



## H.R. 2810 — National Defense Authorization Act for Fiscal Year 2018 (Rep. Thornberry, R-TX) – Amendments Part IV

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### FLOOR SCHEDULE:

Scheduled for consideration beginning on July 13, 2017, under a [structured rule](#).

*NOTE: This Legislative Bulletin covers amendments number 1 – 122 made in order by the [second rule](#). Bulletins covering any additional amendments and any key vote alerts will be forthcoming.*

*The RSC Legislative Bulletin for the underlying bill is available [here](#).*

### AMENDMENTS 1 – 122:

[Garamendi \(D-CA\) – Amendment No. 1](#) – Would strike section 123 of the underlying bill, which prohibits the use of funds authorized by the bill to be used to purchase new ice breaker vessels for the coast guard. The underlying bill does include an exception to allow the Navy to act as an agent for the Coast Guard in any ice breaker procurement.

[Hudson \(R-NC\) – Amendment No. 2](#) – Would prohibit the use of funds for the procurement of the enhanced multi-mission parachute until the Secretary of the Navy certifies that neither of the currently fielded Marine Corps or Army parachute systems meet the Marine Corps requirements intended to be satisfied by the multi-mission parachute. The amendment would also require a report to Congress on the specifications of the proposed multi-mission parachute.

[Buck \(R-CO\) – Amendment No. 3](#) – Would prohibit the purchase of alternative fuels by the Secretary of Defense unless such fuel is equivalent to conventional energy in terms of cost and capabilities. In calculating the cost of such fuels, the secretary would be required to include the cost of other federal grants, subsidies, or tax incentives applied to the fuel. The amendment would also prohibit the use of funds authorized by the act to carry out any federal mandate to consume renewable energy unless such energy satisfies the cost requirements of the amendment.

[Perry \(R-PA\) – Amendment No. 4](#) – Would strike section 336 of the underlying bill, which states the sense of Congress that climate change is a direct threat to U.S. national security and requires a report by the Secretary of Defense on the threats posed by climate change and potential mitigation actions.

**Gosar (R-AZ) – Amendment No. 5** – Would require that prevailing wage calculations required by the Davis-Bacon act for programs authorized by the NDAA would be calculated using proper random statistical sampling techniques. Under current law, these calculations are made using an inaccurate, self-selecting sample. More information on this issue is available from the [Heritage Foundation](#).

**Rooney (R-FL) – Amendment No. 6** – Would strike section 541 of the underlying bill, which requires service academy athletes to complete their military service before playing professional sports.

**Keating (D-MA) – Amendment No. 7** – Would allow the use of Defense Health program funds to be used to make grants to medical researchers and universities to support testing ticks in order to improve the detection and diagnosis of tick-borne disease. [Some conservatives may be concerned](#) that the Department of Defense is already required by Congress to divert significant resources away from meeting base-defense needs to fund special-interest medical research.

**Buck (R-CO) – Amendment No. 8** – Prohibits the use of funds to designate or expand national heritage areas in southeast Colorado counties; specifically, within: Baca, Bent, Crowley Huerfano, 9 Kiowa, Las Animas, Otero, Prowers, or Pueblo counties.

**Poe (R-TX) – Amendment No. 9** – Under 10 USC 2576a, the Department of Defense may transfer excess equipment and goods to other federal agencies, or to state and local agencies. This amendment would create a preference for the Department of Homeland Security and state and local entities that will use equipment for border security in transferring unmanned aerial vehicles, [Aerostat radar systems](#); night-vision goggles, and Humvees.

**Hartzler (R-MO) – Amendment No. 10** - Prohibits funds for medical treatment (other than mental health treatment) related to gender transition to a person entitled to medical care under chapter 55 of title 10, U.S. code. In 2016, the Obama administration Department of Defense implemented a new [transgender policy](#), which included DOD funding for gender reassignment surgeries, hormone treatments, and other medical treatments.

**Cheney (R-WY) – Amendment No. 11** – Requires the Secretary of Defense to submit a plan within 30 days of enactment to enhance the extended deterrence and assurance capabilities of the United States in the Asia-Pacific region.

**Cole (R-OK) – Amendment No. 12** - Directs the president to provide to Congress a strategy and a budgetary analysis needed to defeat Al-Qaeda, the Taliban, and the Islamic State of Iraq and ISIS, no later than 30 days after final passage. The report shall include an analysis of the Authorization for Use of Military Force (AUMF) and the legal framework to accomplish the strategy described.

**Franks (R-AZ) – Amendment No. 13** - Requires the Secretary of Defense to conduct two separate, concurrent assessments of the use of violent or unorthodox Islamic religious doctrine to support extremist or terrorist messaging and justification. One assessment would be required to be conducted by government employees, while the other would be conducted by private individuals.

**Cheney (R-WY) – Amendment No. 14** – Prohibits the use of funds to reduce, or prepare to reduce, the number of deployed ICBMs below the levels set by the New START Treaty (400 ICBMs), or to reduce the alert level of such missiles.

**Lamborn (R-CO) – Amendment No. 15** - Normalizes the operational test and evaluation process for the ballistic missile defense system by conforming the condition for proceeding beyond low-rate initial production in line with all other major defense acquisition programs.

[DesJarlais \(R-TN\) – Amendment No. 16](#) - Requires National Nuclear Security Administration to provide Congress with a list of unfunded requirements within 10 days of the submission of the president’s budget request.

[Frankel \(D-FL\), Byrne \(R-AL\) – Amendment No. 17](#) - Classifies a vessel being repaired or dismantled to be a "recreational vessel" if the vessel shares elements of design and construction of traditional recreational vessels and is not normally engaged in a military or commercial undertaking when operating.”

[Hunter \(R-CA\), Wilson \(D-FL\) – Amendment No. 18](#) – Would prohibit the bringing of a claim for damages based on injury or death of an individual employed on a foreign-flagged ship if the injured individual was not a U.S. citizen or permanent resident, the injury arose outside of U.S. territorial waters, or the claim could have been brought in a foreign jurisdiction where the individual maintained residency or where the injury occurred.

[Poliquin \(R-ME\) – Amendment No. 19](#) - Amends section 126 to exclude two previously authorized DDG-51 destroyers from the underlying bill’s requirement that no funds be available from those authorized in FY 2017 or in the underlying bill to procure such vessels unless they are upgraded to include updated radar systems.

[Larsen, Rick \(D-WA\), Kilmer \(D-WA\)](#) – Amendment No. 20 - Strikes section 211(d) and replaces with (1) requirement that commercial aircraft acquisition for Air Force One replacement program be conducted pursuant to a fixed-price contract and (2) analysis of potential additional fixed price contracts during Engineering and Manufacturing Development phase.

Section 211(d) in the underlying bill would require that contracts covering at least 50% of the total funding for the Air Force One replacement be fixed-price. The result of the amendment is that the total amount of cost-plus or other cost-variable contract dollar amount could be increased. Boeing is the sole-source provider for the Air Force One replacement program. Some conservatives may be concerned that the ultimate effect of the amendment would be to increase the taxpayer cost for the program.

[Lujan Grisham \(D-NM\) – Amendment No. 21](#) - Requires the DOD, in coordination with DOE, to conduct a pilot program among defense laboratories, national laboratories, and private entities to facilitate the licensure, transfer, and commercialization of innovative technologies.

Some conservatives may be concerned that such a pilot program would be duplicative of existing DOD programs within the RDT&E accounts that are intended to support technology transfer and of numerous Department of Energy and National Laboratory programs. Moreover, many conservatives may believe that supporting commercialization activities is not an appropriate activity of the federal government.

[Loebsack \(D-IA\), Jones \(R-NC\) – Amendment No. 22](#) - Requires the Secretary of Defense to perform an assessment of the Science, Technology, Engineering, and Math, as well as Maintenance and Manufacturing (STEM(MM)) workforce for organizations within the DOD, identify the types and quantities of STEM(MM) jobs needed to support future mission work, and identify a plan of action to address the STEM(MM) jobs gap.

[Castro \(D-TX\) – Amendment No. 23](#) – Would amend [10 USC 2371b](#) to allow nonprofit research institutions to enter into prototype projects with DoD without having to participate in cost sharing.

[Meng \(D-NY\), Crowley \(D-NY\), Suozzi \(D-NY\), Jeffries \(D-NY\), Rice, Kathleen \(D-NY\) – Amendment No. 24](#) – Authorizes the Office of Naval Research to carry out a program to reduce jet noise produced by high-performance military aircraft

[Fitzpatrick \(R-PA\) – Amendment No. 25](#) - Directs the Secretary of Defense to implement a process to coordinate annual research requests between all services and offices under Department of Defense in order to maximize the benefit of each request and minimize duplication.

[Norman \(D-SC\) – Amendment No. 26](#) - Directs the Comptroller General (GAO) to review Department of Defense Cost Models used in making personnel decisions and to evaluate the extent to which DOD has implemented previous GAO recommendations.

[McKinley \(R-WV\). Napolitano \(D-CA\) – Amendment No. 27](#) - Increases the National Guard Youth Challengee Program by \$25 million and decreases by the same amount Operations and Maintenance, Defense-wide. A similar amendment was adopted to the FY 2017 NDAA during floor consideration.

[Meng \(D-NY\) – Amendment No. 28](#) - Requires a report from the Secretary of Defense regarding the design, material, sizing, price, availability, quality, and utility of maternity uniforms for pregnant members of the military.

[Cartwright \(D-PA\) – Amendment No. 29](#) - Directs the Under Secretary of Defense for Acquisition, Technology and Logistics to provide a briefing to the Congressional Defense Committees on the status of the formal process required by the FY 2017 NDAA to provide government agencies outside the Department of Defense with information on the availability of surplus, serviceable ammunition for the purpose of reducing the overall storage and disposal costs related to such ammunition.

[Perry \(R-PA\). Jones \(R-NC\) – Amendment No. 30](#) – The FY 2017 NDAA required a conversion of 20% of the [dual-status technician](#) workforce to civilian employment by October 1, 2017. The underlying bill would reduce this requirement to 10% and delay it to October 1, 2018. This amendment would further reduce the amount of required conversions to 4.8% of the workforce.

[Herrera-Beutler \(R-WA\). Tsongas \(D-MA\) – Amendment No. 31](#) - Codifies the [requirements](#) from the National Defense Authorization Act for Fiscal Year 2015 that each military service establish a process by which survivors of sexual assault may challenge the terms or characterization of their discharge or separation from the armed forces. The amendment would also expand these requirements to allow individuals that only allege that they were victims to seek similar review of characterization.

[Watson Coleman \(D-NJ\) – Amendment No. 32](#) - Requires the Secretary of Defense to implement changes to the Army National Guard and Army Reserve's sexual assault prevention and response programs in areas such as staffing, budget management, and investigation timeliness.

[Jenkins, Evan \(R-WV\) – Amendment No. 33](#) - Increases the National Guard Counter-Drug and interdiction account by \$10 million with an equal offset from the Defense-wide Research, Development, Testing, and Evaluation account.

[Gowdy \(R-SC\) – Amendment No. 34](#) - Adds the Committee on Oversight and Government Reform to the list of committees receiving the Department of Defense's recommendations regarding the employment, use, and status of military technicians in the National Guard.

[Crawford \(R-AR\) – Amendment No. 35](#) - Designates the Explosive Ordnance Disposal Corps as a [basic branch](#) of the Army.

[Kildee \(D-MI\) – Amendment No. 36](#) - Allows the Secretary of Defense to provide additional training to service members and DOD civilian employees to counter Russian propaganda, disinformation and cyber measures designed to influence members of the military.

**Taylor (R-VA) – Amendment No. 37** – Would allow members of the armed forces to pursue professional credentials related to military training at taxpayer expense if the certification would translate into civilian occupations, regardless of whether the certification is acquired during the service of the individual in the armed forces. Current law requires certification occur during such service.

**Smucker (R-PA), Gottheimer (D-NJ), Sinema (D-AZ) – Amendment No. 38** - Expands the eligibility for the United Services [Military Apprenticeship Program](#) (USMAP) to include any member of the uniformed services.

**Meng (D-NY) – Amendment No. 39** - Enhances the hours of operation of DOD childcare development centers and establishes childcare coordinators for military installations.

**Meadows (R-NC), Gabbard (D-HI) – Amendment No. 40** - Makes all those who participated in the [S.S. Mayaguez rescue operation](#) eligible for the Vietnam Service Medal.

**Lance (R-NJ), Pascrell (D-NJ) – Amendment No. 41** - Requires each military department to carry out a program for awarding medals and other commendations to military working dogs and/or their handlers.

**Graves, Garret (R-LA) – Amendment No. 42** - Awards the Vietnam Service Medal to all veterans who participated in [Operation End Sweep](#) during the Vietnam War.

**McGovern (D-MA), Emmer (R-MN) – Amendment No. 43** - Requires the Secretary of Defense to design and produce a military service medal to honor retired and former members of the Armed Forces who are radiation-exposed veterans (Atomic Veterans).

**Soto (D-FL), Bera (D-CA) – Amendment No. 44** - Expedites the replacement of military decorations for veterans of World War II and the Korean War.

**Heck, Denny (D-WA) – Amendment No. 45** – Would allow creditors to use information retrieved from the Defense Manpower Database Center to determine if a servicemember was on active duty for the purpose of applying [interest rate limitations](#) of the Servicemembers Civil Relief Act. A creditor would be granted safe harbor for reliance on such information regardless of whether the servicemember provided other information to the creditor.

**Esty (D-CT) – Amendment No. 46** - Requires the Secretary of Defense in consultation with the Secretary of Veterans Affairs to issue a report on possible improvements to processing retirements and medical discharges. The report shall address: the feasibility of requiring members of the armed forces to apply for Veterans Affairs benefits before members complete discharge from the armed forces, requiring members to undergo compensation and benefits examinations, and a review of possible improvements to the timeliness of the process for transitioning members who undergo medical discharge to care provided by the Secretary of Veterans Affairs.

**Mast (R-FL), Crawford (R-AR), Correa (D-CA), Barr (R-KY), Stivers (R-OH) – Amendment No. 47** - Establishes an "Oath of Exit". Members of the military may, at their discretion, take this oath upon separation from service to maintain a personal stake in the mental health of their fellow veterans into civilian life.

**Watson Coleman (D-NJ) – Amendment No. 48** - Extends requirement for reports on [racial and gender diversity](#) in the military through 2022. Such requirements would otherwise expire in 2017.

**Plaskett, (D-VI) – Amendment No. 49** - Converts the [Overseas Housing Allowance](#) to [Basic Housing Allowance](#) for the US Virgin Islands.

[Donovan \(R-NY\) – Amendment No. 50](#) - Requires the Secretary of Defense to reevaluate the basic housing allowance for the Military Housing area that includes Staten Island, New York using the most recent data available to the secretary.

[Trott \(R-MI\), LoBiondo \(R-NJ\), Beyer \(D-VA\), Bera \(D-CA\) – Amendment No. 51](#) - Directs the Department of Defense to provide states with non-classified information about its training programs, so states can evaluate if this training meets state occupational licensing requirements. It would further provide that service members be provided with certificates for successfully completed training so they can present them to participating states for occupational licenses.

[Courtney \(D-CT\), Shea-Porter \(D-NH\) – Amendment No. 52](#) - Allows members of the National Guard and Reserves to seek treatment at the VA for Military Sexual Trauma whether the trauma occurred while the servicemember was on active duty, active duty for training, or inactive duty for training. Current law only covers treatment for trauma incurred while on active duty.

[Schneider \(D-IL\), Shea-Porter \(D-NH\) – Amendment No. 53](#) - Requires DOD providers who prescribe opioids for pain management to complete 12 hours of training every three years on pain management treatment guidelines and best practices, early detection of opioid use disorder, and the treatment and management of patients with opioid use disorder. The secretary would also be directed to establish training modules to support this training.

[Bera \(D-CA\) – Amendment No. 54](#) - Requires a report from the Defense Department each year for FY 2018-2021 on its activities and priorities with respect to infectious disease.

[Kuster, Ann \(D-NH\), Brownley \(D-CA\), Takano \(D-CA\), Sablan \(D-MP\), Bera \(D-CA\), Walz \(D-MN\) – Amendment No. 55](#) - Allows DoD to support VA in their adoption of an Electronic Health Record System and to require DoD and VA to jointly submit annual reports to Congress on their progress in developing a fully interoperable health record.

[Jackson Lee \(D-TX\) – Amendment No. 56](#) - Calls for increased collaboration with NIH to combat Triple Negative Breast Cancer, including by working to identify specific genetic and molecular targets and biomarkers for triple negative breast cancer. [Some conservatives may be concerned](#) that the Department of Defense is already required by Congress to divert significant resources away from meeting base-defense needs to fund special-interest medical research.

[Soto \(D-FL\), Shea-Porter \(D-NH\) – Amendment No. 57](#) - Would direct the Secretary of Defense to establish a program to encourage the transition of military medical professionals into employment with the Veterans Health Administration upon discharge or separation from the Armed Forces.

[Conaway \(R-TX\), Suozzi \(D-NY\) – Amendment No. 58](#) - Repeals subsection 190(f) of title 10, United States Code, to ensure a consistent approach is used to determine when qualified private auditors should conduct incurred cost audits for Department of Defense contracts. The underlying bill includes [significant reforms](#) to encourage the use of private auditors for incurred cost audits.

[Pittenger \(R-NC\) – Amendment No. 59](#) - Prohibits DOD from contracting with telecom firms found by ODNI to be complicit with North Korean cyberattacks. The president could waive this restriction if he deemed it to be in the national security interests of the United States.

[Rep. DeSantis \(R-FL\) Amendment No. 60](#) - Requires the Secretary of Defense to assess trade between China and North Korea. An unclassified report must be submitted to Congress within 6 months of enactment. Based on the assessment, the secretary may terminate or prohibit procurement contracts from Chinese commercial entities and must then notify Congress within 30 days.

[Rep. Velazquez \(D-NY\) - Amendment No. 61](#) – Would exempt bonding requirements for federal construction contractors from inflation adjustments.

[Rep. Murphy \(D-FL\) - Amendment No. 62](#) – Amends [10 U.S.C. 2418](#) to authorize the inclusion of Small Business Innovation Research and Small Business Technology Transfer programs in the Procurement Technical Assistance Centers described under [15 U.S.C. 638](#).

[Rep. Fitzpatrick \(R-PA\) - Amendment No. 63](#) – Requires the Secretary of Defense to completing Department of Defense Directive 2310.07E a priority. The directive states that accounting for lost personnel resulting from hostile acts is the highest priority.

[Rep. Soto \(D-FL\) - Amendment No. 64](#) – Requires the Secretary of Defense to brief HASC on a strategy ensuring sufficient oversight and expertise within the Office of the Secretary of Defense after completing the reorganization of the office.

[Rep. Schiff \(D-CA\) - Amendment No. 65](#) – Expresses a sense of Congress to allow military judges to take recorded testimony from victims and families regarding military commissions in Guantanamo Bay.

[Rep. Schiff \(D-CA\) - Amendment No. 66](#) – Allows a military judge to provide for participants to use video teleconferencing in military commissions.

[Rep. Schiff \(D-CA\) - Amendment No. 67](#) – Allows a military judge to make military commission proceedings available to the public on the internet.

[Rep. Kildee \(D-MI\) - Amendment No. 68](#) – Requires projected casualties, projected costs, and the objectives of the deployment to Afghanistan, including a timeline of completion, to be included in the report submitted by the Secretary of Defense to Congress on the U.S. strategy in Afghanistan.

[Rep. Delaney \(D-MD\) - Amendment No. 69](#) – Prohibits funds from being used to support the closure or transfer of a biosafety level 4 lab until the agencies certify there would be no negative effect on biological defense capabilities.

[Rep. Comstock \(R-VA\), Lowenthal \(D-CA\) - Amendment No. 70](#) – Reinstates the report regarding the [STARBASE](#) (Science and Technology Academies Reinforcing Basic Aviation and Space Exploration) program. It would also add the report to the ‘Preservation of Certain Additional Reports’ list.

[Rep. Carbajal \(D-CA\) - Amendment No. 71](#) – Reinstates the report regarding the [National Guard Youth Challenge](#).

[Rep. Gottheimer \(D-NJ\) Amendment No. 72](#) – Reinstates the annual report to Congress regarding support to law enforcement agencies conducting counter-terrorism activities.

[Rep. Fitzpatrick \(R-PA\) Amendment No. 73](#) – Requires the Secretary of Defense to conduct a study on health effect of the exposure to perfluorooctane sulfonate and perfluorooctanoic acid in the course of firefighting on military installations. The study must be submitted to Congress within 5 years after enactment.

[Rep. Boyle \(D-PA\) - Amendment No. 74](#) – Expresses a sense of Congress to support the sovereignty of Ukraine and assist its cybersecurity capabilities.

[Rep. Johnson \(D-TX\) Amendment No. 75](#) – Authorizes \$50,000 to construct a memorial in Arlington Cemetery honoring the three members who passed away during the 1967 Apollo I launch rehearsal test.

**Rep. Wilson (R-SC) Amendment No. 76** – Requires the president to submit to Congress a report by June 1, 2018 on the comprehensive strategy to counter violent extremist groups. The president must then submit to Congress an assessment of the strategy within one year.

**Rep. Thornberry (R-TX) Amendment No. 77** – Requires the president to begin submitting an annual comprehensive report on defense industrial base vulnerabilities to Congress within 6 months of enactment. The report must also include relevant reports on the concentration of purchases in the defense industrial sector. This amendment would also require the president create a database of proposed transactions that would result in a U.S. corporation or U.S. assets of a foreign corporation being controlled by a foreign person in the defense industrial base. The amendment would express the sense of Congress that controlling the export of critical technologies must be kept up-to-date. The president must deliver a report describing the need for reforms of the export of technology.

**Rep. Moulton (D-MA), Rep. Wenstrup (R-OH) Amendment No. 78** – Adds a new section establishing the Spirit of America nonprofit corporation as a federally chartered corporation. DOD would be allowed to accept humanitarian, economic, and nonlethal assistance from Spirit of America and provide that assistance to local populations abroad. DOD would be allowed to provide transportation, lodging and other support to personnel from Spirit of America while accepting and distributing that assistance.

**Rep. Connolly (D-VA) Amendment No. 79** – Requires the Secretary of Defense to conduct a policy review within 90 days of commercial air transportation to transport civilians to and from Afghanistan. Within 90 days of the completion of the review a report must be submitted to Congress and the secretary must update the guidelines based on the findings of the review.

**Rep. Davidson (R-OH) – Amendment No. 80** – This amendment would encourage the FAA Administrator and the Secretary of Defense to collaborate on sense-and-avoid capabilities for unmanned aircraft. The FAA Administrator is also encouraged to participate in DOD's tests and evaluation of sense-and-avoid capabilities for unmanned aircraft.

**Rohrabacher (R-CA) Amendment No. 81** – This amendment would add a stipulation requiring that the Secretary of Defense certify that Pakistan is not using its military or any U.S.-provided funds or equipment to persecute minority groups seeking religious freedom before disbursing any funds reimbursing Pakistan.

**Poe (R-TX) Amendment No. 82** – This amendment would add an additional certification criteria requiring the Secretary of Defense to certify that Pakistan is not providing military, financial, or logistical support to specially designated global terrorists operating in Afghanistan or Pakistan in order to waive coalition support funds to Pakistan.

**Moore (D-WI) Amendment No. 83** – This amendment would require the U.S. strategy on Syria to identify Defense and State Department funding to implement the strategy; and describe the legal authority for U.S. forces in Syria to accomplish military objectives. The amendment would also require a separate assessment of how the humanitarian situation in Syria affects achievement of U.S. goals, including how the U.S. intends to respond to the humanitarian crisis and support Syrian refugees and internally displaced persons.

**Nolan (D-MN) Amendment No. 84** – This amendment would prohibit funds authorized under the bill from being used to deploy members of the Armed Forces to participate in the ongoing civil war in Yemen.

**Lujan Grisham (D-NM) Amendment No. 85** – This amendment would require the Secretary of the Air Force to brief Congress on efforts to increase diversity in the civilian workforce on each Air Force Installation within 120 days of enactment.

[Gallego \(D-AZ\) Amendment No. 86](#) – This amendment would require the president to report to Congress on the deployment of U.S. combat forces to Syria.

[Lamborn \(R-CO\) Amendment No. 87](#)– This amendment would require the president, Secretaries of Defense and State, and Director of National Intelligence to report to Congress on Iran’s use of commercial aircraft for illicit activities.

[Nolan \(D-MN\) Amendment No. 88](#) – This amendment would prohibit funding from the [Counter-ISIS Train and Equip Fund](#) from going to recipients that DOD has reported as having previously misused training or equipment

[Engel \(D-NY\) and Aderholt \(R-AL\) Amendment No. 89](#) – Requires the Secretaries of Defense and State to report to Congress on the defense and security relationship between Serbia and the Russian Federation

[Cheney \(R-WY\) Amendment No. 90](#) – Requires the president to report to Congress on options available should Russia fail to achieve reductions required under the [New START Treaty](#) by February 5, 2018, including whether such a failure constitutes a material breach of the treaty and provides grounds for U.S. withdrawal

[Walker \(R-NC\) Amendment No. 91](#) – Requires DOD to report to Congress on bilateral ports of call with Taiwan.

[Engel \(D-NY\) Amendment No. 92](#) – Requires that the president notify Congress within 30 days if changes are made to any of the legal or policy frameworks described in the [“Report on the Legal and Policy Frameworks Guiding the United States Use of Military Force and Related National Security Operations”](#) published on December 5, 2016.

[Lieu \(D-NY\) Amendment No. 93](#) – This amendment would require the Secretaries of Defense and State to report to Congress on the extent to which Saudi Arabia is abiding by commitments in Yemen, including whether Saudi Arabia is adhering to the U.S.-provided No Strike List and improving targeting capabilities to avoid civilians.

[Crowley \(D-NY\) and Chabot \(R-OH\) - Amendment No. 94](#) – This amendment establishes a Sense of Congress that respect for human rights should be part of U.S. policy.

[Gallagher \(R-WI\) - Amendment No. 95](#) – This amendment would require the Secretaries of Defense and State to assess how China’s expanding global access affects U.S. security and defense

[Yoho \(R-FL\) - Amendment No. 96](#) – This amendment would normalize the transfer of defense articles and services to Taiwan.

[Duncan \(R-SC\) - Amendment No. 97](#) – This amendment includes a Sense of Congress that the security, stability, and prosperity of the Western Hemisphere is vital to U.S. national interests; that the U.S. should ensure a forward presence in the region and build partner capacity; that DOD should commit additional assets and investments to the region; and that DOD should engage the region by strengthening relations to address shared challenges.

[Bishop \(R-MI\) - Amendment No. 98](#) – This amendment includes a Sense of Congress that the President should call on NATO allies to fulfill their mutual defense commitments, secure national and regional security interests, and recognize NATO allies achieving their objectives.

[Kelly \(R-PA\) - Amendment No. 99](#) – This amendment would prohibit the use of federal funds to implement the UN Arms Trade Treaty unless the Senate approves a resolution of ratification and implementing legislation is enacted.

[Engel \(D-NY\) Amendment No. 100](#) – This amendment would create a new Coordinator for Cultural Heritage at DoD and require the Secretary to designate an existing DOD employee to serve concurrently in this position

[Rep. Soto \(D-FL\) – Amendment No. 101](#) – This amendment would require the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Secretary of Energy, and the Secretary of State to jointly submit a report to Congress 90 days following enactment, on space-based nuclear detection, detailing a strategic plan, a program description, and any pertinent current and planned national security requirements.

[Rep. Fitzpatrick \(R-PA\) – Amendment No. 102](#) – This amendment would direct the Secretary of Defense to define the term “deterrence,” as it applies to a cyber operations landscape. It would require the secretary to assess how the definition would affect DoD cyber operations strategy.

[Rep. Franks \(R-AZ\) – Amendment No. 103](#) – This amendment would update the balance of funds pertaining to the Israeli Missile Defense, in order to enable Israel to spend authorized funding on procurement and research, development, test and evaluation (RDT&E).

[Rep. Lamborn \(R-CO\) – Amendment No. 104](#) – This amendment would require Initial Operational Capability of boost phase ballistic missile defense capability by December 31, 2020. It would require the Secretary of Defense to submit a plan to achieve the capability to Congress.

[Rep. Young \(R-AK\) – Amendment No. 105](#) – This amendment would include a sense of Congress that the Secretary of Defense should use the upcoming Ballistic Missile Defense Review and the Missile Defeat Review to spur new and current means to improve capacity and reliability of the ground-based midcourse defense element of the missile defense system, and other missile defense programs. It would promote an integrated and layered missile defense system and would authorize additional ground-based interceptors, and would speed the completion of outstanding environmental impact statements to allow for additional missile defense sites on the east coast and in the Midwest. It would also require several reports to Congress.

[Rep. Hunter \(R-CA\) – Amendment No. 106](#) – This amendment would amend section 1696 by striking the exception of section [2377 of title 10](#), pertaining to acquisition preference for commercial items that would apply to the procurement of an item or service for a covered Distributed Common Ground System in certain instances. It would require within 30 days, the Service Acquisition Executive responsible for each covered Distributed Common Ground System to certify to congress that the procurement process used was in accordance with section 2377 of title 10.

[Rep. Rogers \(R-AL\) – Amendment No. 107](#) – This amendment would amend the underlying legislation as it pertains to the previously authorized [AEgis Ashore Missile Defense](#) Complex at RedziKowo Base, Poland. It would allow the Secretary of the Navy to construct a 6,180 square meter, multipurpose facility to provide for additional berthing space on the installation.

[Rep. Simpson \(R-ID\) – Amendment No. 108](#) – This amendment would authorize the Secretary of the Air Force to give to the City of Mountain Home, Idaho, roughly 4.25 miles of railroad spur near the Mountain Home Air Force Base, for the purposes of economic development. The city would be required to pay the secretary an amount equal to the fair market value of the land. The city may be required to cover costs incurred, or to provide reimbursement for costs incurred as a result of the conveyance.

[Rep. Bishop \(R-UT\) – Amendment No. 109](#) – This amendment would remove certain deed restrictions and reversions that pertain to the conveyance of the property of former Defense Depot Ogden, Utah. It would require a ratified agreement between the Secretary of the Interior and the City of Ogden or Weber County to encumber other properties owned by the city or county with similar reversionary interests.

[Rep. Bustos \(D-IL\), Rep. Gosar \(R-AZ\) – Amendment No. 110](#) – This amendment would require the Secretary of Defense to certify that there does not already exist suitable space in an existing military installation, prior to purchasing or leasing space valued at over \$750,000 annually. A cost-effectiveness determination would be made as well.

[Rep. Brat \(R-VA\) – Amendment No. 111](#) – This amendment would create a process for foreign governments to petition the Defense Department for the return of surplus property located overseas. This amendment would make savings generated from disposal of such property available for readiness programs.

[Rep. Rice \(R-SC\) – Amendment No. 112](#) – This amendment would require the Secretary of Defense to issue modifications to relevant construction and facilities specifications so that machine room-less elevators (MRLs) are not prohibited in buildings and facilities throughout the Department of Defense. It would allow the secretary to issue further modifications to conform with commercial best practices. It would require the secretary to issue a report to Congress on the integration and use of MRLs.

[Rep. Lujan \(D-NM\), Rep. Pearce \(R-NM\) – Amendment No. 113](#) – This amendment would require the Administrator for Nuclear Security to issue a report to Congress on a recommended alternative for the recapitalization of plutonium science and production abilities. It would require DOD to certify, within 60 days of receipt, that the recommended alternative is acceptable. It would also require the GAO to review the analysis of alternatives for recapitalization within 120 days of notification.

[Rep. Larsen \(D-WA\) – Amendment No. 114](#) – This amendment would require the president, in consultation with the relevant secretaries, to develop a plan for verification and monitoring pertaining to potential proliferation of nuclear weapons, nuclear weapons components, and fissile material, and to submit the plan to Congress by April 15, 2018. Of the funds to be authorized and/or appropriated in support of the Executive Office of the President under the NDAA, \$10 million could not be obligated or expended until such a time that the president submits the plan to Congress.

[Rep. Carbajal \(D-CA\) – Amendment No. 115](#) – This amendment would require the Secretary of Energy to work with the Department of State in order to develop a plan to minimize the usage of highly-enriched uranium for medical isotopes, and submit a report to Congress by April 1, 2018.

[Rep. Hunter \(R-CA\), Rep. Garamendi \(D-CA\) – Amendment No. 116](#) – This amendment would provide for continuation pay out of any money in the Treasury not otherwise appropriated for the Coast Guard's retirement account in the amounts of \$3,286,277 for FY18 and \$3,713,232 for FY19. It would also subject foreign owners and operators of oil facilities to liability for cleanup and damage costs resulting from oil spills.

[Rep. Moulton \(D-MA\) – Amendment No. 117](#) – This amendment would require the Secretary of Defense, in coordination with the Secretary of State to submit a comprehensive strategy for Syria and Iraq to Congressional committees within 90 days following enactment.

[Rep. Langevin \(D-RI\) – Amendment No. 118](#) – This amendment would require the Secretary of Defense to submit a report to Congress by December 31, 2017 on the National Biodefense Analysis and Countermeasures Center.

[Rep. Comstock \(D-VA\) – Amendment No. 119](#) – This amendment would include a sense of Congress, indicating that the federal government should not undertake actions that unduly or artificially distort market competition as it pertains to new commercial satellite servicing activities.

[Rep. Davidson \(R-OH\) – Amendment No. 120](#) – This amendment would prohibit the use of funds for any military operations in Yemen if they fall outside the scope of the 2001 AUMF.

[Rep. Marino \(R-PA\) – Amendment No. 121](#) – This amendment would require the Secretary of Defense to submit a report to Congress on tungsten and tungsten powder procurement.

[Rep. Tenney \(R-NY\), Rep. Lipinski \(D-IL\) – Amendment No. 122](#) – This amendment would reinstate the longstanding sourcing requirement for stainless steel flatware, including a one year phase-in period, previously found in the [Berry Amendment](#). Some conservatives may be concerned that requiring domestic sourcing for non-defense sensitive items needlessly increases the cost for their procurement.

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**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.*