are paying this year to this important problem.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LANGEVIN

Mr. LANGEVIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 11, after the dollar amount, insert “(reduced by \$30,000,000) (increased by \$30,000,000)”.

Page 33, line 19, after the dollar amount, insert “(reduced by \$30,000,000) (increased by \$30,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman

from Rhode Island and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

□ 1815

Mr. LANGEVIN. Mr. Chairman, first of all, I rise to offer a very simple amendment to direct the Assistant Secretary of Defense for Health Affairs to increase individual grant amounts issued through the Spinal Cord Injury Research Program.

I would like to begin, of course, by thanking Chairman FRELINGHUYSEN as well as Ranking Member VISCLOSKY for their work on the underlying bill and for their continued commitment to funding the Spinal Cord Injury Research Program.

As someone who has suffered a spinal cord injury at the age of 16, I am acutely aware of how important this research is to the millions of servicemembers and civilians who suffer from various forms of paralysis and other conditions related to spinal cord injury. They simply want to know whether they will ever again be able to move, be able to walk, or even be able to breathe on their own.

I am thrilled to say that we are beginning to see meaningful answers in a positive way to these questions. Research into spinal cord injuries is producing, right now, a wealth of groundbreaking discoveries that are making treatment protocols never before envisioned an actual achievable goal. However, if we want these advancements to continue, particularly in the areas of translational research, then we must make sure that we are providing higher grant award levels to the researchers funded by the Spinal Cord Injury Program.

I say this because we have heard from researchers in the field of spinal cord injury research that the current grant awards, though meaningful, the ones that are issued to the program are not yet really large enough to make an appreciable difference, given the promise that the research shows right now.

So in the fiscal year 2013 appropriations measure, I was proud to work with the Defense Appropriations Committee to double the funding for the Spinal Cord Injury Research Program from \$15 to \$30 million; and thanks to the hard work of Chairman FRELINGHUYSEN as well as Ranking Member VISCLOSKY, we have been able to maintain that funding level in this bill. I am incredibly grateful.

With twice the amount of funding allocated since 2013, it is time to increase the amount of individual grants provided to the program's recipients. Remarkable advancements are now ripe for further development, but these next steps will only be achieved if the grant awards keep pace with the growing complexities and costs of this research.

With that, I thank, again, Chairman FRELINGHUYSEN as well as Ranking Member VISCLOSKY. I urge my colleagues to adopt this amendment.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. LANGEVIN. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I know all members of our committee appreciate your advocacy and obviously your special knowledge and view of spinal cord injuries. We don't get involved in the process of funding grants, but when you brought to our attention the fact that maybe larger sums within the grants might expedite some of the exciting things that are happening, it seemed to make sense to us, so I very much am in line with the amendment that you put forward.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. LANGEVIN. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I would add my voice to the chairman's, and what I found most heartening is the hope that there is going to be success. Because often we want to see the success, but you certainly have made me hopeful that if we made the proper investment and have the appropriate levels of funding for the grants, we can see improvement, and for that I thank you very much.

Mr. LANGEVIN. I thank the ranking member. I thank both the gentlemen for their comments, their support of this research.

When I was injured 34 years ago, I was told that I would never walk again, that spinal cord injury repair was just too difficult, it would never happen. We know now, because of research that is happening over the years by dedicated researchers and where we are right now, that it is no longer a question of if but when people with spinal cord injuries will walk again, be able to breathe on their own again, and be able to move again.

The support you have given to this amendment is going to help millions of people. I thank both the chairman and, again, the ranking member as well as the members of the committee.

Mr. Chair, with that, I again just want to express my deep appreciation for the hard work that went into this bill. Of course maintaining the current funding level at \$30 million in this program and the support of both JIM FRELINGHUYSEN and Ranking Member VISCLOSKY encouraging larger grant awards, I know that this will make a difference. Just hearing from the researchers in the field explaining why and how the larger awards would make this difference, I know that we will be seeing results very soon.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

CHEMICAL AGENTS AND MUNITIONS
DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$828,868,000, of which \$222,728,000 shall be for operation and maintenance, of which no less than \$52,102,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$21,016,000 for activities on military installations and \$31,086,000, to remain available until September 30, 2016, to assist State and local governments; \$10,227,000 shall be for procurement, to remain available until September 30, 2017, of which \$3,225,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and \$595,913,000, to remain available until September 30, 2016, shall be for research, development, test and evaluation, of which \$575,808,000 shall only be for the Assembled Chemical Weapons Alternatives program.

DRUG INTERDICTION AND COUNTER-DRUG
ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, \$944,687,000, of which \$669,631,000 shall be for counter-narcotics support; \$105,591,000 shall be for the drug demand reduction program; and \$169,465,000 shall be for the National Guard counter-drug program: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT
FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Joint Improvised Explosive Device Defeat Fund", \$65,464,000, to remain available until September 30, 2017: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making

transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$311,830,000, of which \$310,830,000 shall be for operation and maintenance, of which not to exceed \$700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which \$1,000,000, to remain available until September 30, 2017, shall be for procurement.

SUPPORT FOR INTERNATIONAL SPORTING
COMPETITIONS

For logistical and security support for international sporting competitions (including pay and non-travel related allowances only for members of the Reserve Components of the Armed Forces of the United States called or ordered to active duty in connection with providing such support), \$10,000,000, to remain available until expended.

TITLE VII
RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT
AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, \$514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT
ACCOUNT

For necessary expenses of the Intelligence Community Management Account, \$501,194,000.

AMENDMENT OFFERED BY MR. HOLT

Mr. HOLT. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 39, line 12, after the dollar amount, insert "(reduced by \$2,000,000) (increased by \$2,000,000)".

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from New Jersey and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, let me begin by thanking Chairman FRELINGHUYSEN and Ranking Member VISCLOSKY for their cooperation in preparing this commonsense amendment.

My amendment would carve out \$2 million within the \$504 million intelligence community management account and allocate it to the intelligence community whistleblowing and source protection directorate, which is a component of the Office of the Inspector General of the intelligence community.

Currently, this directorate is literally a one-man operation. Now, the intelligence community is a closed, secretive community. It is different from almost all other agencies this Congress deals with. Only from workers within these programs are we likely to learn about improprieties. Given the fact

that there are tens of thousands of Federal employees and contractors who work for the intelligence community elements, it is not realistic to expect the IC inspector general to be able to receive and investigate effectively any and all valid complaints from conscientious internal whistleblowers through a single investigator, no matter how talented that investigator may be. This \$2 million reallocation of funds will help the community whistleblowing and source protection directorate hire more needed additional investigators and support staff and will fund outreach and education efforts across the intelligence community.

For our system of oversight of the intelligence community to work properly, it is vital that all employees and contractors know where and how they can report lawfully potential incidents of waste, fraud, abuse, criminal conduct, or whistleblower retaliation. So this directorate can truly become that place only if it has sufficient resources. I see this as a step in that direction. This amendment will ensure that they have resources to respond to legitimate concerns.

Mr. VISCLOSKEY. Will the gentleman yield?

Mr. HOLT. I yield to the gentleman from Indiana.

Mr. VISCLOSKEY. I am always cautious about people who have suggested in the past that we would balance the budget if we eliminated waste, fraud, and abuse. But the gentleman is correct; there are occurrences of waste, fraud, abuse, or inefficiencies.

The investment the gentleman is talking about I think is a wise one, to make sure that we do protect the taxpayer's dollar, ferret out those monies that are ill spent to make sure it doesn't happen again, and to make sure that those who are doing the right thing are protected in the performance of their duty on behalf of the Government of the United States.

So I appreciate the gentleman's amendment.

Mr. HOLT. I thank the gentleman.

If I may make one comment in response to the ranking member and then yield to the chairman, there has been a lot of concern in this House about people going public with concerns about activities in the intelligence community, and we should want them to have a reliable channel through which they can lawfully express their concerns about criminal activity, about whistleblower retaliation or waste, fraud, and abuse. This office, underfunded as it currently is, is the official place for them to go, and we should make it more accessible.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. HOLT. I would be pleased to yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Thank you for yielding.

Our committee has long supported whistleblower protections. May I com-

mend you on your two amendments today. You have got two in the win column and none in the loss column.

Mr. HOLT. I thank the gentleman, and 2 and 0 in this soccer day is probably a pretty good score.

So with that, I yield back the balance of my time with thanks to the chair and ranking member.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. FRELINGHUYSEN).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$5,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*,

That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2015: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled "Explanation of Project Level Adjustments" in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed or are less than the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2015: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the

“Operation and Maintenance” appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be

obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2015, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2016 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2016 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2016.

(c) As required by section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2358 note) civilian personnel at the Department of Army Science and Technology Reinvention Laboratories may not be managed on the basis of the Table of Distribution and Allowances, and the management of the workforce strength shall be done in a manner consistent with the budget available with respect to such Laboratories.

(d) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10

U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term “manufactured” shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense in the current fiscal year or any fiscal year hereafter may be used to demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than \$500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8019. Of the funds made available in this Act, \$15,000,000 shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over \$500,000 and involves the expenditure of funds appropriated by an Act making appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract

and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8020. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8021. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8022. (a) Of the funds made available in this Act, not less than \$39,500,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) \$27,400,000 shall be available from “Operation and Maintenance, Air Force” to support Civil Air Patrol Corporation operation and maintenance, readiness, counter-drug activities, and drug demand reduction activities involving youth programs;

(2) \$10,400,000 shall be available from “Aircraft Procurement, Air Force”; and

(3) \$1,700,000 shall be available from “Other Procurement, Air Force” for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8023. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administered by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2015 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2015, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the de-

fense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department’s fiscal year 2016 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by \$40,000,000.

SEC. 8024. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8025. For the purposes of this Act, the term “congressional defense committees” means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary’s blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has

prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2015. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term “Buy American Act” means chapter 83 of title 41, United States Code.

SEC. 8028. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8029. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term “Indian tribe” means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 479a-1).

SEC. 8030. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than \$250,000.

SEC. 8031. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2016 budget request for the Department of Defense as well as all justification material and other documentation

supporting the fiscal year 2016 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2016 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8032. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2016: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947 (50 U.S.C. 3093) shall remain available until September 30, 2016.

SEC. 8033. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8034. Of the funds appropriated to the Department of Defense under the heading "Operation and Maintenance, Defense-Wide", not less than \$12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8035. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8036. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than \$25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8037. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and the Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats;

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense; or

(4) an Air Force field operating agency established to administer the Air Force Mortuary Affairs Program and Mortuary Operations for the Department of Defense and authorized Federal entities.

SEC. 8038. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) \$10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 8039. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

"Aircraft Procurement, Army", 2013/2015, \$27,000,000;
 "Weapons and Tracked Combat Vehicles, Army", 2013/2015, \$5,000,000;
 "Other Procurement, Army", 2013/2015, \$30,000,000;
 "Aircraft Procurement, Navy", 2013/2015, \$47,200,000;
 "Weapons Procurement, Navy", 2013/2015, \$27,000,000;
 "Aircraft Procurement, Air Force", 2013/2015, \$71,100,000;
 "Missile Procurement, Air Force", 2013/2015, \$13,800,000;
 "Other Procurement, Army", 2014/2016, \$200,000,000;
 "Aircraft Procurement, Navy", 2014/2016, \$171,622,000;
 "Weapons Procurement, Navy", 2014/2016, \$91,436,000;
 "Other Procurement, Navy", 2014/2016, \$1,505,000;
 "Aircraft Procurement, Air Force", 2014/2016, \$47,400,000;
 "Missile Procurement, Air Force", 2014/2016, \$121,185,000;

“Research, Development, Test and Evaluation, Army”, 2014/2015, \$5,000,000; and

“Research, Development, Test and Evaluation, Navy”, 2014/2015, \$105,400,000:

Provided, That no amounts may be canceled from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 8040. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8041. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People’s Republic of Korea unless specifically appropriated for that purpose.

SEC. 8042. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8043. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8044. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8045. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such

an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of “commercial items”, as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8046. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8047. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8048. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8049. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8050. During the current fiscal year, no more than \$30,000,000 of appropriations

made in this Act under the heading “Operation and Maintenance, Defense-Wide” may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8051. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8052. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8053. Using funds made available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8054. None of the funds appropriated in title IV of this Act may be used to procure

end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8055. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50-65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8056. (a) IN GENERAL.—(1) None of the funds made available by this Act may be used for any training, equipment, or other assistance for the members of a unit of a foreign security force if the Secretary of Defense has credible information that the unit has committed a gross violation of human rights.

(2) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to provide any training, equipment, or other assistance to a unit of a foreign security force full consideration is given to any credible information available to the Department of State relating to human rights violations by such unit.

(b) EXCEPTION.—The prohibition in subsection (a)(1) shall not apply if the Secretary of Defense, after consultation with the Secretary of State, determines that the government of such country has taken all necessary corrective steps, or if the equipment or other assistance is necessary to assist in disaster relief operations or other humanitarian or national security emergencies.

(c) WAIVER.—The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a)(1) if the Secretary of Defense determines that such waiver is required by extraordinary circumstances.

(d) PROCEDURES.—The Secretary of Defense shall establish, and periodically update, procedures to ensure that any information in the possession of the Department of Defense about gross violations of human rights by units of foreign security forces is shared on a timely basis with the Department of State.

(e) REPORT.—Not more than 15 days after the application of any exception under subsection (b) or the exercise of any waiver under subsection (c), the Secretary of Defense shall submit to the appropriate congressional committees a report—

(1) in the case of an exception under subsection (b), providing notice of the use of the exception and stating the grounds for the exception; and

(2) in the case of a waiver under subsection (c), describing the information relating to the gross violation of human rights; the extraordinary or other circumstances that necessitate the waiver; the purpose and duration of the training, equipment, or other assistance; and the United States forces and the foreign security force unit involved.

(f) DEFINITION.—For purposes of this section the term “appropriate congressional committees” means the congressional defense committees and the Committees on Appropriations.

SEC. 8057. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8058. Notwithstanding any other provision of law, funds appropriated in this Act under the heading “Research, Development, Test and Evaluation, Defense-Wide” for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8059. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8060. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8061. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8062. None of the funds provided in this Act may be used to transfer to any non-

governmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of “armor penetrator”, “armor piercing (AP)”, “armor piercing incendiary (API)”, or “armor-piercing incendiary tracer (API-T)”, except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8063. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8064. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8065. Of the amounts appropriated in this Act under the heading “Operation and Maintenance, Army”, \$106,189,900 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8066. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I

through VIII of the matter under subsection 101(b) of Public Law 104-208; 110 Stat. 3009-111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2015.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8067. During the current fiscal year, not to exceed \$200,000,000 from funds available under "Operation and Maintenance, Defense-Wide" may be transferred to the Department of State "Global Security Contingency Fund": *Provided*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers to the Department of State "Global Security Contingency Fund", notify the congressional defense committees in writing with the source of funds and a detailed justification, execution plan, and timeline for each proposed project.

SEC. 8068. In addition to amounts provided elsewhere in this Act, \$4,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8069. Of the amounts appropriated in this Act under the headings "Procurement, Defense-Wide" and "Research, Development, Test and Evaluation, Defense-Wide", \$619,814,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, \$350,972,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats; \$137,934,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program; \$74,707,000 shall be for an upper-tier component to the Israeli Missile Defense Architecture; and \$56,201,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

SEC. 8070. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of U.S. Navy forces assigned to the Pacific fleet: *Provided*, That the command and control relationships which existed on October 1, 2004, shall remain in force unless changes are specifically authorized in a subsequent Act: *Provided further*, That this section does not apply to administrative control of Navy Air and Missile Defense Command.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8071. Of the amounts appropriated in this Act under the heading "Shipbuilding

and Conversion, Navy", \$1,007,285,000 shall be available until September 30, 2015, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading "Shipbuilding and Conversion, Navy", 2008/2015: Carrier Replacement Program \$663,000,000;

(2) Under the heading "Shipbuilding and Conversion, Navy", 2009/2015: LPD-17 Amphibious Transport Dock Program \$54,096,000;

(3) Under the heading "Shipbuilding and Conversion, Navy", 2010/2015: DDG-51 Destroyer \$65,771,000;

(4) Under the heading "Shipbuilding and Conversion, Navy", 2010/2015: Littoral Combat Ship \$51,345,000;

(5) Under the heading "Shipbuilding and Conversion, Navy", 2011/2015: DDG-51 Destroyer \$63,373,000;

(6) Under the heading "Shipbuilding and Conversion, Navy", 2011/2015: Littoral Combat Ship \$41,700,000;

(7) Under the heading "Shipbuilding and Conversion, Navy", 2011/2015: Joint High Speed Vessel \$9,340,000;

(8) Under the heading "Shipbuilding and Conversion, Navy", 2012/2015: CVN Refueling Overhauls Program \$54,000,000;

(9) Under the heading "Shipbuilding and Conversion, Navy", 2012/2015: Joint High Speed Vessel \$2,620,000; and

(10) Under the heading "Shipbuilding and Conversion, Navy", 2013/2015: Joint High Speed Vessel \$2,040,000.

SEC. 8072. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2015 until the enactment of the Intelligence Authorization Act for Fiscal Year 2015.

SEC. 8073. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8074. The budget of the President for fiscal year 2016 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, the Procurement accounts, and the Research, Development, Test and Evaluation accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP-5 and OP-32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for

the budget year and the two preceding fiscal years.

SEC. 8075. None of the funds in this Act may be used for research, development, test, evaluation, procurement, or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8076. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, \$44,000,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the national interest, the Secretary shall make grants in the amounts specified as follows: \$20,000,000 to the United Service Organizations and \$24,000,000 to the Red Cross.

SEC. 8077. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8078. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8079. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

SEC. 8080. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading "Shipbuilding and Conversion, Navy" that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in the current fiscal year or any prior fiscal year.

SEC. 8081. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ-1C Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8082. Up to \$15,000,000 of the funds appropriated under the heading "Operation and Maintenance, Navy" may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That

funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8083. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2016.

SEC. 8084. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading "Shipbuilding and Conversion, Navy" shall be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8085. (a) Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2015: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

SEC. 8086. None of the funds made available by this Act may be used to eliminate, restructure or realign Army Contracting Command-New Jersey or make disproportionate personnel reductions at any Army Contracting Command-New Jersey sites without 30-day prior notification to the congressional defense committees.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8087. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, \$20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8088. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that—

(1) creates a new start effort;

(2) terminates a program with appropriated funding of \$10,000,000 or more;

(3) transfers funding into or out of the National Intelligence Program; or

(4) transfers funding between appropriations,

unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification

period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) or the National Security Act of 1947 (50 U.S.C. 3024(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex accompanying the Act unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

SEC. 8089. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8090. For the purposes of this Act, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8091. The Department of Defense shall continue to report incremental contingency operations costs for Operation Enduring Freedom on a monthly basis and any other operation designated and identified by the Secretary of Defense for the purposes of section 127a of title 10, United States Code, on a semi-annual basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 "Contingency Operations", Annex 1, dated September 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8092. During the current fiscal year, not to exceed \$11,000,000 from each of the appropriations made in title II of this Act for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8093. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances and transfers to the Defense Acquisition Workforce Development Fund in accordance with section 1705 of title 10, United States Code.

SEC. 8094. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has

been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8095. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of \$1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a "covered subcontractor" is an entity that has a subcontract in excess of \$1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8096. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to \$146,857,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal

Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110-417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8097. The Office of the Director of National Intelligence shall not employ more Senior Executive employees than are specified in the classified annex.

SEC. 8098. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8099. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 8100. Of the amounts appropriated for "Operation and Maintenance, Defense-Wide" the following amounts shall be available to the Secretary of Defense, for the following authorized purposes, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, to make grants, conclude cooperative agreements, and supplement other Federal funds, to remain available until expended, to support critical existing and enduring military installations and missions on Guam, as well as any potential Department of Defense growth, \$80,596,000 for addressing the need for civilian water and wastewater improvements: *Provided*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating funds for the forgoing purposes, notify the congressional defense committees in writing of the details of any such obligation.

SEC. 8101. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 3,000 parking spaces (other than handicap-reserved spaces) to be provided by the BRAC 133 project: *Provided*, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to employees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available.

SEC. 8102. The Secretary of Defense shall report quarterly the numbers of civilian personnel end strength by appropriation account for each and every appropriation account used to finance Federal civilian personnel salaries to the congressional defense

committees within 15 days after the end of each fiscal quarter.

SEC. 8103. (a) None of the funds appropriated in this or any other Act may be used to take any action to modify—

(1) the appropriations account structure for the National Intelligence Program budget, including through the creation of a new appropriation or new appropriations account;

(2) how the National Intelligence Program budget request is presented, organized, and managed within the Department of Defense budget;

(3) how the National Intelligence Program appropriations are apportioned to the executing agencies; or

(4) how the National Intelligence Program appropriations are allotted, obligated and disbursed.

(b) The Director of National Intelligence and the Secretary of Defense may jointly, only for the purposes of achieving auditable financial statements and improving fiscal reporting, study and develop detailed proposals for alternative financial management processes. Such study shall include a comprehensive counterintelligence risk assessment to ensure that none of the alternative processes will adversely affect counterintelligence.

(c) Upon development of the detailed proposals defined under subsection (b), the Director of National Intelligence and the Secretary of Defense shall—

(1) provide the proposed alternatives to all affected agencies;

(2) receive certification from all affected agencies attesting that the proposed alternatives will help achieve auditability, improve fiscal reporting, and will not adversely affect counterintelligence; and

(3) not later than 30 days after receiving all necessary certifications under paragraph (2), present the proposed alternatives and certifications to the congressional defense and intelligence committees.

(d) This section shall not be construed to alter or affect the application of section 924 of the National Defense Authorization Act for Fiscal Year 2014 to the amounts made available by this Act.

(e) The Director of National Intelligence shall carry out a merger of the Foreign Counterintelligence Program into the General Defense Intelligence Program: *Provided*, That such merger shall not go into effect until 30 days after the Director submits to the congressional intelligence committees a written notification of such merger.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8104. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed \$2,000,000,000 of the funds made available in this Act for the National Intelligence Program: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2015.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8105. There is appropriated \$540,000,000 for the "Ship Modernization, Operations and Sustainment Fund", to remain available until September 30, 2021: *Provided*, That the Secretary of the Navy shall transfer funds from the "Ship Modernization, Operations and Sustainment Fund" to appropriations for military personnel; operation and main-

tenance; research, development, test and evaluation; and procurement, only for the purposes of manning, operating, sustaining, equipping and modernizing the Ticonderoga-class guided missile cruisers CG-63, CG-64, CG-65, CG-66, CG-67, CG-68, CG-69, CG-70, CG-71, CG-72, CG-73, and the Whidbey Island-class dock landing ships LSD-41, LSD-42, and LSD-46: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred: *Provided further*, That the transfer authority provided herein shall be in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Navy shall, not less than 30 days prior to making any transfer from the "Ship Modernization, Operations and Sustainment Fund", notify the congressional defense committees in writing of the details of such transfer: *Provided further*, That the Secretary of the Navy shall transfer and obligate funds from the "Ship Modernization, Operations and Sustainment Fund" for modernization of not more than two Ticonderoga-class guided missile cruisers as detailed above in fiscal year 2015: *Provided further*, That no more than six Ticonderoga-class guided missile cruisers shall be in a phased modernization at any time: *Provided further*, That the Secretary of the Navy shall contract for the required modernization equipment in the year prior to inducting a Ticonderoga-class cruiser for modernization: *Provided further*, That the prohibition in section 2244a(a) of title 10, United States Code, shall not apply to the use of any funds transferred pursuant to this section.

SEC. 8106. Notwithstanding any other provision of this Act, to reflect savings due to favorable foreign exchange rates, the total amount appropriated in this Act is hereby reduced by \$545,100,000.

SEC. 8107. None of the funds appropriated or otherwise made available in this or any other Act may be 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—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 8108. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 8109. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to,

or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8110. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8111. None of the funds made available by this Act may be used in contravention of section 1590 or 1591 of title 18, United States Code, or in contravention of the requirements of section 106(g) or (h) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g) or (h)).

SEC. 8112. None of the funds made available by this Act for excess defense articles, assistance under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3456), or peacekeeping operations for the countries designated in 2013 to be in violation of the standards of the Child Soldiers Prevention Act of 2008 may be used to support any military training or operation that includes child soldiers, as defined by the Child Soldiers Prevention Act of 2008 (Public Law 110-457; 22 U.S.C. 2370c-1), unless such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008.

SEC. 8113. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 8114. None of the funds made available by this Act may be used by the Department of Defense or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

SEC. 8115. None of the funds made available by this Act may be used to enter into a contract with any person or other entity listed in the Excluded Parties List System (EPLS)/System for Award Management (SAM) as having been convicted of fraud against the Federal Government.

SEC. 8116. (a) None of the funds made available by this Act may be used to enter into a contract (or subcontract at any tier under such a contract), memorandum of understanding, or cooperative agreement with, to make a grant to, or to provide a loan or loan guarantee to Rosoboronexport.

(b) The Secretary of Defense may waive the limitation in subsection (a) if the Secretary, in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees, to the best of the Secretary's knowledge, the following:

(1) Rosoboronexport has ceased the transfer of lethal military equipment to, and the maintenance of existing lethal military equipment for, the Government of the Syrian Arab Republic.

(2) The armed forces of the Russian Federation have withdrawn from Crimea, other than armed forces present on military bases subject to agreements in force between the Government of the Russian Federation and the Government of Ukraine.

(3) The Government of the Russian Federation has withdrawn substantially all of the armed forces of the Russian Federation from the immediate vicinity of the eastern border of Ukraine.

(4) Agents of the Russian Federation have ceased taking active measures to destabilize the control of the Government of Ukraine over eastern Ukraine.

(c)(1) The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport with respect to which a waiver is issued by the Secretary of Defense pursuant to subsection (b).

(2) A review conducted under paragraph (1) shall assess the accuracy of the factual and legal conclusions made by the Secretary of Defense in the waiver covered by the review, including—

(A) whether there is any viable alternative to Rosoboronexport for carrying out the functions for which funds will be obligated;

(B) whether the Secretary has previously used an alternative vendor for carrying out the same functions regarding the military equipment in question, and what vendor was previously used;

(C) whether other explanations for the issuance of the waiver are supportable; and

(D) any other matter with respect to the waiver the Inspector General considers appropriate.

(3) Not later than 90 days after the date on which a waiver is issued by the Secretary of Defense pursuant to subsection (b), the Inspector General shall submit to the congressional defense committees a report containing the results of the review conducted under paragraph (1) with respect to such waiver.

SEC. 8117. None of the funds made available in this Act may be used for the purchase or manufacture of a flag of the United States unless such flags are treated as covered items under section 2533a(b) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8118. Of the amounts appropriated in this Act under the heading "Operation and Maintenance, Defense-Wide", up to \$5,709,000 shall be available for transfer to the Army, Navy, Marine Corps, and Air Force, including Reserve and National Guard, to support high priority Sexual Assault Prevention and Response Program requirements and activities, including the training and funding of personnel: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

SEC. 8119. None of the funds appropriated in this, or any other Act, may be obligated or expended by the United States Government for the direct personal benefit of the President of Afghanistan.

SEC. 8120. (a) Of the funds appropriated in this Act for the Department of Defense, amounts may be made available, under such regulations as the Secretary may prescribe, to local military commanders appointed by the Secretary of Defense, or by an officer or employee designated by the Secretary, to provide at their discretion ex gratia payments in amounts consistent with subsection (d) of this section for damage, personal injury, or death that is incident to combat op-

erations of the Armed Forces in a foreign country.

(b) An ex gratia payment under this section may be provided only if—

(1) the prospective foreign civilian recipient is determined by the local military commander to be friendly to the United States;

(2) a claim for damages would not be compensable under chapter 163 of title 10, United States Code (commonly known as the "Foreign Claims Act"); and

(3) the property damage, personal injury, or death was not caused by action by an enemy.

(c) NATURE OF PAYMENTS.—Any payments provided under a program under subsection (a) shall not be considered an admission or acknowledgement of any legal obligation to compensate for any damage, personal injury, or death.

(d) AMOUNT OF PAYMENTS.—If the Secretary of Defense determines a program under subsection (a) to be appropriate in a particular setting, the amounts of payments, if any, to be provided to civilians determined to have suffered harm incident to combat operations of the Armed Forces under the program should be determined pursuant to regulations prescribed by the Secretary and based on an assessment, which should include such factors as cultural appropriateness and prevailing economic conditions.

(e) LEGAL ADVICE.—Local military commanders shall receive legal advice before making ex gratia payments under this subsection. The legal advisor, under regulations of the Department of Defense, shall advise on whether an ex gratia payment is proper under this section and applicable Department of Defense regulations.

(f) WRITTEN RECORD.—A written record of any ex gratia payment offered or denied shall be kept by the local commander and on a timely basis submitted to the appropriate office in the Department of Defense as determined by the Secretary of Defense.

(g) REPORT.—The Secretary of Defense shall report to the congressional defense committees on an annual basis the efficacy of the ex gratia payment program including the number of types of cases considered, amounts offered, the response from ex gratia payment recipients, and any recommended modifications to the program.

(h) LIMITATION.—Nothing in this section shall be deemed to provide any new authority to the Secretary of Defense.

SEC. 8121. None of the funds available to the Department of Defense shall be used to conduct any environmental impact study, environmental assessment, or other environmental study related to Minuteman III silos that contain a missile as of the date of the enactment of this Act.

SEC. 8122. None of the funds made available by this Act may be used to cancel the avionics modernization program of record for C-130 aircraft.

SEC. 8123. None of the funds made available by this Act may be used by the Secretary of the Air Force to reduce the force structure at Lajes Field, Azores, Portugal, below the force structure at such Air Force Base as of October 1, 2013, except in accordance with section 1048 of the National Defense Authorization Act for Fiscal Year 2015.

SEC. 8124. None of the Operation and Maintenance funds made available in this Act may be used in contravention of section 41106 of title 49, United States Code.

SEC. 8125. None of the funds made available by this Act may be used to fund the performance of a flight demonstration team at a location outside of the United States: *Provided*, That this prohibition applies only if a performance of a flight demonstration team at a location within the United States was canceled during the current fiscal year due to insufficient funding.

SEC. 8126. None of the funds appropriated or otherwise made available by this Act or any other Act may be used by the Department of Defense or a component thereof in contravention of section 1246(c) of the National Defense Authorization Act for Fiscal Year 2014, relating to limitations on providing certain missile defense information to the Russian Federation.

SEC. 8127. None of the funds made available by this Act may be used by the National Security Agency to—

(1) conduct an acquisition pursuant to section 702 of the Foreign Intelligence Surveillance Act of 1978 for the purpose of targeting a United States person; or

(2) acquire, monitor, or store the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication of a United States person from a provider of electronic communication services to the public pursuant to section 501 of the Foreign Intelligence Surveillance Act of 1978.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8128. From amounts appropriated in this Act for “Operation and Maintenance, Navy”, up to \$291,000,000 may be transferred to the Ready Reserve Force, Maritime Administration account of the United States Department of Transportation, to be merged with, and to be available for the same purposes and the same time period as such account, for expenses related to the National Defense Reserve Fleet established under section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744): *Provided*, That the transfer authority provided under this provision is in addition to any other transfer authority provided elsewhere in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8129. Of the amounts appropriated for “Operation and Maintenance, Navy”, up to \$1,000,000 shall be available for transfer to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105).

(INCLUDING TRANSFER OF FUNDS)

SEC. 8130. In addition to amounts provided elsewhere in this Act for pay for military personnel, including active duty, reserve and National Guard personnel, \$533,500,000 is hereby appropriated to the Department of Defense and made available for transfer only to military personnel accounts: *Provided*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8131. In addition to amounts provided elsewhere in this Act for basic allowance for housing for military personnel, including active duty, reserve and National Guard personnel, \$244,700,000 is hereby appropriated to the Department of Defense and made available for transfer only to military personnel accounts: *Provided*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

SEC. 8132. None of the funds made available by this Act may be used to reduce, convert, decommission, or otherwise move to non-deployed status (except warm status), or prepare to reduce, convert, decommission, or otherwise move to nondeployed status (except warm status), any Minuteman III ballistic missile silo that contains a deployed missile as of the date of the enactment of this Act: *Provided*, That “warm status” means a status that enables any such silo to remain a fully functioning element of the interconnected and redundant command and

control system of a missile field and be made fully operational with a deployed missile: *Provided further*, That this section shall continue in effect through the date of enactment of an Act authorizing appropriations for fiscal year 2015 for military activities of the Department of Defense.

□ 1845

AMENDMENT OFFERED BY MR. DAINES

Mr. DAINES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 124, beginning line 8, strike “: *Provided further*” and all that follows through “Department of Defense”.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Montana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Montana.

Mr. DAINES. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, our Nation’s nuclear triad is an essential aspect of our national defense and makes the world safer by deterring our rivals and reassuring our allies. Every leg of the triad is critical and protects our Nation on a daily basis.

The Defense Department recently put forward a nuclear force structure plan under the New START Treaty. It is committed to maintaining 450 nuclear launchers in at least a warm status. In doing so, the Pentagon recognized the strategic value of preserving our robust nuclear deterrent capability. Just last month, the House of Representatives reaffirmed its support for the triad and for maintaining the current ICBM force.

Unfortunately, the base bill includes language that could open the door for the premature decommissioning of our Nation’s missile silos. I believe this would be unwise.

My amendment ensures the United States has maximum flexibility to respond to nuclear threats and makes it more difficult for adversaries to target our nuclear assets. Maintaining our nuclear launchers provides our commanders with the tools necessary to respond to potential nuclear threats against the American people and, importantly, our allies.

Recently, I visited Montana’s Malmstrom Air Force Base and heard firsthand from missileers about their very critical mission.

In fact, I have in my hand today the Malmstrom commander coin, which expresses why the nuclear deterrence they help operate still works. It simply says this:

Scaring the hell out of America’s enemies since 1962.

I urge House passage of my amendment to help protect this critically important capability.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. DAINES. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, we have no objection to the gentleman’s amendment. Personally, I believe in the nuclear triad. We have checked with the Armed Services Committee, which is the authorizing committee, and they have no problem with the language.

Mr. DAINES. Reclaiming my time, Mr. Speaker, I reserve the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I rise in opposition to the gentleman’s amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

□ 1900

Mr. VISCLOSKEY. Mr. Chairman, I rise in opposition to the gentleman’s amendment.

What he is doing is locking in our strategic force levels, and the fact is that the armed services bill is not yet done as far as authorization, and, essentially, the gentleman is saying that we should have 430 silos. The gentleman may be correct. Maybe we need 425 silos or maybe we need 218 silos. I don’t think we should prejudge that final figure until the authorization legislation is completed.

I certainly think, again, that it is limiting our options. I think any time we limit our defense options going forward that it is not good policy, and, therefore, I strongly object to the gentleman’s amendment.

I yield back the balance of my time.

Mr. DAINES. While I appreciate the gentleman’s comments, we have the strong support of HASC, and this is just ensuring that we don’t have a decommissioning moving forward here as we reconcile both the appropriations with the NDAA.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Montana (Mr. DAINES).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 123, beginning line 22, strike section 8132.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, this amendment would strike a legislative rider that was put in the bill to prevent the Department of Defense from decommissioning nuclear missile silos.

As you know, the Defense Appropriations bill requires the administration to keep 50 soon-to-be-empty silos—silos with no missiles—on warm standby. The missiles in these silos will be eliminated under the New START arms control agreement, and the administration was hoping to be able to destroy

the silos eventually and save some money, but this bill will keep them in warm standby forever.

This is not without costs. Under New START, those extra empty silos will have to be counted against our launcher totals, meaning we will have fewer permissible bombers or submarine-based missiles because we have, instead, empty ICBM silos. These silos have been precisely targeted by the Russians for decades. While it is important that we have an appropriate, flexible, and survivable nuclear deterrent, these land-based missiles are the least survivable leg of our deterrent, and, of course, empty silos deter no one. What this rider says is that we should have 50 empty silos and 50 fewer submarine-launched ballistic missiles or bombers.

While it is true that, as an offer of support to Senators whose States have missile bases, the administration proposed to keep these silos warm temporarily, there is absolutely no reason to do so forever. This provision is not about security but about pork and political favoritism. Is it any wonder that the most ardent defenders of this provision are from the States of Montana, Colorado, North Dakota, and Wyoming and is not the chairman of the Armed Forces Committee? Is not the ranking member of the Armed Forces Committee? In fact, they had worked out a sunset at one point.

Mr. Chairman, micromanaging our Nation's nuclear defenses is really not in the best interest of our country. Remember, we have some 450 Minuteman III missile silos. My amendment would change the status of 50 empty silos and only if our national security experts determined they wanted to do so. It would not affect any silos with actual missiles in them, and, therefore, it would not affect our deterrent.

I would encourage my colleagues to support this amendment, which would allow the President to remove those silos from warm standby at a time of his choosing, when the military tells him it is appropriate to do so and to avoid the cost of keeping open empty silos without any function or usefulness to the national defense.

But I want to make a broader point about our broader nuclear strategy. I want to call attention to the obsolescence of the concept of the nuclear triad. Something that has been accepted as gospel for many years no longer makes sense. Our nuclear arsenal is designed to serve as a deterrent to prevent anyone from even considering attacking the United States. In order to deter an attack, any potential adversary needs to know that we have enough nuclear weapons that will survive an initial assault and will retaliate with overwhelming force.

As part of the triad, we have ICBMs, which are very vulnerable to an enemy strike; we have bombers, which can be made less vulnerable; and we have submarine-launched missiles, which are not vulnerable. The ICBMs, because they are fixed targets and are vulner-

able to attack, need to be launched immediately and are, therefore, at the greatest risk of being launched by mistake or by accident. There is almost no time to verify that a radar contact is actually a flock of incoming missiles and not a flock of seagulls or a sounding rocket.

So why do we even need the ICBMs, which are not only vulnerable but dangerous because you have to use them or lose them, especially when we have the subs and the bombers?

That debate is for another day. Today, all we are saying is that our generals should have the discretion to spend money on nuclear weapons that best protect the interests of the United States. They should not be forced to waste taxpayer dollars to keep empty missile silos warm when they have limited real utility and are not in our strategic best interests. They should not be used to keep these empty silos warm when it means, under the treaty, we can have 50 fewer submarine-launched missiles—real missiles—as opposed to empty silos. It simply makes no sense.

I urge my colleagues to adopt the amendment, which would restore to the President and to the military the flexibility to determine whether we want to keep empty silos or real missiles.

Mr. VISCLOSKEY. Will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Indiana.

Mr. VISCLOSKEY. I appreciate the gentleman's yielding.

Using the same rationale as to my opposition for the previous amendment, I would support the gentleman's because what he would do is remove the limitation, if it is making sense, to allow us to reduce, convert, decommission, or otherwise move to nondeployed status these silos. I don't suggest, while standing here on the floor today, what we should or should not do, but we should allow the administration of this country those options.

I appreciate the gentleman's offering his amendment.

Mr. NADLER. In reclaiming my time, I am not suggesting what we should do other than that we should leave the administration and the military with the discretion. They may decide they would rather have more submarine-based missiles rather than empty silos or they may not decide that, but that should be a decision for them. Personally, I think I would rather have more missiles than empty silos or maybe save money, but that is my personal preference. We should leave the decision to the administration.

I yield back the balance of my time.

Mr. DAINES. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR (Mr. COLLINS of Georgia). The gentleman from Montana is recognized for 5 minutes.

Mr. DAINES. Mr. Chairman, this amendment strikes section 8132, which

prohibits the use of funds to reduce or decommission Minuteman III ICBM silos or to put these silos into a nondeployed status other than warm status. A warm silo is one that can be made fully operational with the re-introduction of a missile.

Let me remind those who are listening tonight that anybody who says, "Thank God we have never had to use our ICBMs," I would argue they are used every day to ensure that we maintain peace and stability in the world. This section is modeled after language that was included in the House-passed NDAA to maximize the readiness of the land-based leg of the nuclear triad.

I rise in opposition to this amendment. The language in this section is essentially the same as the language that was included in the House-passed National Defense Authorization Act. This section says that, if the Department of Defense takes a silo down to nondeployed status, it must keep it warm. That means it must be kept in a state that would allow it to become fully operational if a missile is reintroduced. This section would ensure that we maximize the readiness of the land-based leg of the nuclear triad and inhibit the administration from making unilateral cuts to our strategic deterrent.

I urge a "no" vote on the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 8133. None of the funds made available by this Act may be obligated or expended to divest E-3 airborne warning and control system aircraft, or disestablish any units of the active or reserve component associated with such aircraft: *Provided*, That not later than 90 days following the date of enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report providing a detailed explanation of how the Secretary will meet the priority requirements of the commanders of the combatant commands related to airborne warning and control with a fleet of fewer than 31 E-3 aircraft.

SEC. 8134. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8135. In addition to amounts provided elsewhere in this Act, there is appropriated \$139,000,000, for an additional amount for "Operation and Maintenance, Defense-Wide", to remain available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting

through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: *Provided further*, That funds may not be made available for a school unless its enrollment of Department of Defense-connected children is greater than 50 percent.

SEC. 8136. None of the funds made available by this Act may be used to transfer AH-64 Attack helicopters from the Army National Guard to the active Army: *Provided*, That this section shall continue in effect through the date of enactment of the National Defense Authorization Act for Fiscal Year 2015.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8137. In addition to amounts appropriated in title II or otherwise made available elsewhere in this Act, \$1,000,000,000 is hereby appropriated to the Department of Defense and made available for transfer to the operation and maintenance accounts of the Army, Navy, Marine Corps, and Air Force (including National Guard and reserve) for purposes of improving military readiness: *Provided*, That the transfer authority provided under this provision is in addition to any other transfer authority provided elsewhere in this Act.

SEC. 8138. Of the amounts made available under the heading "Operation and Maintenance, Defense-Wide" in title II and "Operation and Maintenance" in title IX of this Act, not to exceed \$50,000,000 may be obligated for activities authorized under section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 112-81; 125 Stat. 1621): *Provided*, That none of the funds made available in this Act may be used under such section 1208 to initiate support for, or expand support to, foreign forces, irregular forces, groups, or individuals unless the congressional defense committees are notified in accordance with the direction contained in the classified annex accompanying this Act, not less than 15 days before initiating such support: *Provided further*, That, none of the funds made available in this Act may be used under such section 1208 for any activity that is not in support of an ongoing military operation being conducted by United States Special Operations Forces to combat terrorism: *Provided further*, That the Secretary of Defense may waive the prohibitions in the preceding provisos if the Secretary determines that such waiver is required by extraordinary circumstances and, by not later than 72 hours after making such waiver, notifies the congressional defense committees of such waiver.

SEC. 8139. None of the funds appropriated or otherwise made available by this Act or any other Act may be used in contravention of Sec. 1035 of the National Defense Authorization Act for Fiscal Year 2014.

SEC. 8140. None of the funds made available by this Act may be used to implement the changes to hair standards and grooming policies for female members of the Armed Forces, as contained in paragraph 3-2 of Army Regulation 670-1, issued on March 31, 2014.

TITLE IX—OVERSEAS DEPLOYMENTS
AND OTHER ACTIVITIES

MILITARY PERSONNEL

For an additional amount for "Military Personnel", \$5,100,000,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

For an additional amount for "Operation and Maintenance", \$58,675,000,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

For an additional amount for "Procurement", \$12,220,000,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE
EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces, \$2,000,000,000, to remain available for obligation until September 30, 2017: *Provided*, That the Chiefs of the National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER APPROPRIATIONS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Other Appropriations", \$1,450,000,000: *Provided*, That "Other Appropriations" means the Defense Health Program, Drug Interdiction and Counter-Drug Activities, Joint Improvised Explosive Device Defeat Fund, Office of the Inspector General, and Defense Working Capital Funds: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2015.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to \$4,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as

the authority provided in the Department of Defense Appropriations Act, 2015.

SEC. 9003. Supervision and administration costs and costs for design during construction associated with a construction project funded with appropriations available for operation and maintenance, "Afghanistan Infrastructure Fund", or the "Afghanistan Security Forces Fund" provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs and costs for design during construction include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the U.S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of \$75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed \$15,000,000 of the amount appropriated in this title under the heading "Operation and Maintenance" may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed \$10,000,000: *Provided further*, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Response Program in Afghanistan: *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of \$5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148).

SEC. 9009. None of the funds provided for the "Afghanistan Security Forces Fund" (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: *Provided*, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of \$50,000,000 annually and any non-standard equipment requirements in excess of \$100,000,000 using ASFF: *Provided further*, That the AROC must approve all projects and the execution plan under the "Afghanistan Infrastructure Fund" (AIF) and any project in excess of \$5,000,000 from the Commander's Emergency Response Program (CERP): *Provided further*, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding provisos and accompanying report language for the ASFF, AIF, and CERP.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than \$250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than \$500,000.

SEC. 9011. From funds made available to the Department of Defense in this title under

the heading "Operation and Maintenance" up to \$150,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction, and site closeout activities prior to returning sites to the Government of Iraq: *Provided*, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2015, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the Secretary of State, include non-operational training activities in support of Iraqi Minister of Defense and Counter Terrorism Service personnel in an institutional environment to address capability gaps, integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and to manage and integrate defense-related institutions: *Provided further*, That not later than 30 days following the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training activities that they determine are needed after the end of fiscal year 2015, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary of Defense shall submit to the congressional defense committees a written notification containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation in Iraq at each site where such operations and activities will be conducted during fiscal year 2015.

SEC. 9012. (a) None of the funds appropriated or otherwise made available by this Act under the heading "Operation and Maintenance" for payments under section 1233 of Public Law 110-181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the Committees on Appropriations that the Government of Pakistan is—

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan's military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) implementing policies to protect judicial independence and due process of law;

(6) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(7) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in paragraph (a) on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so: *Provided*, That if the Secretary of Defense, in coordination with the Secretary of State, exercises the authority of the previous proviso, the Secretaries shall report to the Committees on Appropriations on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: *Provided further*, That such report may be submitted in classified form if necessary.

SEC. 9013. None of the funds made available by this Act may be used with respect to Syria in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed or military forces into hostilities in Syria, into situations in Syria where imminent involvement in hostilities is clearly indicated by the circumstances, or into Syrian territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of that law (50 U.S.C. 1542 and 1543).

SEC. 9014. None of the funds made available by this Act for the "Afghanistan Infrastructure Fund" may be used to plan, develop, or construct any project for which construction has not commenced before the date of the enactment of this Act.

SEC. 9015. No more than 15 percent of the funds made available in Title IX may be obligated, until the Secretary of Defense provides the congressional defense and intelligence committees with a detailed spend plan for the funds provided, including an assurance that no funds will be used in contravention of Sec. 1035 of the National Defense Authorization Act for Fiscal Year 2014.

TITLE X—ADDITIONAL GENERAL PROVISIONS

SPENDING REDUCTION ACCOUNT

SEC. 10001. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is \$0.

□ 1915

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield to the gentleman from Florida (Mr. MICA) for a colloquy.

Mr. MICA. First of all, I want to commend you, Mr. Chairman, also the ranking member and the Appropriations Defense Subcommittee staff, for your efforts in bringing this important measure to the floor for our military.

Mr. Chairman, in working with you and your staff, I know, firsthand, of your dedication to our armed services and the importance you place on ensuring the readiness of our troops.

As you well know, modeling and simulation tools are cost-effective and highly successful components in ensuring that our troops have the absolute best training available.

I thank the gentleman from New Jersey for his support, and also for the inclusion of specific language in the FY

2015 Appropriations Defense Subcommittee report specifically emphasizing the benefits of modeling and simulation.

Also, as the House considers this vital appropriations bill, I would like to take this opportunity to share with you, the committee, and my colleagues, a concern of mine affecting the modeling and simulation and training community.

As you know, part of the continuation of the Warfighter FOCUS program was expected to be the TEACH program. It is my understanding that the TEACH program has been put on hold.

It is also my understanding that the Army will continue this program under a different name and format. It is my hope that the funds allocated are used to fulfill the requirements needed for this portion of the Warfighter program.

Mr. Chairman, again, I appreciate your support for this vital tool—simulation saves taxpayers dollars and assists in training our defense personnel—and also its inclusion in the Defense Appropriations bill.

Mr. FRELINGHUYSEN. Mr. Chairman, I appreciate the gentleman bringing this important issue to my attention. A month or two ago you brought me together with some national leaders that are involved in modeling and simulation, and it was a real education for me.

So like you, I do place a great importance on ensuring our troops have the best training and support available, and that is a very good way to educate them.

I look forward to working with the gentleman to ensure our troops receive the training and equipment they need, and that our Nation's defense needs are met in a fiscally responsible manner.

Mr. MICA. I thank you, Chairman FRELINGHUYSEN, and the ranking member.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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 on research, development, test, or evaluation for the F-35 Joint Strike Fighter to modify the F-35 Joint Strike Fighter in a manner that provides B-61 delivery capability until the date on which the report described under the heading "Cost Sharing of Forward-Deployed Nuclear Weapons" in the report of the Committee on Appropriations of the House of Representatives accompanying this Act has been delivered to the congressional defense committees and such report includes, among other matters, the total anticipated cost to make the F-35 Joint Strike Fighter nuclear capable, the number of aircraft expected to have such capability, and the total number of tactical B-61s expected to undergo the Life Extension Program, including the total

anticipated program cost, specific to tactical B-61s.

Mr. FRELINGHUYSEN (during the reading). Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The Clerk will continue to read.

The Clerk continued to read.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from California and a Member opposed each will control 5 minutes.

Mr. GARAMENDI. Mr. Chairman, earlier today I took up this issue by attempting to strike the \$15 million that is appropriated in this bill for the initial phases of figuring out how to make the F-35 dual-capable, that is, capable of handling both conventional as well as nuclear weapons.

This is the opening of a very, very expensive process. Probably well over somewhere between 10 and \$20 billion will be spent on this entire program.

The F-35 is our plane of the future. It is extremely important for the defense of this Nation. However, the issue of whether that plane should be dual-capable or not really revolves around the role that the F-35 dual-capable plane will play in the European theater.

Presently, we are deploying in Europe the B-61 bomb. That bomb is now being life-extended, rebuilt for the purposes of doing what it has done before, that is, to sit there basically unused. It will be both a tactical as well as a strategic weapon.

There is a major cost factor that will affect this budget and future budgets for years to come with this initial decision that we are now making.

What this amendment does is to simply build off a portion of the bill that is already in place. It does call for a report. This amendment fences off the \$15 million, says you can't use it until such time as the details that I add to the existing language of the bill before us—those details were read by the reader a moment ago.

Let me just quickly go through them:

Until the House of Representatives has delivered—that is, until the military has delivered to the House of Representatives defense committees a report, among other matters, on the total anticipated cost of making the F-35 joint fighter nuclear-capable;

Next, the number of aircraft expected to have such capability;

Next, the total number of tactical B-61s expected to undergo the life-extension program, including the total anticipated cost specific to the tactical B-61.

This is critical information that we have. The language in the bill is okay, but it doesn't give us the specificity that we need to make the decision, and frankly, I don't think we ought to start down this path until we really have some better notion of where we are going with the expenses of this.

We also know that the European community is, at best, ambivalent

about what to do with this issue, and they certainly are ambivalent about whether they are going to pay their share of the costs of the airplanes that they will eventually acquire that will have this dual capability.

So big questions out there. This is an amendment attempting to gather the specific information that we should have to make a wise and informed decision in the future.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. GARAMENDI. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I withdraw my reservation, with the understanding the gentleman from California will be withdrawing his amendment.

Mr. GARAMENDI. Mr. Chairman, reclaiming my time, I would much prefer if you could say this is really wise and information that we need and that we would add this to the bill somewhere along the process.

I yield to the gentleman.

Mr. FRELINGHUYSEN. Well, I am a strong supporter of the Joint Strike Fighter and, indeed, the B-61. We are doing things to make sure that it is everything that we anticipate it should be.

I think the issue is worth discussing, but it was my understanding that you were planning to withdraw your amendment. Otherwise, I will make a point of order.

Mr. GARAMENDI. Mr. Chairman, reclaiming my time, what I would prefer to do, sir, is to proceed and to continue the discussion. I think this is an important matter.

Mr. Chairman, I don't know how much time I have remaining.

The Acting CHAIR. The gentleman from California has 30 seconds remaining.

Mr. GARAMENDI. Well, perhaps I will just wrap, and then we will take up your point of order and see where that goes with it.

This is an extremely important issue. It has to do with our relationships with NATO. It has to do with cost-sharing by the NATO community, who will eventually acquire these planes, and it also has to do with the B-61 bomb, which is an extraordinarily expensive program that may or may not fit into the future for NATO or even for us.

So this amendment is designed to give us the information that we need and, until we have it, it prevents the use of the \$15 million.

Mr. Chairman, I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill. Therefore, it violates clause 2 of rule XXI.

The rule states, in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law."

The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Mr. GARAMENDI. I ask to be heard on the point of order.

The Acting CHAIR. The gentleman from California is recognized.

Mr. GARAMENDI. Mr. Chairman, at the subcommittee, with great respect, I respectfully disagree with you. This does not change law. It simply writes into the law an extension of what is already in this bill, and that is, it calls for a report.

It also fences off a certain amount of money, in this case \$15 million. That is really the ante, the beginning of a very expensive process. It fences it off until we have that information report from the Pentagon. I think that is the wise thing to do.

In fact, the appropriation bill in many, many respects changes laws, and I think we are all aware of that.

I am also aware that I have yet to overcome a point of order, but there is always the first time, and we can be hopeful that this might be the first.

But I draw the attention of the chair, the ranking members, and anybody else that cares to listen, be prepared to spend somewhere between \$15- and \$20 billion if we go forward with both the B-61 and the retrofitting to the F-35 so that it will be dual-capable—capable of both conventional as well as nuclear weapons.

I think we better know where we are going, have a good sense of the total cost, and also have a very good sense of where our European allies want this to be, and I think they ought to also pay for it.

The Acting CHAIR. The Chair is prepared to rule.

The Chair finds that this amendment imposes new duties on the officials funded in the bill.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. COLE

Mr. COLE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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 provide housing on a military installation to an alien (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))) who—

(1) is an unaccompanied minor; and

(2) is not a dependent of a member of the Armed Forces.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Oklahoma and a Member opposed each will control 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The Chair recognizes the gentleman from Oklahoma.

Mr. COLE. Mr. Chairman, I want to be the first to acknowledge that this legislation may not indeed be the appropriate place in which to address the issue raised in the amendment. But I do believe the amendment is an appropriate way to highlight a problem that simply must be addressed by the President and by the Congress.

In recent weeks, there have been many news accounts reporting that we have had an explosion of unaccompanied juveniles coming and crossing our borders, largely from Central America, from the countries of Guatemala, Honduras, and El Salvador.

This population has overwhelmed facilities that we normally use to house people that have entered our country illegally, and military facilities have now been used, pressed into service, to deal with this population.

In full disclosure, one of those facilities happens to be in my district, Fort Sill, Oklahoma, the home of the Field Artillery School.

But other facilities have also been used, at Ventura, at Lackland Air Force Base in Texas, and the State of Washington, and still others are being considered.

I am concerned about this for three reasons. First, these military facilities are absolutely inappropriate places to house this particular population. They are not designed for that purpose. They are not equipped for it. They have gotten very little notification of it. It is simply the wrong place to put folks.

You don't bring outsiders onto a military installation who have no business being there and, in addition, also their caretakers.

□ 1930

Second, while much of the expense will be picked up by other various departments of government, it will inevitably cause some expense and some inconvenience to the Department of Defense at a time when we have a very strained military budget.

Lastly, while we are told that these facilities are going to be used only on a temporary emergency basis, there is, indeed, the risk that they could become permanent, something I think that would create a confusion of missions on military bases, not to be avoided.

We need to address the cause of the flow, not simply manage the flow better, and we shouldn't use military facilities in that process.

The administration says that this flow of unaccompanied juveniles—which, by the way, was 6,000 2 years ago, is 66,000 now, and is projected to reach 120,000 to 150,000 within the next couple of years—is the result of a humanitarian crisis.

I would submit it is actually the result of a policy failure. We are essentially incentivizing the flow of this

population by not returning the unaccompanied juveniles to their countries of origins quickly.

Indeed, once they arrive in the United States, we try to find sponsors for them in this country, and they effectively stay here permanently.

That is not what we do, by the way, with Mexican juveniles. If you are a 16-year-old illegal immigrant from Mexico, we return you immediately, and we have had no similar spike in that particular population coming across the border.

What we are doing may appear to be humane to the juveniles in question. It is actually not. First, we are disrupting the countries from which they come. We are destabilizing those countries by incentivizing this flow.

Second, these young people don't just walk across Mexico. They are transported by cartels, by criminals. It is the same people who bring drugs into our country, and they are making an enormous amount of money, and we are strengthening them by incentivizing this flow.

Finally, the young people themselves are at an enormous risk during the process of transportation. They are being brought across the length of a country—Mexico—in the company of criminal elements, very unsavory elements, and they are very much at risk.

I think we need to stop using military facilities for this purpose and to, frankly, begin to return people to their countries of origin. In my view, that would actually stop the flow and remove the incentive to come.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. COLE. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. Mr. Chairman, I would like to ask the gentleman from Oklahoma, the author, if it is the gentleman's intent to withdraw his amendment.

Mr. COLE. Mr. Chairman, I respect my friend from Indiana pressing the point of order. I suspect he will prevail, and I am prepared to withdraw.

I want to serve notice that I am going to eventually find the appropriate vehicle, so that we can address this. I think it is a real issue, but I respect my friend's concerns that this may not be the appropriate vehicle.

Mr. VISCLOSKY. If the gentleman from Oklahoma would, again, yield a moment of his time, I would just suggest to the membership that I was not fully aware of the problems that existed and that have now been exacerbated until the gentleman raised it in committee.

As a member of the subcommittee, I appreciate that happening, and the fact that you have now raised it on two significant occasions, I think, is going to compel the administration, as well as our colleagues, to find a solution to this very serious problem.

So raising the point of order was simply to preserve that right, but I appreciate what the gentleman is doing.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. COLE. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I have one additional comment. It is interesting that many of the press reports on this crisis situation—at least on the east coast—don't point out that many of these children are in military installations.

I want to commend the gentleman for pointing out that, while they are well kept and looked after in those installations, it is totally inappropriate that children be put in that situation and that the Department of Health and Human Services and the administration need to do a better job of finding housing alternatives.

Mr. VISCLOSKY. Mr. Chairman, I appreciate the gentleman from Oklahoma yielding, and I will withdraw my point of order.

Mr. COLE. Mr. Chair, I appreciate what my colleagues had to say, and I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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 enter into a contract with any offeror or any of its principals if the offeror certifies, pursuant to the Federal Acquisition Regulation, that the offeror or any of its principals—

(1) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(2) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (1); or

(3) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds \$3,000 for which the liability remains unsatisfied.

Mr. GRAYSON (during the reading). Mr. Chair, I ask unanimous consent that the balance of the reading be waived.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chair, this amendment is identical to other amendments that have been inserted by voice vote into every appropriations bill that has been considered under an open rule during this Congress.

My amendment would expand the list of parties with whom the Federal Government is prohibited from contracting because of serious misconduct on the part of those contractors. It is my hope that this amendment will remain non-controversial and that it will, again, be passed unanimously by this House.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. GRAYSON. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the gentleman yielding.

Mr. Chairman, I will suggest that I would find the amendment acceptable. I do believe it is largely duplicative of the general provision of section 8110 that is already found in the bill. Again, I understand the gentleman's intent and would agree with it and do believe it is acceptable to the subcommittee.

Mr. GRAYSON. Reclaiming my time, I thank the ranking member for making that notation.

We have compared that language to this language. We respectfully believe that this language is broader and covers more situations, more contractors who have committed wrongdoing, but I appreciate the ranking member pointing that out, and I certainly support the provision that he cited.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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 by an (officer, employee, or contractor of the intelligence community to subvert or interfere with the integrity of any cryptographic standard that is proposed, developed, or adopted by the National Institute of Standards and Technology.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 628, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chair, in the interest of brevity, I respectfully ask unanimous consent to have the point of order, if any, heard now in advance of my argument.

The Acting CHAIR. A point of order has been reserved. Does the gentleman

from New Jersey wish to make a point of order at this time?

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law."

The amendment requires a new determination.

I ask for a ruling from the Chair. The Acting CHAIR. The gentleman from Florida is recognized.

Mr. GRAYSON. Mr. Chair, I respectfully am willing to yield my time to the gentleman from New Jersey if the gentleman will explain to me what part of this provision offends—

The Acting CHAIR. The Chair will hear each Member on their own.

The gentleman from Florida is recognized.

Mr. GRAYSON. I will reiterate what I just said, Mr. Chair.

The Acting CHAIR. The Chair is prepared to rule.

Mr. GRAYSON. Mr. Chair, I did ask that I wanted to yield to the gentleman from New Jersey to specify.

The Acting CHAIR. The Chair will hear argument offered by each Member separately.

The gentleman from Florida is recognized to make his argument.

Mr. GRAYSON. I understand that, Mr. Chair.

I am asking if the gentleman from New Jersey would provide additional information as part of my argument.

The Acting CHAIR. The Chair has heard the argument in favor of the point of order.

The Chair recognizes the gentleman from Florida if he wishes to make an argument.

Mr. GRAYSON. Yes, Mr. Chair. I will say it again.

I am offering to yield to the gentleman from New Jersey if the gentleman from New Jersey will identify any part of this amendment that offends the relevant rule.

The Acting CHAIR. At this point in time, the Chair will hear argument by the gentleman from Florida.

If not, the Chair is prepared to rule.

Mr. GRAYSON. Mr. Chair, I think it is clear that there is no part of this amendment that offends the relevant rule.

I yielded to the gentleman from New Jersey who raised the point of order. I am still willing to yield to the gentleman who raised a point of order.

If there is no part of this amendment that can be identified as offending the relevant rule, clearly it does not offend the relevant rule.

This, in fact, does not in any way legislate. I invite any Member of this body here today who can identify any part of this amendment that constitutes legislation on the relevant rule.

Since no one can, it follows that the point of order must be overruled.

The Acting CHAIR. The Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination as to what constitutes subversion or interference with integrity of a standard.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MRS. WALORSKI

Mrs. WALORSKI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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 transfer or release to the Republic of Yemen (or any entity within Yemen) a detainee who is or was held, detained, or otherwise in the custody of the Department of Defense on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba.

The Acting CHAIR. Pursuant to House Resolution 628, the gentlewoman from Indiana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Indiana.

Mrs. WALORSKI. Mr. Chairman, the recent release of the Taliban Five was a potent reminder to Congress, as well as the American people, of the risk involved in detainee transfer decisions.

The rising rate of terrorism reengagement, the unstable security situation in Yemen, and the continuing threat posed by al Qaeda in the Arabian Peninsula have prompted me to introduce this amendment again this year.

One of President Obama's first acts in office was to sign an executive order to close the facility at Guantanamo.

However, the President himself suspended all detainee transfers from Gitmo to Yemen on January 5, 2010. This decision was made in the aftermath of the failed 2009 Christmas Day bombing attempt, which was the first attack on the U.S. by al Qaeda since 9/11.

The would-be bomber was radicalized and trained in Yemen. White House Press Secretary Gibbs said that:

Right now, any additional transfers to Yemen are not a good idea.

In May of last year, the President changed his mind, lifting the moratorium on transfers to Yemen and reviewing transfers "on a case-by-case basis."

Unfortunately, the U.S. intelligence community reports that the number of former Gitmo detainees who reengage in terrorism has steadily increased since 2002.

In December 2007, the first public intelligence report addressing Gitmo "reengagement" declared the reengagement rate was "about 7 percent." As of

March of this year, the reengagement rate had risen to 29 percent. The majority of these individuals remain at large.

This information, which is the best, most reliable data we have, comes from the Director of National Intelligence. The March DNI report also notes that:

Transfers to countries with ongoing conflicts and internal instability, as well as active recruitment by insurgent and terrorist organizations, pose a particular problem.

Finally, the intel community has noted there is a lag of time of "about 2½ years between leaving Gitmo and the first identified reengagement reports." Therefore, estimated historical suspected and confirmed rates may be lower than the actual current rates.

The administration should seek to ensure that the transfer process is further examined and improved before proceeding with additional transfers.

Meanwhile, the security situation in Yemen is frighteningly fragile and has gone from bad to worse. According to a 2012 HASC Oversight and Investigations Subcommittee report on detainee reengagement, the United States has faced "a persistent challenge" in making certain that countries receiving transferred Gitmo detainees have "the capacity and willingness to handle them in a way that sufficiently recognizes the dangers involved."

Despite the commendable efforts of Yemeni President Hadi, numerous international organizations, such as the U.N. and the World Bank, have all noted the "fragile environment" in Yemen. Unfortunately, the country's progress is still at risk of being undermined by al Qaeda.

In fact, Yemen was recently ranked the sixth most failed state by The Fund for Peace, worse than even Afghanistan and Iraq, and the third most worsened state over the last 5 years.

□ 1945

It is no surprise that jailbreaks are a notorious problem in Yemen. Furthermore, press reports have characterized Yemeni prisons as "overcrowded and under-monitored radicalization factories."

To give one example, the Yemeni citizen who is the convicted mastermind of the USS *Cole* bombing escaped from prison in both 2003 and 2006 after his recapture. He was not recaptured after his second escape and remains at large.

In the most recent example, attackers mounted a bomb, grenade, and gun assault on the main prison in Yemen's capital this February, freeing 20 al Qaeda operatives. The U.S. Embassy has been closed since May 7 and remains closed today due to attempted kidnappings and terrorist attacks on U.S. citizens.

Finally, and most importantly, Yemen's branch of al Qaeda, commonly known as AQAP, was founded by former Gitmo detainees. Counterterrorism experts have declared AQAP to be al Qaeda's most effective affiliate, posing the greatest danger to the American homeland.

AQAP's predecessor, al Qaeda in Yemen, came into existence after the escape of 23 al Qaeda members from prison in the Yemeni capital in February of 2006. AQAP has orchestrated numerous high-profile terrorist attacks inside the Arabian Peninsula, but it has tried on numerous occasions to strike the U.S. homeland, typically through air travel.

Analysts evaluate that AQAP is the al Qaeda group that is currently the most capable and most committed to carry out sophisticated operations against the West.

To summarize, Mr. Chairman, we cannot risk trusting one of the world's most dangerous places with its most dangerous terrorists. The fundamental question is how much risk should we take with our Nation's security? This amendment helps ensure our homeland remains safe from terrorist attacks. I urge my colleagues to support it, and I reserve the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. Mr. Chairman, I rise in strong opposition to the gentlewoman's amendment. I believe that we need to set conditions to close the detention facility at Guantanamo. This includes retaining the option to transfer detainees from this facility elsewhere. It is in the United States' national security interest to do so.

Guantanamo has become a rallying cry. It serves as a recruitment tool for terrorists and increases the will of our enemies to fight while decreasing the will of others to work with America.

Part of the rationale for establishing Guantanamo in the first place was the misplaced idea that the facility would be beyond the law—a proposition rejected by the Supreme Court. As a result, the continued operation of this facility creates an impression in the eyes of our allies and enemies alike that the United States selectively observes the rule of law.

There is no reason that we should impose on ourselves the legal and moral problems arising from the prospect of indefinite detentions at Guantanamo after more than one decade. Working through civil courts since 9/11, hundreds of individuals have been convicted of terrorism or terrorism-related offenses and are now serving long sentences in Federal prison. Not one has escaped custody.

Mr. Chairman, I strongly oppose the gentlewoman's amendment and reserve the balance of my time.

Mrs. WALORSKI. Mr. Chairman, may I inquire as to the balance of my time?

The Acting CHAIR. The gentlewoman from Indiana has 30 seconds remaining.

Mr. FRELINGHUYSEN. Will the gentlewoman yield?

Mrs. WALORSKI. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank the gentlewoman for yielding. I strongly

support her amendment. What was particularly galling in the Guantanamo transfer of these detainees was that the Taliban were able to choose the people they wanted released, and then the picture that we saw of their being greeted in Qatar by their terrorist brothers was enough to make you sick. So I am strongly supportive of her amendment. I am glad that we have renewed this commitment to make sure these people are not released anywhere. I thank the gentlewoman.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. VISCLOSKY. Mr. Chairman, we are a nation of laws. Again, I reiterate my objection and would yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mrs. WALORSKI).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. VISCLOSKY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Indiana will be postponed.

AMENDMENT OFFERED BY MR. NOLAN

Mr. NOLAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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 "Afghanistan Infrastructure Fund".

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. NOLAN. Mr. Chairman, I want to thank the chairman and the ranking member for the hard work that they have done in putting this appropriation bill together.

Mr. Chairman, Members of the House, there is a bipartisan group of us that have been meeting on a regular basis with the inspector general for Afghanistan and Iraq. He has over 200 investigators trying to determine where the funds have gone for this Afghan infrastructure fund.

To hear the story, it breaks your heart. Of the last \$100 billion that have been spent on Afghan infrastructure, they can't find where most of that money went. Why? Well, for several reasons. One is that Afghanistan is largely a cash economy. So if you want to do a project in any of the remote areas, you have to show up with a truckload full of cash.

Secondly, it is now certified as the most corrupt nation in the world. It is the number one narco-state in the world, supplying more heroin than the rest of the world combined. As the U.S.

troops withdraw, there is no way to audit these funds, there is no way to inspect these funds, and it is an absolutely unmitigated prescription for unparalleled fraud.

It has got to stop, and today and tonight is the time to put an end to it. That is why I am offering my amendment here to stop any funds from going to this Afghan reconstruction fund.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. NOLAN. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the point that the gentleman is raising and certainly would associate myself with his remarks. I do believe it will be acceptable to the committee.

Mr. NOLAN. I thank the gentleman.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. NOLAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. MILLER OF MICHIGAN

Mrs. MILLER of Michigan. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. 10002. None of the funds made available by this Act may be used to divest, retire, transfer, or place in storage, or prepare to divest, retire, transfer, or place in storage, any A-10 aircraft, or to disestablish any units of the active or reserve component associated with such aircraft.

The Acting CHAIR. Pursuant to House Resolution 628, the gentlewoman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mrs. MILLER of Michigan. Mr. Chairman, I offer this amendment because I stand shoulder to shoulder with the troops on the ground, any one of whom will tell you that the champion workhorse aircraft in theater in both Iraq and Afghanistan has been the A-10.

Now, it might be an old airplane, but I will tell you it has been proven to be ideally suited for its mission. It is lethal, it is incredibly effective, and when our troops on the ground, Mr. Chairman, hear it coming, they know what it means. But guess what? So does our enemy, because they know pain is coming their way.

The Air Force wants to save money, but they don't have an adequate follow-on at this time. And with what is happening in Iraq and the Middle East, eliminating the A-10 is the absolutely wrong move. Army Chief of Staff General Odierno says that the A-10 is the best close air support aircraft, and I agree, and, most importantly, so do our brave men and women on the ground.

The A-10s were authorized in both the House and Senate Armed Services

Committee, and I urge my colleagues to continue their support and vote "yes" on this amendment.

Mr. Chairman, at this time, I am pleased to yield 2 minutes to the gentleman from Arizona (Mr. BARBER), the cosponsor of this amendment.

Mr. BARBER. I thank Congresswoman MILLER.

Mr. Chairman, I rise today to offer this important bipartisan amendment with my colleague from Michigan and the support of our colleagues from Illinois, from Georgia, Arizona, Missouri, and Hawaii. Our amendment would protect the A-10 Thunderbolt and keep it flying so it can continue to supply support to our troops who are on the ground.

Last month, I introduced in the House Armed Services Committee an amendment that received an overwhelming, bipartisan vote in favor of keeping the A-10 flying for FY15. This amendment passed also with overwhelming support in committee and on the House floor. It is now a part of the House version of the National Defense Authorization Act, and, I might add, of the one that is going to be coming out of the Senate.

And now, the House, I believe, wants to ensure, once again, that the A-10 is protected because it protects our troops. Our troops deserve the best close air support that we can provide, and there is no better close air support than the A-10.

When I talk to soldiers who come home from Iraq and Afghanistan who work in my district at Fort Huachuca, they have said over and over again, keep the A-10 flying. I was in Afghanistan 2 months ago, and marines and Army personnel on the ground said:

When you go back to the Congress, keep the A-10 flying. It is the best close air support we can have.

There is no other fixed-wing aircraft that is as proficient as the A-10 in operating in rugged environments while providing the most effective close air support available. With no other aircraft available and capable of taking its place with our men and women still in combat, we simply cannot allow the A-10 to be grounded. We also cannot afford to lose the knowledge and expertise of the pilots that fly this aircraft, like those who are stationed in my home district at Davis-Monthan Air Force Base.

Mr. Chairman, this is a commonsense amendment. I urge my colleagues to support it, as we did in the National Defense Authorization Act, for our national security and for our men and women on the ground.

Mrs. MILLER of Michigan. Mr. Chairman, I would yield at this time 30 seconds to the gentleman from Georgia (Mr. AUSTIN SCOTT).

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I rise in support of this amendment to preserve the A-10 Warthog, as well. This is the most effective, cost-efficient aircraft that we have for the missions that we are engaged in right now.

Our men and women who are out there in harm's way deserve to have this aircraft flying above them and protecting them. Our enemies run in fear from it, and, quite honestly, I think it is the best money we can spend in protecting our troops while they are on the ground.

The A-10 Warthog is the most effective aircraft for close air support. We need it for the missions we are in now, and we are going to need it for the missions tomorrow.

Mrs. MILLER of Michigan. Mr. Chairman, at this time, I yield 1 minute to the gentleman from Utah (Mr. STEWART) who has very personal experience with the ability of the A-10.

Mr. STEWART. Mr. Chairman, I would like to thank the gentlewoman for giving me 1 minute to speak on this.

I was an Air Force pilot for 14 years. I flew for 7 years as a combat rescue helicopter pilot. We flew and exercised with the A-10s all the time. I also flew for 7 years the B-1. We were tasked with this mission of close air support. I am not here because I have A-10s in my district. I am here because I realize what an invaluable resource this is.

Close air support is an incredibly delicate and unforgiving mission. If you hit the wrong bridge, people will forgive you. If you frag your own troops, you will never forgive yourself. It is best done by an aircraft that is low and slow, that has superb communications and superb visibility.

There is nothing that is as good as the A-10 is in this mission. I know that from my own experience. That is why I rise and stand in support of this very important amendment.

Mrs. MILLER of Michigan. Mr. Chairman, I would urge all of our colleagues to join us in supporting our troops by supporting this amendment, and I would say before you vote "yes" or "no," speak to those who have actually fought in combat on the ground in the battle zones of Iraq and Afghanistan, and I am very confident that the message you will hear from them will be the same message that all of us have gotten, and that is to keep the A-10 flying.

Mr. Chairman, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, let me stipulate at the onset that the A-10 Thunderbolt is a tremendous aircraft. We have heard it from somebody who piloted one, and certainly we are listening to our colleagues from the respective States that have A-10s, and they could testify, as I am sure others can, as to their value. But close air support is also provided—actually 80 percent—by other aircraft, and that has been true since 2008.

The Air Force itself has recommended the retirement of the entire

fleet. It is not going to happen overnight. It is not going to happen by 2019. At some point in time it is going to happen because this is not about saving millions of dollars, this is about saving billions of dollars—nearly \$4 billion. And the money that we will save will allow us to procure the next generation of aircraft.

□ 2000

I understand the desire to keep an aircraft that has been doing incredible work for 30 or 40 years, but it is time we look to the future and make that investment.

I am pleased to yield to the ranking member, the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. I appreciate the chairman yielding and would also add my comments that the A-10 is a wonderful aircraft. The B-17 Flying Fortress was a wonderful aircraft. It was replaced. The Kiowa Warrior was indispensable during Vietnam. It is being replaced.

The A-10 is being replaced over a protracted period of time. In the interim, other aircraft are going to take its place until the F-35 is prepared to do its mission.

The second point I would make is that the Chief of Staff for the Air Force flew the A-10. It is their recommendation to phase this plane out. The Air Force has also stated to the committee that, if given another \$4.3 billion, they have a whole range of other options they would pursue before continuing the A-10 program.

The final observation I would make is that the amendment is somewhat disingenuous, and I don't say that in a pejorative sense because I know that is not the intent of my colleagues, but while it would sound to our colleagues that there is no money involved in this amendment, I would propose that I would like to find \$339 million that is not in the bill because you now need crews and you need fuel and you need maintenance that is not in the bill because we agreed with the administration's position.

There is another \$200 million that would be required over the next year for spares and modifications of this aircraft.

Essentially, you are leaving the committee now in a position of \$600 million by simply saying no funds shall be used to terminate this program during the coming year that aren't in the bill, and the author of the amendment and those who support it have not shown us where that money is going to come from in this bill.

I strongly urge my colleagues, for the reasons stated in my opening remarks, we have to begin to make some tough decisions. There is a finite amount of money in this bill.

Mrs. MILLER of Michigan. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentlewoman.

Mrs. MILLER of Michigan. I would just indicate that we had several other

amendments that we offered up to the committee, but we were told there would be a point of order on those amendments, so we had offsets articulated in those amendments, so we were looking for additional dollars.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate that, but the fact is there is no offset in this amendment and the cost to the committee is \$600 million that is not in the bill. I appreciate the chairman yielding to me.

Mr. FRELINGHUYSEN. I reclaim my time, and I urge a "no" vote on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. MILLER of Michigan. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan will be postponed.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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 make aircraft (including unmanned aerial vehicles), armored vehicles, grenade launchers, silencers, toxicological agents (including chemical agents, biological agents, and associated equipment), launch vehicles, guided missiles, ballistic missiles, rockets, torpedoes, bombs, mines, or nuclear weapons (as identified for demilitarization purposes outlined in Department of Defense Manual 4160.28) available to local law enforcement agencies through the Department of Defense Excess Personal Property Program established pursuant to section 1033 of Public Law 104-201, the 'National Defense Authorization Act For Fiscal Year 1997'.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved on the amendment.

Pursuant to House Resolution 628, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, I rise today to address a growing problem throughout our country, the militarization of local law enforcement agencies.

Police in our communities should be engaged in community policing. Unfortunately, all too often, local police departments have begun to look like

military units preparing for battle on America's streets.

We fight our wars abroad, not at home, and the weapons and tactics used on our local streets should reflect that fact.

The New York Times recently reported that:

Police departments have received thousands of pieces of camouflage and night-vision equipment and hundreds of silencers, armored cars, and aircraft.

I think this is appalling. My amendment would prohibit the Department of Defense from gifting excess equipment, such as aircraft—including drones—armored vehicles, grenade launchers, silencers, bombs, and so on to local police departments.

There is no mass rebellion brewing here in the United States. There are no improvised explosive devices on the sides of our roads, but the abuse of military equipment to ward off these nonexistent threats is happening nonetheless.

So, of course, what you would expect to happen is happening. As The New York Times article, "War Gear Flows to Police Departments" explains:

Police SWAT teams are now deployed tens of thousands of times each year, increasingly for routine jobs. Masked, heavily-armed police officers raided a nightclub in 2006 as part of a liquor inspection. In Florida in 2010, officers in SWAT gear and with guns drawn carried out raids on barbershops that mostly led to charges of "barbering without a license."

DOD equipment is changing the mentality of police departments throughout our country. Recruiting videos now feature clips of officers storming into homes with smoke grenades and firing automatic weapons into homes, as well as clips of officers creeping through the fields in camouflage—war camouflage. This is not policing; this is war.

One South Carolina sheriff's department now takes its new tanklike vehicle with a mounted .50-caliber gun to schools and community events. The department spokesman said his tank is a conversation starter. That is not a conversation I want us to have.

I think this is wrong. The Federal Government should not be encouraging our public servants to view America as occupied territory. I prefer the views of Ronald Teachman, the police chief in South Bend, Indiana.

According to that New York Times article, he decided not to request a mine-resistant vehicle for his city of South Bend, Indiana. He said:

I go to schools, and I bring "Green Eggs and Ham."

Let's encourage leaders like the very appropriately named Ronald Teachman. Let's not treat our citizens as terrorists, and let's help our police act like the public servants they need to be.

I reserve the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes

legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part:

"An amendment to a general appropriation bill shall not be in order if changing existing law."

The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does the gentleman from Florida wish to be heard on the point of order?

Mr. GRAYSON. Yes.

The Acting CHAIR. The gentleman from Florida is recognized.

Mr. GRAYSON. There is no new determination out of this amendment. I call your attention to the specific language here. It says:

None of the funds made available in this act may be used to make aircraft (including unmanned aerial vehicles), armored vehicles, grenade launchers, silencers, toxicological agents (including chemical agents, biological agents, and associated equipment), launch vehicles, guided missiles, ballistic missiles, rockets, torpedoes, bombs, mines, or nuclear weapons (as identified for demilitarization purposes outlined in Department of Defense Manual 4160.28).

In other words, all the terms that I just described are as identified for demilitarization purposes as outlined in Department of Defense Manual 4160.28. Since they are in the Department of Defense Manual 4160.28, they require no new determination of law.

I will continue:

Available to local law enforcement agencies through the Department of Defense Excess Personal Property Program.

Again, local enforcement agencies is a defined term under statute. The Excess Personal Property Program is established, as this amendment indicates, pursuant to section 1033 of Public Law 104-201, the National Defense Authorization Act for Fiscal Year 2007.

Therefore, every single term that is used here is a term defined in law. There is no new determination to be made by anybody, including the people who enforce this amendment.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination as to the meaning of "local law enforcement agencies" within the context of the Department of Defense Excess Personal Property Program.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

Mr. FRELINGHUYSEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DAINES) having assumed the chair, Mr. COLLINS of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that

Committee, having had under consideration the bill (H.R. 4870) making appropriations for the Department of Defense for the fiscal year ending September 30, 2015, and for other purposes, had come to no resolution thereon.

□ 2015

AMNESTY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, I want to express my appreciation to the Appropriations Committee for the appropriations process. I think we are all better when we have open amendments and have a chance to have everybody have input. It is a nasty process, but it is a good way to do it.

Input is important, because when you don't listen to proper input, you can end up having a judgment, as did the Pelletier case where a juvenile court judge in Massachusetts took away custody from her parents, and finally a victory yesterday as the court, Judge Joseph Johnston, wrote in his ruling:

Effective Wednesday, June 18, 2014, this care and protection petition is dismissed and custody of Justina is returned to her parents, Lou and Linda Pelletier.

His first statement there is:

I find that the parties have shown credible evidence that circumstances have changed since the adjudication on December 20, 2013, that Justina is a child in care and protection pursuant to G.L. c. 199, 24-26.

Clearly, the only thing that had changed was not credible evidence. It was a judge who finally did his job, which was not to take parents' kids away from them.

It reminded me of comments made by a daycare director in the Soviet Union back when I was an exchange student during college days. The daycare director was bragging that the children belonged to the state, that parents are only temporary caregivers that serve at the whim of—she didn't say "whim"—but basically at the discretion of the government.

Back then, in the Soviet Union, if you ever told your child anything negative about the Soviet Union—the Soviet Government, Soviet leaders—and they found out, they would whisk in, take your child away, and as the director said, give them to more deserving parents.

It appears that is really what happened in the Pelletier case. Some bureaucrats refused to consider all of the evidence as they should have and decided that they would play God for a while and give custody of this poor child to the State instead of her parents who gave every indication of loving her and caring about her, trying to do the right thing for her. Instead, the State caused great damage. Unfortunately, that happens too often in many