



Legislative Bulletin.....July 23, 2013

Contents:

Amendments to H.R. 2397 (Part II), Numbers 1-100 —Department of Defense Appropriations Act, 2014.

Order of Business: The amendments to H.R. 2397, the Department of Defense Appropriations Act, 2014, are scheduled to be considered beginning Tuesday, July 23, 2013, under a structured rule ([H.Res. 312](#)) making **100** amendments in order and described below within this Legislative Bulletin. H.Res. 312 provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations as well as a final period of general debate for 10 minutes after conclusion of consideration of the bill for amendment. The chair and ranking minority member may offer amendments en bloc that shall be debatable for 20 minutes. All other amendments are debatable in the order printed in the Rule’s Committee report ([113-170](#)) for 10 minutes unless otherwise noted. The Rule waives all points of order against consideration of the bill, provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), amendments printed in the Rules Committee report, and amendments en bloc. After consideration of all amendments to the bill, the Rule allows the chair of the Committee of Appropriations to offer an amendment reducing funding levels in the bill and for one motion to recommit with or without instructions.

Primary RSC Staff Contact: Joe Murray Joe.Murray@mail.house.gov, (202) 226-0678.

SUMMARY OF AMENDMENTS RULED IN ORDER

July 23, 2013

1. **Walberg (R-MI):** This amendment increases the Marine Corps operation and maintenance appropriation for the Special Purposes Marine Air Ground Task Force-Crisis Response by \$10 million. The amendment also reduces the defense wide operation and maintenance appropriation by \$11 million bringing the total to \$32.290 billion. Text of the amendment is available [here](#).
2. **Delaney (D-MD):** This amendment decreases the defense wide operation and maintenance appropriation by \$25 million, reducing the total amount to \$32.276 billion. The amendment also increases the [Fisher House Foundation, Inc.](#) grant account under section 8069 by \$16 million, raising the total to \$20 million. Text of the amendment is available [here](#).

3. **Gabbard (D-HI)**: This amendment decreases the defense wide operation and maintenance appropriation by \$104 million. The amendment also increases the Navy research, development, test, and evaluation appropriation by \$104 million, which, **according to the amendment sponsor** increases funding for the Navy Offensive Anti-Surface Warfare weapon and Air-Launched Long Range Anti-Ship Missile program. Text of the amendment is available [here](#).
4. **Grayson (D-FL)**: This amendment decreases the defense wide operation and maintenance activities, which are not otherwise provided for, but necessary and authorized by law by \$10 million, bringing the total to \$32.292 billion. The amendment also increases the defense health program appropriation by \$10 million to “specifically target finding a cure for Gulf War Illnesses which directly affects over one-fourth of veterans from the first Gulf War,” **according to the amendment sponsor**. Text of the amendment is available [here](#).
5. **Israel (D-NY), King, Peter (R-NY)**: This amendment decreases total defense wide operation and maintenance funding by \$10 million, then increases this same account by the same amount for the Defense Human Resources Activity for mental health research, treatment, education and outreach. Text of the amendment is available [here](#).
6. **Kilmer (D-WA)**: This amendment decreases and increases the defense wide operation and maintenance appropriation by \$1 million, rendering no net effect. **The amendment sponsor’s summary** explains this amendment is a “symbolic cut” to encourage a study on how the Defense Human Resources Activity components and the Chief Information Officer identify, catalogue, process, and notify appropriate personnel, and rectify mistakes or inconsistencies found when data is uploaded to the Defense Manpower Data Center. Text of the amendment is available [here](#).
7. **Langevin (D-RI)**: This amendment decreases the defense wide operation and maintenance appropriation by \$5 million bringing the total to \$32.297 billion. The amendment also increases the defense wide research, development, test, and evaluation appropriation by \$5 million for Cyber Security Advanced Research. Text of the amendment is available [here](#).
8. **Langevin (D-RI)**: This amendment reduces defense wide operation and maintenance activities by \$22, bringing the total to \$32.280 billion. These funds are transferred into the amount allocated for Research, Development, Test, and Evaluation for the Navy under Title IV, bringing the total to \$15.690 billion, which will remain available until September 30, 2015. Text of this amendment is available [here](#).
9. **Jackson Lee (D-TX)**: This amendment decreases the Army environmental restoration appropriation by \$500,000, reducing the total amount to \$298.315 million. The amendment also increases the Defense Health Program (intended for Post Traumatic Stress Disorder, **according to the amendment sponsor**) appropriation by \$500,000, raising the total to \$33.574 billion. Text of the amendment is available [here](#).

10. **Blumenauer (D-OR), Gabbard (D-HI)**: This amendment increases the appropriation for the environmental restoration of unused defense sites by \$25.1 million, bringing the total amount to \$287.543 million. The amendment also decreases by the same amount the appropriation for the Army's research, development, testing, and evaluation programs, bringing the total amount to \$7.936 billion. Text of the amendment is available [here](#).
11. **Jackson Lee (D-TX)**: This amendment decreases the defense wide procurement appropriation by \$1 million, reducing the total to \$4.52 billion, and transfers the savings to the spending reduction account. Text of the amendment is available [here](#). The National Taxpayer Union (NTU) supports this amendment.
12. **Jackson Lee (D-TX)**: This amendment decreases the defense wide procurement appropriation by \$2 million, reducing the total to \$4.52 billion, and transfers the savings to the spending reduction account. Text of the amendment is available [here](#). The National Taxpayer Union (NTU) supports this amendment.
13. **Jackson Lee (D-TX)**: Reduces funding for defense wide procurement by \$10 million for a new total of \$4.51 billion. These funds are transferred to DOD medical and healthcare programs for a new total of \$33.58 billion, with the \$10 million specifically for research, development, test, and evaluation. These funds are available for use until September 30, 2015. Text of the amendment is available [here](#).
14. **Polis (D-CA)**: Reduces the amount appropriated for expenses related to defense wide procurement for 14 ground-based ballistic missile interceptors by \$107 million for a total of \$4.42 billion. Secretary of Defense Chuck Hagel [announced](#) earlier this year that the number of ground-based interceptors will be increased from 30 to 44. These funds are transferred into the Spending Reduction Account. A similar amendment to prohibit funding for these new 14 ground-based ballistic missile interceptors failed by a vote of [146-278](#) in the FY2014 NDAA (H.R. 1960). Text of this amendment is available [here](#). The National Taxpayers Union supports this amendment. Heritage Action opposes this amendment.
15. **Blumenauer (D-OR), Conyers (D-MI)**: This amendment reduces the appropriation for the Navy's research, development, testing, and evaluation programs by \$85 million. **According to the amendment sponsor**, this is intended to reduce funding for Ohio-class submarines by 10 percent. Text of the amendment is available [here](#). Heritage Action opposes this amendment.
16. **Pocan (D-WI)**: This amendment increases the Navy research, development, test, and evaluation appropriation by \$10 million for applied research, which according to the amendment sponsor, is to improve the safety of advanced batteries, specifically lithium-ion batteries. The amendment also decreases the defense wide research, development, test, and evaluation appropriation by \$12 million, reducing the total to \$17.87 billion. Text of the amendment is available [here](#).

17. **Nugent (R-FL):** Reduces the defense wide account for research, development, test, and evaluations, by \$12.5 million for a total of \$17.87 billion. Of the total reduction, \$10.5 million, is transferred into the Air Force's account for these activities, for a total of \$24.96 billion to "develop a high-power microwave cruise missile weapon," according to the amendment sponsor. Thus, the net reduction of appropriations within this amendment is \$2 million. Text of the amendment is available [here](#).
18. **Heck (R-NV):** The amendment transfers \$15 million of the amount reserved within the defense wide procurement appropriation for Israeli Cooperative Programs to Israel for producing the Iron Dome defense system in the United States, including the infrastructure, tooling, transferring, special test equipment, and related components. Text of the amendment is available [here](#). Heritage Action supports this amendment.
19. **Lujan (D-NM), Lamborn (R-CO):** This amendment reduces the defense wide research, development, test, and evaluation appropriation by \$10 million and increases the research, development, test, and evaluation for Operationally Responsive Space (ORS) by the same amount. Text of the amendment is available [here](#).
20. **Nadler (D-NY), Garamendi (D-CA), Polis (D-CO):** This amendment decreases the defense wide research, development, test, and evaluation appropriation for the East Coast Missile Defense site by \$70.2 million, and transfers the savings to the Spending Reduction Account. Text of the amendment is available [here](#). [Heritage Action](#) opposes this amendment. The National Taxpayers Union (NTU) supports this amendment.
21. **Shea-Porter (D-NH), LoBiondo (R-NJ):** This amendment transfers \$9 million appropriated for the Defense Health Program to designate funding to study the Therapeutic Service Dog Training Program directed in the House Report [113-102](#) accompanying the FY2014 NDAA (H.R. 1960). Text of the amendment is available [here](#).
22. **O'Rourke (D-TX):** This amendment strikes section 8058, which states that none of the funds appropriated may be obligated or expended to repair or maintain DOD military family housing units, including those housing units which may be used for conducting official DOD business. Text of the amendment is available [here](#).
23. **Moran (D-VA), Smith (D-WA):** This amendment strikes sections 8107, 8108, and 8109 of the base bill. Section 8107 prohibits the transferring of Khalid Sheikh Mohammed or any other foreign detainee held at Guantanamo Bay on or after July 24, 2009, to the United States. Section 8108 places restrictions on the transfer of Guantanamo Bay detainees to foreign nations. Section 8109 prohibits the construction, acquisition, or modification of any facility in the United States to house any Guantanamo Bay detainees. Text of the amendment is available [here](#).
24. **Terry (R-NE):** This amendment increases the defense wide operation and maintenance appropriation by \$1 billion for a total of \$7.24 billion. Additionally, it decreases the Afghanistan Security Forces Fund by \$2.6 billion, bringing the total to \$5.13 billion, an amount which is available until September 30, 2015, for the purpose of giving the DOD

more flexibility to offset civilian DOD employee furloughs **according to the amendment sponsor**. Text of the amendment is available [here](#).

25. **Poe (R-TX)**: Reduces by \$600 million appropriated for defense wide operation and maintenance for Overseas Contingency Operations/Global War on Terrorism funding for Pakistan. Text of this amendment is available [here](#).
26. **Bonamici (D-OR)**: Reduces the amount appropriated to the Overseas Contingency Operations Transfer Fund by \$30 million for a new total of \$1.04 billion. These funds are instead made available for procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the Armed Forces reserve component, increasing that total to \$1.53 billion. **According to the amendment sponsor**, this funding is for the purchase of emergency response medical equipment sets for National Guard M997A3 HMMWV ambulances to ensure they carry adequate life-saving equipment. Text of this amendment is available [here](#).
27. **Walberg (R-MI), Cohen (D-TN), Etsy (D-CT), Rigell (R-VA)**: This amendment decreases the Afghanistan infrastructure Fund by \$79 million, bringing the total to \$200 million. The \$79 million would be transferred to the Spending Reduction Account. Text of the amendment is available [here](#). The National Taxpayers Union supports this amendment.
28. **Cicilline (D-RI)**: This amendment reduces the Afghanistan Infrastructure Fund by \$279 million and transfers the same amount into the Spending Reduction Account. Essentially, the amendment zeros out the Afghanistan Infrastructure Fund. Text of the amendment is available [here](#). The National Taxpayers Union supports this amendment.
29. **Cohen (D-TX)**: This amendment reduces the Afghanistan Infrastructure Fund by \$139 million, bringing the total available until September 30, 2015, to \$140 million. These funds are transferred into the Spending Reduction Account. Text of the amendment is available [here](#). The National Taxpayers Union supports this amendment.
30. **Coffman (R-CO), Garamendi (D-CA), Murphy, Patrick (D-FL), Cohen (D-TN)**: This amendment decreases the Afghanistan Security Forces Fund by \$554 million, bringing the total to \$7.17 billion, an amount which is available until September 30, 2015. This amount is transferred to the Spending Reduction Account. The amendment sponsor indicates this amount is the amount of a contract with a Rosoboronexport, a Russian arms dealer, for 30 Mi-17 helicopters. Text of the amendment is available [here](#). The National Taxpayers Union supports this amendment.
31. **Cicilline (D-RI)**: This amendment decreases the Afghanistan Security Forces Fund by \$60 million, bringing the total to \$7.67 billion, an amount which is available until September 30, 2015. Additionally, the amendment increases funding for the Defense Health Program by \$14 million, for the purpose to fund peer-reviewed traumatic brain injury and psychological health research and alcohol and substance abuse disorders, according to the amendment sponsor. Text of the amendment is available [here](#).

32. **Etsy (D-CT):** This amendment reduces funding for the Afghan Security Forces Fund by \$38 million for an updated total of \$7.69 billion available until September 30, 2015. Additionally, it increases funding for the operation and maintenance of the DOD Defense Health Program by \$10 million for suicide prevention awareness and outreach in the Overseas Contingency Operations account. Text of this amendment is available [here](#).
33. **Garamendi (D-CA):** This amendment reduces the Afghanistan Security Forces Fund by \$2.62 billion, bringing the total to \$5.11 billion. Text of the amendment is available [here](#).
34. **Poe (R-TX):** This amendment repeals the authority provided to the Secretary of Defense, in consultation with the Secretary of State, to waive requirements placed on reimbursement payments to the Government of Pakistan by certifying that it is in the national security interest to do so. The restrictions require that none of the funds appropriated for defense wide appropriations may be used for reimbursement payments to the Government of Pakistan unless the Secretary of Defense certifies to the House and Senate Appropriations Committees that Pakistan is generally cooperating with the US in counterterrorism efforts, not supporting terrorist activities against the US or coalition forces in Afghanistan, as well as meeting other specific requirements. Text of this amendment is available [here](#).
35. **Fleming (R-LA), Bridenstine (R-OK), Forbes (R-VA), Jordan (R-OH), Pitts (R-PA), Lankford (R-OK):** Prohibits funds from being used for appointing chaplains for the military which contravene the current DOD directive assigning responsibilities, requirements, procedures, and otherwise regarding the [guidance](#) of appointing said individuals. Organizations wishing to establish endorsing agents for the Chaplain Corps are required to prove that they qualify as a church under the tax code. An amendment to add atheist chaplains to the Chaplain Corp failed during consideration of the House-passed FY2014 NDAA (H.R. 1960) by a vote of [150-274](#). Text of this amendment is available [here](#).
36. **Rigell (R-VA):** This amendment adds a new section prohibiting funds appropriated for the Afghanistan Infrastructure Fund to be used for planning, developing, or constructing any new project for which construction has not already begun. The base bill appropriates \$279 million to be available until September 30, 2015. Text of the amendment is available [here](#). The National Taxpayers Union (NTU) supports this amendment.
37. **Scalise (R-LA):** This amendment prohibits funds from being used to enter into a contract for the procurement or production of biofuels (but would not prohibit certain limited “test and certification” activities, which is consistent with the House-passed 2014 NDAA). The amendment would prohibit exercises such as the Navy’s 2012 “Great Green Fleet” boondoggle that burned [450,000 gallons of fuel at \\$26 per gallon](#) (the market price was close to \$4 per gallon). **According to the amendment sponsor**, this and other biofuel expenditures use scarce DOD resources to prop up politically-favored fuel sources and don’t make a bit of economic or strategic sense, as the Heritage Foundation [points out](#). Text of the amendment is available [here](#). Heritage Action supports this amendment.

38. **Terry (R-NE)**: This amendment prohibits any funds to be used for the enforcement of [Section 526](#) (page 173) of the Energy Independent and Security Act of 2007. This section makes restrictions regarding federal agencies entering into contracts for the procurement and acquisition of alternative fuels. Text of the amendment is [available here](#).
39. **Wittman (R-VA)**: This amendment creates a new section at the end of the bill prohibiting any funding in the bill to be used to “propose, plan for, or execute an additional Base Realignment and Closure round” (BRAC). Text of the amendment is available [here](#). The National Taxpayers Union (NTU) opposes this amendment.
40. **Broun (R-GA)**: This amendment creates a new section at the end of the bill prohibiting funds from being used to “propose, plan for, or execute an additional Base Realignment and Closure round involving military installations located within the United States.” Text of the amendment is available [here](#). The National Taxpayers Union (NTU) opposes this amendment.
41. **Flores (R-TX), Gingrey (R-GA), Conaway (R-TX), Hensarling (R-TX)**: The amendment prohibits funds from enforcing Section 526 of the Energy Independence and Security Act of 2007. This section was added largely to stifle the Defense Department’s plans to buy coal-based (or “coal-to-liquids”) jet fuels. **According to the amendment sponsors**, this section has implications across the Federal Government and would prohibit the federal government from purchasing fuel derived not only from coal-to-liquids or gas-to-liquids, but also from more unconventional sources like Canadian oil sands and Venezuelan heavy crude, both of which are currently widely refined in America and impossible to separate from our current refined products stream. This amendment would make energy cheaper and allow us to buy energy from our friends (like Canada) and not be so reliant on the Middle East. This language was added by Rep. Flores (R-TX). Amendments containing similar language (H.Amdt. 416, H.Amdt. 477, H.Amdt. 560, H.Amdt. 670, H.Amdt. 1166, H.Amdt. 1227, H.Amdt. 1264, H.Amdt. 1360, H.Amdt. 1428) were offered to a number of appropriations bills last Congress and all passed by voice vote. Additionally, H.Amdt 132, and H.Amdt. 316 were offered to appropriations bills this Congress and passed by voice vote. Text of the amendment is available [here](#). The National Taxpayers Union (NTU) supports this amendment.
42. **Cole (R-OK), Kilmer (D-WA), McCarthy (R-CA), Bishop (R-UT), Jones (R-NC), Loeb sack (D-IA), McCollum (D-MN), Scott (R-GA)**: This amendment prohibits funding from being used to furlough civilian DoD employees who are paid from the Working Capital Fund Account if the reason for the furlough is due to sequestration. According to the amendment sponsor, the Working Capital Fund Account (10 U.S.C § 2208) are revolving funds that require a one-time congressional appropriation to establish the fund, and then operates on a break-even basis from revenues on the sale of goods and services to customers. Working Fund employees are “indirectly funded government employees” (10 U.S.C. 129). Text of the amendment is available [here](#).

43. **Cole (R-OK), Kilmer (D-WA), McCarthy (R-CA), Bishop (R-UT), Jones (R-NC), Loeb sack (D-IA), McCollum (D-MN), Scott (R-GA):** **Withdrawn.**
44. **DeLauro (D-CT), Moran, James (D-VA), Wolf (R-VA), McGovern (D-MA), Bridenstine (R-OK), Connolly (D-VA), Garamendi (D-CA), Cohen (D-TN):** This amendment prohibits funds to be used for training the Afghan National Security Forces Special Mission Wing to operate or maintain Mi-17 helicopters. Text of the amendment is [available here](#).
45. **Lee, Barbara (D-CA), Blumenauer (D-OR), Schrader (D-OR), Conyers (D-MI), Polis (D-CO):** Reduces the entire amount appropriated under this Act by one percent, but excludes the amounts available for Military Personnel under title I, the Defense Health Program under title VI, or anything under title IX which provides funding for Overseas Deployments and Other Activities. Text of this amendment is available [here](#).
46. **Quigley (D-IL):** This amendment prohibits funding the maintenance or operation of more than 300 land-based intercontinental ballistic missiles. Text of the amendment is [available here](#).
47. **Denham (R-CA):** Prohibits any funds from this act to be used for implementing the Trans Regional Web Initiative (TRWI), a U.S. Special Operations Command (USSOCOM) initiative under which USSOCOM establishes and maintains news and information websites in support of the geographic combatant command's (GCC) countering violent extremism objectives. The Senate budget committee recommended reducing funds for this initiative in the 112th congress, noting that in recent years these websites have become a significant and costly component of the countering violent extremism campaigns. Text of this amendment is available [here](#).
48. **Jones (R-NC):** This amendment prohibits funds to be used to carry out any activities under the United States–Afghanistan Strategic Partnership Agreement, signed May 2, 2012, unless authorized by Congress. The agreement was an executive action undertaken by the President to establish a normalized framework of relations between the United States and the Afghanistan. Text of the amendment is available [here](#).
49. **Jones (R-NC):** This amendment prohibits funds to be used to carry out any activities under the United States–Afghanistan Strategic Partnership Agreement, signed May 2, 2012. This differs from **Jones No. 47** by not including the "unless authorized by Congress" caveat. The agreement was an executive action undertaken by the President to establish a normalized framework of relations between the United States and the Afghanistan. Text of the amendment is available [here](#).
50. **Kline (R-MN), Polis (D-CO), Paulsen (R-MN):** This amendment ensures that funding used for the recruitment does not discriminate between traditional high school graduates and non-traditional high school graduates (home school, virtual/distance learning, adult/alternative schools). On June 6, 2012, in a memorandum issued by the Assistant Secretary of Defense, non-traditional graduates were required to pass a certain threshold

on the Armed Forces Qualification Test in order to be given the same enlistment priority as a traditional graduate regardless of the latter's score. This amendment would defund this discriminatory practice, stopping the DOD from acting in contravention of Congress's wishes as expressed in section 532(a)(2) of NDAA for FY 2012. Text of the amendment is available [here](#).

51. **Lamalfa (R-CA)**: This amendment creates a new section at the end of the bill prohibiting any funds to be used to pay any assessed fine levied against a military installation by the California Air Resources Board (CARB). **According to the amendment sponsor**, CARB is known for imposing excessive regulatory burdens on California's economy and for targeting military installations for alleged emissions violations. Text of the amendment is available [here](#).
52. **Lamborn (R-CO), Lummis (R-WY), Daines (R-MT), Cramer (R-ND)**: This amendment prohibits funds for conducting environmental impact studies of intercontinental ballistic missiles (ICBM) or the facilities where they are located, in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. et seq.) **According to the sponsor's office**, the Administration requested funds in their 2014 budget proposal to conduct environmental impact studies of US intercontinental ballistic missiles (ICBMs), which they see as backdoor attempt to reduce the ICBM fleet. The amendment sponsor maintains that these studies could unilaterally reduce our nuclear arsenal, lead to future instability, and nuclear arms races. A similar amendment was offered by Congresswoman Lummis to the National Defense Authorization Act which passed by a [vote of 235 – 189](#). Text of this amendment is available [here](#).
53. **Lamborn (R-CO), O'Rourke (D-TX), Barrow (D-GA), Jenkins (R-KS)**: This amendment prohibits funding in the bill from being used to furlough any civilian employee of the Department of Defense. Text of the amendment is available [here](#).
54. **Meadows (R-NC)**: This amendment prohibits funds in the bill from being used to pay the salaries of any recess appointed officials until the recess appointed official is formally confirmed by the Senate. Text of the amendment is available [here](#).
55. **Mulvaney (R-SC), Van Hollen (D-MD), Coffman (R-CO), Murphy, Patrick (D-FL)**: This amendment reduces by \$3,546,000,000 the total amount available for activities which fall under title IX, Overseas Deployments and Other Activities (excluding the \$1,500,000,000 provided under *Procurement –National Guard and Reserve Equipment*). The base bill appropriates a total of \$85.8 billion for Overseas Contingency Operations funding (consistent with the FY2014 House-passed and RSC Budgets), while the President's FY2014 Budget requested approximately \$80 billion. In the FY2014 NDAA debate, the House Armed Services Committee maintained that the authorization of \$5 billion over the President's OCO request would help replenish readiness accounts from the current 80 percent levels to more historically acceptable 90 percent. This includes restoring Army and Air Force flying hours, facilities sustainment, ship depot maintenance for each service, Army OPTEMPO, ship depot maintenance, Navy critical spares, and combat support forces equipment and sustainment, and provides for the stabilization of fuel rates. A similar amendment to the House-passed NDAA (H.R. 1960) reducing OCO funding failed by a

vote of [191-232](#). Text of the amendment is [available here](#). The National Taxpayers Union (NTU) supports this amendment. Heritage Action opposes this amendment.

56. **Palazzo (R-MS)**: This amendment prohibits funds from being used to rebase any Air Force, Air Guard, or Air Force Reserve aircraft until 60 days after the National Commission on the Structure of the Air Force has submitted its report as required by the section 363(b) of FY 2013 NDAA (Public Law 112-239). Text of the amendment is available [here](#).
57. **Palazzo (R-MS), Nugent (R-FL)**: This amendment creates a new section at the end of the bill prohibiting funds from being used to plan or carry out a furlough for a dual status military technician who is a federal civilian employee, a member of the Selected Reserves or who, as a civilian technician, trains the Selected Reserve or maintains equipment for the Selected Reserves or armed forces (10 U.S.C § 10216). Text of the amendment is available [here](#).
58. **Rogers, Mike (R-AL)**: This amendment prohibits using funds to carry out the reductions to the nuclear forces of the United States outlined in the [New START Treaty](#) between the Russian Federation and the United States (495(e) title 10, U.S.C.). Text of this amendment is [available here](#). Information on the treaty is available from the Heritage Foundation [here](#). Also, Heritage Action supports this amendment.
59. **Rohrabacher (R-CA)**: The amendment prohibits “funds made available by this act to be used to provide assistance to Pakistan.” Text of this amendment is available [here](#).
60. **Stockman (R-TX), Rohrabacher (R-CA)**: This amendment prohibits funding to be used for United States military exercises which include any participation by the People’s Republic of China. **According to the amendment sponsor**, China’s invitation to participation in U.S. military exercises is concerning due to heightened U.S. security concerns about their hacking capabilities. Text of the amendment is available [here](#). Heritage Action supports this Amendment.
61. **Turner (R-OH), Rogers (R-AL)**: This amendment prohibits funds from being used to reduce the strategic delivery systems of the United States (bombers, air launched cruise missiles, ICBMs, SLBMs, submarines, and nuclear command and control systems) without an express act of Congress or treaty making action by the President pursuant to article II, section 2, clause 2 of the United States Constitution. Text of the amendment is available [here](#). Heritage Action supports this amendment.
62. **Walorski (R-IN)**: This amendment prohibits funds from being used to release or transfer any Guantanamo Bay detainees who is or was held, detained, or otherwise in the custody of the Department of Defense on or after June 24, 2009, to the Republic of Yemen (or any entity within Yemen). Some [reports](#) indicate Yemen looks like al Qaeda’s new heartland. A similar amendment to the House-passed FY2014 NDAA (H.R. 1960) passed by a vote of [236-188](#). Text of the amendment is available [here](#). Heritage Action supports this amendment.

63. **Blumenauer (D-OR)**: This amendment prohibits funds to carry out 5062(b) of 10 U.S.C, which describes the composition and functions of the US Navy, and specifically requires that naval combat forces shall include not less than 11 operational and active aircraft carriers. Congress reduced the fleet in the FY2007 NDAA from 12 to 11 when it [decommissioned](#) the U.S.S. John F. Kennedy (CV-7) in 2007. A similar amendment to the House-passed FY2014 NDAA failed by a vote of [106-318](#). Text of the amendment is [available here](#).
64. **Blumenauer (D-OR)**: This amendment prohibits funds from being used to furlough dual status military technicians who are federal civilian employees who are either a member of the Selected Reserves or someone who, as a civilian technician, trains the Selected Reserve or maintains equipment for the Selected Reserves or armed forces (10 U.S.C. § 10216). Text of the amendment is available [here](#).
65. **Bonamici (D-OR)**: The amendment prohibits funding the retirement, divestment, transfer, or preparation of any of these activities of any Army C-23 aircraft. The amendment sponsor explains that the amendment designates \$34 million for the “sustainment and operation” of the C-23 aircraft. Text of this amendment is available [here](#).
66. **Hanabusa (D-HI)**: This amendment prohibits funds from being used to implement an enrollment fee for the TRICARE for Life program. [Tricare](#) is the health care program for approximately [9.6 million](#) Uniformed Services members, retirees, and their families worldwide. Text of the amendment is available [here](#). The National Taxpayers Union opposes this amendment.
67. **Kilmer (D-WA)**: This amendment prohibits funds from being used to deny a security clearance to a civilian DOD employee because of financial hardship due to a “furlough caused by sequestration.” Text of the amendment is available [here](#).
68. **Murphy (D-FL), Coffman (R-CO)**: This amendment prohibits funds from being used to maintain or improve any DOD real property with zero percent utilization, as determined by the DOD, unless it is a historic property (16 U.S.C. 470 et seq.) or maintenance is required to prevent negative environmental impacts (42 U.S.C. 4321 et seq.). Text of the amendment is available [here](#). The National Taxpayers Union (NTU) supports this amendment.
69. **Nadler (D-NY)**: This amendment prohibits funds from being used for continued detention of any Guantanamo Bay detainee who has already been approved for release or transfer to a foreign country. Text of the amendment is available [here](#).
70. **Nadler (D-NY)**: This amendment prohibits funds from being used to build any new DOD facilities at the United States Naval Station, Guantanamo Bay, Cuba or expand any current ones. Section 8109(b) of the base text does not disallow funding to modify

facilities at United States Naval Station, Guantanamo Bay, Cuba. Text of the amendment is available [here](#).

71. **Pierluisi (D-PR), Young, Don (R-AK):** This amendment prohibits the use of funds to implement, administer, or enforce:
1. the first sentence in section 204(c) of the Military Construction Authorization Act of 1974 ([Public Law 93-166](#); 87 Stat. 668) which states that “notwithstanding any other provision of law, the present bombardment area on the island of Culebra shall not be utilized for any purpose that would require decontamination at the expense of the United States”;
 2. the first sentence of section 9 of December 20, 1982’s quitclaim deed, which relates to transferring property on the Northwest peninsula of Culebra to the government of Puerto Rico;
 3. the response actions required to said quitclaim deeds regarding the releases of hazardous substances (under [section 2701\(c\)\(1\)\(B\) 10 U.S.C.](#));
 4. the response actions which relate to the following: section 2(d)(15) of the enclosure accompanying DOD Manual No 4715.20 – *DERP Eligibility – Ineligible Activities* related to environmental restoration actions, specifically those that are subject to legal agreements or property transfer documents between the DOD and another party assigning responsibility to that other than the DOD. ([available here](#), page 20); or
 5. section 8074 of this bill, which prohibits funds from being reprogrammed for new programs, projects, or activities unless these are undertaken immediately in the interest of national security and have been provided in writing to the congressional defense committees.

According to the amendment sponsor, this amendment enables the DoD to respond to public safety hazards and fulfill its environmental restoration responsibilities under current law by removing unexploded ordnances from the Northwest Peninsula of the island of Culebra in Puerto Rico (a former defense site where U.S. Navy bombing and weapons training occurred from 1903 to 1975). Text of this amendment is available [here](#).

72. **Brooks (R-AL):** This amendment creates a new section at the end of the bill prohibiting any funds from being used to implement or execute any missile defense agreement, other than a treaty, with the Russian Federation. Additionally, funds may not be used to provide Russia with any information, either classified or unclassified, about the United States’ ballistic missile defense system. Text of the amendment is available [here](#). Heritage Action supports this amendment.
73. **Schiff (D-CA):** This amendment prohibits any obligation or expenditure of funds appropriated under the bill from being used for continued military actions authorized pursuant to the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) after Dec. 31, 2014. Text of the amendment is available [here](#).
74. **Speier (D-CA), Wilson (D-FL), Chu (D-CA), Eshoo (D-CA), Keating (D-MA), Brownley (D-CA), Esty (D-CT), Rush (D-IL), Schakowsky (D-IL), Walz (D-MN), Meng**

(D-NY), Maloney, Carolyn (D-NY), Braley (D-IA): Reduces funding by \$65 million for defense wide operation and maintenance, then reintroduces this funding for the account, in effect having no change on the base bill. **The amendment sponsor’s summary** of the amendment explains that the amendment “provides funds to identify individuals who were separated from the military on the grounds of a disorder subsequent to reporting a sexual assault and, if appropriate, correcting their record.” Text of the amendment is available [here](#).

75. *Speier (D-CA), Schrader (D-OR), Wilson (D-FL), Chu (D-CA), Eshoo (D-CA), Keating (D-MA), Brownley (D-CA), Esty (D-CT), Rush (D-IL), Schakowsky (D-IL), Walz (D-MN), Meng (D-NY), Maloney (D-NY), Braley (D-IA)*: The amendment increases by \$5 million the appropriated amount reserved for expenses necessary for confidential military purposes under the Army’s operation and maintenance within Title II. It also increases by \$2,500,000 the amount reserved for these same confidential military purposes for each the Navy and the Air Force. The amendment then offsets these increases by reducing total appropriations for defense wide operation and maintenance by \$10 million. The amendment sponsor explains this \$10 million of additional funds are to increase training for investigators to properly investigate sexual assault related offenses. Text of the amendment is available [here](#).

76. *Sessions (R-TX), Thompson (D-CA)*: This amendment reduces the appropriations for the defense wide operation and maintenance by \$10 million. The amendment also increases the amount dedicated to the research, development, testing, and evaluation of the TRICARE program by \$10 million with the intention of creating a pilot program to assist service members suffering from Traumatic Brain Injury (TBI) and Post Traumatic Stress Disorder. Text of the amendment is available [here](#).

77. *Bridenstine (R-OK), Wilson (R-SC), Bordallo (D-GU)*: This amendment increases funding for the National Guard State Partnership Program (NGSPP) by \$10 million. **According to the amendment sponsor**, this increase is offset by reducing funding for the Defense Media Activity account, specifically for the internal news, media information and printing and reproduction (not overseas radio and television). The sponsor states that the NGSPP supports U.S. security goals by engaging partner nations via military, socio-political, and economic conduits at the local, state, and national levels through NGSPP affiliates in every state except for Nevada and Rhode Island. [Section 1204](#) of the House-passed FY2014 NDAA includes a provision that codifies the program. That section lists the following six purposes of the program:

1. “To support the objectives of the commander of the combatant command for the theater of operations in which such contacts and activities are conducted.
2. To support the objectives of the United States chief of mission of the partner nation with which contacts and activities are conducted.
3. To build international partnerships and defense and security capacity.
4. To strengthen cooperation between the departments and agencies of the United States Government and agencies of foreign governments to support building of defense and security capacity.

5. To facilitate intergovernmental collaboration between the United States Government and foreign governments in the areas of defense and security.
6. To facilitate and enhance the exchange of information between the United States Government and foreign governments on matters relating to defense and security.”

Text of the amendment is available [here](#).

78. **McKinley (R-WV), Napolitano (D-CA), McNerney (D-CA), Lowenthal (D-CA):** This amendment reduces funding by \$10 million for the defense wide operations and maintenance account for the Office of the Secretary of Defense. According to the sponsor, the amendment then increases by the same amount funding for the [Youth Challenge Program](#) under Civil Military Programs within the operation and maintenance, account. Text of the amendment is [available here](#).
79. **Bass (D-CA):** This amendment reduces the department wide operation and maintenance account by \$3 million, and then increases it by the same amount. According to the amendment sponsor, the intent of this amendment is to combat illicit poaching and trafficking of animal products commonly linked to terrorism and armed conflict. Text of the amendment is available [here](#).
80. **Velquez (D-NY):** This amendment reduces the appropriation for the Afghanistan Security Forces Fund by \$19 million bringing the total to \$7,707,720,000. The amendment also increases the appropriation for the Defense Health Program by \$5 million bringing the total to \$909,201,000. Text of the amendment is available [here](#).
81. **Grayson (D-FL):** This amendment decreases the defense wide research, development, test, and evaluation appropriation by \$10,000,000, bringing the total to \$17,875,538,000. The amendment also increases the Defense Health Program appropriation by \$10,000,000, bringing the total to \$33,583,582,000. Text of the amendment is available [here](#).
82. **Etsy (D-CT):** This amendment increases funding defense wide for operation and maintenance by \$5,000,000 for a total of \$6,245,437,000. Additionally, it reduces funding for the Afghan Security Forces Fund by \$27,500,000 for an updated total of \$7,699,220,000 available until September 30, 2015. Text of this amendment is available [here](#).
83. **Lowenthal (D-CA):** For the amount appropriated to defense wide operation and maintenance, this amendment both reduces and increases funding by \$5,000,000, in effect making no changes to the amount appropriated. The author’s stated intent is to designate funding for the [STARBASE Youth Program](#). Text of this amendment is available [here](#).
84. **Etsy (D-CT):** This amendment reduces funding for the Afghanistan Infrastructure Fund by \$25,000,000, bringing the total available until September 30, 2015, to \$254,000,000.

These funds are transferred into the Spending Reduction Account. Text of this amendment is available [here](#).

85. **Broun (R-GA)**: This amendment prohibits funds from being used to operate an unmanned aerial system (drones) in contravention of the Fourth Amendment to the United States Constitution. The Fourth Amendment states: “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.” Text of the amendment is available [here](#).
86. **Griffin (R-AR)**: This amendment prohibits using funds to cancel or modify the Avionics Modernization Program for the C-130 aircraft fleet. [According to Boeing](#), “The C-130 AMP was initiated to modernize, standardize and reduce total ownership costs for the United States Air Force C-130 fleet, including specialized versions in service with the Air Force Special Operations Command (AFSOC). It consolidates 13 Mission Design Series into one common core avionics suite with five mission families: One for Combat Delivery, which constitutes the majority of the C-130 fleet, and four for the unique Special Operations mission requirements.” President Obama’s Budget proposed [eliminating this program](#). Text of the amendment is available [here](#).
87. **Hunter (R-CA)**: This amendment prohibits funds from being used to plan, consider, or carry out any actions to remove any portion of the Mount Soledad Veterans Memorial in San Diego, CA. Text of the amendment is available [here](#).
88. **Kline (R-MN), Paulsen (R-MN)**: This amendment prohibits funds for use by the Department of Defense to grant enlistment waivers to potential enlistees who have been convicted of rape, sexual abuse, sexual assault, criminal sexual abuse, incest, or other sex crimes. Currently, under a June 27, 2008, [memorandum issued by the Under Secretary of Defense](#), a waiver can be granted to allow individuals convicted of those crimes to serve in the military. Text of the amendment is available [here](#).
89. **Nunes (R-CA), Costa (D-CA), Langevin (D-RI), Keating (D-MA), Cicilline (D-RI), Valadao (R-CA)**: This amendment prohibits funds from being used to reduce the total number of civilian and military personnel stationed at Lajes Field, Azores, Portugal, below October 1, 2012, levels. Text of the amendment is available [here](#).
90. **Runyan (R-NJ)**: This amendment prohibits using funds for any activities which would violate appropriate activity, as described by law in 49 U.S.C. 41106, of Civil Reserve Air Fleet (CRAF) eligible aircraft. Text of the amendment is available [here](#).
91. **Bustos (D-IL)**: This amendment prohibits funds in this Act to be used for purchasing an American flag that is certified as a foreign end product pursuant to the Federal Acquisition Regulation. Text of the amendment is [available here](#).

92. **Engel (D- NY):** This amendment prohibits funding to be used by the Department of Defense to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with the [Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011](#). This Memorandum directs federal agencies to move toward purchasing 100 percent alternative fuel vehicles by 2015 and to decrease petroleum consumption by 30 percent by 2020. Text of the amendment is [available here](#).
93. **Grayson (D-FL):** This amendment prohibits funds being used to enter into contracts with contractors who, as offeror certifies or who employ principals that certify to have been convicted of (or had a civil judgment rendered against) fraud in the last three years in connection with obtaining, attempting to obtain, or performing a public contract or subcontract. Also, this prohibition applies to violations of federal or state antitrust statutes relating to embezzlement, theft, forgery, bribery, falsification, destruction of records, making false statements, tax evasion, violating federal criminal tax laws, receiving stolen property, or have unpaid back taxes in excess of \$3,000 within the previous three years. Text of the amendment is available [here](#).
94. **Grayson (D-FL):** This amendment prohibits funds from being used to commit torture or conspiracy to torture (18 U.S.C. § 2340A). Text of the amendment is available [here](#).
95. **Grayson (D-FL):** This amendment prohibits funds from being used to increase the number of flag or general officers for each military department above the current amount. Text of the amendment is available [here](#).
96. **LoBiondo (R- NJ):** This amendment prohibits any funds to be used for flight demonstration team performances by the Department of Defense outside of the United States. Text of the amendment is [available here](#).
97. **Radel (R-FL):** This amendment prohibits funds from being used to engage in military action in Syria in contravention of the War Powers Resolution (50 U.S.C. § 1541 et seq.), including for the introduction of United States 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 section 3 and 4 of that law (50 U.S.C. sec. 1542 and 1543). Essentially, the amendment prohibits any U.S. military involvement in Syria unless Congress approves such activities. As the death toll [continues to rise](#) and refugees flee the country in the Syrian civil war, attention in the U.S. has focused as to whether the U.S. should support Syrian opposition with arms aid. A [Pew Research Poll](#) in June this year showed significant public opposition towards the U.S. and its allies sending arms and military supplies to anti-government groups in Syria. [News reports](#) indicate that the House and Senate Intelligence Committees have approved CIA weapons shipments to Syrian opposition fighters and thus allowing the Obama administration to move forward on a [stalled strategy](#) involving CIA covert action. Chairman of the Joint Chiefs of Staff, Martin Dempsey, provided cost estimates to the Senate Armed Services Committee in a [letter](#) released Monday

describing five different scenarios of U.S. involvement in Syria—each scenario would cost about \$1 billion a month.

Text of the amendment is available [here](#).

98. **Massie (R-KY), Amash (R-MI), Yoho (R-FL):** This amendment prohibits funds to be used by the Department of Defense to fund military operations in Egypt or to fund any individuals, groups, or organizations engaged in paramilitary activities in Egypt as such terms are used in section 401 of title 10, United States Code. With civil unrest and protests occurring in response to events surrounding the Egyptian military ousting Egyptian President Mohammed Morsi on July 3, 2013, public debate of whether or what restrictions on U.S. foreign aid to Egypt have resulted. According to this June 2013 Congressional Research Service (CRS) [report](#), President Obama requested \$1.55 billion in his FY2014 budget in total bilateral aid to Egypt (\$1.3 billion in military aid and \$250 million in economic aid). The report also mentions that the United States has provided significant military and economic assistance to Egypt since the late 1970s. Text of the amendment is available [here](#).

99. **Nugent (R-FL):** The amendment prohibits funding for the National Security Agency (NSA) to conduct any acquisition pursuant to section 702 of the Foreign Intelligence Surveillance Act of 1978 for the purpose of targeting a United States person. It also prohibits the NSA from using funds to acquire, monitor, or store the contents of any electronic communications of a US person from a public provider of such communication services pursuant to law (section 501, Foreign Intelligence Surveillance Act 1978). Section 702 is a provision of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) that is designed to facilitate the acquisition of foreign intelligence information concerning non-U.S. persons located outside the United States if the Attorney General and Director of National Intelligence jointly agree to the surveillance. According to the amendment sponsor, there are five express instances where this authority does not apply:

1. target a person inside the United States;
2. use surveillance of a foreign suspect to target a person inside the U.S.;
3. target an American citizen outside the U.S.;
4. acquire any communication in which the sender and recipients are in the U.S.; or
5. conduct surveillance in violation of the Fourth Amendment to the Constitution.

Since the recent, unauthorized public release of classified material on NSA data collection programs by Edward Snowden, an unknown former NSA contractor and CIA employee, many Americans have expressed concern about how these statutory authorities are operated and whether they pose a threat to Americans' civil liberties and privacy.

Text of the amendment is available [here](#).

100. **Amash (R-MI), Conyers (D-MI), Mulvaney (R-SC), Polis (D-CO), Massie (R-KY):** This amendment prohibits funds from being used to carry out the orders of a Foreign Intelligence Surveillance Court unless that order contains the following sentence: "This Order limits the collection of any tangible things (including telephone numbers dialed,

telephone numbers of incoming calls, and the duration of calls) that may be authorized to be collected pursuant to this Order to those tangible things that pertain to a person who is the subject of an investigation described in section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861).” Essentially, the amendment would thwart the NSA’s current metadata authority and limit the collection of telephone metadata to only those who have already been identified as agents of a foreign power. The NSA security breaches have raised important policy questions about the extent that Americans’ privacy interests and security needs are protected against federal government intrusion such as whether existing processes under the Foreign Intelligence Surveillance Act and related minimization procedures, the role of courts under that Act, and [Executive Order 12333](#), as amended, provide the appropriate protection for American privacy in the context of such court-ordered collection.

According to the amendment sponsor, the amendment has two practical effects. First, it narrows the scope of the documents that the government can collect under its current FISA authority in that it would not be authorized to hold a pool of metadata on every phone call of every American. Secondly, it imposes more robust judicial oversight of NSA’s surveillance through applying a substantive, statutory standard to make sure the NSA does not violate Americans’ civil liberties. Chairmen from the House Committees of jurisdiction circulated a Dear Colleague opposing this amendment stating:

“...eliminating this program altogether without careful deliberation would not reflect our duty, under Article I of the Constitution, to provide for the common defense. Furthermore, the Amash amendment would have unintended consequences for the intelligence and law enforcement communities beyond the metadata program... Any such changes ought to proceed through a regular legislative process so the effects can be understood and debated fully. A funds limitation provision on an appropriations bill is simply not the best way for Members to address their concerns about this program.”

This Heritage Foundation [blog](#) describes the amendment as “...probably unwise and possibly unconstitutional.” Freedom Works is [key voting](#) in support of this amendment, and Americans for Limited Government [supports](#) it.

Text of the amendment is available [here](#).

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