

tonight at 7 at Watkins Recreation Center near Eastern Market. You are going to see a phenomenal competition.

We are raising money for the Young Survival Coalition, which is an organization that helps young women under 40 years old who are diagnosed with breast cancer.

I know many of you know that I was diagnosed with breast cancer at 41 years old, 8½ years ago, and continue to be a survivor who is very proud to be healthy, and continue to spread the message that women need to pay attention to their breast health. I stand here with my sisters in Congress, sisters in the fight against breast cancer.

I yield to the gentlewoman from the great State of Alabama (Mrs. ROBY), my friend and cocaptain.

Mrs. ROBY. Mr. Speaker, on behalf of our side of the aisle, I would encourage all of you to come tonight. We are going to beat cancer. More importantly, we are going to beat the press. Although, they are not up there, so they must be intimidated.

Every person in this room has been affected by cancer, so I would just encourage you to come. This is a great bipartisan effort for a great cause, and we would love to have all of you out there cheering us on to beat the press and beat cancer.

The SPEAKER pro tempore (Mr. CURBELO of Florida). Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 240, nays 185, not voting 9, as follows:

[Roll No. 305]

YEAS—240

| | | |
|-------------|---------------|---------------|
| Abraham | Chabot | Farenthold |
| Aderholt | Chaffetz | Fincher |
| Allen | Clawson (FL) | Fitzpatrick |
| Amodei | Coffman | Fleischmann |
| Babin | Cole | Fleming |
| Barletta | Collins (GA) | Flores |
| Barr | Collins (NY) | Fortenberry |
| Barton | Comstock | Foxx |
| Benishek | Conaway | Franks (AZ) |
| Bilirakis | Cook | Frelinghuysen |
| Bishop (MI) | Costello (PA) | Garrett |
| Bishop (UT) | Cramer | Gibbs |
| Black | Crawford | Gibson |
| Blackburn | Crenshaw | Gohmert |
| Blum | Culberson | Goodlatte |
| Bost | CurbeLO (FL) | Gosar |
| Boustany | Davidson | Gowdy |
| Brady (TX) | Davis, Rodney | Granger |
| Bridenstine | Denham | Graves (GA) |
| Brooks (AL) | Dent | Graves (LA) |
| Brooks (IN) | DeSantis | Graves (MO) |
| Buchanan | DesJarlais | Griffith |
| Buck | Diaz-Balart | Grothman |
| Bucshon | Dold | Guinta |
| Burgess | Donovan | Guthrie |
| Byrne | Duncan (SC) | Hanna |
| Calvert | Duncan (TN) | Hardy |
| Carter (GA) | Ellmers (NC) | Harper |
| Carter (TX) | Emmer (MN) | Harris |

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|----------------|--------------|---------------|
| Hartzler | McMorris | Russell |
| Heck (NV) | Rodgers | Salmon |
| Hensarling | McSally | Sanford |
| Hice, Jody B. | Meadows | Scalise |
| Hill | Meehan | Schweikert |
| Holding | Messer | Scott, Austin |
| Hudson | Mica | Sensenbrenner |
| Huelskamp | Miller (FL) | Sessions |
| Huizenga (MI) | Miller (MI) | Shimkus |
| Hultgren | Moolenaar | Shuster |
| Hunter | Mooney (WV) | Simpson |
| Hurd (TX) | Mullin | Smith (MO) |
| Hurt (VA) | Mulvaney | Smith (NE) |
| Issa | Murphy (PA) | Smith (NJ) |
| Jenkins (KS) | Neugebauer | Smith (TX) |
| Jenkins (WV) | Newhouse | Stefanik |
| Johnson (OH) | Noem | Stewart |
| Johnson, Sam | Nugent | Stivers |
| Jolly | Nunes | Stutzman |
| Jones | Olson | Thompson (PA) |
| Jordan | Palazzo | Thornberry |
| Joyce | Palmer | Tiberi |
| Katko | Paulsen | Tipton |
| Kelly (MS) | Pearce | Trott |
| Kelly (PA) | Perry | Turner |
| King (IA) | Pittenger | Upton |
| King (NY) | Pitts | Valadao |
| Kinzinger (IL) | Poe (TX) | Wagner |
| Kline | Poliquin | Walberg |
| Knight | Pompeo | Walden |
| Labrador | Posey | Walker |
| LaHood | Price, Tom | Walorski |
| LaMalfa | Ratcliffe | Reed |
| Lamborn | Reed | Reichert |
| Lance | Renacci | Ribble |
| Latta | Renacci | Rice (SC) |
| LoBiondo | Ribble | Rigell |
| Long | Rice (SC) | Roby |
| Loudermilk | Rigell | Roe (TN) |
| Love | Roby | Rogers (AL) |
| Lucas | Roe (TN) | Rogers (KY) |
| Luetkemeyer | Rogers (AL) | Rohrabacher |
| Lummis | Rogers (KY) | Rokita |
| MacArthur | Rohrabacher | Rooney (FL) |
| Marchant | Rokita | Ros-Lehtinen |
| Marino | Rooney (FL) | Roskam |
| Masse | Ros-Lehtinen | Ross |
| McCarthy | Roskam | Rothfus |
| McCaul | Ross | Rouzer |
| McClintock | Rothfus | Royce |
| McHenry | Rouzer | |
| McKinley | Royce | |

NAYS—185

| | | |
|----------------|----------------|----------------|
| Adams | DeFazio | Kelly (IL) |
| Aguilar | DeGette | Kennedy |
| Amash | Delaney | Kildee |
| Ashford | DeLauro | Kilmer |
| Bass | DelBene | Kind |
| Beatty | DeSaunier | Kirkpatrick |
| Becerra | Deutch | Kuster |
| Bera | Dingell | Langevin |
| Beyer | Doggett | Larsen (WA) |
| Bishop (GA) | Doyle, Michael | Larson (CT) |
| Blumenauer | F. | Lawrence |
| Bonamici | Duckworth | Lee |
| Boyle, Brendan | Edwards | Levin |
| F. | Ellison | Lewis |
| Brady (PA) | Engel | Lieu, Ted |
| Brown (FL) | Eshoo | Lipinski |
| Brownley (CA) | Esty | Loeb |
| Bustos | Farr | Loeb |
| Butterfield | Foster | Loftgren |
| Capps | Frankel (FL) | Lowenthal |
| Capuano | Fudge | Lowey |
| Cárdenas | Gabbard | Lujan Grisham |
| Carney | Gallago | (NM) |
| Carson (IN) | Garamendi | Lujan, Ben Ray |
| Cartwright | Graham | (NM) |
| Castor (FL) | Grayson | Lynch |
| Castro (TX) | Green, Al | Maloney, |
| Chu, Judy | Green, Gene | Carolyn |
| Cicilline | Gutiérrez | Maloney, Sean |
| Clark (MA) | Hahn | Matsui |
| Clarke (NY) | Hastings | McCollum |
| Clay | Heck (WA) | McDermott |
| Cleaver | Higgins | McGovern |
| Clyburn | Himes | McNerney |
| Cohen | Hinojosa | Meeks |
| Connolly | Honda | Meng |
| Conyers | Hoyer | Moore |
| Cooper | Huffman | Moulton |
| Costa | Israel | Murphy (FL) |
| Courtney | Jackson Lee | Nadler |
| Crowley | Jeffries | Napolitano |
| Cuellar | Johnson (GA) | Neal |
| Cummings | Johnson, E. B. | Nolan |
| Davis (CA) | Kaptur | Norcross |
| Davis, Danny | Keating | O'Rourke |
| | | Pallone |

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|---------------|------------------|----------------|
| Pascarell | Sánchez, Linda | Thompson (CA) |
| Payne | T. | Thompson (MS) |
| Pelosi | Sanchez, Loretta | Titus |
| Perlmutter | Sarbanes | Tonko |
| Peters | Schakowsky | Torres |
| Peterson | Schiff | Tsongas |
| Pingree | Schrader | Van Hollen |
| Pocan | Scott (VA) | Vargas |
| Polis | Scott, David | Veasey |
| Price (NC) | Serrano | Vela |
| Quigley | Sewell (AL) | Velázquez |
| Rangel | Sherman | Visclosky |
| Rice (NY) | Sinema | Walz |
| Richmond | Sires | Wasserman |
| Roybal-Allard | Slaughter | Schultz |
| Ruiz | Smith (WA) | Waters, Maxine |
| Ruppersberger | Speier | Watson Coleman |
| Rush | Swalwell (CA) | Welch |
| Ryan (OH) | Takano | Yarmuth |

NOT VOTING—9

| | | |
|--------|-----------------|-------------|
| Brat | Forbes | Takai |
| Duffy | Grijalva | Whitfield |
| Fattah | Herrera Beutler | Wilson (FL) |

□ 1431

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BRAT. Mr. Speaker, regretfully I am absent from the floor today. My son is graduating from high school tonight. Had I been present, however, I would have voted: On the Ordering the Previous Question on H. Res. 783 (rollcall 304), I would have voted "yea." On the Adoption of H. Res. 783 (rollcall 305), I would have voted "yea."

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 5293, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 783 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. 5293.

Will the gentleman from Georgia (Mr. COLLINS) kindly take the chair.

□ 1434

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. 5293) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes, with Mr. COLLINS of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, June 14, 2016, all time for general debate pursuant to House Resolution 778 had expired.

Pursuant to House Resolution 783, no further general debate shall be in order. The bill shall be considered for amendment under the 5-minute rule and shall be considered read through page 170, line 7.

The text of the bill through page 170, line 7, is as follows:

H.R. 5293

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2017, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$39,986,962,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$27,774,605,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$12,701,412,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$27,794,615,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for

personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$4,458,963,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,898,825,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$736,305,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,718,126,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under sections 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$7,827,440,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section

12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$3,271,215,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law, \$34,436,295,000: *Provided*, That not to exceed \$12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law, \$40,213,485,000: *Provided*, That not to exceed \$15,055,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, \$6,246,366,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law, \$38,209,602,000: *Provided*, That not to exceed \$7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, \$32,263,224,000: *Provided*, That not more than \$15,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed \$36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than \$35,045,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than \$3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That \$8,023,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may

be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

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, \$2,767,471,000.

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, \$975,724,000.

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, \$320,066,000.

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, \$3,106,066,000.

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), \$6,923,595,000.

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, \$6,708,200,000.

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, \$14,194,000, 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, \$170,167,000, 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, \$289,262,000, 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, \$371,521,000, 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.

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

For the Department of Defense, \$9,009,000, 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, \$222,084,000, 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.

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), \$108,125,000, to remain available until September 30, 2018.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance, including assistance provided by contract or by grants, under programs and activities of the Department of Defense Cooperative Threat Reduction Program authorized under the Department of Defense Cooperative Threat Reduction Act, \$325,604,000, to remain available until September 30, 2019.

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, \$4,628,697,000, to remain available for obligation until September 30, 2019.

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, \$1,502,377,000, to remain available for obligation until September 30, 2019.

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, \$2,244,547,000, to remain available for obligation until September 30, 2019.

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, \$1,513,157,000, to remain available for obligation until September 30, 2019.

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, \$6,081,856,000, to remain available for obligation until September 30, 2019.

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, \$15,900,093,000, to remain available for obligation until September 30, 2019.

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, \$3,102,544,000, to remain available for obligation until September 30, 2019.

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, \$601,563,000, to remain available for obligation until September 30, 2019.

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:

| | |
|------------------------------|------------------|
| Ohio Replacement Submarine, | \$773,138,000; |
| Carrier Replacement Program, | \$1,271,205,000; |

| | |
|--------------------------------------|------------------|
| Carrier Replacement Program, (AP), | \$1,370,784,000; |
| Virginia Class Submarine, | \$3,187,985,000; |
| Virginia Class Submarine (AP), | \$1,742,134,000; |
| CVN Refueling Overhauls, | \$1,689,920,000; |
| CVN Refueling Overhauls (AP), | \$248,599,000; |
| DDG-1000 Program, | \$271,756,000; |
| DDG-51 Destroyer, | \$3,211,292,000; |
| Littoral Combat Ship, | \$1,439,192,000; |
| LHA Replacement, | \$1,559,189,000; |
| TAO Fleet Oiler, | \$73,079,000; |
| Moored Training Ship, | \$624,527,000; |
| Ship to Shore Connector, | \$128,067,000; |
| Service Craft, | \$65,192,000; |
| LCAC Service Life Extension Program, | \$1,774,000; |
| YP Craft Maintenance/ROH/SLEP, | \$21,363,000; |

For outfitting, post delivery, conversions, and first destination transportation, \$645,054,000; and

Completion of Prior Year Shipbuilding Programs, \$160,274,000.

In all: \$18,484,524,000, to remain available for obligation until September 30, 2021, of which \$160,274,000 shall remain available until September 30, 2017, to fund completion of prior year shipbuilding programs: *Provided*, That additional obligations may be incurred after September 30, 2021, 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, \$6,099,326,000, to remain available for obligation until September 30, 2019.

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 purchase 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, \$1,213,872,000, to remain available for obligation until September 30, 2019.

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, \$14,325,117,000, to remain available for obligation until September 30, 2019.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, 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, \$2,288,772,000, to remain available for obligation until September 30, 2019.

SPACE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of 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, \$2,538,152,000, to remain available for obligation until September 30, 2019.

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, \$1,609,719,000, to remain available for obligation until September 30, 2019.

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 con-

tractor-owned equipment layaway, \$17,342,313,000, to remain available for obligation until September 30, 2019.

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, \$4,649,876,000, to remain available for obligation until September 30, 2019.

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. 4518, 4531, 4532, and 4533), \$74,065,000, 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, \$7,864,517,000, to remain available for obligation until September 30, 2018.

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, \$16,831,290,000, to remain available for obligation until September 30, 2018: *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, \$27,106,851,000, to remain available for obligation until September 30, 2018.

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, \$18,311,236,000, to remain available for obligation until September 30, 2018: *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 valida-

tion; 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.

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, \$178,994,000, to remain available for obligation until September 30, 2018.

TITLE V

REVOLVING AND MANAGEMENT FUNDS DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, \$1,371,613,000.

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, \$33,576,563,000; of which \$31,696,337,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available for obligation until September 30, 2018, and of which up to \$15,523,832,000 may be available for contracts entered into under the TRICARE program; of which \$413,219,000, to remain available for obligation until September 30, 2019, shall be for procurement; and of which \$1,467,007,000, to remain available for obligation until September 30, 2018, 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 research, development, test and evaluation, not less than \$644,100,000 shall be made available to the United States Army Medical Research and Materiel Command to carry out the congressionally directed medical research programs.

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, \$551,023,000, of which \$147,282,000 shall be for operation and maintenance, of which no less than \$49,533,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$20,368,000 for activities on military installations and \$29,165,000, to remain

available until September 30, 2018, to assist State and local governments, not more than \$30,000,000, to remain available until September 30, 2018, shall be for the destruction of eight United States-origin chemical munitions in the Republic of Panama, to the extent authorized by law; \$15,132,000 shall be for procurement, to remain available until September 30, 2019, of which \$15,132,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and \$388,609,000, to remain available until September 30, 2018, shall be for research, development, test and evaluation, of which \$380,892,000 shall only be for the Assembled Chemical Weapons Alterations 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, \$908,800,000, of which \$631,087,000 shall be for counter-narcotics support; \$118,713,000 shall be for the drug demand reduction program; and \$159,000,000 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.

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, \$322,035,000, of which \$318,882,000 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 \$3,153,000, to remain available until September 30, 2018, shall be for research, development, test and evaluation.

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, \$483,596,000.

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 \$4,500,000,000 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, 2017: *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 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 2017: *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: *Provided*, That this subsection shall not apply to transfers from the following appropriations accounts:

- (1) Environmental Restoration, Army;
- (2) Environmental Restoration, Navy;
- (3) Environmental Restoration, Air Force;
- (4) Environmental Restoration, Defense-wide;
- (5) Environmental Restoration, Formerly Used Defense Sites; and
- (6) Drug Interdiction and Counter-drug Activities, Defense.

(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: *Provided further*, That 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 30-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 2017, 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 2018 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2018 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 2018.

(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-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé 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 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 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 \$40,021,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) \$28,000,000 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) \$10,337,000 shall be available from “Air-craft Procurement, Air Force”; and

(3) \$1,684,000 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 the current fiscal year may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings not located on a military installation, 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: *Provided*, That up to 1 percent of funds provided in this Act for support of defense FFRDCs may be used for planning and design of scientific or engineering facilities: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees 15 days in advance of exercising the authority in the previous proviso.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2017, 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 defense 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 2018 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 \$126,800,000.

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 2017. 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. None of the funds made available by this Act may be used to—

(1) disestablish, or prepare to disestablish, a Senior Reserve Officers' Training Corps program in accordance with Department of Defense Instruction Number 1215.08, dated June 26, 2006; or

(2) close, downgrade from host to extension center, or place on probation a Senior Reserve Officers' Training Corps program in accordance with the information paper of the Department of the Army titled “Army Senior Reserve Officers' Training Corps (SROTC) Program Review and Criteria”, dated January 27, 2014.

SEC. 8032. The Secretary of Defense shall issue regulations to prohibit the sale of any tobacco or tobacco-related products in military resale outlets in the United States, its territories and possessions at a price below the most competitive price in the local community: *Provided*, That such regulations shall direct that the prices of tobacco or tobacco-related products in overseas military retail outlets shall be within the range of prices established for military retail system stores located in the United States.

SEC. 8033. (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 2018 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2018 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 2018 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. 8034. 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, 2018: *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, 2018.

SEC. 8035. 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. 8036. 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. 8037. (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. 8038. None of the funds appropriated by this Act and hereafter 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. 8039. (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. 8040. (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. 8041. 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: *Provided*, That no amounts may be rescinded 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:

(1) "Aircraft Procurement, Army", 2015/2017, \$15,000,000;

(2) "Other Procurement, Army", 2015/2017, \$30,000,000;

(3) "Aircraft Procurement, Navy", 2015/2017, \$150,000,000;

(4) "Weapons Procurement, Navy", 2015/2017, \$16,698,000;

(5) "Procurement of Ammunition, Navy and Marine Corps", 2015/2017, \$43,600,000;

(6) "Aircraft Procurement, Air Force", 2015/2017, \$65,800,000;

(7) "Procurement of Ammunition, Army", 2016/2018, \$13,000,000;

(8) "Other Procurement, Army", 2016/2018, \$58,000,000;

(9) "Aircraft Procurement, Navy", 2016/2018, \$6,755,000;

(10) "Weapons Procurement, Navy", 2016/2018, \$15,413,000;

(11) "Procurement of Ammunition, Navy and Marine Corps", 2016/2018, \$1,000,000;

(12) "Shipbuilding and Conversion, Navy", 2016/2020, \$276,906,000;

(13) "Other Procurement, Navy", 2016/2018, \$54,394,000;

(14) "Aircraft Procurement, Air Force", 2016/2018, \$178,300,000;

(15) "Other Procurement, Air Force", 2016/2018, \$23,250,000;

(16) "Procurement, Defense-wide", 2016/2018, \$2,600,000;

(17) "Research, Development, Test and Evaluation, Army", 2016/2017, \$73,000,000;

(18) "Research, Development, Test and Evaluation, Navy", 2016/2017, \$75,000,000;

(19) "Research, Development, Test and Evaluation, Air Force", 2016/2017, \$181,700,000; and

(20) "Research, Development, Test and Evaluation, Defense-wide", 2016/2017, \$3,000,000.

SEC. 8042. 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. 8043. 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. 8044. 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. 8045. (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 depart-

ment or agency of the United States except as specifically provided in an appropriations law.

SEC. 8046. 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 103 of title 41, United States Code, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. None of the funds made available by this Act for Evolved Expendable Launch Vehicle service competitive procurements may be used unless the competitive procurements are open for award to all certified providers of Evolved Expendable Launch Vehicle-class systems: *Provided*, That the award shall be made to the provider that offers the best value to the government.

SEC. 8048. 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. 8049. 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. 8050. Notwithstanding any other provision in this Act, the Small Business Innovation Research program and the Small Business Technology Transfer program set-asides shall be taken proportionally from all programs, projects, or activities to the extent they contribute to the extramural budget.

SEC. 8051. 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. 8052. 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. 8053. 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. 8054. (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. 8055. 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 United States 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. 8056. Of the funds appropriated in this Act under the heading "Operation and Maintenance, Defense-wide", \$25,000,000 shall be for continued implementation and expansion of the Sexual Assault Special Victims' Counsel Program: *Provided*, That the funds are made available for transfer to the Department of the Army, the Department of the Navy, and the Department of the Air Force: *Provided further*, That funds transferred shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority provided in this Act.

SEC. 8057. 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. 8058. (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 XI (chapters 50–65) of the Harmonized Tariff Schedule of the United States 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. 8059. 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. 8060. 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. 8061. The Secretary of Defense shall continue to provide a classified quarterly report to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8062. 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. 8063. 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. 8064. 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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8065. Of the amounts appropriated in this Act under the heading “Operation and Maintenance, Army”, \$75,950,170 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. (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 appropriation account;

(2) how the National Intelligence Program budget request is presented in the unclassified P-1, R-1, and O-1 documents supporting the Department of Defense budget request;

(3) the process by which the National Intelligence Program appropriations are apportioned to the executing agencies; or

(4) the process by which the National Intelligence Program appropriations are allotted, obligated and disbursed.

(b) Nothing in section (a) shall be construed to prohibit the merger of programs or changes to the National Intelligence Program budget at or below the Expenditure Center level, provided such change is otherwise in accordance with paragraphs (a)(1)–(3).

(c) 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.

(d) Upon development of the detailed proposals defined under subsection (c), 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.

(e) This section shall not be construed to alter or affect the application of section 1633 of the National Defense Authorization Act for Fiscal Year 2016 to the amounts made available by this Act.

SEC. 8067. In addition to amounts provided elsewhere in this Act, \$5,000,000 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. 8068. Of the amounts appropriated in this Act under the headings “Procurement, Defense-Wide” and “Research, Development, Test and Evaluation, Defense-Wide”, \$600,735,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, \$62,000,000 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, subject to the U.S.-Israel Iron Dome Procurement Agreement, as amended; \$266,511,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which \$150,000,000 shall be for co-production activities of SRBMD missiles in the United States and in Israel to meet Israel’s defense requirements consistent with each nation’s laws, regulations, and procedures, of which not more than \$90,000,000, subject to previously established transfer procedures, may be obligated or expended until establishment of a U.S.-Israeli co-production agreement for SRBMD; \$204,893,000 shall be for an upper-tier component to the Israeli Missile Defense Architecture, of which \$120,000,000 shall be for co-production activities of Arrow 3 Upper Tier missiles in the United States and in Israel to meet Israel’s defense requirements consistent with each nation’s laws, regulations, and procedures, of which not more than \$70,000,000, subject to previously established transfer procedures, may be obligated or expended until establishment of a U.S.-Israeli co-production agreement for Arrow 3 Upper Tier; and \$67,331,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8069. Of the amounts appropriated in this Act under the heading “Shipbuilding and Conversion, Navy”, \$160,274,000 shall be available until September 30, 2017, 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”, 2012/2017: LPD-17 Amphibious Transport Dock Program \$45,060,000;

(2) Under the heading “Shipbuilding and Conversion, Navy”, 2011/2017: DDG-51 Destroyer \$15,959,000;

(3) Under the heading “Shipbuilding and Conversion, Navy”, 2012/2017: Littoral Combat Ship \$3,600,000;

(4) Under the heading “Shipbuilding and Conversion, Navy”, 2013/2017: Littoral Combat Ship \$82,400,000;

(5) Under the heading “Shipbuilding and Conversion, Navy”, 2012/2017: Expeditionary Fast Transport \$6,710,000; and

(6) Under the heading “Shipbuilding and Conversion, Navy”, 2013/2017: Expeditionary Fast Transport \$6,545,000.

SEC. 8070. 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 2017 until the enactment of the Intelligence Authorization Act for Fiscal Year 2017.

SEC. 8071. 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. 8072. The budget of the President for fiscal year 2018 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. 8073. 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. 8074. 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 \$573,400,000.

SEC. 8075. 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. 8076. 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. 8077. (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. 8078. 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. 8079. 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, 2018.

SEC. 8080. 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. 8081. (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 2017: *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 rescis-

sions, 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.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8082. 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.

SEC. 8083. None of the funds made available by this Act for excess defense articles, assistance under section 2282 of title 10, United States Code, or peacekeeping operations for the countries designated annually to be in violation of the standards of the Child Soldiers Prevention Act of 2008 (Public Law 110-457; 22 U.S.C. 2370c et seq.) may be used to support any military training or operation that includes child soldiers, as defined by the Child Soldiers Prevention Act of 2008, unless such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8084. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, \$17,000,000 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. 8085. (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) of 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. 8086. 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. 8087. 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. 8088. The Department of Defense shall continue to report incremental contingency operations costs for Operation Inherent Resolve, Operation Freedom's Sentinel, and any named successor operations, 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. 8089. 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. 8090. Funds appropriated by this Act 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. 8091. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site 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. 8092. (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. 8093. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to \$122,375,000, 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. 8094. 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 \$450,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 8095. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Defense or a component thereof in contravention of the provisions of section 130h of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8096. 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 \$1,000,000,000 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, 2017.

SEC. 8097. 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 United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 8098. (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. 8099. None of the funds appropriated or otherwise made available in this Act may be used to transfer any individual detained at United States Naval Station Guantanamo Bay, Cuba, to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity except in accordance with section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) and section 1034 of the National Defense Authorization Act for Fiscal Year 2017.

SEC. 8100. 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. 8101. 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 any agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

SEC. 8102. (a) None of the funds appropriated or otherwise made available by this or any other Act may be used by the Secretary of Defense, or any other official or officer of the Department of Defense, to enter into a contract, memorandum of understanding, or cooperative agreement with, or make a grant to, or provide a loan or loan guarantee to Rosoboronexport or any subsidiary of 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, determines that it is in the vital national security interest of the United States to do so, and certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge:

(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; and

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

(c) The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport with respect to a waiver issued by the Secretary of Defense pursuant to subsection (b), and not later than 90 days after the date on which such a waiver is issued by the Secretary of Defense, the Inspector General shall submit to the congressional defense committees a report containing the results of the review conducted with respect to such waiver.

SEC. 8103. 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.

SEC. 8104. (a) Of the funds appropriated in this Act for the Department of Defense, amounts may be made available, under such regulations as the Secretary of Defense may prescribe, to local military commanders appointed by the Secretary, 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 operations 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.

SEC. 8105. None of the funds available in this Act to the Department of Defense, other than appropriations made for necessary or routine refurbishments, upgrades or maintenance activities, shall be used to reduce or to prepare to reduce the number of deployed and non-deployed strategic delivery vehicles and launchers below the levels set forth in the report submitted to Congress in accordance with section 1042 of the National Defense Authorization Act for Fiscal Year 2012.

SEC. 8106. The Secretary of Defense shall post grant awards on a public Web site in a searchable format.

SEC. 8107. 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. 8108. 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.

SEC. 8109. 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.

SEC. 8110. 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 any agency funded by this Act 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 Fed-

eral 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. 8111. None of the funds made available in this Act 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) 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*, That none of the funds made available in this Act may be used under 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 this section 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. 8112. None of the funds made available by this Act may be used with respect to Iraq in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed forces into hostilities in Iraq, into situations in Iraq where imminent involvement in hostilities is clearly indicated by the circumstances, or into Iraqi territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of such Resolution (50 U.S.C. 1542 and 1543).

SEC. 8113. None of the funds made available by this Act may be used to divest, retire, transfer, or place in storage or on backup aircraft inventory status, or prepare to divest, retire, transfer, or place in storage or on backup aircraft inventory status, any A-10 aircraft, or to disestablish any units of the active or reserve component associated with such aircraft.

SEC. 8114. Of the funds provided for "Research, Development, Test and Evaluation, Defense-Wide" in this Act, not less than \$2,800,000 shall be used to support the Department's activities related to the implementation of the Digital Accountability and Transparency Act (Public Law 113-101; 31 U.S.C. 6101 note) and to support the implementation of a uniform procurement instrument identifier as described in subpart 4.16 of Title 48, Code of Federal Regulations, to include changes in business processes, workforce, or information technology.

SEC. 8115. None of the funds provided in this Act for the T-AO(X) program shall be used to award a new contract that provides for the acquisition of the following components unless those components are manufactured in the United States: Auxiliary equipment (including pumps) for shipboard services; propulsion equipment (including engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes.

SEC. 8116. The amount appropriated in title II for "Operation and Maintenance, Army" is hereby reduced by \$336,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds.

SEC. 8117. Notwithstanding any other provision of this Act, to reflect savings due to lower than anticipated fuel costs, the total amount appropriated in title II of this Act is hereby reduced by \$1,493,000,000.

SEC. 8118. None of the funds made available by this Act may be used to divest or retire, or to prepare to divest or retire, KC-10 aircraft.

SEC. 8119. None of the funds made available by this Act may be used to divest, retire, transfer, or place in storage or on backup aircraft inventory status, or prepare to divest, retire, transfer, or place in storage or on backup aircraft inventory status, any EC-130H aircraft.

SEC. 8120. None of the funds made available by this Act may be used for Government Travel Charge Card expenses by military or civilian personnel of the Department of Defense for gaming, or for entertainment that includes topless or nude entertainers or participants, as prohibited by Department of Defense FMR, Volume 9, Chapter 3 and Department of Defense Instruction 1015.10 (enclosure 3, 14a and 14b).

SEC. 8121. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

SEC. 8122. Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows: AH-64E Apache Helicopter and UH-60M Blackhawk Helicopter.

SEC. 8123. Of the amounts appropriated in this Act for "Operation and Maintenance, Navy", \$274,524,000, to remain available until expended, may be used for any purposes related to the National Defense Reserve Fleet established under section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. 4405): *Provided*, That such amounts are available for reimbursements to the Ready Reserve Force, Maritime Administration account of the United States Department of Transportation for programs, projects, activities, and expenses related to the National Defense Reserve Fleet.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8124. Of the funds previously appropriated for the "Ship Modernization, Operations and Sustainment Fund", the Secretary of the Navy may transfer such funds to appropriations for research, development, test and evaluation; and procurement, only for the purposes of 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*, 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 provided in the Act: *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: *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. 8125. The Secretary of Defense may use up to \$95,000,000 appropriated in titles II and IV of this Act to develop, replace, and sustain Federal Government security and suitability background investigation information technology systems of the Office of Personnel Management: *Provided*, That such funds shall supplement, not supplant any other amounts made available to other Federal agencies for such purposes.

SEC. 8126. None of the funds made available by this Act for the Joint Surveillance Target Attack Radar System recapitalization program may be obligated or expended for pre-milestone B activities after December 31, 2017.

SEC. 8127. Using funds made available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2918 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 shall include the use of energy sourced domestically within the United States 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 domestically sourced United States energy sources.

SEC. 8128. Of the amounts made available by this Act for "Defense Working Capital Funds" that are provided for the Defense Working Capital Fund, Defense Commissary Agency (DeCA), not less than \$48,000,000 shall be used to support the transportation of fresh fruits and vegetables to commissaries in Asia and the Pacific.

SEC. 8129. None of the funds provided in this Act shall be used for the acceptance of fresh fruits and vegetables at any commissary in Asia and the Pacific unless such fresh fruits and vegetables were grown within the country in which the commissary was located or were accepted for use by the Defense Commissary Agency at a location in the continental United States.

SEC. 8130. None of the funds made available in this Act or any other Act making appropriations for the Department of Defense may be used to close, in part or in whole, or transfer, in part or in whole, from the jurisdiction of the Department of Defense of the United States, Naval Station Guantanamo Bay.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8131. In addition to amounts provided elsewhere in this Act for military personnel pay, including active duty, reserve and National Guard personnel, \$340,000,000 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 enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

(INCLUDING TRANSFER OF FUNDS)

SEC. 8133. Additional readiness funds made available in title II of this Act for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", "Operation and Maintenance, Marine Corps", and "Operation and Maintenance, Air Force" may be transferred to and merged with any appropriation of the Department of Defense for activities

related to the Zika virus in order to provide health support for the full range of military operations and sustain the health of the members of the Armed Forces, civilian employees of the Department of Defense, and their families, to include: research and development, disease surveillance, vaccine development, rapid detection, vector controls and surveillance, training, and outbreak response: *Provided*, That the authority provided in this section is subject to the same terms and conditions as the authority provided in Sec. 8005 of this Act.

SEC. 8134. (a) The Secretary of Defense may provide from funds appropriated in title II of this Act up to \$5,000,000 for financial support for military service memorials and museums in the acquisition, installation, and maintenance of exhibits, facilities, and programs that highlight the role of women in the military.

(b)(1) Subject to paragraph (2), the Secretary may carry out subsection (a) by entering into contracts with nonprofit organizations under which such an organization shall carry out the activities described in such subsection.

(2) The Secretary may not enter into a contract under paragraph (1) until the congressional defense committees have received a report from the Secretary that describes how the use of such a contract will help educate and inform the public on the history and mission of the military, or support training and leadership development of military personnel, and is in the best interests of the Department of Defense.

SEC. 8135. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities, or for any activity necessary for the national defense, including intelligence activities.

SEC. 8136. None of the funds made available by this Act may be used to carry out the changes to the Joint Travel Regulations of the Department of Defense described in the memorandum of the Per Diem Travel and Transportation Allowance Committee titled "UTD/CTD for MAP 118-13/CAP 118-13—Flat Rate Per Diem for Long Term TDY" and dated October 1, 2014.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS/ GLOBAL WAR ON TERRORISM

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$2,426,130,000: *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: *Provided further*, That of the amount provided under this heading, \$1,154,828,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading "Title IX - Overseas Contingency Operations/Global War on Terrorism" in the report accompanying this Act.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$257,501,000: *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: *Provided further*, That of the amount provided under this heading, \$63,500,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel, Marine Corps”, \$453,542,000: *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: *Provided further*, That of the amount provided under this heading, \$349,000,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, \$591,792,000: *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: *Provided further*, That of the amount provided under this heading, \$145,000,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

RESERVE PERSONNEL, ARMY

For an additional amount for “Reserve Personnel, Army”, \$203,174,000: *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: *Provided further*, That of the amount provided under this heading, \$172,362,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

RESERVE PERSONNEL, NAVY

For an additional amount for “Reserve Personnel, Navy”, \$7,905,000: *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.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for “Reserve Personnel, Marine Corps”, \$3,087,000: *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.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for “Reserve Personnel, Air Force”, \$15,979,000: *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.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for “National Guard Personnel, Army”, \$436,968,000: *Pro-*

vided, 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: *Provided further*, That of the amount provided under this heading, \$316,454,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for “National Guard Personnel, Air Force”, \$4,125,000: *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

OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, \$12,582,680,000: *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: *Provided further*, That of the amount provided under this heading, \$2,186,672,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Operation and Maintenance, Navy”, \$5,029,252,000, of which up to \$162,692,000 may be transferred to the Coast Guard “Operating Expenses” account: *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: *Provided further*, That of the amount provided under this heading, \$1,082,170,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, \$916,496,000: *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: *Provided further*, That of the amount provided under this heading, \$166,900,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, \$6,870,406,000: *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: *Provided further*, That of the amount provided under this heading, \$960,626,000 shall be made available to support base budget re-

quirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for “Operation and Maintenance, Defense-Wide”, \$3,895,434,000: *Provided*, That of the funds provided under this heading, not to exceed \$1,100,000,000, to remain available until September 30, 2018, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant: *Provided further*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military and stability operations in Afghanistan and to counter the Islamic State of Iraq and the Levant, and 15 days following notification to the appropriate congressional committees: *Provided further*, That these funds may be used to support the Government of Jordan, in such amounts as the Secretary of Defense may determine, to enhance the ability of the armed forces of Jordan to increase or sustain security along its borders, upon 15 days prior written notification to the congressional defense committees outlining the amounts intended to be provided and the nature of the expenses incurred: *Provided further*, That of the funds provided under this heading, up to \$30,000,000 shall be for Operation Observant Compass: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *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: *Provided further*, That of the amount provided under this heading, \$351,000,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

OPERATION AND MAINTENANCE, ARMY

RESERVE

For an additional amount for “Operation and Maintenance, Army Reserve”, \$272,047,000: *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: *Provided further*, That of the amount provided under this heading, \$186,381,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for “Operation and Maintenance, Navy Reserve”, \$138,019,000: *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: *Provided further*, That of the amount provided under this heading, \$112,350,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for “Operation and Maintenance, Marine Corps Reserve”, \$29,628,000: *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: *Provided further*, That of the amount provided under this heading, \$24,550,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for “Operation and Maintenance, Air Force Reserve”, \$72,723,000: *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: *Provided further*, That of the amount provided under this heading, \$27,550,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Army National Guard”, \$380,221,000: *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: *Provided further*, That of the amount provided under this heading, \$237,880,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Air National Guard”, \$279,036,000: *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: *Provided further*, That of the amount provided under this heading, \$247,950,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

COUNTERTERRORISM PARTNERSHIPS FUND
(INCLUDING TRANSFER OF FUNDS)

For the “Counterterrorism Partnerships Fund”, \$750,000,000, to remain available until September 30, 2018: *Provided*, That such funds shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support, or facilitate counterterrorism and crisis response activities: *Provided further*, That the Secretary of Defense shall transfer the funds provided herein to other appropriations provided for in this Act to be merged with and to be available for the same purposes and subject to the same authorities and for the same time period as the appropriation to which transferred: *Provided further*, That the transfer authority under this heading is in addition to any other transfer authority provided elsewhere in this Act: *Provided further*, That the funds available under this heading are available for transfer only to the extent that the Secretary of Defense submits a prior approval reprogramming request to the congressional defense committees: *Provided further*, That upon a determination by the Secretary of Defense that all or part of the funds transferred from this appropriation are not necessary for the purposes herein, such amounts may be transferred back to the appropriation and shall be available for the same purposes and for the same time period as originally appropriated: *Provided further*, That the amount provided under this heading 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.

AFGHANISTAN SECURITY FORCES FUND

For the “Afghanistan Security Forces Fund”, \$3,448,715,000, to remain available until September 30, 2018: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary’s designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of \$20,000,000: *Provided further*, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Afghanistan and returned by such forces to the United States: *Provided further*, That equipment procured using funds provided under this heading in

this or prior Acts, and not yet transferred to the security forces of Afghanistan or transferred to the security forces of Afghanistan and returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further*, That of the funds provided under this heading, not more than \$25,000,000 shall be for recruitment and retention of women in the Afghanistan National Security Forces, and the recruitment and training of female security personnel: *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.

COUNTER-ISLAMIC STATE OF IRAQ AND THE LEVANT TRAIN AND EQUIP FUND

For the “Counter-Islamic State of Iraq and the Levant Train and Equip Fund”, \$880,000,000, to remain available until September 30, 2018: *Provided*, That such funds shall be available to the Secretary of Defense, in coordination with the Secretary of State, to provide assistance, including training; equipment; logistics support, supplies, and services; funding, including payments and stipends; infrastructure repair, renovation, and sustainment, to military and other security forces of or associated with the Government of Iraq, including Kurdish and tribal security forces or other foreign security forces, irregular forces, or groups with a security mission, to counter the Islamic State of Iraq and the Levant, and their affiliated or associated groups: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of \$20,000,000: *Provided further*, That the United States may accept equipment procured using funds provided under this heading, or under the heading “Iraq Train and Equip Fund” in prior Acts, that was transferred to security forces, irregular forces, or groups participating, or preparing to participate in activities to counter the Islamic State of Iraq and the Levant and returned by such forces or groups to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further*, That equipment procured using funds provided under this heading, or under the heading, “Iraq Train and Equip Fund” in prior Acts, and not yet transferred to security forces, irregular forces, or groups participating or preparing to participate in activities to counter the Islamic State of Iraq and the Levant may be treated as stocks of the Department of Defense when determined by the Secretary to no longer be required for transfer to such forces or groups and upon written notification to the congressional defense committees: *Provided further*, That amounts made available under this heading shall be available to provide assistance only for activities in a country designated by the Secretary of Defense, with the concurrence of the Secretary of State, as having a security mission to counter the Islamic State of Iraq and the Levant, and following written notification to the congressional defense committees within 15 days of such designation: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign security forces, irregular forces, or

groups: *Provided further*, That the Secretary of Defense shall ensure that prior to providing assistance to elements of any forces such elements are appropriately vetted, including, at a minimum, by assessing such elements for associations with terrorist groups or groups associated with the Government of Iran; and receiving commitments from such elements to promote respect for human rights and the rule of law: *Provided further*, That the Secretary of Defense may accept and retain contributions, including assistance in-kind, from foreign governments, including the Government of Iraq and other entities, to carry out assistance authorized under this heading: *Provided further*, That contributions of funds for the purposes provided herein from any foreign government or other entities may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That not more than 25 percent of the funds appropriated under this heading may be obligated or expended until not fewer than 15 days after: (1) the Secretary of Defense submits a report to the appropriate congressional committees, describing the plan for the provision of such training and assistance and the forces designated to receive such assistance; and (2) the President submits a report to the appropriate congressional committees on how assistance provided under this heading supports a larger regional strategy: *Provided further*, That of the amount provided under this heading, not more than 60 percent may be obligated or expended until not fewer than 15 days after the date on which the Secretary of Defense certifies to the appropriate congressional committees that an amount equal to not less than 40 percent of the amount provided under this heading has been contributed by other countries and entities for the purposes for which funds are provided under this heading, of which at least 35 percent shall have been contributed or provided by the Government of Iraq: *Provided further*, That the limitation in the preceding proviso shall not apply if the Secretary of Defense determines, in writing, that the national security objectives of the United States will be compromised by the application of the limitation to such assistance, and notifies the appropriate congressional committees not less than 15 days in advance of the exemption taking effect, including a justification for the Secretary's determination and a description of the assistance to be exempted from the application of such limitation: *Provided further*, That the Secretary of Defense may waive a provision of law relating to the acquisition of items and support services or sections 40 and 40A of the Arms Export Control Act (22 U.S.C. 2780 and 2785) if the Secretary determines such provisions of law would prohibit, restrict, delay or otherwise limit the provision of such assistance and a notice of and justification for such waiver is submitted to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided under this heading. The reports shall include claimed numbers of members in each organization, as previously defined; numbers of actual fighters trained; ideology; status of relationship for each group; the areas of operation for each group and the scope of support provided for each group, and a listing of the countries, groups, and individuals providing assistance: *Provided further*, That the term "appropriate congressional committees" under this heading means the congressional defense committees, the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives: *Pro-*

vided further, That amounts made available under this heading are 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

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", \$795,071,000, to remain available until September 30, 2019: *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: *Provided further*, That of the amount provided under this heading, \$481,900,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading "Title IX – Overseas Contingency Operations/Global War on Terrorism" in the report accompanying this Act.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", \$828,917,000, to remain available until September 30, 2019: *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: *Provided further*, That of the amount provided under this heading, \$196,100,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading "Title IX – Overseas Contingency Operations/Global War on Terrorism" in the report accompanying this Act.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", \$610,544,000, to remain available until September 30, 2019: *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: *Provided further*, That of the amount provided under this heading, \$212,000,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading "Title IX – Overseas Contingency Operations/Global War on Terrorism" in the report accompanying this Act.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$541,723,000, to remain available until September 30, 2019: *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: *Provided further*, That of the amount provided under this heading, \$240,200,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading "Title IX – Overseas Contingency Operations/Global War on Terrorism" in the report accompanying this Act.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$1,381,410,000, to remain available until September 30, 2019: *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: *Provided further*, That of the amount provided under this heading, \$8,400,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading "Title IX – Overseas Contingency Operations/Global War on Terrorism" in the report accompanying this Act.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", \$971,037,000, to remain available until September 30, 2019: *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: *Provided further*, That of the amount provided under this heading, \$626,714,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading "Title IX – Overseas Contingency Operations/Global War on Terrorism" in the report accompanying this Act.

WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", \$183,700,000, to remain available until September 30, 2019: *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: *Provided further*, That of the amount provided under this heading, \$175,100,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading "Title IX – Overseas Contingency Operations/Global War on Terrorism" in the report accompanying this Act.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", \$120,540,000, to remain available until September 30, 2019: *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: *Provided further*, That of the amount provided under this heading, \$58,000,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading "Title IX – Overseas Contingency Operations/Global War on Terrorism" in the report accompanying this Act.

SHIPBUILDING AND CONVERSION, NAVY

For an additional amount for "Shipbuilding and Conversion, Navy", \$3,086,300,000, to remain available until September 30, 2021, to be provided to the following programs: Carrier Replacement Program, (AP), \$263,000,000; DDG-51 Destroyer, \$433,000,000; Amphibious Ship Replacement LXR, \$1,550,000,000; Ship to Shore Connector, \$160,000,000; LCAC Service Life Extension Program, \$80,300,000; and Classified Programs, \$600,000,000: *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: *Provided further*, That of the amount provided under this heading, \$3,086,300,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading "Title IX – Overseas Contingency Operations/Global War on Terrorism" in the report accompanying this Act.

OTHER PROCUREMENT, NAVY

For an additional amount for “Other Procurement, Navy”, \$214,081,000, to remain available until September 30, 2019: *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: *Provided further*, That of the amount provided under this heading, \$102,530,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

PROCUREMENT, MARINE CORPS

For an additional amount for “Procurement, Marine Corps”, \$213,667,000, to remain available until September 30, 2019: *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: *Provided further*, That of the amount provided under this heading, \$107,463,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for “Aircraft Procurement, Air Force”, \$2,005,549,000, to remain available until September 30, 2019: *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: *Provided further*, That of the amount provided under this heading, \$1,295,716,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for “Missile Procurement, Air Force”, \$335,795,000, to remain available until September 30, 2019: *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: *Provided further*, That of the amount provided under this heading, \$194,420,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for “Procurement of Ammunition, Air Force”, \$478,158,000, to remain available until September 30, 2019: *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: *Provided further*, That of the amount provided under this heading, \$323,000,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for “Other Procurement, Air Force”, \$3,479,781,000, to remain available until September 30, 2019: *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, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-Wide”, \$389,134,000, to remain available until September 30, 2019: *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: *Provided further*, That of the amount provided under this heading, \$170,000,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

For procurement of rotary-wing aircraft; combat, tactical and support vehicles; other weapons; and other procurement items for the reserve components of the Armed Forces, \$1,000,000,000, to remain available for obligation until September 30, 2019: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after 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 none of the funds made available by this paragraph may be used to procure manned fixed wing aircraft, or procure or modify missiles, munitions, or ammunition: *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.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for “Research, Development, Test and Evaluation, Army”, \$167,522,000, to remain available until September 30, 2018: *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: *Provided further*, That of the amount provided under this heading, \$67,000,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for “Research, Development, Test and Evaluation, Navy”, \$106,323,000, to remain available until September 30, 2018: *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: *Provided further*, That of the amount provided under this heading, \$65,990,000 shall be made available to support base budget requirements as detailed in the

appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for “Research, Development, Test and Evaluation, Air Force”, \$42,905,000, to remain available until September 30, 2018: *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: *Provided further*, That of the amount provided under this heading, \$10,000,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for “Research, Development, Test and Evaluation, Defense-Wide”, \$179,919,000, to remain available until September 30, 2018: *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: *Provided further*, That of the amount provided under this heading, \$20,000,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for “Defense Working Capital Funds”, \$140,633,000: *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.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for “Defense Health Program”, \$781,764,000, which shall be for operation and maintenance: *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: *Provided further*, That of the amount provided under this heading, \$450,000,000 shall be made available to support base budget requirements as detailed in the appropriate account table included under the heading “Title IX – Overseas Contingency Operations/Global War on Terrorism” in the report accompanying this Act.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for “Drug Interdiction and Counter-Drug Activities, Defense”, \$215,333,000: *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.

JOINT IMPROVISED-THREAT DEFEAT FUND (INCLUDING TRANSFER OF FUNDS)

For the “Joint Improvised-Threat Defeat Fund”, \$408,272,000, to remain available until

September 30, 2019: *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: *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.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the “Office of the Inspector General”, \$22,062,000: *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.

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 2017.

(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 \$4,500,000,000 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 section 8005 of this Act.

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 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 United States Central Command area of responsibility: (1) passenger motor vehicles up to a limit of \$75,000 per vehicle; and (2) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$450,000 per vehicle,

notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed \$5,000,000 of the amounts appropriated by this title under the heading “Operation and Maintenance, Army” may be used, notwithstanding any other provision of law, to fund the Commanders’ 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 \$2,000,000: *Provided further*, That not later than 45 days after the end of each 6 months of the fiscal year, 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 6-month period 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 fiscal year quarter, the Army shall submit to the congressional defense committees quarterly commitment, obligation, and expenditure data for the CERP 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 \$500,000 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 and to counter the Islamic State of Iraq and the Levant: *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 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 proviso and accompanying report language for the ASFF.

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, Air Force”, up to \$60,000,000 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 2017, 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 2017, 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 notice 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 2017: *Provided further*, That amounts made available by this section are 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.

SEC. 9012. Up to \$500,000,000 of funds appropriated by this Act for the Counterterrorism Partnerships Fund may be used to provide assistance to the Government of Jordan to support the armed forces of Jordan and to enhance security along its borders.

SEC. 9013. None of the funds made available by this Act under the heading “Counter-Islamic State of Iraq and the Levant Train and Equip Fund” may be used to procure or transfer man-portable air defense systems.

SEC. 9014. For the “Ukraine Security Assistance Initiative”, \$150,000,000 is hereby appropriated, to remain available until September 30, 2017: *Provided*, That such funds shall be available to the Secretary of Defense, in coordination with the Secretary of State, to provide assistance, including training; equipment; lethal weapons of a defensive nature; logistics support, supplies and services; sustainment; and intelligence support to the military and national security forces of Ukraine, and for replacement of any weapons or defensive articles provided to the Government of Ukraine from the inventory of the United States: *Provided further*, That the Secretary of Defense shall, not less than 15 days prior to obligating funds provided under this heading, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Ukraine and returned by such forces to the United States: *Provided further*, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the military or National Security Forces of Ukraine or returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further*, That amounts made available by this section are 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.

SEC. 9015. Funds appropriated in this title shall be available for replacement of funds for items provided to the Government of Ukraine from the inventory of the United States to the extent specifically provided for in section 9014 of this Act.

SEC. 9016. None of the funds made available by this Act under section 9014 for “Assistance and Sustainment to the Military and National Security Forces of Ukraine” may be used to procure or transfer man-portable air defense systems.

SEC. 9017. (a) None of the funds appropriated or otherwise made available by this Act under the heading “Operation and Maintenance, Defense-Wide” 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 congressional defense committees 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 subsection (a) on a case-by-case basis by certifying in writing to the congressional defense committees 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 such waiver authority, the Secretaries shall report to the congressional defense committees 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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9018. In addition to amounts otherwise made available in this Act, \$500,000,000 is hereby appropriated to the Department of Defense and made available for transfer only to the operation and maintenance, military personnel, and procurement accounts, to improve the intelligence, surveillance, and reconnaissance capabilities of the Department of Defense: *Provided*, That the transfer authority provided in this section is in addition to any other transfer authority provided elsewhere in this Act: *Provided further*, That not later than 30 days prior to exercising the transfer authority provided in this section, the Secretary of Defense shall submit a report to the congressional defense committees on the proposed uses of these funds: *Provided further*, That the funds provided in this section may not be transferred to any program, project, or activity specifically limited or denied by this Act: *Provided further*, That amounts made available by this section are 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: *Provided further*, That the authority to provide funding under this section shall terminate on September 30, 2017.

SEC. 9019. 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).

(RESCISSIONS)

SEC. 9020. 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: *Provided*, That such amounts are 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, as amended:

(1) “Operation and Maintenance, Defense-Wide, DSCA Coalition Support Fund”, 2016/2017, \$300,000,000;

(2) “Counterterrorism Partnership Fund”, 2016/2017, \$200,000,000; and

(3) “Other Procurement, Air Force”, 2016/2018, \$169,000,000.

SEC. 9021. Each amount designated in this Act 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 shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 10001. (a) Congress finds that—

(1) the United States has been engaged in military operations against the Islamic State of Iraq and the Levant (ISIL) for more than 20 months;

(2) President Obama submitted an authorization for the use of military force against ISIL in February 2015; and

(3) under article 1, section 8 of the Constitution, Congress has the authority to “declare war”.

(b) Therefore, Congress has a constitutional duty to debate and determine whether or not to authorize the use of military force against ISIL.

SPENDING REDUCTION ACCOUNT

SEC. 10002. 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.

The Acting CHAIR. No amendment to the bill shall be in order except those printed in House Report 114-623, amendments en bloc described in section 3 of House Resolution 783, and pro forma amendments described in section 4 of that resolution.

Each amendment printed in the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as provided by section 4 of House Resolution 783, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Appropriations or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees, shall not be subject to amendment except as provided by section 4 of House Resolution 783, and shall not be subject to a demand for division of the question.

During consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate.

AMENDMENT NO. 1 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-623.

Ms. JACKSON LEE. 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 3, line 2, after the dollar amount, insert “(reduced by \$2,000,000) (increased by \$2,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 783, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I want to thank the chairman of the subcommittee and the ranking member of the subcommittee for coming forward on what I know is a very hard task. I thank them so very much.

I thank the Rules Committee, in this structured rule, for allowing this amendment to come forward, and I would like to share with my colleagues my intense commitment to the language of this amendment and the purpose.

Over the last year, I have been working with IFES and NDI, and I have been working with women around the world who have come here to the United States Congress to discuss peace and security.

The purpose of this amendment is to encourage the Secretary of Defense to allocate resources needed to provide technical assistance to U.S. military women, to military women in other countries, so military women to military women, in combating violence as a weapon of war, terrorism, human trafficking, narcotics trafficking, and their impact on women and girls.

I recall the aftermath of the Afghan war, when we went over to Afghanistan, when they were writing the constitution. Members of the United States Congress, women, insisted on

women's rights being in that constitution.

I, myself, went to Afghanistan and met with women parliamentarians, and we thought that we had secured their place in the infrastructure of that country. But, ultimately, when the Taliban rose up again, girls' schools were burned, and women were not protected.

I believe that now that more women are in the military—not only in the United States, but they are in the military around the world—this women-to-women conversation is a very important dialogue to help protect women and girls. Again, it is to give them the technical assistance and to help provide the Department of Defense with the resources needed for that technical assistance.

Terrorism, human trafficking, narcotics trafficking has a great impact on women and girls. To find your school burned has an impact.

It will help curb terrorism, this communication between women in the military of the United States and around the world, by making available American technical military expertise to militaries in other countries like, for example, Nigeria, which is combating violent jihadists such as Boko Haram.

These victims include Christians, Muslims, journalists, healthcare providers, relief workers, school children, and members of the diplomatic corps, and the armed services.

Terrorists across the globe have wreaked havoc on our society and cannot be tolerated or ignored, for their actions pose a threat to our national security and the security of the world.

I ask for support for the Jackson Lee amendment.

Mr. FRELINGHUYSEN. Will the gentlewoman yield?

Ms. JACKSON LEE. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to accept the gentlewoman's amendment, and thank her for her advocacy.

Ms. JACKSON LEE. Mr. Chairman, again, let me thank the ranking member for his support and assistance, and let me also thank the chairman.

I ask my colleagues to support this amendment for the protection and safety and security of women and girls around the world. Peace and security can be emphasized by the Jackson Lee amendment.

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 and for their work in ensuring that they have resources needed to keep our Armed Forces the greatest fighting force for peace on earth.

Mr. Chair, thank you for the opportunity to explain my amendment, which is simple and straightforward and affirms an example of the national goodness that makes America the most exceptional nation on earth.

The purpose of the Jackson Lee amendment is to provide the Secretary of Defense flexibility to allocate resources needed to provide technical assistance by U.S. military women to military women in other countries combating violence as a weapon of war, terrorism, human trafficking, narcotics trafficking.

Mr. Chair, the United States is committed to combating violent extremism, protecting our borders and the globe from the scourge of terrorism.

The United States Armed Forces possess an unparalleled expertise and technological capability that will aid not only in combating and defeating terrorists who hate our country and prey upon innocent persons, especially women, girls, and the elderly.

But we must recognize that notwithstanding our extraordinary technical military capabilities, we face adversaries who adapt very quickly because they are not constrained by geographic limitations or norms of morality and decency.

Al Qaeda, Boko Haram, Al Shabaab, ISIS/ISIL and other militant terrorists, including the Sinai's Ansar Beit al-Maqdis in the Sinai peninsula which poses a threat to Egypt.

The Jackson Lee amendment will help provide the Department of Defense with the resources needed to provide technical assistance to countries on innovative strategies to provide defense technologies and resources that promote the security of the American people and allied nation states.

Terrorism, human trafficking, narcotics trafficking and their impact on women and girls across the globe has had a great adverse impact on us all.

According to a UNICEF report, rape, torture and human trafficking by terrorist and militant groups have been employed as weapons of war, affecting over twenty thousand women and girls.

Looking at the history of terrorism highlights the importance of providing technical assistance through our military might, as this enables us to combat terrorism which now can plague us here in the United States.

The Jackson Lee amendment will help curb terrorism abroad by making available American technical military expertise to military in other countries, like Nigeria, who are combating violent jihadists in their country and to keep those terrorists out of our country.

Time and again American lives have been lost at the hands of terrorists.

These victims include Christians, Muslims, journalists, health care providers, relief workers, schoolchildren, and members of the diplomatic corps and the Armed Services.

This is why the technical assistance offered by our military personnel is integral to promoting security operation of intelligence, surveillance, and reconnaissance aircraft for missions to empower local forces to combat terrorism.

Terrorists across the globe have wreaked havoc on our society and cannot not be tolerated or ignored, for their actions pose a threat to our national security and the security of the world.

Mr. Chair, from the United States to Africa to Europe to Asia and the Middle East, it is clear that combating terrorism remains one of highest national priorities.

Collectively, helping our neighbors and their military build capacity to combat terrorism, eradicate human trafficking, stop narcotics

trafficking and negate their impact on women and girls across the globe serves our national interest.

I urge my colleagues to support the Jackson Lee amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. SHUSTER

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-623.

Mr. SHUSTER. 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 7, line 14, after the dollar amount insert the following: “(increased by \$170,000,000)”.

Page 13, line 11, after the dollar amount insert the following: “(reduced by \$20,000,000)”.

Page 14, line 6, after the dollar amount insert the following: “(reduced by \$20,000,000)”.

Page 15, line 3, after the dollar amount insert the following: “(reduced by \$20,000,000)”.

Page 8, line 22, after the dollar amount insert the following: “(reduced by \$135,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Pennsylvania (Mr. SHUSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I rise today in support of my amendment, to protect America's depots, arsenals, and ammunition plants, commonly known as the organic industrial base.

For over 200 years, the U.S. military has relied on a set of unique, highly technical facilities to equip its warfighters. They take equipment worn down in the field over months of hard use and remanufacture it, bringing it back to fighting condition and returning it to the hands of our Armed Forces.

In my district, Letterkenny Army Depot works tirelessly to get equipment turned around and to supply the Patriot missile battalions, the most deployed units in the Army. Everything from helicopters to small arms and tanks are brought into the depot system to be reset.

During the course of the war in Iraq and Afghanistan, the organic industrial base reset more than 3.9 million items, and over \$30 billion worth of equipment for the Army, Air Force, Navy, and Marine Corps have been reset. In 2015 alone, over 66,000 pieces of equipment were reset in our depots.

Even better, the organic industrial base makes good business sense. For every dollar invested in depots and arsenals, \$1.78 is returned to the taxpayers. Taken together, these installations are America's national security readiness insurance policy.

My amendment seeks to restore a damaging cut that will directly impact

our depots and arsenals, and would do concrete damage to the ability to support the warfighter.

According to the Army, these reductions will affect the Army's ability to repair equipment needed to sustain readiness, increase unit production cost, and could result in the loss of critical skill sets.

Further, these cuts threaten Army readiness and the ability to support future operations.

ISIS is on the move. Russia is flying their jets within a few feet of our ships. And China is building a small island empire. Now is not the time to make cuts to the depots and arsenals repairing equipment so we can reuse it to defend our Nation.

Ladies and gentlemen, let me compare this to something that we all can relate to, and that is, if we were building a house and we had \$1,000 to build the external structure of that house and, at the end of the year, we had spent \$250 to build the foundation, well, that \$750 that is not going to be spent this year has to be spent next year building the walls, building the roof, and building the siding. And that is what this is tantamount to doing.

□ 1445

Those equipment have long lead times. It takes them time. They can't get it all done at the end of the year, so those dollars are already obligated. They are dollars that are going to be spent to rebuild these pieces of important equipment.

With a range of dangerous enemies and a U.S. military that is stretched thin, it is not in our best national interest to strip these funds for such a critical purpose.

So I ask all Members to fully support this amendment. It is fully offset with bipartisan support, Mr. Chairman, and, again, I urge Members to accept it.

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, let me thank Chairman SHUSTER for his strong advocacy on behalf of our military, our Army, our depot, and our arsenals.

Let me explain why I am opposed to his amendment. This amendment is in response to the committee's decision to make targeted reductions to the Army Working Capital Fund due to the historically large carryover balances above the allowable ceiling. Our bill does not cut funds for Army depots. Please understand that our bill strongly supports the depots and the organic industrial base. In fact, our bill provides an additional \$750 million in the fiscal year 2017 budget for additional depot maintenance work across all of our services.

I know the gentleman is aware that given the fiscal constraints under the

current budgetary caps, targeted reductions aimed at money unspent helps alleviate the need for actual programmatic reductions in the Army and the department's O&M activities. I can't support an amendment that would cut operations and maintenance accounts, which this does.

These accounts provide critical funding for training, operations, maintenance, and readiness programs, things our committee bill has emphasized.

After a decade of war, restoring readiness is the top priority for both the Army and our committee. Therefore, while I appreciate my colleague's concern and pledge to work with him closely on this issue, I urge rejection of his amendment.

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

Mr. SHUSTER. Again, I certainly thank the chairman and my good friend from New Jersey for being a champion for our national defense, but I disagree. I think this does hurt our readiness because these are dollars that are obligated. These are projects that aren't completed at the end of the fiscal year but have to go on to the next year. The Army, in fact, has been reducing carryover for the last 5 years, and, again, these budgets that are tight, you still have to complete the reset for this equipment to be able to go back into the field.

Again, it is already obligated, and it will impact readiness. So, again, our bill offsets it. I think we have bipartisan support, so I would, again, urge all my colleagues to support this to protect our depot system which is critical to the Nation's readiness.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. VISCLOSKY), the ranking member.

Mr. VISCLOSKY. Mr. Chairman, I appreciate the chairman yielding, and I simply want to associate myself with his remarks.

I also have a deep respect for the gentleman from Pennsylvania. I appreciate what he is trying to do, but as the chairman did mention, this does make cuts as far as operation, readiness, and training. So I do associate myself with Chairman FRELINGHUYSEN's remark.

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

Mr. SHUSTER. Again, I have great respect for both the gentlemen from Indiana and New Jersey, but this, I do believe, does affect readiness. As I keep saying, these dollars are obligated. By cutting them, we will stop the flow of work once the fiscal year ends and they continue to rebuild this vital, vital equipment that needs to get back into the field and needs to be back and deployed so that our warfighters have the equipment necessary.

With that, 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. SHUSTER).

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

Mr. SHUSTER. 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 Pennsylvania will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-623.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. 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 7, line 14, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 7, line 23, after the dollar amount, insert “(reduced by \$3,000,000)”.

Page 8, line 11, after the dollar amount, insert “(reduced by \$3,000,000)”.

Page 31, line 8, after the dollar amount, insert “(increased by \$7,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 783, the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM of New Mexico) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Mexico.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, the United States is a leader in the research and development of directed energy technologies, including high energy lasers. Now, this technology plays a significant role for our military on and off the battlefield, offering substantial advantages to our troops.

Directed energy technology uses highly focused energy to minimize collateral damage, reduce civilian casualties, and then give our troops the advantage they need on the battlefield.

Now, I have seen these systems being developed and tested when I visited the Air Force Research Laboratory in New Mexico. I am very proud of the groundbreaking work being done there and New Mexico's contribution to developing and advancing this important technology.

Now, I hope that as this technology develops, it could spur the development, then, of non-defense and civilian-related applications.

My amendment increases the funding for the HEL-JTO by \$7 million. The HEL-JTO is the High Energy Laser Joint Technology Office which oversees the high energy laser research for the Air Force, Navy, and Army.

Now, this funding will support the development of beam directors, adaptive optics, deformable mirrors, and

high energy diodes. These components, in fact, will help high energy laser technology to become smaller, more portable, and more efficient, which expands the possibilities for the military.

Given that the Army's current work is focused on large ground systems that lack mobility, I was pleased that the House Appropriations Committee recognized the need for smaller and more portable directed energy technology and urged the Army to invest in directed energy capabilities for both combat vehicles and dismounted soldiers.

The committee further encouraged the Secretary of the Army to reduce the size, weight, power, and cost for these directed energy systems and to focus on integrating them into our existing or future combat and tactical vehicles as well as individual soldier weapon systems.

It is clear that the committee understands the importance of further development of this important technology through HEL-JTO, and I hope to continue to work with my colleagues on both sides of the aisle to ensure that they have the funding that they need to fulfill their important mission.

Mr. Chairman, it is my hope that you will continue to work with me as this process moves forward in order to ensure that we are, in fact, fully investing in these and other technologies that really can make the difference, frankly, on and off the battlefield.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 4 OFFERED BY MRS. HARTZLER

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114-623.

Mrs. HARTZLER. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 22, after the dollar amount insert the following: “(reduced by \$20,000,000)”.

Page 20, line 14, after the dollar amount insert the following: “(increased by \$20,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 783, the gentlewoman from Missouri (Mrs. HARTZLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Missouri.

Mrs. HARTZLER. Mr. Chairman, as our military has been severely short-changed over the past few years from budget cuts, it has been stretched thin—too thin—and we must make some very significant decisions to ensure our military readiness remains at a level capable of addressing the expanding threats of today.

We have seen stories of airplane parts being cannibalized from museum air-

craft and units making do with old or degraded resources, and our military operations and troops are suffering as a result. We have also seen evidence of buildings in disrepair, falling apart, or unusable due to their poor conditions.

This is true of the Army's old and aging ammunition plants like pictured here. These plants produce the small caliber ammunition and armaments required by our troops for training and combat operations. These critical facilities operate 24/7, 365 days a year, and they have little or no counterpart in the private sector, meaning any shutdown or production stoppage would have significant impacts and consequences for our men and women in uniform. At 75 years old, all four of these plants are in various states of disrepair and in dire need of modernization and upkeep. Failing to make this investment could result in the loss of 90 percent of all small caliber ammunition used by troops in every branch of our Armed Forces. Almost 90 percent of all small caliber ammo used by troops in every branch of our Armed Forces are produced in plants, and we must continue to provide the necessary resources to modernize these aging facilities.

The plants' conditions are the result of devastating budget cuts which have forced valuable dollars into other programs and projects. They have been neglected too long, and we must act before it is too late.

We are charged with making sure our men and women in uniform have the resources they need to address the threats of today and prepare for those of tomorrow. This amendment makes this critical investment for our troops, and I urge my colleagues to support it.

Mr. FRELINGHUYSEN. Will the gentlewoman yield?

Mrs. HARTZLER. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We are very pleased to support the gentlewoman's amendment, and we thank her for her advocacy on behalf of much-needed modernization of these ammunition plants.

Mrs. HARTZLER. Thank you, Mr. Chairman, and I appreciate your support. It is critical that we modernize these plants, and I urge all my colleagues to support this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Missouri (Mrs. HARTZLER).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. MEEHAN

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114-623.

Mr. MEEHAN. 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 8, line 22, after the dollar amount insert the following: “(reduced by \$7,000,000) (increased by \$7,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Pennsylvania (Mr. MEEHAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MEEHAN. Mr. Chairman, I rise to offer an amendment that will facilitate health screenings in communities coping with groundwater contamination from nearby defense installations. My amendment dedicates \$7 million in the operations and maintenance defense-wide account to screenings for residents who, unbeknownst to them, have fallen victim to exposure to firefighting chemicals which have bled into the drinking water.

One of those sites where this has happened for over a couple of decades is in my district, a district I share with the gentleman from Philadelphia, Mr. BRENDAN F. BOYLE, the Navy Air Station in Montgomery County, and Mr. FITZPATRICK of Bucks County in Warminster.

The Navy has been working very closely with the EPA and the public water authorities to take wells off line to address contamination and to provide public drinking water. But one of the things that they have not done is levels of screening to determine whether there has been any impact associated with the presence of what we call PFOAs, something the EPA has determined levels at which it may create a potential risk.

Make no mistake about it, the Federal Government is responsible for this. That will not be an issue which will be contested. So the question is whether there is precedent for the ability to work on something like this, allowing the Navy. And the answer is, yes, this has happened. Private entities in both Hoosick, New York, and West Virginia have worked through State authorities to enable there to be testing of thousands of local residents in situations like this to determine whether or not there could have been any local impact due to that.

So we are not asking the Defense Department to put any kind of man hours into this. We are asking them to work with what we believe are appropriate authorities that already exist, and for them to work in public-private partnerships with State entities to enable and facilitate some of this testing to take place.

I think the Navy deserves credit for being proactive in the way they have looked at this issue. But we see this as a continuing obligation and would like to see the Navy fulfill the support to enable this important, important testing to take place.

Mr. Chairman, I want to thank Chairman FRELINGHUYSEN for putting important language in the appropriations bill that includes report language requiring the Pentagon to report on what sites pose a potential health risk and its plan to address them. I am very thankful to my friend, Representative

BRENDAN F. BOYLE from Philadelphia, who has worked closely with me on this issue. But I also understand, Mr. Chairman, that the chairman of the committee has some observations on this.

Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding. I appreciate the gentleman's concerns and share those concerns very deeply, as do all members of our committee.

Concerns about PFCs have been proliferating nationwide as more evidence becomes available about the toxicity of these compounds.

□ 1500

Our bill does provide \$33 billion for the Defense Health Program and another \$289 million for the Navy Environmental Restoration Program, nearly \$8 million more than requested.

However, it has come to our attention that the Department may lack the authority presently to administer blood screening tests or spend funds requested by my colleague for this specific activity. Our committee is certainly committed to working with him and thanks him for his leadership. We will be working very closely with him and closely with the State of Pennsylvania to see what sort of partnerships we could put together to address this problem and what would be a success in Pennsylvania. We could look across the Nation for implementation as well.

I thank the gentleman for yielding.

Mr. MEEHAN. I thank the chairman.

Mr. Chairman, I yield to the gentleman from Philadelphia, Pennsylvania (Mr. BRENDAN F. BOYLE).

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Chair, I thank my colleague who also represents Montgomery County and parts near Philadelphia, Mr. MEEHAN. It has been an absolute pleasure to work with him on this issue on a bipartisan basis, as well as our colleague, Mr. FITZPATRICK, from Bucks County.

Mr. Chair, PFOA and PFOS are chemical compounds, PFCs, that are found in the firefighting foams that have been used on military bases throughout the country. The EPA and other agencies are testing these chemicals for suspected links to cancer and other serious health impacts and recently lowered advisory levels for drinking water.

This past March, the DOD released a list of 664 sites nationwide where these firefighting foams might have been used and similarly infiltrated local groundwater. Every State in the Union has at least one of these sites. The DOD is currently investigating.

To date, 16 public wells and 140 private wells in our area have been taken offline because of the Navy's contamination at and around the former Naval Air Station Joint Reserve Base Willow Grove in my district. This list will likely grow.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I claim the time in opposition to the amendment to give the gentleman a further opportunity to make his case, and I also recognize his leadership on this important issue.

The Acting CHAIR. Without objection, the gentleman from New Jersey is recognized for 5 minutes.

There was no objection.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE).

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Chairman, I appreciate the gentleman from New Jersey showing that those from Philadelphia and those from across the Delaware River, in New Jersey, can get along, and I appreciate his support on this issue.

Just to continue and conclude with what I was saying, the Navy and National Guard have taken responsibility for contamination and have agreed to pay approximately \$19 million to provide replacement water, install filtration systems on affected public wells, and hook homes with affected public wells into public water systems, but the community is seeking information regarding their years—possibly decades—of past exposure due to our military's contamination.

I think the amendment that Mr. MEEHAN and I are offering for \$7 million in the context of a \$32 billion operations, maintenance, and defense-wide account for screenings is reasonable. I understand, though, the recent Defense Department concerns.

I look forward to working with the chairman, as well as the ranking member, to ensure that we continue to fight for and advocate for our constituents in Montgomery County and Bucks County and all those potentially across the country who may be affected by this same issue. It is an issue that this body must pay closer attention to. Let's inform communities as the Defense Department investigates the potential scope of this issue.

Mr. FRELINGHUYSEN. I, again, thank both of the gentlemen from Pennsylvania.

Mr. Chair, I yield to the gentleman from Indiana (Mr. VISCLOSKEY).

Mr. VISCLOSKEY. Mr. Chairman, I would add my voice to the chair's. I look forward to working with both gentlemen on this very important issue. I do appreciate him raising it and do look forward to working with the chairman and with the both of them.

Mr. FRELINGHUYSEN. Mr. Chair, I yield to the gentleman from Pennsylvania (Mr. MEEHAN).

Mr. MEEHAN. Mr. Chair, I thank the gentleman for yielding, and I want to thank the gentleman and the chairman and the ranking member for their recognition of the issue and their willingness to work with Mr. BOYLE and Mr. FITZPATRICK in Bucks County, who is similarly situated, and myself. I look forward to working with both of those

gentlemen and the committee on this issue.

Mr. FITZPATRICK. Mr. Chair, I rise to join my colleagues from Pennsylvania, Representatives MEEHAN and BOYLE, in supporting an amendment that would provide health screenings for our constituents.

The DOD has begun the process of checking whether chemical compounds like PFOS and PFOA may have contaminated groundwater surrounding more than 660 military sites across the nation, including confirmed contamination around the former Naval Air Warfare Center in Warminster and former Willow Grove Naval Station in Horsham. In each of these instances, both public and private wells in my district have been impacted by contaminated groundwater—rightly concerning residents and local leaders.

Because of this immediate and widespread concern, it is only right the Department increase efforts to offer health screenings in communities surrounding these formerly used defense sites. This simple amendment clears that path by increasing funding for these screenings.

I urge this body to support this bipartisan amendment and, in doing so, reaffirm this government's commitment to protecting the health and safety of its citizens.

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

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

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. FRELINGHUYSEN OF NEW JERSEY

Mr. FRELINGHUYSEN. Mr. Chairman, pursuant to House Resolution 783, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 7, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, and 73 printed in House Report 114-623, offered by Mr. FRELINGHUYSEN of New Jersey:

AMENDMENT NO. 7 OFFERED BY MR. ROONEY OF FLORIDA

Page 8, line 22, after the dollar amount, insert “(reduced by \$40,000,000)”.

Page 33, line 11, after the dollar amount, insert “(increased by \$32,000,000)”.

Page 33, line 12, after the dollar amount, insert “(increased by \$32,000,000)”.

Page 33, line 15, after the dollar amount, insert “(increased by \$32,000,000)”.

AMENDMENT NO. 47 OFFERED BY MS. MCSALLY OF ARIZONA

Page 146, line 17, after the dollar amount, insert “(reduced by \$100,000,000) (increased by \$100,000,000)”.

AMENDMENT NO. 49 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 13, line 11, after the dollar amount, insert “(reduced by \$1,000,000)”.

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

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

AMENDMENT NO. 50 OFFERED BY MR. LOWENTHAL OF CALIFORNIA

Page 7, line 14, after the dollar amount, insert “(reduced by \$5,600,000)”.

Page 8, line 22, after the dollar amount, insert “(increased by \$5,000,000)”.

AMENDMENT NO. 51 OFFERED BY MR. COFFMAN OF COLORADO

Page 7, line 23, after the dollar amount, insert “(reduced by \$6,086,000) (increased by \$6,086,000)”.

AMENDMENT NO. 52 OFFERED BY MR. DUFFY OF WISCONSIN

Page 8, line 22, after the dollar amount insert the following: “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 53 OFFERED BY MR. MCKINLEY OF WEST VIRGINIA

Page 8, line 22, after the dollar amount insert the following: “(reduced by \$5,000,000) (increased by \$5,000,000)”.

AMENDMENT NO. 54 OFFERED BY MR. AGUILAR OF CALIFORNIA

Page 8, line 22, after the dollar amount, insert “(reduced by \$5,000,000) (increased by \$5,000,000)”.

AMENDMENT NO. 55 OFFERED BY MR. NADLER OF NEW YORK

Page 8, line 22, after the dollar amount, insert “(reduced by \$10,000,000)”.

Page 30, line 1, after the dollar amount, insert “(increased by \$5,000,000)”.

Page 31, line 20, after the dollar amount, insert “(increased by \$5,000,000)”.

Page 85, line 7, after the dollar amount, insert “(increased by \$10,000,000)”.

Page 85, line 8, after the dollar amount, insert “(increased by \$10,000,000)”.

AMENDMENT NO. 56 OFFERED BY MRS. NOEM OF SOUTH DAKOTA

Page 8, line 22, after the dollar amount, insert “(reduced by \$7,000,000)”.

Page 26, line 22, after the dollar amount, insert “(increased by \$7,000,000)”.

AMENDMENT NO. 57 OFFERED BY MR. ADERHOLT OF ALABAMA

Page 8, line 22, after the dollar amount, insert “(reduced by \$17,000,000)”.

Page 30, line 16, after the dollar amount, insert “(increased by \$17,000,000)”.

AMENDMENT NO. 58 OFFERED BY MR. GRAYSON OF FLORIDA

Page 8, line 22, after the dollar amount insert the following: “(reduced by \$5,000,000)”.

Page 30, line 16, after the dollar amount insert the following: “(increased by \$5,000,000)”.

AMENDMENT NO. 59 OFFERED BY MR. BERA OF CALIFORNIA

Page 8, line 22, after the dollar amount, insert “(reduced by \$5,500,000)”.

Page 31, line 20, after the dollar amount, insert “(increased by \$5,000,000)”.

AMENDMENT NO. 60 OFFERED BY MR. GRAYSON OF FLORIDA

Page 8, 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)”.

AMENDMENT NO. 61 OFFERED BY MR. GRAYSON OF FLORIDA

Page 8, line 22, after the dollar amount, insert “(reduced by \$1,000,000)”.

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

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

AMENDMENT NO. 62 OFFERED BY MRS. HARTZLER OF MISSOURI

Page 8, line 22, after the dollar amount insert the following: “(reduced by \$5,000,000)”.

Page 33, line 11, after the dollar amount insert the following: “(increased by \$5,000,000)”.

Page 33, line 19, after the dollar amount insert the following: “(increased by \$5,000,000)”.

AMENDMENT NO. 63 OFFERED BY MS. MENG OF NEW YORK

Page 8, line 22, after the dollar amount insert the following: “(reduced by \$8,000,000)”.

Page 33, line 11, after the dollar amount insert the following: “(increased by \$8,000,000)”.

Page 33, line 19, after the dollar amount insert the following: “(increased by \$8,000,000)”.

AMENDMENT NO. 64 OFFERED BY MR. NOLAN OF MINNESOTA

Page 8, line 22, after the dollar amount, insert “(reduced by \$2,000,000)”.

Page 33, line 11, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 33, line 19, after the dollar amount, insert “(increased by \$2,000,000)”.

AMENDMENT NO. 65 OFFERED BY MR. DELANEY OF MARYLAND

Page 8, line 22, after the dollar amount insert the following: “(reduced by \$7,800,000)”.

Page 84, line 16, after the dollar amount insert the following: “(increased by \$5,000,000)”.

AMENDMENT NO. 66 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

Page 8, line 22, after the dollar amount, insert “(reduced by \$2,000,000)”.

Page 33, line 11, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 33, line 19, after the dollar amount, insert “(increased by \$2,000,000)”.

AMENDMENT NO. 67 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 30, line 1, after the dollar amount, insert “(reduced by \$10,000,000)”.

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

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

AMENDMENT NO. 68 OFFERED BY MR. MACARTHUR OF NEW JERSEY

Page 30, line 1, after the dollar amount, insert “(increased by \$12,500,000)”.

Page 31, line 20, after the dollar amount, insert “(increased by \$12,500,000) (reduced by \$25,000,000)”.

Page 85, line 7, after the dollar amount, insert “(increased by \$25,000,000)”.

AMENDMENT NO. 69 OFFERED BY MR. LARSEN OF WASHINGTON

Page 30, line 23, after the dollar amount, insert “(reduced by \$2,000,000) (increased by \$2,000,000)”.

AMENDMENT NO. 70 OFFERED BY MS. GABBARD OF HAWAII

Page 31, line 8, after the dollar amount insert the following: “(reduced by \$5,000,000)”.

Page 31, line 20, after the dollar amount insert the following: “(increased by \$5,000,000)”.

AMENDMENT NO. 71 OFFERED BY MR. WALBERG OF MICHIGAN

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

SEC. 10003. None of the funds made available by this Act may be used to promulgate Directive 293, issued December 16, 2010, by the Office of Federal Contract Compliance Programs.

AMENDMENT NO. 72 OFFERED BY MR. GRAYSON OF FLORIDA

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

SEC. 10003. 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, as required by the Federal Acquisition Regulation, that the offeror or any of its principals—

(1) within a 3-year period preceding the 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;

(2) is presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in paragraph (1); or

(3) within a 3-year period preceding the offer, has been notified of any delinquent Federal taxes in an amount that exceeds \$3,000 for which the liability remains unsatisfied.

AMENDMENT NO. 73 OFFERED BY MR. YOHOF OF FLORIDA

At the end of the bill (before the spending reduction account), insert the following:

SEC. __. None of the funds made available by this Act may be used to provide arms, training, or other assistance to the Azov Battalion.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentleman from Indiana (Mr. VISCLOSKY) each will control 10 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, the majority and minority have agreed to this en bloc amendment package. These are noncontroversial amendments that cover topics such as lung cancer, personnel security, and gulf war illness. The sponsors of the amendments have agreed to the amendments being considered en bloc.

I ask for the adoption of the amendment.

I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I simply would indicate that I, too, support the en bloc amendment.

I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I thank, again, both gentlemen, the ranking member and the chairman.

I have come to the floor to emphasize these two amendments that are very important, I believe, to the work of the Defense Department and the many persons that they serve. I want to speak to the Jackson Lee amendment that addresses the question of post-traumatic stress disorder by emphasizing the numbers of individuals who are now coming back from service that have PTSD. PTSD has been discovered post the time of leaving the battlefield. Post-traumatic stress disorder is where one repeatedly relives the trauma of war in their thoughts—the day in and day out nightmares.

Texas, in particular, is a State that has a large number of returning veterans.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. VISCLOSKY. Mr. Chairman, I yield an additional 30 seconds to the gentlewoman from Texas.

Ms. JACKSON LEE. In the name of a young boy who was killed by a former marine who indicated that he had post-traumatic stress disorder, this increase of \$1 million is important.

Finally, let me say, triple negative breast cancer kills more women. It is important that there be an emphasis of up to \$10 million for added research to ensure that this deadly aspect of breast cancer does not continue to kill women not only in the United States military, but elsewhere. As a survivor, let me be very clear that this research has not yet been completed. Lives have not yet been saved.

I hope these amendments will be passed because it provides \$10 million for triple negative breast cancer and \$1 million for post-traumatic stress disorder.

I ask support for the Jackson Lee amendments.

Mr. FRELINGHUYSEN. Mr. Chairman, I continue to reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. NOLAN).

Mr. NOLAN. Mr. Chairman, Members of the House, I would like to begin by thanking the staff and respective chairman and ranking member and my colleagues as well, FRANK LOBIONDO and LOIS CAPPS, who co-chair with me the Lung Cancer Caucus. I have come to be so impressed with the hard work that the staff and the chairman and the ranking member do to bring this legislation forward.

My amendment would simply increase the amount of money available for lung cancer research by \$2 million, from \$12 million to \$14 million, in the hope that we can do better.

Mr. Chairman, \$2 million, I know, is but a dent in the Defense operations budget, but it is a source of great hope and great promise for people struggling with lung cancer, the most deadly of all cancers. 159,000 people, including many veterans, are victims of that each year.

I think so many of you know that my daughter Katherine was diagnosed some time ago with an advanced stage form of lung cancer. I would be remiss if I didn't thank my colleagues for their prayers, for their condolences, for their support, and for their support for this medical research to give hope to the victims of lung cancer for the future because, but for the money that this Congress has appropriated, my daughter wouldn't be experiencing the hope that she has for her recovery. With this additional amendment—it is a small one—I am appreciative of your support for it because it provides not only great hope for Katherine and her family, but it offers hope for so many more people all across the country affected with this dreadful disease.

I thank the committee, and I urge adoption of the amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, I continue to reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. AGUILAR).

Mr. AGUILAR. Mr. Chairman, I would like to thank the chairman and the ranking member for adding this amendment to the en bloc package, and to staff for their coordination and effort.

My amendment would increase funding for the Information Assurance Scholarship Program by \$5 million and decrease the operation and maintenance defense-wide Office of the Secretary of Defense administrative account by the same amount.

The IASP is a DOD program designed to address our cyber personnel demands through the recruitment and retention of top IT and cybersecurity talent. It allows the Secretary of Defense to provide financial assistance to individuals pursuing studies in computer and network security in exchange for their obligation to either serve in the Armed Forces or fulfill a DOD civilian service commitment postgraduation.

Using 2014 numbers, the DOD has employed over 500 IASP/CAE—Centers for Academic Excellence—graduates, and has seen a 97 percent completion rate since the program was started in 2001.

It is imperative that we give the Department of Defense the tools necessary to recruit those personnel charged with protecting our critical infrastructure, fortifying DOD networks, and conducting computer network operations.

We must make sure that we have the right people with the proper training in the right positions, and this amendment would aid in that effort.

Mr. Chairman, I once again thank the chairman and the ranking member.

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

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

Mr. SMITH of New Jersey. Mr. Chair, I rise today to encourage all members to support the Rooney amendment (Number 7) to the Department of Defense Appropriations Act of 2017, H.R. 5293, to reverse DOD's reimbursement rate cuts for Applied Behavioral Analysis (ABA) therapy for children of service members with autism.

Military life presents unique challenges for children with autism and their families, given the frequent changes of residence and schools, and the prolonged absences of a parent. In this context, coverage of ABA therapy is even more necessary to help military children adjust day-to-day, while also improving outcomes over the long term.

The Administration's reduction in the reimbursement rates for ABA for military children with autism could jeopardize access to this critical therapy. ABA is proven to bring about positive behavior change and assist in a child's long term development, especially for children with autism, and the program must be protected.

I urge my colleagues to support this amendment.

Mr. COFFMAN. Mr. Chair, I'd like to offer a statement in support of my amendment to H.R. 5293, the Department of Defense Appropriations Act for Fiscal Year 2017, as reported by the House Appropriations Committee. I commend my colleague, Rep. RODNEY FRELINGHUYSEN, the chairman of the Defense Appropriations Subcommittee, for his work on the bill before us and I thank him and all the members of the subcommittee and staff for their hard work in crafting this important piece of legislation.

My amendment seeks to transfer \$6.086 million from within the Navy's fiscal year 2017 Operations & Maintenance (O&M) account, to increase funding for the Weapons Support, Fleet Ballistic Missiles, Project 934, Engineering and Technical Services sub-account managed by the Navy's Strategic Systems Program office. My objective in offering this amendment is to strengthen nuclear deterrence by improving the operational readiness and reliability of the Navy's Strategic Weapons Systems aboard Fleet Ballistic Missile submarines.

At a time when Russia is flexing its nuclear muscles, both China and Russia are aggressively modernizing every aspect of their nuclear arsenals, and North Korea is conducting long-range missile tests and underground nuclear weapon tests, it is incumbent on Congress to authorize and appropriate sufficient funds to ensure the operational readiness and reliability of our nuclear forces, including the most survivable leg of the U.S. nuclear triad, the sea-launched ballistic missiles aboard fleet ballistic missile submarines.

A strategic weapon system consists of the launches, fire control, navigation, test instrumentation, missile, missile checkout, guidance and re-entry subsystems. Funding in this particular account provides support for all sub-system equipment aboard Trident II (D-5) submarine-launched ballistic missiles (SLBMs) and at shore facilities. Critical readiness-related efforts include: maintenance for sub-system equipment aboard SLBMs; equipment renewal and updating during overhauls; testing and repair of various electronic and other components and subcomponents; logistics control procedures; operational flight testing; support of crew training; technical engineering services required to test, analyze and maintain reliability of the weapon system; missile maintenance operations; and targeting support.

According to the Navy's Congressional Budget Justification Book, in Fiscal Year 2017 the Strategic Systems Program office was forced to absorb a program decrease in Operational Engineering Support of over \$6 million. This reduction will negatively impact Navy readiness in areas such as missile anomaly evaluations, re-entry body accuracy, launcher reliability maintenance, navigation accuracy, and guidance system performance evaluations.

I remind my colleagues of the fact that the Trident II (D-5) strategic weapon system will likely be in service through at least 2040, and possibly through 2080. This places a premium on engineering and technical services such as qualification and accelerated life testing, and other readiness-support efforts aimed not only at sustaining the missile system but also on ensuring its reliability.

Furthermore, I would add that my amendment is entirely consistent with one of the main themes and thrusts of this bill—and the

National Defense Authorization Act (NDAA) as well—namely, identifying serious shortfalls in readiness across the armed forces and taking steps to address those readiness challenges by adding funding, where necessary and appropriate. A nearly identical increase to this account was also authorized in the House's NDAA.

In sum, given the increasingly dangerous global security environment, we must take proactive steps to bolster nuclear deterrence—and the readiness and reliability of systems such as the sea-launched ballistic missiles aboard SSBNs on which deterrence rests. My amendment is intended to move a modest amount of funds (\$6.086 million) within the Navy Operations & Maintenance (O&M) account of over \$40 billion to help sustain the readiness of a key leg of the U.S. Nuclear Triad, our Trident II (D-5) submarine-launched ballistic missiles.

Ms. MENG. Mr. Chair, I rise today to speak on amendment number 63 which has been included in the first en bloc package. My amendment seeks to increase funding for the Department of Defense Peer-Reviewed Cancer Research Program by \$8 million in order to fight bladder cancer, brain cancer, colorectal cancer, liver cancer, lymphoma, melanoma and other skin cancers, mesothelioma, pancreatic cancer, stomach cancer, and cancer in children, adolescents, and young adults.

I'd like to thank Chairman FRELINGHUYSEN and Ranking Member VISCLOSKEY for their support of this measure, and for accepting it into this package. It is my hope that this additional funding will be used to contribute to the creation of a cure for these horrific cancers. Every year, millions of Americans die far too early from these diseases. Perhaps, however, our actions here today will lead to a world where future generations will not have to know the pain of such losses. Thank you to each of my colleagues who supported this measure, and to the many groups who lent their support as well—including: Action to Cure Kidney Cancer, American Brain Tumor Association, American Urological Association, Asbestos Disease Awareness Organization, Bladder Cancer Action Network, Fight Colorectal Cancer, Melanoma Research Foundation, and Pancreatic Cancer Action Network.

We may not know the end of cancer in our lifetimes, but I pray we can find it during my children's. I submit the following letter:

JUNE 15, 2016.

DEAR MEMBER OF CONGRESS, The undersigned organizations strongly support the recent approval by the Senate Committee on Appropriations of \$60 million for the Peer Reviewed Cancer Research Program (PRCRP) in their version of the fiscal year 2017 Defense Appropriations Act.

We are therefore encouraged to learn of an amendment that will be offered by Representative Grace Meng (D-NY) to the House version of the Defense Appropriations Act for fiscal year 2017 (H.R. 5293) to move funding for the PRCRP closer to the Senate level. Specifically, the Meng amendment increases by \$8 million the \$30 million appropriation for the Peer Reviewed Cancer Research Program (PRCRP) included in the bill.

Funded at \$50 million in fiscal year 2016, the PRCRP funds innovative, cutting-edge research on a variety of cancers. Since Fiscal Year 2009, the PRCRP has funded innovative basic, applied, and translational cancer research to support our nation's military serv-

ice personnel, their families, and the American public. Members of the military are exposed to hazardous environments due to the nature of their service and deployments and are therefore at risk for the development of many types of cancers. Funding innovative and translational research, the PRCRP focuses on the gaps in cancer research with respect to unique situations and military environments.

As approved by the House Committee on Appropriations, H.R. 5293 provides \$30 million for the PRCRP and includes as eligible areas of study: bladder cancer, brain cancer, colorectal cancer, listeria vaccine for cancer, liver cancer, lymphoma, melanoma and other skin cancers, mesothelioma, pancreatic cancer, stomach cancer, and cancer in children, adolescents, and young adults.

House approval of the Meng amendment would bring the PRCRP funding level closer to the \$60 million approved by the Senate Committee on Appropriations in their version of the Defense Appropriations. We hope that you will support this amendment to ensure the strongest possible funding level is included in the House-Senate conference for the final enacted version of the Defense Appropriations Act.

Thank you for your consideration of this important request.

Sincerely,

Action to Cure Kidney Cancer, American Brain Tumor Association, American Urological Association, Asbestos Disease Awareness Organization, Bladder Cancer Action Network, Fight Colorectal Cancer, Lymphoma Research Foundation, Melanoma Research Foundation, Pancreatic Cancer Action Network.

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

The en bloc amendments were agreed to.

AMENDMENT NO. 6 OFFERED BY MR. PAULSEN

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114-623.

Mr. PAULSEN. 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 8, line 22, after the dollar amount, insert "(reduced by \$25,000,000)".

Page 30, line 7, after the dollar amount, insert "(increased by \$25,000,000)".

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Minnesota (Mr. PAULSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. PAULSEN. Mr. Chairman, I thank Chairman FRELINGHUYSEN and Ranking Member VISCLOSKEY for their hard work in bringing this important legislation to the floor today. It is vital that we do provide our men and women in uniform with the support and resources they need to keep our country safe. Mr. Chairman, I am offering this amendment to provide funding for Defense Production Act purchases for strategic radiation-hardened microelectronics.

Through research, development, and testing we have been able to create the

most sophisticated weapons systems in the world. These systems are created using thousands of different parts, many of which utilize some of the most advanced technology that is available anywhere.

□ 1515

One of those products that many of our systems rely on is radiation-hardened microelectronics. These microelectronics are specially designed to withstand extremely harsh natural and manmade radiation environments. Although they can be small, they play a large role in ensuring our systems work in the toughest conditions.

The Department of Defense requires accesses to these unique products from sources that it knows and that it trusts to be responsible for handling those components with the utmost security. That is why, in 2004, the DOD created the Trusted Foundry Program for microelectronics.

This program would ensure that the DOD had access to cutting-edge microelectronics that were produced right here in America by American companies. The Trusted Foundry Program has given the DOD the peace of mind of knowing that the microelectronics they receive are not counterfeit, are not tampered with, and have not been compromised in any way as to jeopardize our national security.

Unfortunately, through challenges both inside and outside of the DOD's control, we now find ourselves in the unenviable position of having no clear vision for the future of this vital program. One issue that we currently face is that there is a shrinking number of American-owned and -operated companies that are capable of producing strategic radiation-hardened microelectronics. We now face the stark decision of trusting foreign-owned entities or of scrapping these products altogether.

I think we all share the same belief that the DOD needs to reevaluate its long-term strategic plan on how it plans to acquire microelectronics going forward. However, in the meantime, we should make sure that we have continued access to these products from sources that the Department already knows and trusts.

Mr. Chair, that is simply what this amendment aims to do by providing the funding for purchases through the Defense Production Act. The Defense Production Act was created to make sure we always have access to the industrial resources that are necessary for national defense. This year's report that accompanies the National Defense Authorization Act highlights the exact same concerns that I have raised. In fact, the NDAA encourages the Secretary of Defense to do exactly what this amendment would do, which is to use his authority under the Defense Production Act to ensure that continued access to a domestic supply for strategic radiation-hardened microelectronics is there.

Mr. Chair, we should make sure that the DOD has access to as many trusted

domestic suppliers as it possibly can instead of relying on just a single supplier for these products. The challenges that a single supplier presents have been well highlighted by the GAO in the past.

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

Mr. FRELINGHUYSEN. I am pleased to accept the gentleman's amendment.

Mr. PAULSEN. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. PAULSEN). The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. ZINKE

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 114-623.

Mr. ZINKE. Mr. Chair, 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 8, line 22, after the dollar amount, insert "(reduced by \$80,000,000)".

Page 26, line 22, after the dollar amount, insert "(increased by \$80,000,000)".

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Montana (Mr. ZINKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Montana.

Mr. ZINKE. Mr. Chair, 2 weeks ago, when I held events across Montana to finally welcome our Vietnam veterans home and present them with the 50th Anniversary Vietnam Veteran Lapel Pin, many of these veterans were surprised to find out that the same UH-1 Novembers that they flew in in Vietnam are still in service today. Even more astonishing is that these 50-year helicopters are still used to protect our national nuclear missile sites.

Mr. Chair, I commend our men and women in uniform who are still able to maintain these aircraft in a constant state of readiness, but, in reality, the Huey is incapable of meeting the mission requirements they face today. In fact, they have failed multiple exercises, not from personnel issues but from equipment issues.

This amendment will provide the funding that is necessary for the Air Force to expedite a full and open competition to replace these aging aircraft. It is critical we provide our men and women who protect our Nation's nuclear missiles and arsenals with the equipment that is capable of meeting the requirements of this important mission.

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

Mr. FRELINGHUYSEN. I commend the gentleman for bringing this important issue to our attention. We support his amendment and commend him for his work.

This is something that needs to be done. It is hard to believe that we are still flying Hueys out there, and the fact that we are moving into competition I think is a very positive development.

I thank the gentleman for his special service to our Nation.

Mr. ZINKE. Mr. Chair, I thank the chairman and his staff for the hard work they have done in helping me to bring this to the floor. It was a learning experience for all of us. I thank the gentleman for his efforts and work.

I also thank the Vietnam veterans. They don't have to look at the UH-1s flying to protect our missiles again.

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

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

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. ELLISON

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 114-623.

Mr. ELLISON. Mr. Chair, 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 8, line 22, after the dollar amount, insert "(reduced by \$1,000,000) (increased by \$1,000,000)".

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chair, we can raise living standards for families who have members who are working for Federal contractors right now. I propose in this amendment that we can raise that living standard for working families across the country if we use the Federal dollars to create good jobs.

My amendment would reprogram funds to create an Office of Good Jobs in the Department of Defense that would help ensure that the Department's procurement, grant-making, and regulatory decisions encourage the creation of decently paid jobs, collective bargaining rights, and responsible employment practices.

Right now, the U.S. Government is America's leading low-wage job funder, funding over 2 million poverty jobs through contracts, loans, and grants with corporate America. That is more than the total number of low-wage workers who are employed by Walmart and McDonald's combined. Many U.S. contract workers who work for Federal contractors earn so little that nearly 40 percent use public assistance programs, like food stamps and Section 8, to feed and shelter their families. To add insult to injury, many of these low-wage U.S. contract workers are driven deeper into poverty because their employers take away their wages through wage theft—breaking other Federal laws.

Now, some people might think, well, the debarment system covers this. Why is this necessary? The fact is you can get away with a lot of labor violations before you are debarred, yet there are some Federal contractors who have excellent employee relations, who pay decent wages, who allow collective bargaining, and who never engage in wage theft. These good contractors are competing with the bad ones.

Not only is this Office of Good Jobs going to prioritize the best public contractors, but it will also make sure that workers are treated fairly and that good, high road contractors are treated fairly.

Mr. Chair, I yield 30 seconds to the gentleman from Indiana (Mr. VISCLOSKEY).

Mr. VISCLOSKEY. Mr. Chair, I appreciate the gentleman for yielding, and I appreciate his effort to look at the largest Federal employer and look at ensuring that we do everything possible to make sure employees have living wage jobs and that there are responsible employment practices.

I tell people repeatedly what my greatest regret of public service is. When I came to the United States Congress on staff in 1977, the real hourly wage for 1-hour's worth of human labor, whether it was pushing papers, waiting on tables in a diner, or working for the military, or in a mill, was more in 1977 in the United States of America than it is today. I do think that we ought to look at Federal resources and do everything possible to make sure that people do have a living wage.

Mr. FRELINGHUYSEN. Mr. Chair, I rise in opposition to the gentleman's amendment.

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

Mr. FRELINGHUYSEN. Mr. Chair, this amendment would create a new office that would require the Department of Defense to make subjective determinations concerning a contractor's or a grant provider's workplace policies. The amendment would delay and disrupt an already complicated Federal procurement system and would harm a potentially large civilian contracting workforce that is essential to the missions and the operations of the Department of Defense. Furthermore, this amendment is unnecessary and duplicative of the many efforts that are already underway by the Department. The best way to ensure that government contracts or provides grants to the best employers is to enforce the existing suspension and debarment system.

Finally, the amendment reprograms funds away from the Department's operations and maintenance accounts—accounts which are critical to supporting our warfighters—and restores readiness to the services and to, may I say, our committee's top priority.

I urge a "no" vote on the amendment.

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

Mr. ELLISON. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Minnesota has 2½ minutes remaining.

Mr. ELLISON. Mr. Chair, first of all, I have a particular story I would like to tell.

There is a young woman named Mayra who works at the Pentagon food court. She was fired after challenging her managers to comply with labor laws and for going on strike multiple times in response to those violations.

Mayra is a first-generation immigrant who is struggling to pay her tuition at George Mason University. She now works odd jobs to make ends meet. Her experience at the Pentagon has inspired her to seek further education so she can help workers who get treated unfairly.

Research shows that Mayra is not alone. Federal contractors break Federal laws sometimes—not all. Many are good, but not all are, and the bad ones are not good for the United States. A U.S. Senate report, for example, found that over 30 percent of the biggest penalties for law-breaking were filed against the biggest U.S. contractors. This is an issue. We need an office to make sure that the best public contractors—Federal contractors—are the ones who get the best contracts and who get preferential treatment over the ones who have multiple violations.

Workers aren't the only ones who benefit from this new office, as I already mentioned. Let me emphasize that this is about benefiting law-abiding contractors, high road employers. They are competing with people who cut every corner and do the least to avoid debarment. We need to make sure that our system works well and that the largest spender of money in the world—the U.S. Government—spends it wisely, not with the ones who can barely skate by through the debarment process but with the best contractors, the ones who really prioritize good employment practices.

I ask Members to vote in favor of this amendment. It is a step toward bringing forth good jobs and closing this awful wage gap and wage stagnation we have seen in our country for 30 years. Please give us a "yes" vote.

Mr. Chair, it is intended that funds in the appropriation for Defense Wide Operations and Maintenance be used to establish an Office of Good Jobs in the Department aimed at ensuring that the Department's procurement, grant-making, and regulatory decisions encourage the creation of decently paid jobs, collective bargaining rights, and responsible employment practices. The office's structure shall be substantially similar to the Centers for Faith-Based and Neighborhood Partnerships located within the Department of Education, Department of Housing and Urban Development, Department of Homeland Security, Department of Health and Human Services, Department of Labor, Department of Agriculture, and Department of Commerce, Department of Veterans

Affairs, U.S. Department of State, Small Business Administration, Environmental Protection Agency, the Corporation for National and Community Service, and U.S. Agency for International Development.

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

Mr. ELLISON. 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 Minnesota will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. GIBSON

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 114-623.

Mr. GIBSON. Mr. Chair, 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 30, line 16, after the dollar amount, insert "(reduced by \$1,000,000) (increased by \$1,000,000)".

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from New York (Mr. GIBSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

□ 1530

Mr. GIBSON. Mr. Chairman, this amendment pluses up the account for extended-range cannon artillery, and it is paid for.

I want to begin by thanking the leadership of this esteemed committee, both the chairman and the ranking member, for their teamwork and also for their great work. I have been here 6 years, and I think this is the strongest bill that I have seen with regard to Defense Appropriations. I am deeply grateful.

Let me say that a principle for our country dating back to the founding is one of peace through strength, which relies on this concept of deterrence. It certainly brings forward a strong military with the intent that we would deter potential adversaries so, indeed, that we can empower our diplomats.

On our best day, other countries want to be like us, and this bill here is critically important toward that end. Look, after this past weekend, as we continue to mourn for those killed in the terrorist attack in Florida, I think it is on everyone's mind how important it is that we get this bill passed.

With regard to peace through strength and deterrence, I do have some concerns. Inasmuch as I am a very strong advocate of this bill, I am concerned about where we are today

with regard to our indirect fires capability. In some regard, it is understandable that we are beginning to fall behind some of our potential adversaries, certainly our competitors.

We have spent the last 15 years consumed in efforts to protect our people, protect our homeland, existential threats from terrorists, and that has led to largely counterinsurgency operations. And that has been somewhat at the detriment to our full spectrum capability, including indirect fires.

Part of our concept is we do rely heavily on close air support as part of this, understanding that, but saying that there is some risk to that. And I do appreciate the fact that the committee has actually taken note of this. There is a plus-up in this bill, and I want to commend both the chairman and ranking member for doing that. I think that we need more.

I would encourage my colleagues, if they haven't already, to take a look at the writings of Lieutenant General H.R. McMaster. I think he is a visionary. He is a great battlefield commander. I served under his command in Iraq in 2005, and he continues to do great work for this Nation. He has written about Russian activities, for example, in Ukraine and Syria. And it is clear that Russia and China are continuing to march forward with their capabilities, including in Ukraine, where Russia has shown a very extensive capability to mass fires. Candidly, they outrage our artillery, and I think this is something we need to address.

So I brought forward this amendment. It does plus-up this account by a million dollars. I mean, candidly, we could do more. But I do want to commend the committee for what they have done so far, and I think our amendment would help reinforce that.

I want to also say, as proud as I am of all of this work, I want to say, too, that I am very proud of the work of those men and women who serve us in the industrial base.

The work that is done on cannons is done in Watervliet, New York, at the Watervliet Arsenal. I am very proud of their work, but no one is more proud than their own Representative. Their own Representative is here with us today. He sponsors this bill. He is a Democrat from New York, and his name is PAUL TONKO.

I yield 1 minute to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Chairman, I thank the gentleman from New York (Mr. GIBSON), my colleague and friend for yielding and for leading us on this very important amendment.

Improving our artillery weapons system has been identified as a need by the Army Modernization Strategy. This amendment would make a modest increase to the Army's weapons and munitions advanced technology funding for extended-range cannon artillery.

We know that with additional research, development, and testing, we

can make meaningful advances to these systems. Unfortunately, these systems have been overlooked in recent years as we have chosen to modernize other parts of our forces.

During this time, other countries have begun to produce artillery with new capabilities such as improved range, mobility, and accuracy. Not only does this increase the risk to our warfighters in the field, it has encouraged our allies to consider purchasing these systems from elsewhere.

I know we are capable of designing and building the best artillery in the world. I have seen it firsthand at the Watervliet Arsenal and Benet Laboratories in my district where hundreds of women and men support our warfighters by developing and manufacturing cutting-edge cannons and mortars.

The Acting CHAIR. The time of the gentleman has expired.

Mr. GIBSON. Mr. Chair, I yield an additional 30 seconds to the gentleman from New York.

Mr. TONKO. Mr. Chair, we know that. It is a great inspiration just by their tradition alone.

We have an incredibly skilled workforce, the best in the world. Now we just need to make the investments necessary to ensure the products they manufacture will continue to be the best as well.

Once again, I thank our colleague, Congressman GIBSON, for this amendment, and I urge my colleagues to support it.

Mr. GIBSON. Mr. Chair, I yield such time as he may consume to the gentleman from New Jersey (Mr. FRELINGHUYSEN), the esteemed chairman of the Defense Subcommittee.

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman from New York for his advocacy on behalf of some remarkable installations in the State of New York. May I say we have a very close working relationship through Picatinny Arsenal. Firepower is important, considering what our adversaries are utilizing today and may be using in the future.

I am pleased to support the gentleman's amendment.

Mr. GIBSON. Mr. Chair, I appreciate the gentleman's comments, and I appreciate the support.

I just want to express my gratitude to both the chairman, the ranking member, and the committee staff. I know that this bill takes a lot of work, and I deeply appreciate all of those who are involved. I thank my friend and colleague, PAUL TONKO, for his great support and great work on this issue.

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. GIBSON).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. LANGEVIN

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 114-623.

Mr. LANGEVIN. 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 30, line 23, after the dollar amount, insert "(increased by \$29,800,000)".

Page 31, line 20, after the dollar amount, insert "(reduced by \$33,900,000)".

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Rhode Island (Mr. LANGEVIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

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

I am pleased to offer this bipartisan amendment today with my friends, Mr. GARAMENDI, Mr. CONAWAY, Mr. LAMBORN, and Mr. NUGENT. The Navy's electromagnetic rail gun is a technology described as revolutionary and a potential multimission game changer for long-range, land-attack, ballistic, and cruise missile defense, and antisurface warfare.

Mr. Chairman, the best mix of air and missile defenses will consist of complementary kinetic and nonkinetic weapons systems, enhancing our capability to defeat larger salvos of air and missile threats.

Rail guns have the capability to fire at higher velocities, which means longer ranges. Under certain conditions, a 32-megajoule gun will be able to launch projectiles more than 100 nautical miles. And it is more cost-effective. Whereas low-cost kinetic defenses run around \$400,000 each, surface-to-air interceptors and guided hypervelocity projectiles can be as low as \$25,000 to \$40,000 each.

My amendment also provides for the mount for the rail gun, a necessity that was promised to the Navy, appropriated but ultimately never delivered.

So this bipartisan amendment tracks the funds authorized in the FY17 NDAA and continues to provide imperative assistance to our Navy as they pursue high-tech, game-changing weapons systems across the fleet.

We must also not leave our sailors high and dry on a technology that we promised, one that is critical to the future of our military and promises to change the landscape of our missile defense capabilities at sea.

I yield 2 minutes to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Chairman, I rise in support of the amendment that would restore the funding for the directed energy weapons and rail gun.

If this funding reduction is left in place, then contracts will have to be renegotiated. Generally, those result in higher funding later on. We will lose a workforce that has been built and crafted generally over a long period of time, and that would require additional years getting back to this.

As my colleague from Connecticut said, this is about defending, in many instances, surface combatants. The

current opportunities are very expensive with a laser or rail gun. The cost per shot is dramatically less than it will be under the way we currently try to defend these multibillion-dollar assets as they move forward.

In my view, Mr. Chairman, these cuts are ill-timed and the program is mature to the point that it is ready to go that way. I understand we have a legitimate difference of opinion with my colleagues on our side of the aisle and the staff. This clearly may be one of those glass-half-full/glass-half-empty kind of scenarios. But many of us who look at this program—I am on the Seapower Subcommittee—believe that this program does, in fact, need to move forward.

I would request a positive end result and an “aye” vote on this amendment.

Mr. LANGEVIN. Mr. Chairman, I thank the gentleman from Texas for his comments. I support what he had to say and concur.

Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado (Mr. LAMBORN), the distinguished co-chair of the Directed Energy Caucus.

Mr. LAMBORN. Mr. Chairman, I thank the gentleman from Rhode Island for his strong support of our national defense and especially for his leadership as ranking member of the Emerging Threats and Capabilities Subcommittee where we serve together. I also thank the gentleman for his engaged and well-informed chairmanship with me of the Directed Energy Caucus.

Mr. Chairman, I rise in strong support of this amendment because a rail gun is a game-changing, third-offset technology that has many applications across warfare domains and very high potential for a significant leap in capability.

It should also save money in the long term as guided hypervelocity projectiles, as has been mentioned, only cost around \$30,000 apiece. Without this critical funding, this program will be hard-pressed to make progress and keep moving forward. This next-generation technology will be delayed, and warfighters will lack long-range precision fires against multiple threats.

Finally, funding is offset from an account that was originally intended for the exact same purpose.

I urge my colleagues to support the amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, I claim time in opposition, but do so reluctantly because the three previous speakers I have a very high regard for.

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

Mr. FRELINGHUYSEN. Mr. Chair, the gentleman's amendment would restore a funding reduction and increase funding above the President's budget request for the Navy power projection advanced technology line.

While the Navy's high-energy laser program has its merits, it is one of the

many examples of defense programs that has had, quite honestly, significant increases in funding for fiscal year 2017, in fact, 250 percent greater than the enacted level. So it hasn't been impoverished.

Our funding reduction still allows for a level that is more than 160 percent of the enacted level, a significant growth that allows for additional testing but puts the program on a path to actually be able to obligate funding in a manageable timeframe.

Our committee has a responsibility to conduct appropriate budget oversight, reducing funding to programs that aren't justified and adding funding to programs that aren't fully funded.

Appropriate budget oversight, reducing a program that is funded above its needs is an example of what I think we see, to some extent, here with this amendment.

We see no justifiable reason to add funding to this line, but it may be a matter of disagreement, but I think we have taken a close look at it.

This technology has great potential, but it also has significant development challenges that may be difficult to overcome. The weapons require very substantial power sources, cooling platforms, and corrosion protection.

The program should be continued in a fiscally responsible manner, which includes slowing funding to an appropriate level. I think we have reached that level.

While we may have some disagreement here, we are certainly supportive of the program, but I do reluctantly oppose the amendment put forward by these three great gentlemen.

I reserve the balance of my time.

Mr. LANGEVIN. Mr. Chairman, I have great respect for the chairman of the Appropriations Subcommittee on Defense. And although we respectfully disagree, I hope my colleagues will see the wisdom of following what the House Armed Services Committee did and add additional funding for this great capability, which is a game-changing technology which will better protect both our fleet, also ultimately all of our military assets, and our men and women in uniform who serve.

I would urge my colleagues to support the amendment, and I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chair, 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.

AMENDMENT NO. 12 OFFERED BY MR. ROGERS OF ALABAMA

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 114-623.

Mr. ROGERS of Alabama. 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 8, after the dollar amount, insert “(reduced by \$108,515,000)”.

Page 31, line 20, after the dollar amount, insert “(increased by \$108,515,000)”.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Alabama (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

□ 1545

Mr. ROGERS of Alabama. Mr. Chairman, I yield myself such time as I may consume.

I rise to urge the House to support my bipartisan amendment to restore critical missile defense funding for next-generation investments. I want to be clear: the mark by the gentleman from New Jersey is a good mark. I support it. I just want to improve it a little.

Mr. Chairman, Deputy Secretary of Defense Bob Work has recently stated: “Competitors have caught up on this regime and they're going to fire mass guided missile salvos at us . . . it doesn't have to be a kinetic solution. Hell, I don't really want a kinetic solution . . . it's got to be something else.”

Last week my subcommittee received a classified briefing by the Joint Staff on the results of the Joint Capabilities Mix Study IV. It is clear that we have to change the way we do missile defense if we expect to win in future years.

Our adversaries have not been standing still, and we can't stand still either. This amendment I offer, along with 13 colleagues on both sides of the aisle, including Mr. LANGEVIN, Mr. GARAMENDI, Ms. GABBARD, Mr. FRANKS, and Mr. LAMBORN, would simply restore the funding to the level of the President's budget for directed energy efforts in the weapons technology and technology maturation initiatives lines as well as the special programs—MDA technology line.

My amendment offsets this increase by cutting RDT&E for the KC-46 tanker program's budget request, which is not executable this year according to the GAO's recent budget fact sheet, and the Air Force does not dispute this fact. My office can share this document with any Member who has questions about the cut, which both the House and Senate NDAA's have also recommended.

Again, I strongly support the mark of the gentleman from New Jersey. I urge the House to support my bipartisan amendment to improve it and allow us the room to continue to work on this bill in the conference committee.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition, again, reluctantly.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I rise reluctantly knowing that

the gentleman is extremely knowledgeable and is a strong advocate for some very important things that relate to our missile defense. However, I do believe in responsible budgeting, which is a prerogative of our subcommittee. As stewards of taxpayer dollars, we prioritize funding programs at appropriate levels, levels that the Department can obligate responsibly in a timely manner. As such, when projects such as the weapons technology directed energy line are continually slow to develop and lag significantly behind other similar technology developments, reductions are warranted.

The funding provided in this bill provides \$9 million for each of three projects to continue. This is an opportunity for these laboratories—and they are remarkable laboratories—to prove that their demonstrations will be effective and deserve to continue to be funded in the future. A more advanced directed energy line, technology maturation initiatives, was supported in our bill at an increase of 275 percent over the enacted level.

The minor reduction in this program is due to the fact that funding will not be obligated in fiscal year 2017 to purchase long lead items, making the request early to need. Let me reiterate, we are highly supportive of the program. However, funding should be appropriately timed to the schedule.

As for the request to restore \$72 million in funding to a special program line, which, due to its classification we cannot discuss in an open forum, the funding is not tied to any requirement. We are concerned, and it is reflected in our bill.

Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. VISCLOSKY), the ranking member.

Mr. VISCLOSKY. Mr. Chairman, I would associate myself with the chairman's remarks. I appreciate what the gentleman from Alabama wants to do, but I do oppose his amendment for two reasons primarily.

One, obviously, under the circumstances we find ourselves in, he had to find the money for the increase, and it was taken from research and development for the United States Air Force, also vitally needed research and development dollars.

And, secondly, dollars do matter, but dollars have to be effectively spent.

It is not my personal belief that any additional dollars to this particular account—given the analysis that the committee has done on the budget this year—can be effectively spent.

So, again, I join with the chairman in respectful opposition to the gentleman's amendment.

Mr. ROGERS of Alabama. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado (Mr. LAMBORN), the vice chair of the Subcommittee on Strategic Forces.

Mr. LAMBORN. Mr. Chairman, I thank the gentleman from Alabama for yielding. I do thank the gentlemen

from both New Jersey and Indiana for their good work. Most of the time I am going to agree with their recommendations, but I reluctantly have to disagree in this case.

I rise in strong support of this amendment because we must do everything we can to protect our country from nuclear attack, especially in light of the rapidly growing threat from Iran, North Korea, and elsewhere.

Unfortunately, increasingly sophisticated ballistic missile technology is being widely produced and proliferated, and there is a long list of bad actors that currently have or desire this technology. According to the intelligence community, ballistic missile systems are becoming more mobile, survivable, reliable, accurate, and capable of striking targets over longer distances.

Today we can trust our current system and those who operate it to keep us safe and our allies safe from ballistic missiles, including warfighters like NORTHCOM/NORAD and the 100th Missile Defense Brigade in my district, and those doing the research and development, capably led by Admiral Syring of the Missile Defense Agency. However, we must not rest on our laurels. We must invest now in future technologies to be prepared to face future threats.

Most important, as my colleagues pointed out, there is consensus among senior DOD leaders as well as outside experts that nonkinetic, third-offset technologies such as directed energy are vital both to maintain superiority and to enable us to transition to a more cost-effective approach to missile defense over the long term. The current cost equation is against us. Our interceptor missiles we use to shoot down threats cost much more than hostile missiles we may have to destroy, and buying enough interceptors to counter a proliferating threat is ultimately a huge challenge.

Finally, I would simply point out that this amendment restores funding that is so highly classified, we can't debate it publicly, but suffice it to say that it has great promise to help us protect our homeland and keep Americans safe.

I appreciate the leadership of the gentleman from Alabama on the Subcommittee on Strategic Forces. It is an honor to serve with him as vice chairman.

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

Mr. ROGERS of Alabama. Mr. Chairman, I would just close by saying I have enormous respect for the gentleman from New Jersey. I just disagree on this particular issue.

I would like to point out the GAO language in particular for this offset that I have offered.

GAO says:

The Air Force fiscal year 2017 RDT&E budget request for the KC-46 program could be reduced by up to \$140 million because fiscal year 2016 RDT&E funds are potentially in excess to program need.

So we have the money to pay for this. It is a critical national security need. I urge my colleagues to vote "yes" on this amendment.

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

Mr. FRELINGHUYSEN. Mr. Chairman, again, I will say that I understand the gentleman's concerns. We respect them. We certainly respect his position and knowledge and commitment of the members of his subcommittee. They are experts.

We also take a look at the bottom line as well. We understand the gentleman's concerns that we properly fund homeland defense initiatives of the Missile Defense Agency. That is why our bill includes \$130 million above the request for important Homeland Security defense priorities, including the Ground-Based Midcourse Defense System and the Aegis Weapons System, two systems that have demonstrated their capacity to perform, that should be, quite honestly, robustly funded.

I have no further comments and would ask that the amendment be opposed.

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

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

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

Mr. ROGERS of Alabama. 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 Alabama will be postponed.

AMENDMENT NO. 13 OFFERED BY MR. QUIGLEY

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 114-623.

Mr. QUIGLEY. 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 8, after the dollar amount, insert "(reduced by \$75,802,000)".

Page 170, line 7, after the dollar amount, insert "(increased by \$75,802,000)".

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Illinois (Mr. QUIGLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

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

Mr. Chairman, the Air Force plans to acquire 1,000 next-generation air-launched cruise missiles, otherwise known as the long-range standoff weapon. This is double the size of the existing nuclear-armed cruise missile arsenal. However, many experts have already told us there is no need for nuclear-armed cruise missiles.

We already have the most advanced bomber ever created in our arsenal, the

B-2 Stealth bomber, and the Air Force will be acquiring new B-21 Stealth bombers. These bombers are capable of penetrating enemy airspace and dropping a nuclear bomb directly above a target, making nuclear-armed cruise missiles redundant.

If we decide we want to shoot nuclear missiles from thousands of miles away, we still have very expensive submarines and very expensive ICBMs capable of doing just that. Instead of investing more dollars into our outdated and oversized nuclear arsenal, we must make smart investments on other priorities that actually keep us safe, or on reducing our unsustainable debt and deficits. Yet, last year's budget doubled down and accelerated production of the missile by 2 years to 2025. The accelerated procurement schedule will cost taxpayers an additional \$75.8 million more in 2017 than originally planned in the fiscal year 2015 acquisition schedule, but that makes little sense when there is so much uncertainty about whether this missile is affordable or even necessary.

That is why my amendment will put \$75.8 million towards deficit reduction by placing funding for the long-range standoff weapon back on its 2015 acquisition schedule. There is no need to rush development when as little as 2 years ago the Air Force had requested a delay in procurement to pay for higher priorities before changing its mind a year later.

On top of that, the existing air-launched cruise missile and warhead isn't being phased out until the 2030s.

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

Mr. ROGERS of Alabama. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR (Mr. HULTGREN). The gentleman from Alabama is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Chairman, I yield myself such time as I may consume.

As chairman of the Subcommittee on Strategic Forces, I am deeply familiar with our nuclear forces. I want to urge my colleagues to vote "no" on this amendment.

Two successive Secretaries of Defense have said that nuclear deterrence is the most important mission the Department has.

Secretary Hagel said: "Our nuclear deterrent plays a critical role in assuring U.S. national security, and it is DOD's highest priority mission. No other capability we have is more important."

Secretary Carter said: "The nuclear mission is the bedrock of our security. It is what stands in the background and looms over every action this country takes on the world stage. It is the foundation for everything we do."

The LRSO program is critical to the mission, and it must remain on schedule. The fleet of existing air-launched cruise missiles that the LRSO will replace is over 30 years old, and their re-

liability is rapidly declining. Projected improvements in adversary air defense will impact its effectiveness even more. Simply put, our nuclear deterrent will not be credible unless it is modernized. The funding this amendment seeks to eliminate is necessary to modernize and keep this aspect of our nuclear deterrent on schedule.

There is a clear military requirement for the LRSO, and it is a national security imperative. This requirement has been identified and documented by the military and the Obama administration.

We should not be supporting the unilateral nuclear disarmament, and we should not be supporting this amendment. I urge my colleagues to vote "no."

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

Mr. QUIGLEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Chairman, this amendment today is being offered by my colleague, Mr. QUIGLEY, along with Mr. BLUMENAUER, Mr. GARAMENDI, Ranking Member SMITH, and myself. It would take the first step toward right-sizing a project in the U.S. military.

The U.S. military is in the midst of a major modernization program to sustain the strategic nuclear triad. The program will generate a massive wave of spending requirements into the 2020s, but the Pentagon does not know how to pay for it. Well, look, we have at least a partial idea for how to pay for the security needs of our country.

The United States, in the next decade, will build a new ballistic missile submarine, a new strategic bomber, a replacement for the Minuteman III, and the cruise missile discussed today. Now, one might ask why a Stealth bomber needs a nuclear long-range standoff weapon, and that is exactly what many military experts are already asking.

Slowing the spending on the LRSO would slow spending on a redundant weapon, one that many military commanders agree is simply not needed. It would save \$75 million and help start us on a road towards making smart decisions about our Nation's security, and save dollars down the road as well.

□ 1600

I am very pleased to be supporting this amendment. The Pentagon comptroller recently called the strategic force modernization "the biggest acquisition problem that we don't know how to solve yet." The cruise missile alone is estimated to cost \$20 billion to \$30 billion over its life cycle.

Let's make some commonsense decisions to make our country economically stronger, economically more secure, as well as our military stronger.

Mr. ROGERS of Alabama. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. FRELINGHUYSEN), chairman of the Defense Appropriations Subcommittee.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Mr. Chair, it is a pleasure to stand with the chairman of the committee that has oversight of this important, critical program.

The bottom line is that this amendment would unilaterally disarm our country by undermining the development of this new cruise missile, which would, in turn, weaken the airborne leg of our nuclear triad, which we depend on for a deterrent. You can be darn sure that the Russians and Chinese are not sitting back.

For the record, our committee has taken fiscally prudent minor reductions in the Standoff Weapon program when justified. This cut, which is nearly 80 percent of the funds requested, would be crippling, which, of course, is the apparent intention of this amendment. We don't support that.

The Air Force remains on track to issue a request for a proposal to industry for the technology maturation and risk reduction phase of the program before the end of the fiscal year, with a contract award to be made in fiscal year 2017. This amendment, if adopted, would radically slash funding and bring this effort to a halt. Therefore, I join with the chairman in urging strong opposition to this amendment.

Mr. QUIGLEY. Mr. Chairman, might I inquire how much time I have left?

The Acting CHAIR. The gentleman from Illinois has 1½ minutes remaining. The gentleman from Alabama has 2 minutes remaining.

Mr. QUIGLEY. I yield 1 minute to the gentleman from Indiana (Mr. VISCLOSKEY), the ranking member.

Mr. VISCLOSKEY. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of the gentleman's amendment.

The chairman mentioned that the reduction that is called for in this amendment would certainly impact the cruise missile program; however, I would point out that there is funding in the legislation, and we are developing a B-21, a new penetrating bomber. Also, moneys are being set aside by the United States Congress to extend the life of the B-61 nuclear weapon.

Congress will likely continue to provide robust funding for both of these very costly systems. I do not think we need a third redundancy, and we ought to pull back and support the gentleman's amendment.

Mr. ROGERS of Alabama. Mr. Chairman, I would like to close by saying that it is essential that we keep this modernization pace that we have got in place. Vote "no" on this amendment.

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

Mr. QUIGLEY. Mr. Chairman, in the brief time I have, this doesn't gut the program. It brings it back to its 2015 acquisition schedule.

Folks, we have to prioritize. We can't have three redundancies when we have cut homeland security money by 50 percent in the last 5 years. After Orlando, we should learn to reprioritize

what really keeps Americans safe. I encourage a "yes" vote.

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

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

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

Mr. QUIGLEY. 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 Illinois will be postponed.

AMENDMENT NO. 14 OFFERED BY MR. WITTMAN

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 114-623.

Mr. WITTMAN. Mr. Chairman, as the designee of the gentleman from Virginia (Mr. FORBES), I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 8055.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Virginia (Mr. WITTMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. WITTMAN. Mr. Chairman, I rise today in support of the amendment offered by Representative FORBES and myself that would strike section 8055, a provision that prohibits modifying the command and control relationships between U.S. Fleet Forces Command and the U.S. Pacific Fleet.

Importantly, this amendment directly aligns with guidance provided by the Chief of Naval Operations, Admiral John Richardson, in his "A Design for Maintaining Maritime Superiority," released just 5 months ago. In that guidance, Admiral Richardson advocated for examining the organization of U.S. Fleet Forces Command, U.S. Pacific Fleet, and their subordinate commands, with the end goal of clearly defining operational and wartime demands and generating ready forces to meet these demands.

Further, this amendment would allow our Navy to conduct an internal review and amend its organization and direction as needed to create organizational effectiveness. The Navy has advocated for this opportunity, and granting their request would streamline processes and support the Navy's efforts to become a greater fighting force than ever before.

Finally, this amendment eliminates redundant expenditures on Naval organizational structure and provides opportunities to redirect funds toward bolstering fleet readiness.

This amendment is consistent with the FY 2017 NDAA that passed the House by a vote of 277-147. Specifically,

section 910 of the House-passed FY 2017 NDAA reduces component commanders to the grade of lieutenant general or vice admiral. This amendment grants our Navy the latitude it needs to effectively organize its own commands in order to meet our Nation's maritime defense demands.

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

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

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

Mr. VISCLOSKY. Mr. Chairman, the world's largest fleet command, the United States Pacific Fleet, encompasses 100 million square miles, nearly half the Earth's surface. As our Nation conducts a rebalance in the Asia Pacific arena, it is critical that the Pacific Fleet preserve and increase its force structure, when necessary.

Under the current organization and command structure, the Fleet reports directly to the administrative offices of the Chief of Naval Operations and, operationally, to the U.S. Pacific Command.

It is my belief that the current command structure ensures more oversight and more accountability, particularly for budgeting and resources, which we as appropriators certainly appreciate. Changing this relationship, I believe, would make that oversight of this committee and the Congress more difficult, and, therefore, I am opposed to it. We have enough problems with oversight at the Department of Defense. We don't need to pile on.

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

Mr. WITTMAN. Mr. Chairman, I would say to the gentleman that, when the Navy asks for the ability to reduce its organizational structure to make itself more efficient to do the things that it needs to do to indeed fulfill the role in the Asia Pacific, maybe we ought to do what the Navy asks for us to do.

I am certainly an advocate for streamlined organizational structure and not more organizational structure. I think that this actually gets at that. It allows the Navy to perform its mission there in the Asia Pacific, allows that realignment to happen, but allows it to do so in a modernized organizational structure that the CNO is asking for. To me, that just makes sense. That is why I am strongly in favor of this amendment.

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

Mr. VISCLOSKY. Mr. Chair, it is my understanding that, because I am defending the position of the committee, I have the right to close.

The Acting CHAIR. The gentleman is correct.

Mr. VISCLOSKY. I reserve the balance of my time.

Mr. WITTMAN. Mr. Chairman, again, I would say that, based on the direc-

tion from the CNO and his directives of how the Navy is looking to reorganize itself to make sure that it has the ability to maintain maritime superiority—this came out just 5 months ago—to me, it makes perfect sense for us to be able to do that. It is to enable the Navy to do the things that it needs to do.

We have a modern Navy that needs the flexibility to make sure that it brings all of its assets forward, especially in the Asia Pacific, with new challenges there for our surface fleets, for our submarines, and for our aircraft carrier strike groups there. This, to me, is a needed change to make sure that the Navy can become more efficient organizationally to be able to get the job done.

Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. FRELINGHUYSEN), the chairman of the subcommittee.

Mr. FRELINGHUYSEN. Mr. Chair, let me say I support the gentleman's amendment. I think it makes good sense. I understand his rationale and strong feelings as to why it needs to take effect.

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

Mr. VISCLOSKY. Mr. Chair, I would again point out, as I did in my opening remarks, that the current organization and command structure of the U.S. Pacific Fleet works well. It provides us with the necessary ability to oversight.

Despite the gentleman's representations, and I would not suggest he is misrepresenting the facts, I am not aware that our committee was approached by the Chief of Naval Operations for a reorganization of the Pacific Fleet command structure. I am not suggesting they are the fount of all wisdom, but they have not brought that to this committee's attention. I would, therefore, respectfully oppose the gentleman's amendment.

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

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

The amendment was agreed to.

The Acting CHAIR. The Chair understands amendment No. 15 will not be offered.

AMENDMENT NO. 16 OFFERED BY MR. O'ROURKE

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in House Report 114-623.

Mr. O'ROURKE. 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 112, beginning line 23, strike section 8121.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Texas (Mr. O'ROURKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. O'ROURKE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I can think of no more important, awesome responsibility for us, as Representatives of our various districts across the country, than to ensure that the servicemembers whom we place in harm's way in over 140 countries around the world in the longest conflicts we have ever fought in Afghanistan, Iraq, Syria, and elsewhere are resourced, that they are trained, that they have everything that they need to complete the missions to which we have assigned them and to return home from the battlefield safely. And yet, despite authorizing a record amount this year in defense authorizations—over \$600 billion—we have stretched our military thin.

We are approaching a crisis in readiness, and what that means is that we are approaching a point where we are going to send men and women into harm's way without the resources and training and support they need to ensure they come back safely. This is at a time, Mr. Chairman, when we learn that the Army has 33 percent over capacity in terms of resources that it has that it does not need to perform its functions. The Air Force is 32 percent over capacity, and the Department of Defense, as a whole, is 22 percent over capacity.

Just one example, in the Department of the Army, if we were to reduce that overcapacity and move those resources where they can be more effectively placed, we would save \$500 million a year.

If we want to better serve our servicemembers, I ask my colleagues to join me in this amendment, which strikes language from the underlying bill that prohibits the Department of Defense from planning, proposing, or implementing a base realignment and closure round.

Now, to be clear, by striking that language, this would not authorize a BRAC. It would simply allow the Department of Defense to begin discussions around this, to begin planning it, and if it thinks it is the best way to serve our servicemembers and pursue our missions overseas, the Department of Defense could then propose a base realignment and closure round.

Mr. Chairman, I think this is the best way that we can serve both our servicemembers and the taxpayer and place resources where they can be most efficiently and effectively used.

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

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

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

Mr. FRELINGHUYSEN. Mr. Chair, respectfully, again, while the administration has argued that additional base realignment and closure rounds may be necessary to reduce infrastructure costs and overall costs, the 2000 BRAC one-time implementation costs were billions more than were assumed by the BRAC Commission.

□ 1615

Let's be honest. Even today, many States and regions are suffering from the effects of the last BRAC. I have seen little evidence that it saved us money, and we have taken a close look at it.

Furthermore, the authorization bill which we passed several weeks ago rejects BRAC for fiscal year 2017, and our bill provides none of the requested funding for a BRAC analysis and planning. I think the majority in Congress have made their views clear, and I rise in opposition to the amendment and urge a "no" vote.

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

Mr. O'ROURKE. Mr. Chair, I yield to the gentleman from Indiana (Mr. VISCLOSKEY).

Mr. VISCLOSKEY. Mr. Chairman, I appreciate the gentleman yielding.

I do rise in support of his amendment. The fact is, the Congress of the United States today excels at one thing. We excel better than anybody else at one thing: doing nothing. We do nothing better than anybody else. We should do something, and I do believe we ought to look ahead.

The Department is asking us to take a longer view, and let's take a look at this. The Department has indicated that they believe they have 22 percent excess capacity. Maybe they are wrong. Maybe it is much less than that. But I think we ought to have a serious examination of it and find moneys in a constrained environment for readiness, for training, for necessary procurement.

So I appreciate the gentleman offering his amendment, and I do support it.

Mr. O'ROURKE. Mr. Chairman, I thank the gentleman from Indiana for his comments, and I also thank the gentleman from New Jersey for his and for mentioning the cost of these BRAC rounds.

Yes, there is a significant, one-time cost, but if we look at the combined return that we see from all BRACs in all previous years, we realize \$13.6 billion annually to the positive. Just from the 2005 BRAC alone, it is \$3.8 billion that we can place in support of our servicemembers, in reducing waste, and ensuring that those precious tax dollars go to where they will be most effective.

Mr. Chairman, may I ask how much time I have remaining?

The Acting CHAIR. The gentleman from Texas has 1 minute remaining.

Mr. O'ROURKE. Mr. Chair, I yield 45 seconds to the gentleman from Florida (Mr. JOLLY).

Mr. JOLLY. Mr. Chairman, I thank my colleague from Texas, and I thank the chairman for a very good bill that I intend to support. This is a strong bill. The chairman has done great work.

But I do want to rise in support of the effort of my colleague from Texas. We do continue to hear about the excess capacity that each of the services have. And I ask the question: Should we really be paying for cement we

don't need when we face end-strength needs, recapitalization needs, and other more important priorities than facilities?

This is a hard issue, and the answer doesn't lie simply in today's amendment. But I think we should continue the conversation. That is why I rise to support my colleague; I rise to support the bill and my chairman as well, and to thank the gentleman for offering the amendment.

Mr. O'ROURKE. Mr. Chairman, I thank the gentleman from Florida.

I will just ask my colleagues to support a commonsense, bipartisan amendment that moves beyond parochialism, that moves beyond partisanship, that ensures that we have fiscal responsibility and effective and efficient support of our servicemember and our warfighter.

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

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

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

Mr. O'ROURKE. 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.

AMENDMENT NO. 17 OFFERED BY MR. HUFFMAN

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in House Report 114-623.

Mr. HUFFMAN. 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:

Strike section 8127.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from California (Mr. HUFFMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUFFMAN. Mr. Chairman, I stand, once again, today to offer an amendment with my fellow Californian, TOM MCCLINTOCK, and I have to say this is a *deja vu* moment. Just last year, Mr. MCCLINTOCK and I worked together, on a bipartisan basis, to finally strike a wasteful provision that was in the 2016 Defense Appropriations Act and had been in many previous Defense Appropriations Acts.

Our amendment, which passed overwhelmingly in this House, would save taxpayers millions of dollars by ending an outdated earmark mandating that the Defense Department ship coal from a certain part of Pennsylvania, 4,000 miles across the planet, to American bases in Germany.

Somehow, this zombie provision from the deepest days of the cold war and the golden era of congressional earmarks, when you could go into a bill

like this and arrange a sweetheart deal for a certain district and a certain coal company, somehow that provision was snuck back into this year's bill. It just won't die.

Now, for years, the Department of Defense and the President's annual budget has urged Congress to get rid of this provision, to allow the use of cheaper fuels to power its military bases in Germany. But because of certain special interests, the provision has persisted. It is a terrible deal for the American taxpayers, for the environment, but it has persisted.

Now that finally changed last year, and our amendment not only passed this House but it passed by a vote of 252-179. In this House, that is what we call a home run.

Like a bad sequel, this earmark is back once again, sneaking into the 2017 bill under a new name. Now don't let the new wording trick you. The practical implications and the intent are exactly the same as the old zombie earmark language.

Congress worked on a bipartisan basis last year to kill this bad idea, and it should do so again because the bottom line is that taxpayers should not be paying to ship coal, or any other energy source, 4,000 miles across the planet to a certain facility in Germany. We should give the Air Force the same flexibility to meet its energy needs that every other U.S. military installation around the world has.

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

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I rise in opposition to the Huffman/McClintock amendment.

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

Mr. THOMPSON of Pennsylvania. Mr. Chairman, last year, the House voted to remove longstanding language from the fiscal year '16 Department of Defense Appropriations bill that sourced Pennsylvania Anthracite to a public utility in Germany, which provides energy and heat for our troops stationed in the Rhine area and, in particular, in Kaiserslautern.

While seemingly well-intentioned, my colleagues misrepresented the overall costs associated with this provision, and they painted this as the poster child for government waste.

Taking their concern into account, the Appropriations Committee drafted language for fiscal year 2017 that does not prescribe the energy type or where it is to be sourced from, with the exception that the energy be domestically produced here in the United States.

Mr. Chairman, nearly 56,000 American defense personnel and family members reside in the Kaiserslautern military community. There are more overseas U.S. defense installations and personnel in Germany than in any other nation. Their well-being is of the utmost importance.

Unfortunately, the amendment to strike section 8127 will place the en-

ergy needs of our military installations and, by the way, all the dependents, those family members, clearly in the hands of Russia.

And I am not the only one sounding this alarm. In February, Commander of the U.S. Forces in Europe, General Philip Breedlove, testified before the House Armed Services Committee that, and I quote: "European continued dependence on Russian energy, specifically former Soviet and Eastern Bloc states, only serves to bolster Russia's ability to coerce those nations to achieve political gains."

Former Supreme Allied Commander of NATO provided testimony before the Armed Services Committee that: "Mr. Putin's strategy does not rely on military power alone. He seeks to maintain European dependence on Russian gas and continues to use that dependence as a weapon; he deftly applies a 'divide and conquer' strategy to undermine Europe's cohesion."

Mr. Chairman, Former Deputy Assistant Secretary of Defense for Russia, Ukraine, and Eurasia, Dr. Evelyn Farkas testified that "the Defense Department should no longer do any business with Russia." She concluded that "we must work with Germany and other allies to meet Europe's natural gas demand in a way that gives them leverage against Moscow, not the other way around, and benefits U.S. companies and alternative suppliers."

Those who have environmental concerns need to recognize that even Greenpeace evaluated the facilities at Kaiserslautern in 2013. They set a goal for the reduction of CO₂ emissions by 2020 greater than 40 percent, with a 35.4 percent reduction that was achieved by 2014.

Mr. Chairman, I do agree with my colleagues that we should do everything in our power to increase efficiency, but the cold reality is that if we do not domestically source energy for our troops, it is going to be left in the hands of Russia.

I encourage my colleagues to take into consideration what is at stake and reject the Huffman amendment. Failure to address these concerns could leave our servicemen and -women serving overseas in a new and very literal cold war.

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

Mr. HUFFMAN. Mr. Chairman, may I inquire as to the balance of my time?

The Acting CHAIR. The gentleman from California has 2½ minutes remaining.

Mr. HUFFMAN. Mr. Chairman, I yield 2 minutes to the other gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Chairman, I do not support the war on coal that is waged by this administration and my friends on the left, but I do support the war on waste, and I support this amendment based upon that fiscal imperative.

Now we are told our defense budget is so stretched that we now have to scav-

enge museums for aircraft parts. Yet there appears to be plenty of money to squander in a corrupt earmark that dates back to 1961.

As has been pointed out, that earmark requires that one American Air Force base in Kaiserslautern, Germany, has to purchase 9,000 tons of coal a year at a grossly inflated price, plus the cost of transporting this overpriced coal across the Atlantic Ocean and halfway across the European Continent.

The latest excuse we just heard is, well, otherwise we have to buy coal from Russia. Well, why in the world would we want to do that?

One company in Poland produces 48 million tons of coal from 23 mines. It produces more coal in an hour than this base uses in a year. And the objection seems particularly ludicrous, considering that the NDAA authorizes hundreds of millions of dollars for rocket engines purchased from Russia.

The Pentagon and successive Presidents have consistently protested this waste, but these protests have fallen on deaf ears in Congress, even while we are told that our defense spending has been cut to the bone.

If we don't change the spending trajectory of this government, the Congressional Budget Office warns that, in 6 years, interest on the national debt will exceed what we spent this year for our defense. That makes rooting out waste like this a national defense imperative.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. BARLETTA).

Mr. BARLETTA. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California. A vote for this amendment is a vote to force American servicemembers serving abroad to rely on Russia as their source of energy, energy they need for warmth and comfort.

The language that this amendment strikes simply requires our military base in Kaiserslautern, Germany, to use at least one American energy source for heat and power. If we remove this, our military base will have to turn to Russia for energy.

Now Vladimir Putin has used Russian energy as a weapon in international politics before. We should not give him that power over our military assets.

I urge my colleagues to reject this amendment and stand against Russian influence over the energy used by our military personnel.

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

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I yield such time as he may consume to another gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, I want to concur with the comments of my colleagues Mr. THOMPSON and Mr. BARLETTA in opposition to this amendment. I work closely with our friends in Germany. I am chair of the Congressional Study Group on Germany. I also

have been very close and meet with many leaders from Kaiserslautern. They are very pleased with the arrangement that we have had with their community for a very long time. In fact, I met with their leaders, their municipal utility, and we have had these conversations.

But what they have said is true. We might as well call this the "Buy Russian" amendment. Buy from Russia because if you are going to replace anthracite from the United States, there is really only one place you are going to get that. It is in Russia or perhaps in maybe some Russian-dominated areas of Ukraine right now.

□ 1630

That is it. If this energy is not sourced in the U.S., it will be sourced in Russia. As has been stated, Russia uses energy as a weapon against the West, particularly against our European allies. Why we would be unwitting allies with Vladimir Putin on this little dustup on Kaiserslautern is beyond me.

For all these reasons, I say oppose this amendment, buy American-sourced energy, and reject this buy Russian amendment.

Mr. HUFFMAN. Mr. Chairman, the boogeyman of Russian coal and Vladimir Putin really do strain credulity. In addition to the option of buying coal in Germany itself, which would obviously be one way to do this, as my colleague, Mr. MCCLINTOCK, points out, there is abundant coal alternatives if they want to buy coal in Poland, our NATO ally, or in Ukraine, an ally that we would like to help in lots of ways as they strive for independence and economic development under the boot of Vladimir Putin's Russia.

The last thing that was raised, the fact that somehow the language in the base bill would not require coal from Pennsylvania, is also a red herring. The language in this bill that says domestically sourced energy is required and other provisions effectively mean that the status quo—the sweetheart arrangement with one specific coal company in Pennsylvania—would be the only way that the Air Force could comply with this requirement.

So let's reiterate our bipartisan opposition to this wasteful, zombie earmark. I ask for an "aye" vote.

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

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

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

Mr. HUFFMAN. 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 California will be postponed.

AMENDMENT NO. 18 OFFERED BY MR. PETERS

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in House Report 114-623.

Mr. PETERS. 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:

Strike section 8132.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from California (Mr. PETERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. PETERS. Mr. Chairman, my amendment strikes language in the underlying bill that undermines and underfunds the Department of Defense's ability to develop and acquire alternative fuels that improve mission capabilities under section 526 of the Energy Independence and Security Act of 2007.

Section 526 established important baselines that guide private sector innovators in the development of alternative fuels for our military.

It is a low-cost, commonsense provision that helps the military fulfill its existing goals to diversify its fuel supply to reduce costs and save lives.

It does not, as some incorrectly claim, ban any fuels. It has not hindered the Department of Defense from purchasing the fuels that we need right now to counter the new and dynamic threats we face throughout the globe. It simply requires fuel producers seeking to do business with our military to meet certain requirements. We cannot expect to fight and to win the wars of tomorrow with only the fuels of yesterday.

A \$1 increase in the price of a barrel of oil translates to approximately a \$130 million increase in DOD expenditures over the course of a year. A blip in the world oil market forces the Department to redirect resources away from mission priorities—grounding planes and turning ships around.

Since September 11, 2001, more than 3,000 servicemembers have been killed or wounded in attacks on fuel convoys in Afghanistan. Delivering technologies to our troops that improve efficiency and cost certainty over traditional sources of fuel is both a life-saving strategy and has tactical benefits on the battlefield.

Some of my colleagues on the other side of this issue will say that section 526 is putting President Obama's green climate initiative into national security policy, but that is not true. But this provision was signed into law 9 years ago by a Republican President, George Bush. It is still supported by our military leaders today, and Congress should support it.

My colleagues will say that they are simply broadening the market for alternative fuels for the military, but they are not. They are ripping the bottom out from under it.

By inserting an anti-environmental agenda into the process of funding our national defense, the funding prohibi-

tion cripples existing efforts at the DOD to purchase cost-competitive biofuels and abolishes any certainty in the commercial marketplace.

This would take us backwards at a time when we need a smart, forward-looking approach to increase fuel diversity, particularly in ways that improve efficiency, enhance our range and agility, and better prepare our forces for future security environments where logistics may be constrained.

Energy security is national security.

Mr. Chairman, I urge my colleagues to support the amendment.

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, fuel for our troops' mobility and strike capability is one of our military's most critical resources. The provision it would strike ensures that our military has all the options it needs for fuel.

Mr. Chairman, I urge my colleagues to oppose the amendment.

I yield back the balance of my time.

Mr. PETERS. Mr. Chairman, may I inquire how much time I have remaining?

The Acting CHAIR. The gentleman from California has 2 minutes remaining.

Mr. PETERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. VISCLOSKEY), the ranking member.

Mr. VISCLOSKEY. Mr. Chairman, I appreciate the gentleman's yielding and I rise in support of his amendment.

As he has, I think, very ably mentioned, the Department of Defense is the largest purchaser on the planet of fuel. We do need to increase the menu of our energy sources. The Department has clearly stated that section 526 has not hindered it from purchasing the fuel it needs today worldwide to support military operations, but we ought to think about tomorrow's soldiers, sailors, airmen, and marines who will need a greater range of energy sources. We ought to keep those options open.

Mr. Chairman, I appreciate the gentleman's offering the amendment, and I do support it.

Mr. PETERS. Mr. Chairman, I would just say, again, the politics on this amendment is really on the other side. We have seen the military support this. This is an effort started by President George Bush to improve our security and cost containment.

Mr. Chairman, I urge my colleagues to support removing this restriction by voting for this amendment.

I yield back the balance of my time.

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

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

Mr. PETERS. 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 California will be postponed.

Mr. PETERS. Mr. Chairman, I ask unanimous consent to withdraw my request for a recorded vote.

The Acting CHAIR. Without objection, the request for a recorded vote is withdrawn. Accordingly, on the basis of the voice vote, the noes have it and the amendment is not adopted.

There was no objection.

AMENDMENT NO. 19 OFFERED BY MR. POE OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in House Report 114-623.

Mr. POE of Texas. Mr. Chairman, I have an desk amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 126, line 13, after the dollar amount insert the following: “(reduced by \$200,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Texas (Mr. POE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the underlying bill gives \$900 million of American money to Pakistan. That is \$200 million more than last year.

My amendment cuts the money given to Pakistan to the same amount as last year, \$700 million. Of course, if I had my way, I would cut all the money to Pakistan.

Here is the reason, Mr. Chairman: the Pakistanis hid Osama bin Laden, and we had to go into Pakistan and take him out. They hid him, and the world knows about it. After they hid Osama bin Laden, amazingly, the CIA section chief in Pakistan is poisoned. He comes back to the United States. He believes, and the CIA believes, that it was the Pakistani ISI that poisoned him. I agree with them.

People say that we need to help Pakistan fight the war in Afghanistan, but Pakistan is on the wrong side of the war, Mr. Chairman.

In an editorial by The New York Times entitled “Time to Put the Squeeze on Pakistan,” the paper calls Pakistan a dangerous and duplicitous partner, and said that Pakistan was fueling the war in Afghanistan.

Now, I don't agree with The New York Times on a lot of things, but I agree here. We can't trust the Pakistanis, yet every year, we give them more money.

In February 2012, a NATO report confirmed that ISI was supporting the Taliban and other terrorist groups with resources, sanctuary, and training. On

May 21 of this year, the United States killed the leader of the Taliban in a drone strike.

And guess where he was hiding out?

In Pakistan.

Once again, the Pakistanis cannot be trusted. We are supposed to be fighting the Taliban in Afghanistan. The military in Pakistan, in my opinion, is taking the money we give them and helping to support the Taliban in Afghanistan. They want to have it both ways. U.S. officials later revealed that the Taliban leader that we took out was plotting new attacks on American targets in Afghanistan.

We have given Pakistan \$33 billion of aid since 9/11, and each year we say that Pakistan is at the crossroads and needs to decide whether it is going to fight terrorists or fight on our side. Let me tell you, we are being played by the Pakistanis. They are taking money from whomever they can get it. They support the Taliban, and they claim they support us.

Let's just make them get a little less money every year. Cut it down from \$900 million—which is in this year's budget—to what it was last year, \$700 million.

Mr. Chairman, we don't need to pay Pakistan to betray us. They are going to do it for free. That is what this amendment does. It cuts money, \$200 million.

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

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

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

Mr. FRELINGHUYSEN. Mr. Chairman, I appreciate the gentleman's passion on the issue and his consistent passion.

For the record, Mr. Chairman, the Coalition Support Fund allows the Secretary of Defense, as was true of his predecessor, to reimburse any key cooperating nation for logistical and military support, including access, specialized training to personnel, procurement, and provision of supplies and equipment provided by that nation in connection with a United States military operation, and Pakistan is one of those.

Receipts for reimbursements are submitted by cooperating nations and are fully vetted by the Pentagon and follow strict—and I say strict—criteria to meet standards for reimbursement. It is all about reimbursement. All payments are made in arrears and following notification to Members of Congress on appropriate committees.

Regarding Pakistan, the Coalition Support Fund remains a critical tool to enable Pakistan to effectively deal with future challenges from the emerging U.S. drawdown—and we are drawing down.

It also remains a cost-effective tool for the U.S. to remain engaged in the region and with Pakistan. We shouldn't

be abandoning Pakistan, because we might actually have something even worse than what the gentleman describes if we turn our back on Pakistan.

Mr. Chairman, I feel strongly this amendment ought to be opposed.

I yield such time as he may consume to the gentleman from Indiana (Mr. VISCLOSKEY), the ranking member.

Mr. VISCLOSKEY. Mr. Chairman, I appreciate the chairman's yielding. I associate myself with his remarks and I am in opposition to the gentleman's amendment.

There is no question that the relationship with Pakistan has been very difficult, but we ought to also remember that not only are we talking about the issues of terrorism in this country, but that Pakistan is possessed of nuclear weapons and has capabilities.

The committee is not ignorant of these facts, and the fact is that under the chairman's leadership, we do have section 9017 that requires the Secretary of Defense, prior to obligating the funds, to certify certain actions. One of those is that Pakistan is cooperating on counterterrorist efforts. They are preventing the proliferation of nuclear-related materials and expertise, and they are not intervening extra judicially in political or judicial processes.

No one is completely naive here in this Chamber, but it is important that we continue that relationship with great care and oversight.

And, again, I do join with the chairman in opposition to the amendment, and I appreciate the gentleman yielding.

□ 1645

Mr. FRELINGHUYSEN. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from New Jersey has 2 minutes remaining.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Ms. JACKSON LEE), my good friend.

Ms. JACKSON LEE. Mr. Chairman, my good friend, Mr. POE, is a good friend and a great leader on these issues dealing with terrorism, but let me, sadly, join in opposition to this amendment.

Over the years, I have worked with a number of persons in the Pakistani Government. But, in particular, I want to emphasize that the Pakistan military, over a period of years, has fought against terrorism and suffered a great treasure in the loss of their soldiers. I believe it is important that we continue to collaborate and, as my two colleagues have said, that we work extensively with oversight.

We must be mindful that they do have nuclear capacity. I believe it is important that we are engaging and that we use these resources for them to maintain the security of these resources but, more importantly, to keep

a collaboration with, in particular, their military operations which, overall, have been helpful in the war on terror.

I oppose that reduction, and I thank the gentleman for offering his amendment.

Mr. Chair, I rise to speak in support of En Bloc Amendment No. 1 to H.R. 5293, the Defense Appropriations Act for Fiscal Year 2017.

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, I am pleased that the En Bloc Amendment includes two of my amendments that were made in order under the Rule.

The first Jackson Lee Amendment (No. 49) increases funding for the PTSD by \$1,000,000.

These funds should be used toward outreach activities targeting hard to reach veterans, especially those who are homeless or reside in underserved urban and rural areas, who suffer from Post Traumatic Stress Disorder (PTSD).

Mr. Chair, along with traumatic brain injury, PTSD is the signature wound suffered by the brave men and women fighting in Afghanistan, Iraq, and far off lands to defend the values and freedom we hold dear.

For those of us whose daily existence is not lived in harm's way, it is difficult to imagine the horrific images that American servicemen and women deployed in Iraq, Afghanistan, and other theaters of war see on a daily basis.

In an instant a suicide bomber, an IED, or an insurgent can obliterate your best friend and right in front of your face. Yet, you are trained and expected to continue on with the mission, and you do, even though you may not even have reached your 20th birthday.

But there always comes a reckoning. And it usually comes after the stress and trauma of battle is over and you are alone with your thoughts and memories.

And the horror of those desperate and dangerous encounters with the enemy and your own mortality come flooding back.

PTSD was first brought to public attention in relation to war veterans, but it can result from a variety of traumatic incidents, such as torture, being kidnapped or held captive, bombings, or natural disasters such as floods or earthquakes.

People with PTSD may startle easily, become emotionally numb (especially in relation to people with whom they used to be close), lose interest in things they used to enjoy, have trouble feeling affectionate, be irritable, become more aggressive, or even become violent.

They avoid situations that remind them of the original incident, and anniversaries of the incident are often very difficult.

Most people with PTSD repeatedly relive the trauma in their thoughts during the day and in nightmares when they sleep. These are called flashbacks. A person having a flashback may lose touch with reality and believe that the traumatic incident is happening all over again.

Mr. Chair, the fact of the matter is that most veterans with PTSD also have other psychiatric disorders, which are a consequence of PTSD. These veterans have co-occurring dis-

orders, which include depression, alcohol and/or drug abuse problems, panic, and/or other anxiety disorders.

My amendment recognizes that these soldiers are first and foremost, human. They carry their experiences with them.

Ask a veteran of Vietnam, Iraq, or Afghanistan about the frequency of nightmares they experience, and one will realize that serving in the Armed Forces leaves a lasting impression, whether good or bad.

Jackson Lee Amendment No. 49 will help ensure that "no soldier is left behind" by addressing the urgent need for more outreach toward hard to reach veterans suffering from PTSD, especially those who are homeless or reside in underserved urban and rural areas of our country.

The second Jackson Lee Amendment No. 67 included in the En Bloc Amendment increases funding for the Defense Health Program's research and development by \$10 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.

Jackson Lee Amendment No. 67, 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, ascending to leadership. Within 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.

We are on the right track, we're on the right road.

I thank the Chair and Ranking Member for including the Jackson Lee Amendments Nos.

49 and 67 in the En Bloc Amendment and urge my colleagues to support the En Bloc Amendment.

Mr. FRELINGHUYSEN. Mr. Chair, I would like to point out that these reimbursements are made to maintain some 186,000 Pakistani forces along 1,600 miles of border between Afghanistan and Pakistan to deter border conflict, movement, counterterrorism-counterinsurgency operations.

The Pakistanis have paid quite a price in their military for deaths related to their work to protect Afghanistan, and, may I say, the bad guys have paid a price. Nearly 28,000 militants were killed, injured, and arrested due to these operations. It is better that the Pakistanis are doing it than the United States military.

I yield back the balance of my time.

Mr. POE of Texas. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Texas has 2 minutes remaining.

Mr. POE of Texas. Mr. Chairman, I thank the chairman for his comments.

Pakistan is playing everybody. They take our money, it goes through ISI, and it ends up in the hands of the Taliban and Afghanistan that is killing Americans.

And, yes, they file reimbursements about us giving them money. They file reimbursements about the money that is being used. They file it with the Pentagon, and the Pentagon says that 50 percent of the reimbursement requests that they make are fraudulent. They lie and they cheat to get that American money. So Pakistan is playing everybody.

Nuclear weapons? Yes, they have got them. Now we hear reports that they may be working with the North Koreans and supplying them nuclear capability. I don't know if that is true or not.

The Pakistanis cannot be trusted. They are getting money from whomever they can. They do what is in the best interests of the current government. The military may not even be working with the government. We don't need to pay them any more money. Give them the same amount that they got last year and save the American taxpayers \$200 million.

Once again, we don't need to pay Pakistan to betray us, Mr. Chairman; they will do it for free.

And that is just the way it is.

I yield back the balance of my time.

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

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

Mr. POE of Texas. 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.

AMENDMENT NO. 20 OFFERED BY MR. DUNCAN OF TENNESSEE

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in House Report 114-623.

Mr. DUNCAN of Tennessee. 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 132, line 24, after the dollar amount, insert “(reduced by \$448,715,000)”.

Page 170, line 7, after the dollar amount, insert “(increased by \$448,715,000)”.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Tennessee (Mr. DUNCAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. DUNCAN of Tennessee. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have tremendous respect for Chairman FRELINGHUYSEN and Ranking Member VISCLOSKY. I know that they have had a very difficult job in trying to resolve all the competing interests in this bill. They are two of our finest Members.

My amendment is being offered primarily because of my very great concern for our astounding national debt, now over \$19 trillion, and a debt that is going up much higher in the years ahead. Also, I just do not believe in forever, permanent wars, and we have now been involved militarily in Afghanistan for over 15 years, with no end in sight.

The words we see most often about the American public's view of the war in Afghanistan are “war weary.” The American people want us to stop spending so much money in Afghanistan and start making things more secure here at home.

Afghanistan is classified as one of the least developed countries in the world. With a population of 30 million, their GDP is approximately \$20 billion in American dollars. Even with my amendment, which would be a 13 percent cut, we would still be spending \$3 billion there in the next fiscal year. My amendment would save \$448 million and place it in the deficit reduction account.

The OCO account has been referred to as a slush fund for the Defense Department and as a budgetary gimmick. Just yesterday on this floor, the ranking members of the full committee and the subcommittee both criticized this way of funding some of our overseas operations.

The NDAA bill funded the OCO only to the level of \$35.7 billion instead of the \$58.6 billion in this bill, and there has already been acknowledgement that there probably will be a supplemental appropriations bill to be passed before May 1.

Afghanistan was referred to by the disgraced General Petraeus, who is still

respected by many, and many others as the “graveyard of empires.” It is ruled by tribes and village warlords, and the threats from radical Islamic terrorists to the U.S. are much greater for almost every other country, and even here at home.

The average income there is about \$667 a year. With the \$3.5 billion in this bill for Afghanistan, we could put almost every leader there on the U.S. payroll and give them big raises.

My amendment has been endorsed by the fiscally conservative Taxpayers for Common Sense.

I commend the subcommittee leadership for already having a small cut in this bill for Afghan funding from \$3.65 billion to \$3.45 billion. This seems to me to be at least a partial admission that most on the committee agree with me. I believe that they have not gone far enough. In fact, I would have liked to have gone much further with my amendment. I simply believe that we should stop throwing money down this very wasteful black hole and start putting our own people and our own country and our own needs first once again.

In recognition that the subcommittee is at least headed in the right direction with this small cut and in hopes that additional cuts could be made at conference, or at least in next year's bill, I appreciate being given the opportunity to at least express my very strongly held views on this situation in Afghanistan.

I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 21 OFFERED BY MR. SANFORD

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in House Report 114-623.

Mr. SANFORD. 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:

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

SEC. 10003. None of the funds made available by this Act may be used in contravention of section 418 of title 37, United States Code, as such section was in effect on June 9, 2016, with respect to athletic shoes.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from South Carolina (Mr. SANFORD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. SANFORD. Mr. Chairman, this amendment, in simplest form, would block section 808, the so-called New Balance provision, by defunding it.

I want to say before I get into the content, I want to compliment BRUCE POLQUIN, BILL HUIZENGA, and MARTHA MCSALLY. We just had a fascinating

conversation in the Cloakroom just a few moments ago. I think that, if their constituents and the American public at large could see the degree of thoughtfulness, their forthright approach, and the intellectual weight behind the things we just discussed in trying to find some kind of a solution here, they would be most impressed.

It is with reservation that I offer this amendment, based on respect for each one of them, but I do so based on some concerns that I have in looking at the base language's approach and what it would mean for the average recruit out there.

I offer this amendment based on, one, a concern for the troops. Right now, if you look at ballpark, the average new recruit, not all, but many of them have about 13 different choices in terms of shoe size. Fundamentally, this would bring it down to one, hopefully two, as Saucony came on line, and maybe two or three models of those different shoes in time, but it would begin to limit choices.

I think that, for the average recruit out there, when there are very, very few choices, there is a wisdom to having more choices based on the notion of one size never fitting all. There have been any number of different Army and other military studies that have shown a correlation between injury and fewer choices.

Secondly, I would say that this amendment is in the interest of the taxpayer. We now spend about \$100 million a year in the recruit cycles on musculoskeletal injuries, 80 percent of which are tied to the lower extremities; disproportionately, those are tied to training injuries in, again, the new recruit cycle. Again, there is a degree of correlation between injury and fewer choices. I think that this amendment gets at that.

Finally, I think this is about process. The military has allowed cash allowances for some time because they have recognized, again, the need for personal choices and personal matters. For instance, for women's undergarments, people are allowed a personal choice in picking the woman undergarments that work for them.

Yet there is nothing more personal, at the end of the day, for a new recruit than their shoes. I think that, from a standpoint of process, preserving this notion of military cash allowances is important. I think it is for that reason that this amendment is supported by the Association of the United States Army, the White House, the DOD, a variety of different conservative groups, and more.

But before we get into that, so that we might have a little bit further debate on this issue, I reserve the balance of my time.

Ms. TSONGAS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Massachusetts is recognized for 5 minutes.

Ms. TSONGAS. Mr. Chairman, this amendment would undermine a provision included in both the House- and Senate-passed NDAA's that is aimed at ensuring that the Department of Defense adheres to the law, a law that DOD indicated that it would follow once a 100 percent American-made shoe was available that met its cost and durability standards.

Well, today the domestic shoe industry has rebounded—employing thousands of workers throughout the country—and several versions of a completely American-made shoe are now available to the Defense Department, but they have yet to provide those shoes to new recruits.

After testing and approving two 100 percent American-made athletic shoes last year, Defense Department officials underscored their quality, writing that one of those shoes “scored higher overall than any other neutral/cushioned running shoe we have tested thus far.”

This is quite an endorsement, since the Defense Department has been testing sneakers for more than 20 years. Even so, should recruits require something more specific, they can receive a waiver.

And Stars and Stripes reported last week that, when the Navy switched to Made in America shoes in 2004, “stress fractures had been reduced by 69.7 percent.”

We should ensure that all recruits have the best quality shoes to choose from always—and the best is American made.

As for cost, industry has committed to providing new recruits with running shoes that cost \$15 per pair less than the cash allowance currently provided to new recruits. And to be clear, any U.S. footwear manufacturer that makes 100 percent American-made shoes is eligible for this contract.

The provision in the House- and Senate-passed NDAA supports American workers, provides a better value for American taxpayers, and supports American servicemembers by supplying them with the highest quality athletic shoes available.

I strongly oppose this amendment.

I reserve the balance of my time.

Mr. SANFORD. Mr. Chairman, I continue to reserve the balance of my time.

Ms. TSONGAS. Mr. Chairman, I yield 1 minute to the gentleman from Maine (Mr. POLIQUIN), with whom I have worked so closely.

□ 1700

Mr. POLIQUIN. Mr. Chair, the Berry amendment has been the law of the land in the United States for 75 years. Very simply, it requires the Pentagon to issue American-made gear and equipment to men and women in uniform for basic training. This is very important because it promotes good-paying, U.S. manufacturing jobs and national security by assuring an American supply chain for that equipment. Today, the Berry amendment supports

600,000 U.S. manufacturing jobs—from T-shirts to combat boots to parachutes.

I represent 900 of the most skilled, hardworking athletic shoemakers in the world. They are proud and they are honored to manufacture the highest quality athletic shoes for our troops.

Mr. Chair, a vote for the Sanford amendment is a vote for manufacturing jobs in Asia. I ask everyone to please vote “no” on the Sanford amendment. Vote “no” on the Sanford amendment in order to support U.S. manufacturing jobs, to save taxpayer dollars, and to reduce injuries by providing the highest quality, 100 percent American-made athletic shoes made for U.S. recruits.

Mr. SANFORD. Mr. Chair, I reserve the balance of my time.

Ms. TSONGAS. Mr. Chair, I yield 1 minute to the distinguished gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. Mr. Chair, I rise in strong opposition to the Sanford amendment.

This proposed amendment runs counter to a 2014 DOD policy change that allows our military recruits to have athletic shoes that are manufactured right here in the United States.

My friend from South Carolina is misguided in his understanding of this policy, I believe. There are multiple American companies that are competing to supply our men and women in uniform. As this Member has fought against earmarks, this is not an earmark. In fact, in Michigan, Bates currently produces Berry-compliant combat boots and dress shoes for our warfighters, and it is ready to do the same for military recruits with its all-American name Saucony athletic shoe right here. It wants to compete.

In reality, the Sanford amendment, ironically, works against our men and women in uniform to have access to the best equipment available. I urge my colleagues to oppose the Sanford amendment and to make sure that our recruits have the gear that they need and deserve, both with Saucony and New Balance, and the choices that those would offer.

Mr. SANFORD. Mr. Chair, I would just make two points in this conversation.

One, this debate before us is, really, about this notion of individual choice. I think that liberty is the hallmark of the American experiment, and I think, wherever possible, we need to preserve it. So this is not about taking away American jobs. It is about saying that I believe that American companies, based on the products that they produce, can compete on the world stage, and we don't need a mandate to ensure that they do. It is not about taking away New Balance as a choice. It is just saying: Can it be among a range of different competitive choices out there for the new recruit?

Secondly, I would make this point that, actually, if you look at the New Balance shoes, two of the three options

were offered. Stability and cushioning, they approved, but the DOD has still not signed off on motion control. So, actually, only two of the three choices are available. I would add that.

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

Ms. TSONGAS. Mr. Chair, I yield 1 minute to the distinguished gentleman from Arizona (Ms. MCSALLY).

Ms. MCSALLY. Mr. Chair, I rise in strong opposition to this amendment.

As a runner for 36 years and as someone who served in the military for 26 years in leading and in supervising recruits and individuals and in coaching a lot of people to run marathons and multiple running events, I know a lot about this issue. I couldn't agree with the gentleman from South Carolina more. They need to have choice in order to make sure that they are set up for success as the types of runners that they are.

Right now, our recruits are getting injured because they are handed cash, and they are told to go over to the BX and buy some shoes. Most of them have no idea: Am I a pronator? Am I a supinator? Do I have a high arch or a medium arch? Do I need a motion-control or a stability or a cushion shoe? They buy shoes based on price and put the rest in their pockets, or it is based on which ones they like, on which ones they think look good. Also, individuals at the BX are not trained to be able to put them in the right shoes to set them up for success. Right now, they are being injured; their dreams are being broken; and they are unable to contribute, due to shinsplints, stress fractures, and other things, because they are not set up for success.

If we comply with this amendment, which we vigorously discussed in HASC and passed unanimously by a voice vote, they would have the opportunity for the Pentagon to measure them, their gait, and then provide them with shoes that are appropriate for them. There are multiple choices in motion control, stability, or cushioning, whichever applies to them. This is about readiness and avoiding injury. We need our troops to start off on the right foot and with the right footwear.

I strongly oppose this amendment.

The Acting CHAIR. The time of the gentleman from Massachusetts has expired.

Mr. SANFORD. Mr. Chair, I would say a couple of different things.

One, if you look at section 418 within the NDAA, cash allowances are absolutely Berry-compliant. It is something that we have done for a long number of years. That notion of preserving a choice has been something that has been consistently offered through all armed services.

Two, people care about things that they can control, and I would argue that the average new recruit out there is going to be that much more vested in a decision that they have control over versus one that they don't.

Finally, I think there are whole hosts of people who care deeply about our

Armed Forces and our readiness—people like JOHN MCCAIN and JONI ERNST, who spent I think 20 or 30 years of her time in the military and who is now in the U.S. Senate—and who are against, again, this particular provision and who have been working on language over on the Senate side. I think it is why the White House opposes and the DOD opposes, and why a range of different conservative taxpayer groups opposes. It is not because they don't care about the DOD. It is because they believe, from the standpoint of the recruit and training, it is better for the recruit, and from the standpoint of taxpayer compliance and in watching out for the taxpayer, it is better.

Again, I have heard very loudly and clearly what my colleagues have said on this. I admire the way in which they have advocated, but I, respectfully, take a different viewpoint on this one.

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

Mr. VISCLOSKEY. Mr. Chair, I move to strike the last word.

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

Mr. VISCLOSKEY. Mr. Chair, I yield to the gentlewoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. I thank the gentleman.

Mr. Chair, first of all, I would just like to set the record straight. Cash allowances are a circumvention of the Berry amendment. They are not Berry-compliant.

Then just to address a couple of the issues that have been raised, first of all, as we have heard, requiring the Defense Department to abide by the Berry amendment would not advantage only one company, and it would not limit the varieties of shoes that are offered to new recruits. As we have heard, multiple companies that employ thousands of Americans have expressed their interest in manufacturing athletic shoes and would provide new recruits with the highest quality of brands to choose from.

Beyond the fact that there are multiple companies, they also would provide multiple models, as we have heard—the stability, the cushioning, the motion control. All of these would have to pass rigorous testing. As we have heard, one of those shoes has already scored higher than any other shoe that has been tested over the course of 20 years. As Stars and Stripes reported again—just to reiterate from last year—when the Navy switched to Made in America shoes in 2004, stress fractures had been reduced by 69.7 percent.

I believe we should close this loophole to make sure that all recruits have the best quality shoes to choose from, and the best is American-made.

I urge my colleagues to oppose this amendment.

Mr. VISCLOSKEY. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gen-

tleman from South Carolina (Mr. SANFORD).

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

Mr. SANFORD. 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 South Carolina will be postponed.

AMENDMENT NO. 22 OFFERED BY MR. BUCK

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in House Report 114-623.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. _____. None of the funds appropriated or otherwise made available in this Act may be used to implement Department of Defense Directive 4715.21 on Climate Change Adaptation and Resilience.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Colorado (Mr. BUCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chair, this amendment to the Department of Defense Appropriations Act prohibits funds from being used to implement the President's climate change agenda at the cost of our national defense.

Directive 4715.21 on Climate Change Adaptation and Resilience would force our military to incorporate climate change in everything they do—from combat operations to preparedness to training. Climate change would become one of our Nation's greatest enemies. When our Nation is under attack, generals in the war room and officers in the field need to be focused on winning the battle, not on limiting their carbon footprint.

Our national security has already been impacted by the thinking behind this directive. Former Acting Director of the CIA, Michael Morell, admitted recently that the U.S. declined attacking ISIS' oil wells in part for fear of the environmental impact, yet these oil wells provide funding for ISIS and allow the terrorist organization to recruit individuals in the United States for its evil mission.

With ISIS and its ideology attacking our homeland, now is the time to focus on our imminent defense requirements because climate change is not an enemy of the United States. ISIS, with its anti-American ideology, is our enemy. China and Russia are our enemies. North Korea and Iran are our enemies.

The lives of American citizens, the lives of our soldiers, and the lives of innocent people around the world depend on the strength and resolve of the U.S.

military. When we distract our military with a climate change agenda, we detract from its ultimate purpose.

I urge my colleagues to support this commonsense amendment.

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

Mr. VISCLOSKEY. Mr. Chair, I claim the time in opposition to the gentleman's amendment.

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

Mr. VISCLOSKEY. Mr. Chair, I don't know how much more scientific evidence we are going to need before we understand the reality that there is a change in our climate and that we are going to have to accommodate that change. Today, I am not talking about coal or carbon. I am talking about accommodating the change that is taking place today on the planet Earth.

We have one individual who is running for President of the United States who claims that this is hogwash and let's bury our heads in the sand. Nevertheless, one of the properties he owns has asked for money to build barriers that are justified because of climate change.

In setting aside the raw politics of this position, I would also point out that we have had the Chief of the Pacific Command, Admiral Locklear, come in. I wouldn't suggest his being an ideologue in any way shape or form but someone who was charged with the command of the Pacific Fleet, which we had a conversation about earlier today, and greatly concerned about the adverse consequences these changes have on the United States Navy.

We have had a hearing with the Director of National Intelligence, who is charged with the supervision of the 17 intelligence agencies of the United States of America. He testified that extreme weather, climate change, and environmental degradation exacerbate and spark political instability and humanitarian crises.

It is imperative that we do not hamstring our military, which is defending our interests in a changing global environment, by adopting this gentleman's amendment. I strongly oppose it.

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

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

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

Mr. VISCLOSKEY. 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 Colorado will be postponed.

AMENDMENT NO. 23 OFFERED BY MR. BUCK

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in House Report 114-623.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is 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 designate or expand a heritage asset under division A of subtitle III of title 54, United States Code (commonly referred to as the "National Historic Preservation Act"), in any of Baca, Bent, Crowley, Huerfano, Kiowa, Las Animas, Otero, Prowers, and Pueblo counties, Colorado.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Colorado (Mr. BUCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chair, this amendment to the Department of Defense Appropriations Act prohibits funds from being used to limit private property rights in southeast Colorado.

The Department of Defense can designate land, buildings, and archaeological sites as heritage assets to extend Federal control over private property, claiming that they need to protect areas of heritage in our country. But part of the heritage of the land in southeast Colorado is the farming and ranching that has gone on for generations.

□ 1715

The people who work on the land there take good care of it. They are true stewards who know that overuse and mistreatment will hurt next year's harvest or the next generation of livestock. After all, that land is their heritage.

These property owners now face an attempt by the Federal Government to impose a forced conservation agreement on their property without compensating them. This scheme is simply a backdoor method for the government to impose Federal control over private property.

Our democracy depends on private property rights because these rights are a key part of a free and prosperous society. We must protect the freedom, prosperity, and heritage of southeast Colorado from overreaching government.

I urge my colleagues to support this commonsense amendment.

I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chair, I claim the time in opposition to the gentleman's amendment.

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

Mr. VISCLOSKY. Mr. Chairman, I do appreciate the gentleman from Colorado's concern for his constituency and his State. We had a markup of another bill earlier today in the Appropriations Committee, and I was very vocal on behalf of the constituents I serve, so I certainly do appreciate that, but I respectfully oppose his amendment.

The previous amendment offered literally dealt with our entire globe. Now we have shrunk our concern to several counties in the State of Colorado. I appreciate—because his amendment is covered under the rules—his impulse to attach it to an appropriation bill, because, for better or for worse, the work product of this great committee is about the only one that is going to see the light of day between now and December.

Having said that, I do think it is premature. It is a matter of authorization and does not belong in the bill. And, therefore, I am opposed to it.

I reserve the balance of my time.

Mr. BUCK. Mr. Chair, I yield back the balance of my time.

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

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

The amendment was agreed to.

AMENDMENT NO. 24 OFFERED BY MR. BYRNE

The Acting CHAIR. It is now in order to consider amendment No. 24 printed in House Report 114-623.

Mr. BYRNE. 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:

At the end of the bill (before the short title), add the following new section:

SEC. _____. None of the funds made available by this Act may be used to modify a military installation in the United States, including construction or modification of a facility on a military installation, to provide temporary housing for unaccompanied alien children.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Alabama (Mr. BYRNE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, I want to start by thanking both the chairman of the subcommittee and the ranking member for the fine work they have done in this underlying bill. I have been with them on a couple of occasions, and we owe them a great debt of gratitude. The bipartisanship showed in this is a great reflection on our institution.

I regret that I have to offer this amendment, but something has come up since the committee had its meeting that I could not foresee.

My amendment will address a serious issue relating to unaccompanied alien children being housed at the Department of Defense facilities across the United States.

The Department of Health and Human Services has recently made agreements with various defense facilities across the U.S. about housing unaccompanied minors who are caught crossing the southern border. The large number of migrants from Central and South America crossing our southern border is a serious humanitarian crisis,

and I understand the need to responsibly handle this situation with compassion.

That said, it simply makes no sense for these individuals to be held at military installations. These facilities often pose serious safety issues for children. Some of the children could be placed near live artillery ranges around active military airfields.

I represent a district in coastal Alabama, and my office recently learned that the Department of Health and Human Services was evaluating housing illegal immigrants at Navy outlying airfields right near the Gulf of Mexico. Mr. Chairman, these are airfields where they do touch-and-goes, where you have pilots that are being trained trying to learn how to do it right. Last time I checked, we try to keep children away from airfields, not put them close to them.

Even worse, these facilities lack basic infrastructure needs. There is no sewage, and as far as I know, there is no potable water. And there are no shelters there or buildings that could be turned into shelters. This means temporary housing would be set up at a Navy airfield on the Gulf Coast in the middle of hurricane season in a low-lying wet area that is prone to many mosquitos in a place we know is a major threat for Zika. The idea just defies logic.

There are other horror stories of housing these migrants and how it has impacted our military. For example, at Fort Hood in Texas, units have been unable to train on ranges. This has a direct and negative impact on military readiness. At a time when we face so many challenges around the globe, it just makes no sense to alter the intended use of our military facilities to serve a completely different purpose.

My amendment would simply prohibit the Department of Defense from using any funds to alter existing facilities or construct new ones for the purpose of providing temporary housing for unaccompanied alien children. There are other nondefense facilities near the border that are available. They do not have to use military facilities.

I ask my colleagues to support my amendment as we work to ensure that defense funds are not spent on issues outside the mission of the Department of Defense.

I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chair, I claim the time in opposition.

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

Mr. VISCLOSKY. Mr. Chair, there is no question, I think, from anyone in this Chamber that the Members of the United States military and the Department of Defense are the finest human beings on planet Earth. Their primary charge is to keep our country safe and secure.

But I also think that we take great pride when they go above and beyond

that particular charge that we have given them under the Constitution. And when there is a disaster in the country of Haiti, who do people call on for help but members of the Department of Defense and the United States military.

When there is flooding in Bangladesh, who is called upon? Members of the United States Armed Forces to help in a humanitarian crisis. When you have problems and earthquakes in Japan, who do they reach out to? Members of the United States military for humanitarian assistance. We have concerns in Pakistan and tragedies; who reaches out to members in the Armed Forces of the United States for humanitarian assistance but the Government of Pakistan. You have a typhoon in the Philippines, and who is called into action, not militarily, but from a humanitarian and relief standpoint? Members of the United States military repeatedly because we are a humane Nation.

What we are talking about with this gentleman's amendment that I strongly oppose is temporarily housing unaccompanied minor children who find themselves in a tragic circumstance in the United States of America. The Department of Health and Human Services Office of Refugee Resettlement is required by law to provide shelter, care, and placement. Because the number of unaccompanied children has spiked in recent years, it is difficult for HHS to find temporary housing for all of them.

As long as there is no impact on DOD military activities, the Department should be allowed to identify facilities in the United States to provide the same type of humanitarian assistance to minor children that we do in the Philippines, Pakistan, Japan, Bangladesh, and Haiti.

I live in a humane country that reaches out to help people who can't help themselves, and I think we should allow the United States military to do that in the United States of America when it does not impact their military operations.

I reserve the balance of my time.

Mr. BYRNE. Mr. Chairman, I completely agree with the ranking member that we take great pride in opportunities for our military around the world to do things of a humanitarian nature. That is one of the hallmarks of the United States.

I am thinking more in this circumstance, however, about the needs of these children. I would not put my children out where they are talking about putting these children in my district. I daresay none of us would want our children to be in these places. It is simply not safe for them. With this Zika threat that is out there, we can't say that they are not going to be exposed to mosquitos that we know are vectors for this disease.

Unfortunately, where I live, this time of year, we have tropical storms, and we have hurricanes. Those children can't stay there in temporary housing.

This is simply not the right place to put them.

There are other facilities that the Federal Government owns that are military facilities that are appropriate, that are closer to the border. And HHS is simply refusing to do its job by putting them in those places and burdening the Department of Defense facilities by putting them in those places, and they are not the right places for these children.

I understand the gentleman's remarks. I agree with virtually everything that he said, but I think, in this particular circumstance, this amendment is in order.

I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chair, I reiterate my opposition to the gentleman's amendment.

I yield back the balance of my time.

Mr. BYRNE. Mr. Chair, I thank the gentleman, and I thank the House for listening to me. I ask for a positive vote.

I yield back the balance of my time.

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

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 gentleman from Alabama will be postponed.

AMENDMENT NO. 25 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in House Report 114-623.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk made in order by the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is 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 carry out or in response to the memorandum of the Deputy Assistant Secretary of Defense for Homeland Defense Integration and Defense Support of Civil Authorities titled "Memorandum for Secretaries of the Military Departments Director, Joint Staff" and dated November 25, 2015.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, my amendment is a bit different than the gentleman from Alabama's previous amendment in that I drafted this amendment to block the use of any funds within this appropriations bill from being used by our military to house illegal aliens or unaccompanied alien children.

So my amendment is a bit more specific, and I think it is on target in that it says that:

"None of the funds made available by this Act may be used to carry out or in response to the memorandum of the Deputy Assistant Secretary of Defense. . . . titled 'Memorandum for Secretaries of the Military Departments Director, Joint Staff' and dated November 25, 2015."

The summary of that is that this memorandum, which I have in my hand, dated November 25, is from the Department of Homeland Security to the military that says identify the inventory that you could allow to be used to house unaccompanied alien children, and then they want to enter into private agreements for each facility.

So this amendment that I have, as drafted, really says this: No military bases or buildings will be used to house the unaccompanied alien children, period. So that covers, I think, the topic that is in Mr. BYRNE's amendment, and it covers the broader topic, which is our military should not be used to inappropriately house and be part of the welcome party that the President has set up that is encouraging people to come into the United States illegally.

I reserve the balance of my time.

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

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

Mr. VISCLOSKY. Mr. Chairman, the gentleman indicated that his amendment differs from the previous one just offered and debated. I would suggest it is a difference without a distinction.

I would suggest that the solution to the concern that the gentleman has is, if we did not starve and cut and slash and pillage and burn the budget of Health and Human Services every year, maybe they would have the financial resources to house these minor children. We are in a position where the bill that is being debated on the floor has about one-half of all discretionary domestic spending in this country. Obviously, that is where the gentleman has gone.

But the fact is if he, in fact, believes that it is Health and Human Services that ought to be addressing a greater amount of the shelter needs, if they had the adequate resources, perhaps they could reach out and do it.

In the meantime, again, I continue to live in a humane nation that provides humanitarian relief worldwide. I think we can do the same in the United States for minor unaccompanied children.

I reserve the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I would point out the distinction that the ranking member defines as without a difference, without a distinction.

There is a difference, and the distinction is that the previous amendment said no new construction and no renovation on existing bases. My amendment says no funds can be used to even negotiate any provisions nor do new

construction or renovation. None of the resources can be used.

□ 1730

Mine actually blocks the President's policy as opposed to catching up on the other end of it. But the important point of it is this. We have a President, an administrative policy that has defied the rule of law. He has even refused to enforce the laws that he has signed, and then put the welcome mat down in, especially, Central America.

We have reports of planes lifting off from places like Guatemala City flying unaccompanied alien children into the United States, and then they claim the Department of Homeland Security has a legal obligation to care for them and house them—well, not for everybody on the planet that the President has sympathy for, Mr. Chairman.

So what we are trying to bring forth here is a greater respect for the rule of law—the President, I believe, has gone outside the law with this memorandum—a greater respect for the rule of law and moving towards a fiscal responsibility that may require a sense of austerity. We don't have either one with this administration.

This amendment does also preserve the Article I authority of the United States Congress, which has been eroded significantly over the last 7½ years.

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

Mr. VISCLOSKEY. I would simply reiterate my opposition to the gentleman's amendment.

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

Mr. KING of Iowa. Mr. Chairman, I would say again, addressing you, and with the attention of the body, that this is one of the pieces that the President has used to go outside the bounds of his authority and inside the bounds of our constitutional authority.

I have made it a point to come to this floor time after time and protect our Article I authority that is vested in us and to be able to make sure that we keep all of this in front of us. The House has never failed to send a message to the President of the United States that we will defend our constitutional authority, at least with regard to immigration. This amendment does that. I urge its adoption.

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

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

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

Mr. KING of Iowa. 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 Iowa will be postponed.

AMENDMENT NO. 26 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 26 printed in House Report 114-623.

Mr. GOSAR. 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:

At the end of the bill (before the short title), add the following new section:

SEC. _____. None of the funds made available by this Act may be used to extend the expiration date of, or to reissue with a new date of expiration, the memorandum titled "Military Accessions Vital to the National Interest Program Changes" and dated September 25, 2014.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, in September of 2014, on the same day Attorney General Eric Holder resigned, the Obama administration took executive action and issued a memo that allowed DACA aliens to begin enlisting in the military. Specifically, President Obama's administration unilaterally expanded eligibility in the Military Accessions Vital to the National Interest, or MAVNI, program to include DACA aliens through a September 25, 2014 memo. Prior to this memo, the executive branch never attempted to enlist DACA aliens through MAVNI.

Further, military enlistment rules explicitly prohibit illegal aliens from enlisting in the Armed Forces. MAVNI is a military program intended for lawful immigrants and lawful non-immigrants. The Department of Homeland Security's Web site states that DACA aliens lack lawful status and are subject to all legal restrictions and prohibitions on individuals in unlawful status.

The Gosar amendment would not end the MAVNI program, as open border advocates have falsely claimed. I support the intent of MAVNI. As NumbersUSA accurately states, the Gosar amendment would return the MAVNI program to its original intent by defunding any extension of the memorandum responsible for expanding MAVNI to include DACA beneficiaries.

When I offered a similar amendment less than a month ago, DOD reported that only five DACA aliens had enlisted in the Armed Forces. Yesterday, DOD confirmed to my office that 141 total DACA aliens had enlisted in the military through April 30, 2016, as a result of Obama's backdoor amnesty program.

As noted by the nonpartisan Congressional Research Service, CRS, the MAVNI program allows citizenship to be granted to any enlistee who serves at least 1 day of wartime service. MAVNI was never intended to be utilized for the benefit of illegal aliens. Testimony from DOD states that MAVNI was created to recruit legal noncitizens with critical foreign language and cultural skills.

Retired Lieutenant Colonel Margaret Stock, who created and implemented the MAVNI program, previously stated, as quoted in a Politico story: "It's a major bureaucratic screw-up by the Obama administration . . . The MAVNI program is not designed for DACA at all . . . It was rather alarming to see DACAs being put into MAVNI. Someone didn't know what they were doing."

An Army Times story also quoted Stock as stating: "It was set up for people who are legally in the country, and had been legal their whole history . . . They have to go back and redo all the security screenings, train recruiters all over again . . . it's one of these things where people want magic to happen, and bureaucracy doesn't work that way."

These comments are even more noteworthy, as Stock is a huge amnesty supporter and testified in support of provisions in an earlier version of the DREAM Act.

Article 1, section 8 of the Constitution gives Congress clear jurisdiction on immigration matters. Congress has consistently rejected and failed to act on policies that aim to allow illegal aliens to serve in the military. In fact, the House has rejected DACA three times. Furthermore, MAVNI, a pilot program, created by executive order, has never been authorized by Congress.

The amendment is supported by Americans for Limited Government; Eagle Forum; the Federation for American Immigration Reform, FAIR; Heritage Action; and NumbersUSA. In fact, it is being key scored by NumbersUSA and Heritage Action.

Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. SESSIONS), the chairman of the Committee on Rules.

Mr. SESSIONS. Mr. Chairman, I thank Mr. GOSAR not only for his work, but also for working with the Committee on Rules diligently to have this made in order.

I am very supportive of this amendment to ensure the administration cannot implement what I consider to be an unconstitutional memo expanding the Military Accessions Vital to the National Interest program, I think in clear violation of congressional intent—as a matter of fact, working around Congress.

We must ensure that congressional intent is always protected and executed in accordance with the will of the people and rule of law. The purpose of this program is too important to be exploited for those who I believe have used it for a political agenda. Immigration policy must and should be debated in the Halls of Congress, not written in an agency behind closed doors.

I am very pleased with the gentleman from Arizona, and I thank him for his amendment and for working with the Committee on Rules to have this made in order today.

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

Mr. GALLEGO. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Arizona (Mr. GALLEGO) is recognized for 5 minutes.

Mr. GALLEGO. Mr. Chairman, I also strongly oppose the amendment offered by my friend, Mr. GOSAR. Mr. GOSAR is an outstanding Member of this body and a great advocate for the great State of Arizona, but unfortunately we don't see eye to eye on this amendment.

Mr. Chairman, immigrant service in uniform shouldn't be a controversial issue. The Secretary of Defense has the statutory authority to allow any immigrant to enlist if it is in our national interest, including DACA recipients who want to fight for our country.

Simply put, we shouldn't let political posturing stand in the way of our military's recruitment goals. Our Armed Forces need the best and the brightest soldiers, marines, and airmen they can get. Countless DREAMers and other immigrants want nothing more than to serve the country they love and call home. I fought in Iraq, and I know that on the battlefield what matters is your character and your commitment, not your immigration status.

Mr. Chairman, when we vote on this amendment later this evening, I hope we all consider the long sweep of history and not just the anti-immigrant politics of this present time. Immigrants, including those who came here without the right papers, have served with distinction in both world wars. Our military was made stronger in the 1940s because these men were allowed to enlist, and our military will be made stronger in 2016 if we vote to give another generation of immigrants the chance to serve.

Mr. Chairman, the willingness to fight and die in uniform is the purest expression of our love for our country. Let's oppose this amendment and give immigrants who love America the opportunity to try to enlist in America's Armed Forces.

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

Mr. GOSAR. Mr. Chairman, I didn't serve in the military, but I understand my constitutional obligation, Article I, section 8 power as well as the application of the rule of law. That is exactly what made America great was equal application of the law.

If you don't like the law, don't go around it and bypass it with an executive order. Understand that the full jurisdiction of this House is to uphold Article I, section 8 powers. We never gave jurisdiction to this, and it shouldn't go forward. I ask all of those voting on behalf of this amendment to go forward, as well as the King amendment as well.

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

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

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

Mr. GALLEGO. 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 Arizona will be postponed.

AMENDMENT NO. 27 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 27 printed in House Report 114-623.

Mr. KING of Iowa. 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:

At the end of the bill (before the short title), add the following new section:

SEC. ____ . None of the funds made available by this Act may be used to extend the expiration date of the memorandum titled "Military Accessions Vital to the National Interest Program Changes" and dated September 25, 2014.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, my amendment is very similar to Mr. GOSAR's. I think it is important that we continue the debate on this particular issue.

What it says is that none of the funds made available by this act may be used to extend the expiration date of the memorandum titled Military Accessions Vital to the National Interest program changes. Again, it is the President reaching outside the bounds of the law. It is the President deciding he is a legislator instead of the executor. His job is to take care that the laws be faithfully executed, not make them up and go around the United States Congress.

I think there is something missing from this debate. It is an assumption that if we have someone in the military and they happen to be covered under DACA, that somehow they are legal. The President can't legalize people that are unlawfully present in America by law. He just asserts that executively, and we have to go to court then to reverse it and get the courts to change that. But the President has relentlessly amended immigration law by executive fiat and executive edict, and this is another time.

Under my amendment, he has the authority to put specialized people in place in the military if they have a special skill set. Now, one of those skill sets is not being an interpreter from English into Spanish. We have plenty of people who can do that. But it is for perhaps interpreters who speak Arabic; it is people who have special skills. It is not for the President to use this as a blanket amnesty.

By the way, people who come into this country under DACA have violated the law. Now, whether they were old enough to be aware or not, it is a matter of law. It doesn't matter to the law. They wave their DACA card at me and say, "I am now here legally." They are not here legally. They just presume they are because we haven't been able to yet block the President on this issue; but we have litigated it, and I have been one who helped initiate the lawsuits to do that.

Now, when someone gets into the military who is Deferred Action for Childhood Arrivals, chances are they were in the military before they ended up with that card. But if they did, if they came into the country illegally and the President said, "I am not going to enforce the law against them until such time as DACA expires," and then he would like to extend it, they broke the law to come into America, then they lied to get into the military, and then they took an oath to support and defend the Constitution of the United States. So I would say which of those three times were they really honorable, the last time or one or two of the first two times? That is really what is at stake here, Mr. Chairman. We can't be allowing the President to go outside the law.

I urge the adoption of this amendment.

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

Mr. GALLEGO. Mr. Chairman, I rise to claim the time in opposition.

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

Mr. GALLEGO. Mr. Chairman, immigrants have been fighting in America's Armed Forces since the founding of the Republic. Many of them did not come here legally, but in countless cases we still allow them to enlist because, for most of our history, your patriotism was more important than your papers.

The amendment offered by Congressman KING is inconsistent with this rich tradition of immigrant service.

DOD is currently allowing a small number of immigrants who possess critical foreign language and technical skills to join the military through a program called Military Accessions Vital to the National Interest. The amendment before us would end this important program, preventing immigrants from serving in uniform who have medical expertise, linguistic skills, and cultural knowledge that could make a difference in the battlefields of Iraq and Afghanistan. It is important to note that the MAVNI program is fully consistent with current law.

As the chairman of the House Committee on Armed Services, Congressman THORNBERRY, stated in a recent debate on this issue:

The Secretary has the authority to fill critical needs, whatever they may be, with individuals, however they may have gotten here.

It is also worth noting that, though the MAVNI program allows certain DREAMers to serve, it also makes eligible 22 other categories of immigrants, including a variety of visa holders who entered the country legally.

Finally, this amendment is contrary to our national security interests. As a proud veteran of the Iraq war, I know that the strength of our military is defined not just by the potency of our weapons, but the quality of our people. Our Armed Forces need the best soldiers, sailors, marines, and airmen they can get.

□ 1745

Mr. Chairman, we should leave the doors of our military open to our young immigrants who love America and are willing to lay down their lives for our country.

Please join me in voting “no” on this misguided, mean-spirited amendment.

I yield back the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I would point out that I disagree with the gentleman from Arizona. There is a provision that allows the MAVNI program to be used by the Secretary of Defense, and it has notwithstanding language:

Notwithstanding paragraph, the Secretary concerned may authorize the enlistment of a person if that Secretary determines that such enlistment is vital to the national interest.

That has long been used in the MAVNI program. It has just never been used under another President to circumvent our immigration laws and fast track people not just into the military, but into citizenship.

If a DACA person is able to get into the military under this MAVNI program or any other program, they don't have to go the green card route with a lawful permanent residence card. They can go directly on a fast track to citizenship. It is a way of circumventing our immigration laws. The President has been using it. And this amendment would block at least that provision of it, so I urge its adoption.

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

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

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

Mr. GALLEGO. 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 Iowa will be postponed.

AMENDMENT NO. 28 OFFERED BY MR. HUDSON

The Acting CHAIR. It is now in order to consider amendment No. 28 printed in House Report 114-623.

Mr. HUDSON. 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:

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

SEC. _____. None of the funds made available in this Act may be used to transfer any individual detained at United States Naval Station, Guantanamo Bay, Cuba, to any other location.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from North Carolina (Mr. HUDSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. HUDSON. Mr. Chairman, I rise to urge my colleagues to support my amendment that prohibits funds from this appropriations bill from being used to transfer prisoners from Guantanamo Bay.

Over the weekend, we were tragically reminded of the very real threat of radical Islam when 49 Americans were murdered in the worst terrorist attack on our soil since 9/11. As we continue to mourn and pray for the victims and their families, we must recommit our efforts to defeat those who want to harm us.

We are at war with the radical Islamic extremists, yet our Commander in Chief is so focused on closing Guantanamo Bay that he ignores the danger posed by the terrorists detained there. The American people are counting on us to protect them.

This is a prison that houses some of the world's most dangerous war criminals and hardened terrorists, including some responsible for 9/11.

How can this administration guarantee that these prisoners won't return to the battlefield?

The fact is they can't. In a gut-wrenching admission, a senior Pentagon official told the House Foreign Affairs Committee that former Guantanamo inmates are responsible for the deaths of our fellow Americans overseas. According to The Washington Post, the Obama administration admitted at least 12 detainees released from the prison have launched attacks, killing about a half dozen Americans. This confirms, Mr. Chairman, our worst fears.

The American people get it, and are strongly opposed to closing Guantanamo. Our constituents continue to agree these prisoners do not belong in our backyards and shouldn't be transferred to other countries where there is a great risk they will be released and returned to the battlefield.

In the last several months alone, our world has been rocked by terrorist attacks from San Bernardino to Paris, and, most recently, in Orlando. Many of our biggest national security threats no longer come from traditional nations but from determined groups of extremists like these very detainees, whose sole desire is to kill Americans. The war on terror is an ongoing battle against evil, and we must remain vigilant.

We must take every action necessary to block the President's plan to close Guantanamo Bay. My amendment is

another hurdle that will make sure it never happens. I urge my colleagues to put the safety and security of the American people first, and support this amendment.

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

Mr. VISCLOSKEY. Mr. Chairman, I claim the time in opposition to the gentleman's amendment.

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

Mr. VISCLOSKEY. Mr. Chairman, I regret that a bill and other relevant appropriations acts continue to see attempts to close Guantanamo by prohibiting viable alternatives.

We are debating an appropriations bill, and the committee and this Congress has to pay for things. I think maybe the appropriate discussion ought to be: Who is going to pay for this?

It is estimated that we are spending \$5 million annually per inmate or 60 times the cost per inmate in a super-maximum Federal prison in the United States of America. But in the end, having talked about cost, this is not a cost issue. This is one question of law.

We are a Nation of laws and our military protects this country so that we can continue to be governed by those laws. I, for one, happen to think that the indefinite detention of a human being—any human being—without a trial, in some instances, after more than 10 years, is violative of those laws and our constitutional standards. It is a fundamental principle of this Nation, and we ought to conduct ourselves accordingly.

It is also interesting, from my perspective, that there have been a total of over 780 detainees at Guantanamo. The previous administration released more than 500, as far as transfers. We are all tied up in knots because the current administration has, over a period of 7½ years, transferred 157. Certainly, I also suggest there is a double standard.

Having said that, Mr. Chairman, I am in opposition to the gentleman's amendment.

I reserve the balance of my time.

Mr. HUDSON. Mr. Chairman, I don't have any further speakers, and I am prepared to close.

How much time is remaining?

The Acting CHAIR. The gentleman from North Carolina has 2½ minutes remaining.

Mr. HUDSON. Mr. Chairman, I would just, again, urge my colleagues to support this amendment. I understand the point raised by my colleague, and I think there are some valid points that ought to be discussed; but I think the bottom line here is the folks who are left at Guantanamo are the worst of the worst. These are some of the most violent, dangerous criminals in the world, and this President has shown that he is willing to transfer them to other places where the risk of them escaping back to the battlefield is very

high. So I believe we can't risk that. I think the American people are counting on us to put their interests first.

So I will close by urging my colleagues to please support this amendment.

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

Mr. VISCLOSKY. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I have spoken on this floor many, many times against amendments—so far, futilely—against amendments to bar the transfer of prisoners from Guantanamo or to prohibit the expenditure of funds to move them here or anywhere else.

This amendment is particularly pernicious. It says you may not spend any funds to move anyone from Guantanamo, period. That has to be unconstitutional, because what it says is, even if you find that an individual is innocent, even if you factually find out he is guilty of no terrorism, he didn't fight against us, he is not a prisoner of war, he is guilty of nothing, he must stay in jail forever.

How can an American legislative body pass a provision that says we will hold someone in jail forever, not only without trial, but even if we know he is innocent of everything?

I will make no further argument—I only have 1 minute—but the fact of the matter is it is clearly unconstitutional, clearly immoral, and against everything we should stand for. No one should vote for this amendment.

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 North Carolina (Mr. HUDSON).

The amendment was agreed to.

AMENDMENT NO. 29 OFFERED BY MR. LAMBORN

The Acting CHAIR. It is now in order to consider amendment No. 29 printed in House Report 114-623.

Mr. LAMBORN. 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:

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 the Department of Defense to survey, assess, or review potential locations in the United States to detain any individual detained at United States Naval Station, Guantanamo Bay, Cuba, as of the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Colorado (Mr. LAMBORN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

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

Mr. Chairman, Congress has consistently made it very clear that it is

against the law for the terrorists held at Guantanamo to be brought to the United States. Though this debate is often partisan, this commonsense policy has often had bipartisan support. In fact, Democrats were actually the first to include restrictions in the Defense Appropriations bill in 2009 when they controlled both Chambers of Congress. Since then, a bipartisan majority has renewed these restrictions every year.

My amendment is simple and logical and is slightly different than the current law that we do have on the books and the language that is in the NDAA right now. This amendment prohibits the use of any funds to study or prepare U.S. detention facilities to house these terrorists.

If it is against the law to bring dangerous terrorists to the United States, why would we allow the Obama administration to study, using taxpayer dollars, how it would try to do this? Why would we want any administration to study how it can break the law?

Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. DUNCAN), my friend and colleague.

Mr. DUNCAN of South Carolina. Mr. Chairman, I rise today in support of my colleague, Mr. LAMBORN's amendment.

I am strongly opposed to the President using funds to survey potential sites within the United States at which to hold terrorists that are currently held at Guantanamo Bay.

Congress has passed numerous times, and the President has signed into law, legislation which explicitly prohibits the President from using taxpayer funds to bring terrorists to our soil and close the detention facility. Despite the law, the President has made his intent clear to close Guantanamo Bay and bring these terrorists to our States and local communities.

In the face of opposition from the American people and Congress and State Governors, the President continues to move forward with bringing these terrorists to our soil.

Last month, Governor Haley from my State of South Carolina testified before the Homeland Security Committee. She sent a letter to President Obama opposing terrorists coming to South Carolina, and never got a response from the administration and was never included in the initial talks. The President refuses to work with State Governors and with this Congress.

Mr. Chairman, no State should be a terrorist dumping ground. No State, whether South Carolina, Colorado, or any other, should be a terrorist dumping ground. Doing so would only make our communities the most high-profile terrorist targets in the world.

As Members of Congress, we must use every tool at our disposal to prevent the President from disregarding the law and the will of the people, including our power of the purse, by not allowing taxpayer dollars going towards bringing terrorists into this country.

I fully support this, and I urge my colleagues to support it as well.

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

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

Mr. VISCLOSKY. I yield such time as he may consume to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, this amendment would prohibit the Department of Defense from even reviewing locations in the U.S. to hold Guantanamo detainees. It would obviously make it much more difficult to close the prison, which is obviously its purpose, which experts agree that it is the prison that harms U.S. national security.

Major General Michael Lehnert, the first commander charged with constructing and operating the Guantanamo detention facility after 9/11, recently submitted a statement for the record to the House Subcommittee on Homeland Security, calling Guantanamo "inconsistent with our values as Americans," and recommending the prison be closed.

As General Lehnert stated: "Guantanamo's continued existence hurts us in our prosecution of the fight against terrorists. It feeds into the narrative that the United States is not a Nation of laws nor one that respect human rights."

Former Secretary of State Colin Powell recently said that closing Guantanamo is in the United States "best interest." Powell also stressed the effectiveness of U.S. Federal courts to prosecute terrorism offenses, which have convicted over 67 individuals of such charges since 9/11, including Osama bin Laden's son-in-law, Sulaiman Abu Ghaith.

Federal courts have been vastly more successful than the Guantanamo military commissions, where four of the eight detainees convicted have had their convictions completely overturned.

Prohibiting the Department of Defense from assessing U.S. locations to hold Guantanamo detainees is fiscally irresponsible. It costs us \$34,000 a year to hold a detainee in a Federal supermax prison. It costs us \$5 million a year to hold a detainee in Guantanamo. That is \$5 million versus \$34,000.

Even if it costs money to build a new supermax—although, I don't know why we would need a new supermax. There is plenty of room in our supermax prisons for the maximum number, which is 91 people now in Guantanamo, even assuming none of them were released.

□ 1800

Ninety-one times \$5 million, minus 91 times \$34,000 is a gross waste of money. Even if you had to spend money to build a new supermax prison, you are still saving a lot of money in the long run.

The last thing I want to say is, why would we subject our States as dumping grounds for terrorists?

Well, we have 67 terrorists convicted since 9/11 in American prisons and supermaxes in the United States. No one has ever escaped from a supermax prison. It is pure fear-mongering to say that a State or any place in the United States would be endangered by having a terrorist or anyone else in a supermax prison.

If the terrorist from Orlando had not been shot dead, he would presumably be either sentenced to death or sentenced to life in prison. He would be in a prison in the United States, and no one would say that is unsafe. No one would say: You have got to export him from the country. That is just pure, aberrant nonsense.

So we ought to shut the prison because it is fiscally sound. It would remove a terrorist propaganda point from al Qaeda and ISIS and everybody else. And not all those 91—some of them may be the worst of the worst. Some of them may not be. Some of them we know were simply handed over to bounty hunters because some other tribe in Afghanistan thought this is a good way—the Americans are handing out \$5,000, \$10,000—this is a good way to get rid of our rivals.

They ought to be tried. If guilty, they ought to be kept in prison for life, perhaps, depending on what they are guilty of. But if innocent, they ought to be released. And to say they ought to stay in Guantanamo without trial—and we know the military tribunals don't work; they haven't managed to convict anybody and make it stick—forever is un-American.

Mr. LAMBORN. Mr. Chairman, President Obama's policy of releasing people willy-nilly from Guantanamo is a bad policy. The risk is real. In recent months, the administration has finally admitted that there have been Americans who have died because of Guantanamo detainees who have been released. The Director of National Intelligence has said one of every three released detainees has rejoined the fight.

Even if detainees are brought to the U.S. and never escape, to address what my colleague from New York said, there is a very real danger of proselytization within the prison system, radicalizing the inmate population, and allowing terrorists to have increased legal rights, the risk of contraband, and access to communications. If there ever were a trial on U.S. soil, they would have the right to access methods and sources used by our intelligence agencies, and those would be given away to the bad guys. The people of Colorado and other States certainly don't feel safe having these terrorists in their backyards for those reasons.

Transferring Guantanamo prisoners to American soil is illegal, period. We need to do everything we can to ensure the President doesn't break the law or overturn the will of the American people and increase the risk to the American people, all because of a foolish and misguided campaign promise.

I would like to inform the President that 9/11 happened way before there

ever was a Guantanamo prison. That is not why the Islamic radicals attacked us. They oppose our very way of life. They oppose us for who we are, not for what we do.

Let's keep GTMO open.

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

Mr. VISCLOSKEY. Mr. Chairman, following up on part of the discussion, we have had 443 people convicted of terrorist-related charges held in U.S. prisons, and as has already been indicated, they are very secure because no one has escaped.

I don't think it is necessarily wrong, even if a person is evil, that they have some modicum of legal rights under the United States of America. And you have 63 people being held in Guantanamo today for over 10 years with no trial. I just don't think that is according to the constitutional principles of this country.

But what I find upsetting is the prohibition on surveys, assessment, and reviews, the search for knowledge. There may be no better way to deal with the detention issue than keeping Guantanamo open. I would acknowledge that to the gentleman. There may not be a better way.

But if we don't search for knowledge and information and the truth, we will never know. What is the harm in asking?

I am opposed to the gentleman's amendment.

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. LAMBORN).

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

Mr. VISCLOSKEY. 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 Colorado 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. POE of Texas) having assumed the chair, Mr. HULTGREN, 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. 5293) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes, had come to no resolution thereon.

REPORT ON H.R. 5485, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2017

Mr. CRENSHAW, from the Committee on Appropriations, submitted a privileged report (Rept. No. 114-624) on

the bill (H.R. 5485) making appropriations for financial services and general government for the fiscal year ending September 30, 2017, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

The SPEAKER pro tempore. Pursuant to House Resolution 783 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. 5293.

Will the gentleman from Georgia (Mr. CARTER) kindly take the chair.

□ 1807

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. 5293) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes, with Mr. CARTER of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 29, printed in House Report 114-623, offered by the gentleman from Colorado (Mr. LAMBORN), had been postponed.

AMENDMENT NO. 30 OFFERED BY MR. MASSIE

The Acting CHAIR. It is now in order to consider amendment No. 30 printed in House Report 114-623.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. _____. None of the funds appropriated or otherwise made available in this Act may be used for drug interdiction or counter-drug activities in Afghanistan.

The Acting CHAIR. Pursuant to House Resolution 783, the gentleman from Kentucky (Mr. MASSIE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. MASSIE. Mr. Chair, today my friend, Congressman JONES, and I are offering an amendment to end the DOD's involvement in and funding of the futile war on drugs in Afghanistan.

In his most recent quarterly report from April 2016, the Special Inspector General for Afghanistan, Mr. John Sopko, said that the United States has provided a total of \$8.5 billion in funding for counternarcotics efforts in Afghanistan since 2002. But these efforts have failed. They have been a colossal failure.