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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LAMALFA).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 18, 2014.

I hereby appoint the Honorable DOUG LAMALFA to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2014, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

ACCESS TO INPATIENT REHABILITATION THERAPY ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, coordinated medical rehabilitation provided in an inpatient rehabilitation setting is crucial to Medicare beneficiaries with injuries, disease, disabilities, or chronic conditions.

Unfortunately, beginning in 2010, the Centers for Medicare and Medicaid Services began placing limitations on what types of therapy a beneficiary could receive, despite the professional judgment of a treating physician. This ties a physician's hands, and it limits recreational therapy from being prescribed, despite it being medically necessary in many cases.

These services are often prescribed to assist an individual in transitioning from the rehabilitation hospital to the home, helping patients recover their functions and decreasing the chances of costly readmissions. CMS, the Medicare agency, should not have put in place barriers for physicians and their patients when determining the best course of action for recovery.

This is why I introduced the bipartisan Access to Inpatient Rehabilitation Therapy Act of 2014 with my colleague, the gentleman from North Carolina (Mr. BUTTERFIELD).

I encourage my colleagues to lend their support to this commonsense bipartisan measure, H.R. 4755. It has zero cost, yet will empower doctors and patients to gain access to the most appropriate mix of therapeutic rehabilitation services.

AMERICA'S DECAYING INFRASTRUCTURE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, America faces many challenges at home and abroad. We are watching deterioration in the Middle East. We are watching the problems dealing with climate change and global warming. Many of the problems seem beyond our control.

They are hard and complex. Some are political fodder, where the two parties are in a pitched battle and one denies fundamental science. This is what concerns our constituents: Why can't we get along and get something done?

Well, there are many issues that are not so hard, not so complex, not so controversial. One of the areas that has historically been a subject of people coming together in this Chamber and getting something done deals with our infrastructure.

America, sadly, is falling apart. Our infrastructure used to be the finest in the world, from rail passenger transportation, highways, sewer, and water. Now, it is slowly, steadily failing and has been rated 14th in the latest global rankings from the experts that analyze infrastructure, and it is falling further.

Our investment, as a percentage of our gross domestic product, is less than 2 percent—1.7 percent, the lowest it has been in 20 years. It is costing American families now.

Mr. Speaker, AAA estimates that the average car owner loses almost $1 a day from damage to their cars from inadequate roads. The American Society for Civil Engineers has projected that if we don't undertake the necessary repairs between now and 2020, that cost per family is going to be over a $3,000-per-year impact on each and every American family.

At the same time, it is understood that investment in infrastructure pays huge returns. For a $1.3 billion investment in road and sewer and transit, we create almost 30,000 jobs. The S&P latest report indicated that a $1.3 billion investment will produce $2 billion in economic benefit that spreads throughout the economy, and it will reduce the American budget deficit $200 million.

This is also an area where actually the public is ahead of us. Politicians here on Capitol Hill have not addressed long-term road funding for 21 years. That was the last time the gas tax was increased; yet the American public understands and supports—according to a AAA poll from last week, two-thirds of Americans support user fees to support our infrastructure.

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Sixty-six percent say that a user fee is the right approach and should be utilized. Fifty-two percent say they would be willing to pay more.

It is time for Congress to stop this dancing around on the issue of adequately funding American infrastructure. We have a transportation bill that is expiring September 30.

We couldn't do a full-fledged reauthorization last time; we could only extend it for 27 months because Congress wouldn't face the funding challenge, and even that inadequate money is going to run out before September 30.

The Federal Department of Transportation is going to have to start withholding payments later this summer, which means State and local governments are having to begin to cut back now. So instead of an investment that would grow the economy and improve the quality of life in our communities, we are seeing further deterioration.

Luckily, there is starting to be some movement here. If Congress will move with a small amount of money to keep the system afloat through after the election, avoid the summer shutdown, hopefully, we can come together after all of the Tea Party primaries are over and the elections are done.

When we are dealing with important cleanup legislation in the lameduck session, this should be at the top of the list. America wants it. America needs it.

It will improve our economy. It will strengthen job opportunities for people from coast to coast, and it will make our communities more livable and our families safer, healthier, and more economically secure.

CRISIS IN IRAQ

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. WOLF) for 5 minutes.

Mr. WOLF. Mr. Speaker, Congresswoman ANNA ESHOO and I are sending the following letter, and we urge Members of Congress from both sides of the aisle to sign this letter to President Obama:

Dear Mr. President:

Many Americans have been deeply troubled by the unfolding crisis in Iraq. The rapid fall of multiple Iraqi cities to the terrorist Islamic State of Iraq and Syria, ISIS, brings the militant group notably closer to its declared aim of establishing a caliphate that spans the northern sections of Syria and Iraq.

A June 12 BBC article described ISIS in the following way: ''The group has a reputation for brutality. Parts of Syria and Iraq that have previously fallen under its rule have witnessed summary execution, beheadings, and even crucifixions.''

It is against this backdrop, Mr. President, that we write to you bearing in mind recent reports from Archbishop Bashar M. Warda of the Chaldean Diocese of Erbil. While his particular diocese is relatively calm at the moment, the picture that he painted, consistent with news report, of the situation in Mosul and the implications for Iraq's ancient Christian community and other religious minorities was bleak and sobering.

For years, we have witnessed a precipitous decline of Iraq's Christian community. Thousands have fled in the face of targeted violence. Many of those that remained relocated to Mosul and the Nineveh Plain. To people of faith, Nineveh is a familiar name: the site of a dramatic spiritual revival as told in the Biblical book of Jonah. These areas were one of the last remaining havens for this beleaguered community. In fact, Archbishop Warda indicated that this past Sunday, for the first time in 1,600 years, there was no Mass said in Mosul.

For the thousands who have already fled Mosul, they are facing not just displacement and imminent danger, but a growing humanitarian nightmare marked by lack of access to clean water, food, fuel, and electricity.

As such, Mr. President, we urge you and your administration to urgently and actively engage with the Iraqi central government and the Kurdistan Regional Government, KRG, to prioritize additional security support for these particularly vulnerable populations and expanded humanitarian assistance and emergency aid delivery to those affected communities.

Absent immediate action, we will most certainly witness the annihilation of an ancient faith community from the lands they have inhabited for centuries.

Mr. Speaker, we urge Members to sign this letter by the end of the day. More Biblical activity took place in Iraq than any other country of the world, other than Israel.

Abraham is from Iraq, from Ur, which is Nasiriyah. Esther, for such a time like this, is from Iraq. Jonah is from Nineveh—many people believe may very well be buried in Iraq. Ezekiel is buried in Iraq. Daniel, one of the great men of the Bible, is buried in Iraq.

So we urge all Members, this is something we can unite on. This is not a Republican or Democratic issue. This is an issue of saving this ancient community and urging the administration to urge the Kurds to protect them as they flee from this area.

I urge all Members, please call my office, call ANNA ESHOO's office, to sign this letter by the end of the day, in order to save the Christian community and other religious minorities in the Middle East.

CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. SCHIFF) for 5 minutes.

Mr. SCHIFF. Mr. Speaker, I rise today in support of the Environmental Protection Agency's Clean Power Plan proposed rule.

In the face of a Congress that is in denial about climate change, the administration is doing what it can to address a very real and very serious problem that is already manifesting itself in changing weather patterns, more frequent and hazardous wildfires, and devastating droughts.

This rule is a crucial step toward slowing climate change, developing domestic and affordable clean energy technologies, protecting public health, and reducing our dependence on foreign oil.

Some House Republicans have called the proposed regulations reckless and, others, unconstitutional. Some have even suggested adding a rider to the appropriations bill to block the rule's implementation.

As a member of that committee, I can tell you that this would be a huge mistake that would threaten to undo the hard-won compromises in the bill.

It is shocking to me the lengths to which the majority is willing to go to deny the scientific fact that our planet is warming and that human activity is the main cause.

Here are the facts: First, power plants, today, account for approximately one-third of all greenhouse gas emissions in the United States, making them the single largest source of carbon pollution.

The EPA plan will reduce greenhouse gas emissions from existing power plants by an estimated 30 percent from 2005 levels. That is 730 million tons of carbon pollution that will not be emitted into the atmosphere, warming the climate and causing sea levels to rise.

Second, the proposal will reduce smog and particulate pollution, including nitrogen oxides and sulfur dioxides, by more than 25 percent by the year 2030.

According to the Centers for Disease Control, asthma prevalence has increased from 7.3 percent in 2001 to 8.4 percent in 2010. The proposed regulations are estimated to prevent up to 150,000 asthma attacks in children and 6,600 premature deaths by 2030.

□ 1015

Third, the vast majority of the American public supports these new rules. In fact, nearly 70 percent of Americans support Federal regulations to limit greenhouse gasses from existing power plants

These new rules won't be easy to implement and we will experience some difficulties along the way, but since when does America let a challenge prevent us from rolling up our sleeves and getting to work? This is a global problem and America must not act alone.

Just as we lead the world in many aspects, climate change is a critical issue where we must lead by example. I call on my colleagues to do the right thing. Stop denying the science and get to work. We can and we must act together to reduce our greenhouse gas emissions, clean up our air and waters, and once again lead the way into the future.

I look forward to the EPA finalizing the proposed rule, and I hope it marks just the beginning of our efforts to address climate change before it is too late.

THE PAIN CAPABLE UNBORN CHILD PROTECTION ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, 1 year ago today, this House passed H.R. 1797, the Pain Capable Unborn Child Protection Act, with bipartisan support. To this date, the Senate has not considered this measure to protect the lives of innocent children in the womb from the cruel, excruciating pain of an abortion procedure. This is unconscionable.

I fear for the conscience of our Nation because the termination of unborn children for any reason is tolerated in some parts of our country throughout pregnancy, even though scientific conclusions show infants feel pain by at least 20 weeks' gestation.

Mr. Speaker, it is important that the American people understand exactly what happens when they hear the word ''abortion.'' It is a heart-wrenching, painful procedure that tears a baby limb from limb before crushing his or her head or is a poisonous chemical injection. As a country, we should leave this practice behind. That is why I cosponsored and voted for H.R. 1797, which would prohibit elective abortions in the United States past 20 weeks.

Life is the most fundamental of all rights. It is sacred and God-given, but millions of babies have been robbed of that right in this, the freest country in the world. That is a tragedy beyond words and a betrayal of what we as a nation stand for.

Before liberty, equality, free speech, freedom of conscience, the pursuit of happiness, and justice for all, there has to be life. And yet, for millions of aborted infants, many pain-capable and many discriminated against because of gender or disability, life is exactly what they have been denied.

An affront to life to some is an affront to life for every one of us. One day we hope it will be different. We hope life will cease to be valued on a sliding scale. We hope the era of elective abortions, ushered in by an unelected Court, will be closed and collectively deemed one of the darkest chapters in American history. But until that day, it remains a solemn duty to stand up for life.

Regardless of the length of this journey, we will continue to speak for those who cannot. We will continue to pray to the One who can change the hearts of those in desperation and those in power, who equally hold the lives of the innocent in their hands.

May we, in love, defend the unborn. May we, in humility, confront this national sin. May we mourn what abortion reveals about the conscience of our Nation.

H.R. 1797 provides commonsense protections for unborn children who feel pain just as you and I do. It is time the Senate considers this measure and protects the vulnerable among us.

OPPOSING U.S. MILITARY INTERVENTION IN IRAQ

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. HAHN) for 5 minutes.

Ms. HAHN. Mr. Speaker, I just wanted to come today and add my voice and my constituents' voice to the situation in Iraq. I wanted to voice my strong opposition to any further United States military intervention in Iraq.

I don't think we should be sending our men and women back to Iraq or to engage in air strikes. I don't believe that this is the right course of action. Our Nation's military involvement in Iraq, I think, needs to be over.

The United States has already spent trillions of dollars in Iraq while, here at home, our economy is still suffering. Our schools are going without needed funding. Families in my district are struggling to find jobs, to put food on the table, and our own infrastructure is crumbling.

My colleague earlier, on the other side of the aisle, talked about Esther and her great line of ''for such a time as this,'' which is something I actually try to live by, but I don't believe that this is the time to go back and fight a war that I don't believe is ours. I believe it is the time for America to focus our resources here at home.

We can't afford to spend millions of dollars on this military action when our schools are failing, one in five children lives in poverty in the United States, and so many of our veterans are not being taken care of when they come home.

I don't sit on the Committees of Armed Services, of Foreign Affairs. I am not on the Intelligence Committee. I sit on the Small Business Committee and the Transportation and Infrastructure Committee. From that perspective, I know that our small businesses want us to help them. Our infrastructure is failing and crumbling. We have 70,000 bridges in this country that are structurally deficient. I believe that we need to focus our resources here at home.

We have had nearly 4,500 brave men and women that sacrificed their lives for what I believe was a misguided mission in Iraq. More than 30,000 Americans have come home emotionally and physically scarred. Let's not do this again.

I don't think we have any place trying to solve a modern-day civil war. I think enough is enough. I hope, before the President takes action, he will come to Congress and ask us and the people that we represent what action needs to be taken.

HIGHWAY TRUST FUND

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Speaker, we take in approximately $39 billion a year for the highway trust fund to take care of transportation needs all over this country. We have spent $103 billion over the last several years rebuilding Afghanistan. Now they tell us projects all over this country will have to stop because of a $15 billion shortfall in our highway trust fund.

Today and tomorrow we will have before us a Defense bill that has a $79 billion placeholder for overseas contingency operations over and above the regular Defense budget. It has been this amount or much more over the last several years.

This OCO account is primarily for Iraq and Afghanistan, where we are still spending megabillions. We should take at least some of this money to cover the shortfall in the highway trust fund to keep these projects and jobs going all over the U.S.

We have spent far too much blood and treasure in Iraq and Afghanistan over the last few years, and that needs to stop. Mr. Speaker, we need to stop spending all of these billions in Iraq and Afghanistan and start taking better care of our own people and our own country.

HONORING CHIEF MASTER SERGEANT WILLARVIS ''DEE'' SMITH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. KILDEE) for 5 minutes.

Mr. KILDEE. Mr. Speaker, I rise today to recognize the service of Chief Master Sergeant Willarvis ''Dee'' Smith, who, this week, will be retired after an illustrious 28-year career in the United States Air Force, a career that spanned many decades and took him to many continents across the globe.

I am personally honored and grateful that Chief Smith is here in the House gallery today as we celebrate his outstanding career and service and congratulate him on his retirement from the U.S. Air Force.

Mr. Speaker, Chief Smith was born and raised in the district that I now have the privilege to represent. In fact, he was raised in my hometown of Flint, Michigan, graduated from Northwestern High School, the school just to the north of Northern High School, my high school.

Shortly after graduation, he entered the Air Force in 1986, where he completed his basic training at Lackland Air Force Base in Texas. Upon graduation from his technical training as an aircraft maintenance specialist for the B–52 in Texas, he was assigned to many stations, including New York, New Jersey, Illinois, Maryland, Virginia, and Hawaii.

During Operations Desert Shield and Desert Storm, he was deployed in Saudi Arabia, afterward also serving 2 years at Andersen Air Force Base in Guam. In 1991, Chief Smith held the rank of staff sergeant. Over his 28-year career in the U.S. Air Force, he was promoted five times: first, to technical sergeant; then master sergeant; then senior master sergeant; and lastly, in 2010, he was promoted to chief master sergeant, the highest ranking enlisted position in the Air Force.

As the chief enlisted manager of the Directorate of Communications of the

Air Force District of Washington, Chief Smith served as senior adviser to the 844th communications group, which is made up of more than 900 military personnel. In this highly important and visible position, he helped to provide cyber support to the President of the United States and also to other senior officials at the Pentagon.

During his 28 years of service to our country, Chief Smith's commitment and excellence as an outstanding airman did not go unnoticed. In 1989, he was recognized as the Air Mobility Command Student of the Year. In 2001 and 2003, Chief Smith earned the Defense Threat Reduction Agency's Information Management Senior Non-Commissioned Officer of the Year Award. In 2005, he was named Air Force Senior Non-Commissioned Officer of the Year and Air Force Communications and Information Professional of the Year.

John Rogers, the deputy director of the 844th Communications Group, summed up Chief Smith's career by saying: ''He took care of our airmen and he was phenomenal. He embodied our core value of service before self.''

Chief Master Sergeant Smith, on behalf of the people of the Fifth Congressional District, on behalf of the Congress of the United States, thank you for your admirable service to our country. The motto of the Air Force is ''Aim High . . . Fly-Fight-Win.'' Chief Smith, throughout your career, you have aimed high and truly represented the best of the U.S. Air Force, and you have represented the best of our shared hometown of Flint, Michigan.

On behalf of my constituents in the Fifth Congressional District and on behalf of my colleagues here in Congress, congratulations to you on your outstanding career in the Air Force and your outstanding service to our country.

ISLAMIC STATE OF IRAQ AND SYRIA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. BENTIVOLIO) for 5 minutes.

Mr. BENTIVOLIO. Mr. Speaker, the crisis unfolding in Iraq is deeply troubling to the American people. The rapid fall of several cities in Iraq to terrorist Islamic State of Iraq and Syria, also known as ISIS, has brought the militant group dangerously closer to establishing a caliphate that spans the northern sections of Syria and Iraq.

ISIS has a reputation for brutality, including summary executions, beheadings, and, in some cases, crucifixions. The implications of the rise of ISIS for Iraq's ancient Christian community, along with its other religious minorities, is troubling.

For years we have witnessed the decline of Iraq's Christian community. Thousands have fled in the face of targeted violence. Those who remained relocated to Mosul and the Nineveh plains. These areas were some of the last remaining havens for this beleaguered and brutalized Christian community in Iraq. In fact, Archbishop Warda, the Chaldean Diocese of Erbil, indicated this past Sunday that for the first time in 1,600 years there was no mass in Mosul.

The thousands who fled Mosul face displacement, imminent danger, and a growing humanitarian nightmare, including access to clean water, food, fuel, and electricity.

I urge the administration to engage with the Iraqi central government and the Kurdistan Regional Government to prioritize security and support for these vulnerable populations and provide emergency humanitarian assistance to those brutalized communities.

If nothing is done, we will most certainly witness the annihilation of an ancient faith community. I call on our international community to stand together to protect the natural rights of being persecuted by ISIS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 30 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Rabbi Michael Lotker, Temple Ner Ami, Camarillo, California, offered the following prayer:

Dear God, You sustain us and inspire us. Yours is the unity connecting all things created by You and directing us to serve You in unity of purpose, spirit, and strength. Bless us with the resources to do Your work.

The very name of this Nation, the United States, and the very name of this institution, the Congress, underlines the power and indeed the holiness of such unity.

I therefore humbly request Your most ancient blessing for the people of this great Nation and for their elected Representatives.

''May God bless you and protect you. May God's light shine upon you and may God be gracious to you. May God's face be lifted before you and may God grant you peace.''

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. MARCHANT) come forward and lead the House in the Pledge of Allegiance.

Mr. MARCHANT led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING RABBI MICHAEL LOTKER

The SPEAKER. Without objection, the gentlewoman from California (Ms. BROWNLEY) is recognized for 1 minute.

There was no objection.

Ms. BROWNLEY of California. Mr. Speaker, it is my great privilege to welcome a very good friend, Rabbi Michael Lotker, to be the guest chaplain of the House of Representatives today.

Rabbi Lotker is a teacher and a leader in Ventura County. He is the rabbi emeritus at Temple Ner Ami in Camarillo, California; the rabbi of Congregation Khilat HaAloneem in Ojai, California; and the community rabbi and teacher for the Jewish Federation of Ventura County. He is also a member of the Central Conference of American Rabbis and the Board of Rabbis of Southern California.

In addition to his work as a rabbi, Rabbi Lotker is an author and a physicist, with a focus on researching alternative energy sources such as wind, solar, and geothermal.

Known for his quick-witted humor, Rabbi Lotker writes parody songs for each of the Jewish holidays throughout the year.

For his spiritual leadership and thoughtful words, I would like to thank Rabbi Lotker for leading us in prayer today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

CONSEQUENCES OF PRESIDENT'S FAILURE TO ENFORCE THE LAW

(Mr. MARCHANT asked and was given permission to address the House for 1 minute.)

Mr. MARCHANT. Mr. Speaker, the current situation on our southern border is a direct result of this administration's failure to enforce our laws.

Since October, 47,000 unaccompanied women and children have illegally entered the U.S. By year's end, 90,000 minors will have illegally crossed into our country. When apprehended, the majority of those questioned say they came

expecting to be able to stay, to get a free pass. This is wrong, and my constituents are angry about it and will not tolerate it.

The President should immediately begin returning these illegal immigrants to their home countries. He must demand cooperation from the respective foreign governments and press them to stop spreading the false belief that America rewards illegal immigration with a de facto amnesty.

This is a crisis of the President's own creation. He must take real action to strengthen the border and strengthen security before it grows even worse and send a strong message that illegal immigration will not be rewarded.

HONORING LIFE AND LEGACY OF SAM GARCIA

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to honor the life and legacy of Sam Garcia, a World War II veteran, businessowner, and renowned civic leader in the Fort Worth Hispanic community.

Mr. Garcia immigrated to the United States from Mexico at the age of 2, with his undocumented parents. After serving in the Army during World War II and earning three Bronze Stars, Mr. Garcia moved to Fort Worth in 1958. He later started his own successful construction company.

Mr. Garcia served Fort Worth, where he led many community service organizations in an effort to raise scholarship money. Mr. Garcia also edited and published The Community News, a newspaper committed to improving the quality of life in the Latino community of Fort Worth.

Mr. Garcia devoted his life to improving the life of others and was rightfully recognized in 1990 as the Fort Worth Volunteer of the Year and, in 1991, the Fort Worth Hispanic Chamber of Commerce Member of the Year. In 1999, he was the Man of the Year.

Mr. Garcia's leadership and dedication to the Fort Worth community will forever be marked in history.

CONGRATULATING MONTANA HISTORY DAY CONTEST TOP FINISHERS

(Mr. DAINES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAINES. Mr. Speaker, today, I am so proud to congratulate Sean-Daniel Taylor, Kane Knudson, Emma Gabbert, and Hayden Kunhardt, who are students from Washington Middle School in Glendive, Montana, for being top finishers in the Montana History Day Contest.

This week, they are among seven Montana students who traveled to the National History Day Contest in Washington, D.C. Out of 600,000 participants in National History Day, less than 3,000 advance to the national contest, so I speak for all Montanans when I say that we are incredibly proud of their success.

It is truly great to see young students—young Montanans like Sean-Daniel, Kane, Emma, and Hayden—thinking critically about our Nation's history and the rights and responsibilities that come with citizenship.

Congratulations, again, to all seven Montana students competing in the National History Day Contest.

HONORING TROY EDGAR

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in honor of Troy Edgar, the chair of the board of the Orange County Sanitation District, and I congratulate him on his upcoming retirement.

Mr. Edgar was instrumental in ensuring the successful upgrade of the sanitation district's facilities, and I applaud him for his leadership in implementing a sustainable financial plan for the district, creating successful partnerships, and adopting effective policy in order to ensure the highest quality of water by the most cost-effective methods.

I hold Mr. Edgar in the highest regard for his outstanding public service and his efforts on behalf of the sanitation district and its mission to protect public health and our environment.

I thank Mr. Edgar for his role in Orange County. He is a great example of what a great public servant looks like, does, and acts. Again, I thank him for his leadership, his vision, for his commitment to the residents of Orange County.

I congratulate him. He is a star in our community, and I wish him luck in his future endeavors.

AMERICANS DON'T TRUST THE MEDIA

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, Americans do not trust the liberal national media to provide them with accurate, fair, and balanced news.

A recent poll conducted by The Brookings Institution and Public Religion Research Institute found that only 23 percent of Americans consider the national broadcast news networks to be their most trusted news outlet, but 26 percent of independents listed FOX News as their most trusted network, compared to only 17 percent who chose the broadcast networks.

The least trusted network, according to the poll, is MSNBC. Only 5 percent of Americans selected that network as their must trusted news source.

Americans' distrust of the liberal national media will continue to grow until the media stops telling them what to think. There is a good reason why FOX News has been the highest rated cable news network for 12 straight years.

CELEBRATING THE LIFE OF TONY GWYNN

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DAVIS of California. Mr. Speaker, there has never been any question that Tony Gwynn was a great hitter, but probably the second most talked about aspect of Tony Gwynn was his laugh.

On Monday, we lost a great leader both on and off the field. Tony Gwynn passed away—surrounded by family—at age 54. We lost that great laugh.

Tony was described as a person who, after spending a few minutes with him, you felt better than you did before. Part of it was his laugh. He displayed that in playing baseball, as a teacher, and in his charitable work with his wife, Alicia. There was a special quality about him.

Tony turned down lucrative offers, offers that others might have picked up, but he turned those down to remain a San Diego Padre, and in this time of sports trades, that is a big deal.

It was not surprising that, after his playing days, he returned to his alma mater, San Diego State University, to teach and coach Aztec baseball—to be a mentor.

One of his students plays not too far from this Chamber at Nationals Park. Pitcher Stephen Strasburg played for Tony, who he described as a father figure.

Tony Gwynn leaves a lasting impact in San Diego. His loss is being felt throughout the community. We see that in the collective grief and celebration of his life.

CONGRATULATING BILL CLINE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate Bill Cline for receiving the 2014 Colonel Edwin Drake Legendary Oilman Award, presented by the Petroleum History Institute.

The award is named after the famed Colonel Edwin Drake who, in 1859, drilled the first commercial oil well in the world, beginning the oil industry in Titusville, Pennsylvania. The award honors a lifetime of achievement within the oil and gas industry.

Mr. Cline is no stranger to the oil industry. Following his grandfather Willard Cline, he owns and operates Cline Oil in Bradford, Pennsylvania. The company operates hundreds of small

wells in the same oil patch that once produced over 80 percent of our Nation's oil. These small wells pump out several barrels a day, slowly churning day and night. Cline's well number one has been producing oil for over 140 years.

It is because of the tireless efforts and ingenuity of men like Bill Cline and his family that America has led the world in energy production and will continue to be a leader for generations to come.

Congratulations, Bill, on this very well-deserved award.

HIGHWAY TRUST FUND GOING BROKE

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, the highway trust fund will be broke by the end of July. This is right in the middle of road construction season.

In Erie and Niagara counties, we have almost 400 bridges that are structurally deficient. This is unacceptable and just a small representation of the crumbling infrastructure nationwide.

Congress should be increasing our investment in nation-building right here at home, not cutting back; but, Mr. Speaker, doing this at the expense of the United States Postal Service by eliminating Saturday delivery is not the answer.

This is a one-time fix that does not actually provide a long-term solution to our Nation's transportation funding problem.

Furthermore, this hurts small businesses and other Americans who rely on the ability to receive paper mail on Saturday. It eliminates jobs for postal workers and would create a significant loss of mail volume and revenue for the Postal Service.

Reports today indicate this plan may be dropped, and I hope that is the case. I urge my colleagues to reject this misguided proposal and explore more reasonable and effective solutions to restore the highway trust fund.

□ 1215

EXTEND UNEMPLOYMENT INSURANCE

(Mr. JEFFRIES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JEFFRIES. Mr. Speaker, more than 3 million Americans have been left behind by the failure to renew unemployment insurance. These individuals live in urban America, in suburban America, and in rural America. They live in blue States and they live in red States. They are simply Americans in need.

As a result of the callousness of some in this Chamber, they have been put in great economic jeopardy, and we have cost the economy more than $5 billion. We should be extending a helping hand to these individuals, but instead we have slapped them in the face in a manner that is disrespectful of the compassion of the American people.

It is time to do the right thing and to renew unemployment insurance so that we can rescue those Americans left behind on the battlefield of the Great Recession.

UNEMPLOYMENT INSURANCE EXTENSION

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, I follow the gentleman from New York. I rise today because I think it is absolutely unconscionable that after more than 6 months the House Republicans continue to fail to act to extend unemployment benefits.

There are more than 3 million Americans who have lost their jobs through no fault of their own who are waiting for Congress to do something for them. I have heard from many of them, my constituents, about their struggles because of Congress' failure to act.

Lily of Linden, New Jersey, has been out of work for 2 years. She and her husband have dipped into their entire savings just to get by. Because of her age and her illness, she has found it increasingly harder to find gainful employment. It has come to this sad point, Mr. Speaker, that Lily can no longer afford her medicine, and her family may soon be homeless.

By failing to act, my colleagues on the other side of the aisle have coldly turned their backs on millions of Americans and people like Lily. Turning their backs on people who have elected them is simply unacceptable, and I will not stay silent.

TERRORIST GROUPS

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I rise today as a mother, as a senior member in the Homeland Security Committee which was created in the backdrop of the horrific tragedy of 9/11.

Today, the President and America confronts a heinous group in Iraq, ISIS, that is beheading persons and proclaiming one religion over another. And again, an op-ed appears in The Wall Street Journal from the former Vice President, who wants to blame everything on President Obama whose administration has just brought into justice one of those who perpetrated the violence and killed our Americans at Benghazi.

This is not an American issue in Iraq. We gave them that opportunity. We gave 4,000 in treasure. This is really an international issue that calls upon the United Nations and the nations surrounding Iraq and Maliki to be able to have a coalition government.

It is the same in Nigeria with Boko Haram that is beheading persons, kidnapping girls. We need a coalition that faces down these terrible, horrific, tragic terrorists—these are thugs—and it cannot be on the shoulders of Americans. We have given our treasure.

We can protect our Embassy and we should. Thank you, Mr. President. We can give resources, but there needs to be a strong coalition. Those who come back from the ghost of yesteryear and blame this administration should be silenced. America should stand united together, and others need to work together to stop this tragedy.

NATIONAL ASK DAY

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, this week I will introduce a resolution to designate June 21 as National ASK Day, to raise awareness among parents to ask a simple lifesaving question: ''Is there an unlocked gun where my child plays?'' Those nine words could ultimately save your child's life.

I recently met Karen Reed from Cumberland, Rhode Island, whose youngest son was severely injured in 2011 when his older brother played with a loaded pellet gun at a friend's house on Christmas Eve. Karen had no idea there was an unlocked gun at the house where her son was playing. Her 9-year-old son mistakenly thought the pellet gun was a video game accessory and shot his younger brother in the eye.

1.7 million children live in a home with a loaded, unlocked gun, and every year thousands of kids are killed or injured as a result. Unfortunately, Karen's story is just one example of a tragic accident that can occur when a child gets hold of a loaded gun.

This isn't a partisan issue or an attempt to take guns away from anybody. This is about keeping our kids safe by asking a simple, lifesaving question. We owe it to our kids to provide them with safe areas to play and to pass the National ASK resolution and encourage parents to ask this simple question: ''Is there a gun where my child plays?''

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 18, 2014.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 18, 2014 at 10:37 a.m.:

That the Senate concur in the House amendment S. 1254.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 4870, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2015, AND PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 3230, PAY OUR GUARD AND RESERVE ACT

Mr. NUGENT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 628 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 628

Resolved, That (a) at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4870) making appropriations for the Department of Defense for the fiscal year ending September 30, 2015, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived.

(b) During consideration of the bill for amendment—

(1) each amendment, other than amendments provided for in paragraph (2), shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment except as provided in paragraph (2);

(2) no pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate; and

(3) the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read.

(c) When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 3230) making continuing appropriations during a Government shutdown to provide pay and allowances to members of the reserve components of the Armed Forces who perform inactive-duty training during such period, with the Senate amendments thereto, and to consider in the House, without intervention of any point of order or question of consideration, a single motion offered by the chair of the Committee on Veterans' Affairs or his designee that the House: (1) concur in the Senate amendment to the title; and (2) concur in the Senate amendment to the text with the amendment printed in the report of the Committee on Rules accompanying this resolution. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs. The previous question shall be considered as ordered on the motion to adoption without intervening motion or demand for division of the question. If the motion is adopted, then it shall be in order for the chair of the Committee on Veterans' Affairs or his designee to move that the House insist on its amendment to the Senate amendment to H.R. 3230 and request a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. NUGENT. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NUGENT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. NUGENT. Mr. Speaker, H. Res. 628 provides for the consideration of H.R. 4870, the Department of Defense Appropriation Act for FY 2015 under a modified open rule.

This resolution will give Members on both sides of the aisle the opportunity to offer as many amendments to the bill as they wish, provided they comply with the rules of the House. It ensures that all Members can be active participants in shaping this bill. I think my colleague on the Rules Committee from Georgia described it best when he called this process a ''festival of democracy.''

The underlying legislation will give the Department of Defense the resources it needs to protect our country at home and abroad. I am encouraged that both sides of the aisle can usually unite around this cause. This bill is another example of that bipartisanship, as it was reported out of the committee unanimously.

The DOD Appropriations Act will also provide support for our warfighters, the 1 percent who risk all in defense of this Nation. It is critical that we give our troops the tools they need to carry out their mission abroad and the resources they need to support their families here at home. This legislation will fully fund a 1.8 percent pay increase for the military instead of the 1 percent raise requested by the President.

Secondly, this rule allows us to begin ironing out the differences between the House and the Senate attempts to address the VA scandal. While we have yet to uncover the full scope of this scandal, it is apparent the problems are systemic to that institution.

There have been secret wait lists, unacceptable patient wait times, inadequate care, backlogs, a culture of retaliating against whistleblowers, and a serious lack of leadership, to name only a few of the issues plaguing the VA.

Tragically—tragically—veterans have died because of these problems. Mr. Speaker, it is disgraceful. The fact that a veteran died waiting for care from this country that they fought for, it is just tough to come to grips with that reality, but it is a reality.

As a father of three sons serving in the military, I am appalled, I am horrified, and I believe the American people are, too, as to the treatment of our veterans. Our veterans deserve a whole lot more, a whole heck of a lot more from their government than to have the government turn their back on them. They deserve to be treated with respect and dignity, and the House will make every effort to ensure that these problems never happen again.

One of the ways we can begin this effort is by giving the VA the authority to terminate employees for performing poorly, much like the private sector, much like I had as sheriff. It is what most employers have the ability to do. This will give the Secretary of the VA the ability to quickly remove bureaucrats who falsified, in this instance, wait times.

As we have come to find out with all other scandals this administration is engulfed in, it is difficult to hold people accountable in the executive branch, try as we might. Therefore, the provisions are sorely needed.

We can also require the VA to reimburse private health care for veterans who live more than 40 miles from a VA facility or those who have not received timely medical treatment at the VA.

□ 1230

This will allow our veterans to get the care that they need when they need it.

Finally, it is a bit discouraging that we even have to codify this into law, but we need to end the bonuses and awards at the VA for at least the next two fiscal years. Incredibly, the Phoenix VA—where veterans actually died waiting for care—felt it was appropriate to pay out $10 million in bonuses over the last 3 years.

By prohibiting this practice, we can ensure that the funds we provide to the VA are going where they are needed: toward the care of our veterans and not to fatten bureaucrats' pockets.

I stand in strong support of this rule and the underlying legislation, and I urge my colleagues to do the same.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Florida, my friend Mr. NUGENT, for yielding me the customary 30 minutes.

I yield myself such time as I may consume.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, today, we debate the rule to consider two measures: H.R. 4870, the fiscal year 2015 Defense Appropriations bill; and the motion to go to conference on legislation addressing the problems at the Department of Veterans Affairs.

I regret that this is not an open rule. Strict time limits have been placed on debate, which make it impossible to adequately discuss important issues. On issues regarding our national security, we should have ample time for discussion. This is hardly a festival of democracy, as my friend from Florida described this process—this is muzzling democracy. But less debate in a more closed process has become the signature of the Republican majority, I am sad to say.

I am pleased that legislation addressing the problems at the VA is moving forward in a timely way. However, I want to echo the statement of my friend from Maine, the ranking member of the Veterans' Affairs Committee, Mr. MICHAUD. The distinguished ranking member correctly pointed out in testimony presented to the Rules Committee that while this bill is important, it is shortsighted and should include many of the bipartisan measures that have been worked on at the Veterans' Affairs Committee. Like Mr. MICHAUD, I would prefer that this process be more open, and it is just another example of how this closed process denies many good bipartisan ideas from being considered and adopted.

Although I have serious concerns with the final Defense Appropriations product, I do want to thank Chairman FRELINGHUYSEN and Ranking Member VISCLOSKY for working together in a bipartisan way on this bill.

Mr. Speaker, we take up this bill at a very serious moment in time. Every day we turn on our TVs and see conflict, war, and turmoil around the world. It is often hard to remember that most of the world is not at war.

I am very concerned that this bill continues funding the longest war in United States history: the war in Afghanistan. Even though the President has announced that he will draw down most of our combat forces by the end of this year, he has also said that he will keep 10,000 of our servicemen and -women in Afghanistan through 2016.

I believe strongly that Congress should debate and vote on approving the President's proposal to keep our uniformed men and women in harm's way for another 2 years. What are these 10,000 troops supposed to accomplish that 100,000 troops have not yet done? Our own generals were quoted in Monday's Washington Post saying that security is not the problem in Afghanistan, corruption is the problem. Ten thousand U.S. troops are now going to magically eliminate corruption in Afghanistan.

Just last month, at the end of May, during consideration of the NDAA, Armed Services Ranking Member ADAM SMITH, Congressman WALTER JONES, and I attempted to offer a germane amendment that would have required the House to vote early next year on whether to maintain U.S. military forces in Afghanistan as the President has proposed.

Outrageously, the Republican leadership of this House refused to let us offer that amendment. We were denied the chance to debate one of the most important questions facing this Congress, the American people, our troops, and their families. So, as we get ready to deliver in this Defense Appropriations bill a $79.4 billion blank check to the President to continue the war in Afghanistan, I call upon the Speaker and the leadership of this House to promise—to promise—that before the 113th Congress adjourns they will bring before this House a joint resolution whether to approve the President's proposal to maintain U.S. Armed Forces in Afghanistan through 2016.

Let the House debate it, and let the House vote on it, up or down. Let's do our jobs. I have no idea what the result of such a vote might be, but I do know that we owe that vote to our troops, their families, and to the American people.

Mr. Speaker, I am tired of endless wars. I am increasingly anxious as I listen to talk shows where politicians and pundits rattle their sabers and advocate for more full-scale war in Iraq, and many other places around the world.

It is especially galling to listen to the people who got us into this mess in Iraq in the first place. In The Wall Street Journal today, Dick Cheney actually had the audacity to write:

> Rarely has a U.S. President been so wrong about so much at the expense of so many.

Are you kidding me? How pathetic. If it is possible to have less than zero credibility, then Dick Cheney has it on Iraq.

I believe in our military, Mr. Speaker. I believe in our men and women in uniform. I believe we should have a military second to none. I believe we shouldn't hesitate to use that military when our Nation is directly threatened and when the cause is serious enough to warrant the sacrifice of American lives.

But there are many problems—indeed most problems—in the world where sending the U.S. military is not the solution. The crisis facing Iraq has been years in the making. It is not happening because Iraq does not have a well-trained and well-equipped military. The United States took great pains to make sure that it is.

No, Mr. Speaker, Iraq is facing this current crisis because a corrupt, exclusive, power-hungry, sectarian government, headed by Prime Minister Nouri al-Maliki, deliberately chose to exclude ethnic and religious minorities and other factions of Iraqi society from government decisionmaking. Indeed, the Maliki government often went out of its way to deliberately fan the flames of sectarianism and extend the power of the Shiite majority. Now it is reaping the whirlwind that it created, but in ways it likely never imagined.

If Iraq is to be saved from this crisis, then Iraqi leaders need to learn real fast how to lead—not just their own faction, but how to lead a Nation, to stand up for all their people, and to order their troops and their militias to protect all the Iraqi people: Sunni, Christian, Jewish, Bahai, north, south, and center. They know how to do it. They just have to choose to do it and pray it is not too late. Quite frankly, Mr. Speaker, it is time for the governments and powers in the region to stand up against the vicious militias and violent jihadists wreaking havoc in their own countries and among their neighbors. They are the ones who need to lead the way to a political solution to the challenges facing the entire region, or watch it go up in flames around them.

Several of our generals and commanders have commented in recent news articles that it is difficult for the U.S. to respond with air power or drones or special operations because the Iraqis rebelling against the central government are not just made up of extremist ISIS members, but they include local Sunnis and other disenfranchised Iraqis. So who do you target? How do you target them? Should you target groups at all?

If one thing has become clear after watching the crisis unfold and listening to all the pundits, the solution to the crisis in Iraq will depend on Iraqis, not on American bombs or firepower, let alone manpower.

Mr. Speaker, as we take up the Defense Appropriations bill, these matters weigh heavily on the minds of all of us who serve in this House. While we work to ensure that our uniformed men and women have what they need to carry out their duties and missions, let us also be clear that there are many problems confronting the world today that, unfortunately, our military simply cannot fix.

With that, I reserve the balance of my time.

Mr. NUGENT. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. Mr. Speaker, I thank the chairman.

Today, I rise in support of going to a conference committee with the Senate on VA reform. I am pleased that the Senate has followed our lead in swiftly passing legislation that will help the thousands of veterans waiting for care in a dysfunctional VA system.

While I don't agree with everything in the Senate bill, we all agree that our veterans deserve better than the VA has been giving them. Today, Congress will renew its commitment, on a bipartisan basis, to overhauling the VA and working to give our veterans the care they have earned.

I was a surgeon at the VA for 20 years treating our veterans, and today I am

grateful for the opportunity to continue that care by working to get a VA reform bill to the President's desk.

The bottom line is this: we cannot allow the VA to continue operating as a failed, bloated bureaucracy.

I believe we can give the VA the tools to be smarter, leaner, and much more responsive to the needs of our veterans. As a father of a veteran, I am dedicated to making this a reality. The time for excuses is over, the time for action is now.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman, and I certainly appreciate the gentleman's very expansive assessment on the two underlying bills that we are about to address today.

Let me, first of all, say that I live in a community of a very major veterans hospital. In fact, I carried the legislation to name it after Dr. Michael E. DeBakey, who created the MASH units in World War II. We care about veterans, as do my colleagues across the aisle in both the House and the Senate.

I believe that it is important to move the Veterans' Access to Care Through Choice, Accountability, continue through the process, and to make sure that our veterans, after the many audits that we have received on the individual hospitals, know that there is a long period of time for those veterans newly accessing veterans health care.

Who does that include? That includes the recent returnees of Afghanistan veterans or Iraq veterans or even those veterans who have maintained good health and now find themselves in senior years, such as Vietnam veterans, and are coming to the system for the first time. It is intolerable for them to have to wait. I believe this is a very important initiative. If we are to send soldiers overseas or in the line of battle, as many are promoting now in light of the violence in Iraq, can we not without shame stand and provide them the kind of health care for them and their families?

I rise as well to comment on the Department of Defense Appropriations Act, and I am glad that there has been attention to PTSD. I intend to offer an amendment addressing resources for PTSD and resources for the epidemic of breast cancer among military women in the Appropriations Act.

But I do think it is important that again we have a prohibition against the transfer of Guantanamo detainees to the United States. That means that this facility continues to be open.

Then, of course, we have appropriations for the overseas contingency operations, for which the President has not yet made a request. But I think in the context of providing an increase in wages for our military personnel, I congratulate the chairman and ranking member for working so cooperatively.

But I raise a point in the backdrop of the crisis in Iraq, the ISIS, and all of the disjangled chords of calling for troops on the ground and to do airstrikes when in actuality we live in a world family, we live in a family with Saudi Arabia, Kuwait, and Jordan, we live in a family with NATO alliances, and we need to be able to work together to demand why an untoward leader in Iraq, who was given an opportunity for a consensus government, never made any effort. Yes, these individuals are horrific, they are radicalized, they are vicious, they are vile. But there are Sunnis and Shiites who have worked together, there are Sunnis who are moderate, who want to be in the government, who want their children to have an opportunity for education, they want their young people to have jobs, they want an Iraq where they can pledge allegiance to their flag, a united Iraq. Where was the leadership, the selfish leadership of Maliki, to be able to do that—and now we must clean up his dirty kitchen? I think not.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield an additional minute to the gentlewoman from Texas.

Ms. JACKSON LEE. I thank the gentleman.

This must be a unified effort. Frankly, the President is right to be deliberative. We yet do not know, as I speak—there may be some news announcement—what his decision may be. But I do believe he has done the right thing by providing security and safety for the thousands of Americans that are in Baghdad and protecting our Embassy. That is the right thing to do. He has done the right thing by finding one of the perpetrators of Benghazi.

I would ask we do the right thing by not ignoring again another terrorist threat, Boko Haram in northeast Nigeria, that is fueling the flames, taking over municipalities, ready to pounce on places other than the northeast. These are threats that need the collective body of the United Nations—in this instance, the African Union, the ECOWAS, and all the states surrounding Nigeria, and, of course, the Nigerian government, of which we are friends with.

But I will say that America cannot continuously go it alone. We have given our treasure. Our young men and women never say ''no.'' When they are called to duty, they go, reservists and all.

I believe it is time to be responsible, respectful, and cautious in the way we move forward using our troops around the world. I ask my colleague to consider this as we deliberate on this appropriations bill.

Mr. Speaker, I rise to speak on the rule for H.R. 4860, the ''Department of Defense Appropriations Act of 2015'' and the underlying bill.

I thank Chairman FRELINGHUYSEN and Ranking Member VISCLOSKY for their work on this legislation to the floor and for their devotion to the men and women of the Armed Forces who risk their lives to keep our nation safe.

I also want to extend thanks and appreciation to the men and women in and out of uniform who defend our nation and serve honor and distinction.

My work in the 18th Congressional District of Texas has allowed me the privilege of working with men and women in the military, the workers in aeronautics and space industries that contribute to our nation's defense as well as those in the Department of Defense who work in and around our nation's capital.

Through my work as a Member of Congress I know those who have served and returned home to a tough economy, struggles with physical disabilities and life changing injuries associated with their service to our nation.

The men and women who serve in the military are collection of statistics and data points, but individuals with names and faces—real people who depend on us to ensure they are the best trained, best equipped, and best led defense force in the world.

I appreciate the Committee's continued support for providing funding that assists military men and women's ability in operating in unconventional and irregular warfare and countering unconventional threats, supports capacity-building efforts with foreign military forces, and supports ongoing operations, as well as programs that will improve the health and well-being of the force, including sexual assault prevention.

This bill before us does much but not enough to recognize the sacrifices of the men and women serving in the military.

The fiscal year 2015 Department of Defense military personnel budget request was for $128.95 billion. The Committee appropriated $128.127 billion, nearly $800 million less the request and less than the need.

While we watch Al Qaeda-inspired terrorists in Nigeria in the form of Boko Haram and ISIS in Iraq carry out terrible acts of violence, it is important to ensure that military has the resources needed to respond to any threat to our nation or its allies.

The bill recognizes that the military is changing due to the expanded roles for women who pursue careers in the armed services and it is essential that this change not lead to a diminution of rights or opportunities from what women would enjoy had they pursued a different career path.

That is why I will be offering an amendment (Jackson Lee No. 1) to provide $5 million in increased funding and support for medical research related to breast cancer research. The identical amendment was offered and adopted by the House last year.

This additional funding will be made available for Triple Negative Breast Cancer research. TNBC is one of the most deadly forms of the disease that is extremely difficult to detect, and has an extremely high mortality rate.

I will also be offering an amendment (Jackson Lee Amendment No. 2) to reprogramming $500,000 toward outreach programs targeting hard to reach veterans, especially those who are homeless or reside in underserved urban and rural areas, who suffer from Post Traumatic Stress Disorder (PTSD). An identical amendment was offered by me and adopted by the House last year.

PTSD, along with Traumatic Brain Injury (TBI), are the signature wounds of the Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom.

The need for treatment and support of those afflicted will be with us long after the conflict ceases and our heroes have returned home.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. May I inquire of the gentleman as to how many more speakers he has.

Mr. NUGENT. I have none.

Mr. MCGOVERN. Mr. Speaker, I yield myself the remaining time.

Mr. Speaker, at the end of my remarks I will insert in the RECORD a Statement of Administration Policy on this bill, but first I would just highlight a couple of points.

□ 1245

The administration strongly opposes House passage of H.R. 4870, as it now stands—and so do I—for a number of reasons. I want to highlight one. There are provisions in this bill that make it difficult, if not impossible, for the President to close down Guantanamo.

Let me read from the administration's statement in reference to some of these restrictive provisions that prevent them from shutting down something that I think does nothing to enhance our security:

Operating the detention facility at Guantanamo weakens our national security by draining resources, damaging our relationships with key allies and partners, and emboldening violent extremists. These provisions are unwarranted and threaten to interfere with the executive branch's ability to determine the appropriate disposition of detainees and its flexibility to determine when and where to prosecute Guantanamo detainees based on the facts and circumstances of each case and our national security interests.

There are other issues as well, but that is something that Members ought to know. This bill does contain these extraneous provisions.

Let me close by saying to my colleagues that it is no secret to people in this House that I believe that the war in Afghanistan—the longest war in U.S. history—should be brought to a close.

It is also no secret that I have expressed my frustration loudly on this House floor over the fact that we have not been given the opportunity to discuss that war in an open debate.

When the defense authorization bill came up before us, a germane bipartisan amendment was offered that would give Members of Congress the ability to vote on whether we should continue to maintain troops there or not. That is an important question. That is an important issue, certainly, as we discuss the defense authorization and the Defense Appropriations bills.

We were denied that opportunity in this House of Representatives, which my friend is saying is a festival of democracy, on the most important issue that is confronting this country right now, the fact that we are at war. We were denied the opportunity to be able to deliberate on that issue.

As I said in my opening statement, we have Members of Congress and pundits that are rattling sabers and trying to get us recommitted to a war in Iraq. I think that would be a horrible mistake.

I want to close by making a plea to the leadership of this House to let us discuss these issues openly on the House floor. Let us deliberate on those issues. Let us live up to our responsibilities, as Members of Congress, to have a role in some of these discussions. Let's not abdicate that responsibility.

In fact, it has become a habit with this leadership to just kind of brush aside those issues, to allow no debate, to allow no deliberation. I find that appalling.

When you go to Walter Reed and talk to those veterans who have been wounded and who suffered enormously as a result of their service, when you talk to their parents and their loved ones, we owe those men and women a hell of a lot better than they have received on this House floor. The least we can do is deliberate on those issues.

I make a plea to this leadership to let us talk about these things. This is important. If this isn't important, I don't know what is.

I oppose the final passage of the bill for a number of reasons, but I do want to commend the chairman and the ranking member of the Defense Appropriations Subcommittee for their hard work, as well as their staff, and I yield back the balance of my time.

STATEMENT OF ADMINISTRATION POLICY

H.R. 4870—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2015

(Rep. Rogers, R–KY, June 17, 2014)

The Administration strongly opposes House passage of H.R. 4870, making appropriations for the Department of Defense for the fiscal year ending September 30, 2015, and for other purposes. The Administration appreciates the bill's continued support for providing funding that assists the warfighter in operating in unconventional and irregular warfare and countering unconventional threats, supports capacity-building efforts with foreign military forces, and supports on-going operations, as well as the support for programs that would improve the health and well-being of the force, including sexual assault prevention. While there are a number of areas of agreement with the bill, the Administration has serious concerns with provisions that would constrain the ability of the Department of Defense (DOD) to align military capabilities and force structure with the President's defense strategy and to reduce unneeded costs.

The Administration will soon submit a budget amendment to request funding for Overseas Contingency Operations (OCO). This request will reflect the President's decision on troop levels in Afghanistan and include funding for the U.S. military mission in Afghanistan, DOD's supporting presence in the broader region, as well as the recently proposed Counterterrorism Partnerships Fund and European Reassurance Initiative. The Administration looks forward to working with the Congress on this request.

The Administration looks forward to working with the Congress on an orderly appropriations process that supports economic growth, opportunity, and our national security while avoiding unnecessary fiscal crises that hold the Nation's economy back. This process should include reconciling funding levels for individual appropriations bills to promote economic growth and national security, and passing bills without ideological provisions that could undermine an orderly appropriations process.

The President's fiscal year (FY) 2015 Budget provides a roadmap for making investments to accelerate economic growth, expand opportunity for all hard-working Americans, and ensure our national security, while continuing to improve the Nation's long-term fiscal outlook. At the same time, the Budget takes key steps to both continue and enhance the Administration's efforts to deliver a Government that is more effective, efficient, and supportive of economic growth.

The President's Budget adheres to the FY 2015 spending levels agreed to in the Bipartisan Budget Act (BBA) and shows the choices the President would make at those levels. However, the levels agreed to in the BBA are already below FY 2007 funding levels adjusted for inflation and are not sufficient—either in FY 2015 or beyond—to ensure the Nation is achieving its full potential. For that reason, the Budget also includes a fully paid for Opportunity, Growth, and Security Initiative—evenly split between defense and non-defense priorities—that presents additional investments to grow the economy, expand opportunity, and enhance security. The Opportunity, Growth, and Security Initiative would provide $26.4 billion for DOD to make progress on restoring readiness lost under sequestration, accelerate modernization of key weapons systems, and improve DOD facilities across the United States.

In the Administration's view, the risk to the Nation will grow significantly should the Congress not accept reforms proposed in the FY 2015 Budget. Without congressional support for meaningful compensation reforms and other cost saving measures, force structure changes, and flexibility to manage weapon systems and infrastructure, there is an increased risk to the Department's ability to implement the President's defense strategy, which will contribute to a military that will be less capable of responding effectively to future challenges.

The Administration would like to take this opportunity to share additional views regarding the Committee's version of the bill and urges the Congress to resolve these issues during the FY 2015 appropriations process.

DEPARTMENT OF DEFENSE

Prohibition on Retirement, Divesture, Realignment, or Transfer of Aircraft. The Administration appreciates the Committee's support of the Air Force's A–10 fleet divesture plans. Divesting the A–10 fleet will help the Air Force meet near-term readiness and achieve long-term modernization objectives. However, the Administration strongly objects to provisions that restrict the Department's ability to retire other weapon systems and aircraft platforms in accordance with current strategic and operational plans. These divestitures are critical and would provide funding for higher priority programs.

Specifically, the Administration strongly objects to sections 8122, 8133, and 8136 of the bill, consistent with previously stated objections to provisions in the FY 2015 National Defense Authorization Act. Section 8122 of the bill would prohibit the cancellation or modification of the C–130 Avionics Modernization Program (AMP). DOD plans to replace the C–130 AMP with a less expensive, fully capable alternative that has been validated by independent study to ensure that the fleet continues to meet future requirements. Section 8133 would prevent the Air Force from using funds to divest or to disestablish any units of the active or reserve

component associated with E–3 airborne warning and control system aircraft. This provision would force the Air Force to take funding from higher priority defense needs in order to operate, sustain, and maintain aircraft that are not needed and are unaffordable in today's constrained fiscal environment. Section 8136, which limits the transfer of Apaches from the Army National Guard to the active Army, would result in gaps in the Army's armed reconnaissance units that would require approximately $4 billion to fill. As DOD transitions out of a decade of war, aircraft force structure changes are necessary to shape a force that is more agile and ready to respond to the requirements of the defense strategy.

Compensation Reform. To achieve a proper balance between DOD's obligation to provide competitive pay and benefits to servicemembers and its responsibility to provide troops with the training and equipment they need to do their jobs, it is imperative to slow the growth of basic pay and housing allowances, modernize military healthcare, and reform how commissaries operate. The Administration strongly urges the Congress to support these reforms, which would save $2 billion in FY 2015 and $31 billion through FY 2019. While the Committee restored funding to offset the FY 2015 savings associated with proposals that were not supported, the rejection of these proposals will likely require DOD to find over $27 billion in additional reductions to readiness, modernization, and force structure for FY 2016 through FY 2019. The Administration looks forward to the recommendations of the Military Compensation and Retirement Modernization Commission on long-term compensation and retirement issues, but delaying DOD's holistic package of proposed initial changes will only result in increased costs, degradation in training and modernization efforts, and risks to the force.

Guantánamo Detainee Restrictions. The Administration strongly objects to sections 8107, 8108, 8139, and 9015 of the bill, each of which would restrict the Executive Branch's ability to manage the Guantánamo detainee population. The President has repeatedly objected to the inclusion of these or similar provisions in prior legislation and this year has reiterated his call to the Congress to lift such restrictions. As the President said in his State of the Union Address, ''this needs to be the year Congress lifts the remaining restrictions on detainee transfers and we close the prison at Guantánamo Bay.'' Operating the detention facility at Guantánamo weakens our national security by draining resources, damaging our relationships with key allies and partners, and emboldening violent extremists. These provisions are unwarranted and threaten to interfere with the Executive Branch's ability to determine the appropriate disposition of detainees and its flexibility to determine when and where to prosecute Guantánamo detainees based on the facts and circumstances of each case and our national security interests. Sections 8107, 8139, and 9015 would, moreover, violate constitutional separation-of-powers principles under certain circumstances.

Base Realignment and Closure (BRAC). The Administration strongly objects to the proposed $4.8 million reduction in funds that would support a BRAC 2017 round. This impairs the ability of the Executive Branch to plan for contingencies or make other needed adjustments that would improve military effectiveness and efficiency. The Administration strongly urges the Congress to provide the BRAC authorization and funding as requested, which would allow DOD to rightsize its infrastructure while providing important assistance to affected communities. Without authorization for a new round of BRAC, DOD will not be able to properly align the military's infrastructure with the needs of our evolving force structure, which is critical to ensuring that limited resources are available for the highest priorities of the warfighter and national security.

Limitation on Funds Available to Procure Equipment. The Administration objects to section 8116 of the bill which would continue and expand prohibitions on using funds to procure certain equipment, including maintenance for the Afghan National Security Forces (ANSF). This section would severely limit DOD's ability to sustain military-use helicopters and other equipment that is already in ANSF's inventory and is critical to their ability to continue the fight against extremists who threaten the security of Afghanistan, the United States, and our allies. If enacted, this section could force DOD to seek more costly alternatives than contracting with the Russian helicopter industry to sustain ANSF aircraft, increasing costs to the U.S. taxpayer.

Liquid Rocket Engine Development. The Administration objects to the unrequested $220 million for a new rocket engine. An independent study recently concluded that such a program would take eight years to field and could cost $1.5 billion with another $3 billion needed to develop a suitable launch vehicle. This approach prematurely commits significant resources and would not reduce our reliance on Russian engines for at least a decade. With a goal of promptly reducing our reliance on Russian technology, the Administration is evaluating several cost-effective options including public-private partnerships with multiple awards that will drive innovation, stimulate the industrial base, and reduce costs through competition. The Administration looks forward to working with the Congress on this issue once the analysis is complete.

Limitations on Phased Modernization of Weapon Systems. While appreciative of the bill's overall support for cruiser modernization, the Administration objects to the unnecessary limitations on the current plan, which would preclude modernization in the most cost effective and timely manner and may hinder the Navy's ability to retain 11 modernized cruisers into the 2040s.

Reducing the Force Structure at Lajes Air Force Base. The Administration objects to section 8123 of the bill, which would prohibit the Secretary of the Air Force from reducing the force structure at Lajes Air Force Base and is duplicative of section 341 of the FY 2014 National Defense Authorization Act. Because DOD is nearing completion of the section 341 requirements for Lajes, duplicating and amplifying these requirements is unnecessarily onerous.

Littoral Combat Ship (LCS). The Administration objects to finding reductions for the LCS program. The reductions leave the program with insufficient funds to procure three LCS in FY 2015, delaying the delivery of much needed capability to the Fleet. Deferring additional ships into FY 2016 would compound the already significant challenges the Navy faces in funding the shipbuilding account in a fiscally constrained environment while increasing overall costs to the Navy and increasing risk to the industrial base, including sub-tier suppliers.

Reallocation of Missile Defense Agency Funding. The Administration objects to the reallocation of $370 million from the FY 2015 Budget request. These changes would reduce capability and capacity, and may possibly hinder the Department's ability to effectively manage the Agency. Specifically, this reallocation of funds would delay critical engineering, testing, command and control, and weapons system development, and would affect homeland and regional commitments, including a likely delay of one year for the European Phased Adaptive Approach Phase 3—a national commitment to our allies. Also, the reduction in advanced procurement funding for the Standard Missile–3 IB could increase its planned procurement cost by about $140 million.

Opposition to Unrequested Funding. The Administration objects to the billions of dollars provided for items DOD did not request and does not need, such as additional EA–18G aircraft, High Mobility Multipurpose Wheeled Vehicles, M–1 Abrams upgrades, and a significantly larger amount of funding for the National Guard and Reserve Equipment Account than provided in recent years. The Administration is also concerned that section 8006 of the bill makes spending on these and other unnecessary items statutorily required, diverting scarce resources from more important defense programs and limiting the Secretary's flexibility to manage the Department efficiently.

Classified Programs. The Administration looks forward to providing its views on the adjustments contained in the Classified Annex to the bill once it becomes available.

The Administration looks forward to working with the Congress as the FY 2015 appropriations process moves forward.

Mr. NUGENT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the rule before us allows for an open and transparent consideration of the Department of Defense Appropriations Act of 2015. Chairman FRELINGHUYSEN has done an excellent job in the appropriations area, working with his minority member, to craft this appropriations bill to fit the needs of our military. They have done an excellent job.

Providing for the common defense is a constitutional responsibility that we share with the President. This Congress shares that with the President. Without a strong defense, we have no way of ensuring that our liberties we enjoy and the safety of our citizens from threats, both foreign and domestic, keep us safe here at home.

The underlying legislation helps fulfill Congress' responsibility to provide for our national defense by funding the Armed Forces and addressing critical readiness gaps.

The DOD Appropriations bill provides $1 million to be used exclusively for improving military readiness. That commitment is vital because we need to give our warfighters the best possible chance to complete their mission and make it home safe and sound.

As a father of three soldiers, I can only tell you that the ability to train and equip our men and women that have volunteered to serve this country is the utmost responsibility that this country has to them to make sure that they have the ability to come back. We need to give them the best possible fighting chance to come home to their families.

As a father who has sons serving in both Iraq and Afghanistan, we have got to make sure this country provides the best possible military, second to none in the world.

We want to make sure that our men and women have the ability to have the medical treatment that they so rightly

deserve when they come back after serving their country. I think that we have taken the steps in the Rules Committee to do just that.

This rule and this appropriations bill actually rejects, again, the President's proposed cuts to TRICARE. Once again, in the last 4 years, TRICARE has come under fire.

We don't believe that we should balance the budget on the backs of our men and women who fight for this country. We need to make sure of our priorities that we owe our troops, which is a debt we can never repay, but you don't repay it by cutting their benefits, and you don't repay it by cutting their pay, you don't repay it by ignoring them as it relates to when they come back with a service-connected disability, go in front of the VA, and be denied the service they rightfully earned.

Finally, the rule provides for the motions necessary to go to conference with the Senate because, if you remember right, the Senate passed a bill, the House passed a bill as it relates to the VA, in regards to trying to fix the VA. It is a good first step.

Those bills have already been passed. Now, it is the opportunity to provide an opportunity to conference with the Senate to come up with a compromise that puts our veterans first—not last, not behind bureaucrats, but in front of the line, not the back of the line.

We can quickly resolve those issues between the House and the Senate by going to conference, and that is what this bill helps us do.

I think we all agree the treatment of our veterans has been shameful. It is a complete disservice to those who risked their lives for us. The severity of this issue, the sheer gravity of it, demands input from both Chambers.

We have heard about how keeping GTMO open makes us less safe. Well, Mr. Speaker, I would suggest to you that releasing five members of Taliban's senior leadership positions makes America less safe—which we just did, without input from this House or without input from the Senate, as required by law. It was just done.

Are we safer because we released these five Taliban leaders? They are not the trigger pullers. They are not the guys on the ground. These are the guys that actually helped design and implement the Taliban and the attacks on us. Some of those leaders are purported to be members of that group that helped design and implement those.

I agree with my good friend from Massachusetts. We agree on a lot of issues, particularly as it relates to our military and open-ended conflicts. We do agree on that.

Having sons that have served both in Iraq and Afghanistan, I want to make sure that this body has a say in what happens. I want to make sure this body hears from the President in a cohesive way in regards to what he expects to accomplish and what our mission is.

I have two sons in Iraq in the conflict. I happened to travel there and got to see my two kids. The night that I was there, a U.S. base was struck by an IRAM, which is an Iranian rocket warhead.

The only place you get that is from Iran. You don't find it on the shelf at a store. Iran provided a warhead that killed five troops the night I was in Iraq. They were part of the division where my youngest son served.

Here we are, talking about working with Iran, who has been the most destablizing country in the world, as it relates to Afghanistan and Iraq. This is a sectarian issue going on between the Sunnis and the Shiites.

I don't know what the best way forward is, but I want to hear from the President what his plan is. We sent more troops to Iraq. I want to hear specifically what we expect to get out of that. What do we expect?

I will tell you that the ISIL in the media, they want to hurt America. They are the ones that are advancing towards Baghdad. They have the ability, from what I am reading in the press, to reach out and touch America.

Do we have a vested interest in seeing what happens in Iraq? I believe we do, but I want to hear from this President about how you move forward and how you fix something that my good friend from Massachusetts talked about, the corrupt government within Iraq.

We have some of the same issues in Afghanistan. How do we do that?

I think he hit it on the head. The people of those countries have got to stand up and take control. The problem is we don't want terrorists to take control. The ISIL is a terrorist organization; there is no doubt about it.

Lastly, I just want to touch on the conference allowing us to give instructions to conferees as relates to the Senate. We want to make sure that that gets done—and it gets done right and done in a timely fashion. It is amazing that the Senate, when motivated, can do the right thing and move a piece of legislation through.

I support this straightforward rule and the much-needed underlying legislation. I urge my colleagues to do the same,

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 244, nays 163, not voting 24, as follows:

[Roll No. 315]

YEAS—244

Aderholt
Amash
Amodei
Bachmann
Barber
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Braley (IA)
Brooks (AL)
Brooks (IN)
Broun (GA)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Byrne
Calvert
Camp
Campbell
Capito
Carney
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Enyart
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Latham
Latta
Lipinski
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Maffei
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nolan
Nugent
Nunes
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peters (CA)
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schneider
Schock
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shea-Porter
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—163

Barrow (GA)
Bass
Becerra
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney

DeLauro	Kilmer	Pocan
DelBene	Kind	Polis
Deutch	Kirkpatrick	Price (NC)
Dingell	Langevin	Quigley
Doggett	Larsen (WA)	Rahall
Doyle	Larson (CT)	Richmond
Edwards	Lee (CA)	Roybal-Allard
Ellison	Levin	Ruppersberger
Engel	Lewis	Rush
Eshoo	Lofgren	Sánchez, Linda T.
Esty	Lowenthal	Sanchez, Loretta
Farr	Lowey	Sarbanes
Fattah	Lujan Grisham (NM)	Schakowsky
Foster	Luján, Ben Ray (NM)	Schiff
Frankel (FL)	Lynch	Schrader
Fudge	Maloney, Carolyn	Schwartz
Gabbard	Maloney, Sean	Scott (VA)
Gallego	Matheson	Serrano
Grayson	Matsui	Sewell (AL)
Green, Al	McCarthy (NY)	Sherman
Green, Gene	McCollum	Sires
Grijalva	McDermott	Slaughter
Gutiérrez	McGovern	Smith (WA)
Hahn	McNerney	Speier
Hanabusa	Michaud	Swalwell (CA)
Hastings (FL)	Moore	Takano
Heck (WA)	Moran	Thompson (CA)
Higgins	Nadler	Thompson (MS)
Himes	Napolitano	Tierney
Hinojosa	Neal	Titus
Holt	Negrete McLeod	Tonko
Honda	O'Rourke	Tsongas
Hoyer	Pallone	Van Hollen
Huffman	Pascrell	Vargas
Israel	Pastor (AZ)	Veasey
Jackson Lee	Payne	Vela
Jeffries	Pelosi	Velázquez
Johnson (GA)	Perlmutter	Visclosky
Johnson, E. B.	Peters (MI)	Wasserman Schultz
Kaptur	Peterson	Waters
Keating	Pingree (ME)	Wilson (FL)
Kelly (IL)		Yarmuth
Kennedy		
Kildee		

NOT VOTING—24

Bachus	Garamendi	Miller, Gary
Beatty	Hall	Miller, George
Bera (CA)	Hanna	Mulvaney
Bridenstine	Horsford	Nunnelee
Cantor	Lankford	Rangel
Costa	McKeon	Ryan (OH)
Cramer	Meeks	Waxman
Crawford	Meng	Welch

□ 1322

Ms. KUSTER, Mr. LIPINSKI and Ms. SHEA-PORTER changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. GEORGE MILLER of California. Mr. Speaker, I was unavoidably detained today and missed roll No. 315. Had I been present, I would have voted "nay."

PAY OUR GUARD AND RESERVE ACT

Mr. MILLER of Florida. Mr. Speaker, pursuant to House Resolution 628, I call up the bill (H.R. 3230) making continuing appropriations during a government shutdown to provide pay and allowances to members of the reserve components of the Armed Forces who perform inactive-duty training during such period, with the Senate amendments thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendments.

The text of the Senate amendments is as follows:

Senate amendments:

H.R. 3230

Resolved, That the bill from the House of Representatives (H.R. 3230) entitled ''An Act making continuing appropriations during a Government shutdown to provide pay and allowances to members of the reserve components of the Armed Forces who perform inactive-duty training during such period.'', do pass with the following amendments:

Strike all after the enacting clause, and insert in lieu thereof:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans' Access to Care through Choice, Accountability, and Transparency Act of 2014''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—IMPROVEMENT OF SCHEDULING SYSTEM FOR HEALTH CARE APPOINTMENTS

Sec. 101. Independent assessment of the scheduling of appointments and other health care management processes of the Department of Veterans Affairs.

Sec. 102. Technology task force on review of scheduling system and software of the Department of Veterans Affairs.

TITLE II—TRAINING AND HIRING OF HEALTH CARE STAFF

Sec. 201. Treatment of staffing shortage and biannual report on staffing of medical facilities of the Department of Veterans Affairs.

Sec. 202. Clinic management training for managers and health care providers of the Department of Veterans Affairs.

Sec. 203. Use of unobligated amounts to hire additional health care providers for the Veterans Health Administration.

TITLE III—IMPROVEMENT OF ACCESS TO CARE FROM NON-DEPARTMENT OF VETERANS AFFAIRS PROVIDERS

Sec. 301. Expanded availability of hospital care and medical services for veterans through the use of contracts.

Sec. 302. Transfer of authority for payments for hospital care, medical services, and other health care from non-Department providers to the Chief Business Office of the Veterans Health Administration of the Department.

Sec. 303. Enhancement of collaboration between Department of Veterans Affairs and Indian Health Service.

Sec. 304. Enhancement of collaboration between Department of Veterans Affairs and Native Hawaiian health care systems.

Sec. 305. Sense of Congress on prompt payment by Department of Veterans Affairs.

TITLE IV—HEALTH CARE ADMINISTRATIVE MATTERS

Sec. 401. Improvement of access of veterans to mobile vet centers of the Department of Veterans Affairs.

Sec. 402. Commission on construction projects of the Department of Veterans Affairs.

Sec. 403. Commission on Access to Care.

Sec. 404. Improved performance metrics for health care provided by Department of Veterans Affairs.

Sec. 405. Improved transparency concerning health care provided by Department of Veterans Affairs.

Sec. 406. Information for veterans on the credentials of Department of Veterans Affairs physicians.

Sec. 407. Information in annual budget of the President on hospital care and medical services furnished through expanded use of contracts for such care.

Sec. 408. Prohibition on falsification of data concerning wait times and quality measures at Department of Veterans Affairs.

Sec. 409. Removal of Senior Executive Service employees of the Department of Veterans Affairs for performance.

TITLE V—HEALTH CARE RELATED TO SEXUAL TRAUMA

Sec. 501. Expansion of eligibility for sexual trauma counseling and treatment to veterans on inactive duty training.

Sec. 502. Provision of counseling and treatment for sexual trauma by the Department of Veterans Affairs to members of the Armed Forces.

Sec. 503. Reports on military sexual trauma.

TITLE VI—MAJOR MEDICAL FACILITY LEASES

Sec. 601. Authorization of major medical facility leases.

Sec. 602. Budgetary treatment of Department of Veterans Affairs major medical facilities leases.

TITLE VII—VETERANS BENEFITS MATTERS

Sec. 701. Expansion of Marine Gunnery Sergeant John David Fry Scholarship.

Sec. 702. Approval of courses of education provided by public institutions of higher learning for purposes of All-Volunteer Force Educational Assistance Program and Post-9/11 Educational Assistance conditional on in-State tuition rate for veterans.

TITLE VIII—APPROPRIATION AND EMERGENCY DESIGNATIONS

Sec. 801. Appropriation of emergency amounts.

Sec. 802. Emergency designations.

TITLE I—IMPROVEMENT OF SCHEDULING SYSTEM FOR HEALTH CARE APPOINTMENTS

SEC. 101. INDEPENDENT ASSESSMENT OF THE SCHEDULING OF APPOINTMENTS AND OTHER HEALTH CARE MANAGEMENT PROCESSES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) INDEPENDENT ASSESSMENT.—

(1) ASSESSMENT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into a contract with an independent third party to assess the following:

(A) The process at each medical facility of the Department of Veterans Affairs for scheduling appointments for veterans to receive hospital care, medical services, or other health care from the Department.

(B) The staffing level and productivity of each medical facility of the Department, including the following:

(i) The case load of each health care provider of the Department.

(ii) The time spent by each health care provider of the Department on matters other than the case load of such health care provider, including time spent by such health care provider as follows:

(I) At a medical facility that is affiliated with the Department.

(II) Conducting research.

(III) Training or overseeing other health care professionals of the Department.

(C) The organization, processes, and tools used by the Department to support clinical documentation and the subsequent coding of inpatient services.

(D) The purchasing, distribution, and use of pharmaceuticals, medical and surgical supplies,

and medical devices by the Department, including the following:

(i) The prices paid for, standardization of, and use by the Department of the following:

(I) High-cost pharmaceuticals.

(II) Medical and surgical supplies.

(III) Medical devices.

(ii) The use by the Department of group purchasing arrangements to purchase pharmaceuticals, medical and surgical supplies, medical devices, and health care related services.

(iii) The strategy used by the Department to distribute pharmaceuticals, medical and surgical supplies, and medical devices to Veterans Integrated Service Networks and medical facilities of the Department.

(E) The performance of the Department in paying amounts owed to third parties and collecting amounts owed to the Department with respect to hospital care, medical services, and other health care, including any recommendations of the independent third party as follows:

(i) To avoid the payment of penalties to vendors.

(ii) To increase the collection of amounts owed to the Department for hospital care, medical services, or other health care provided by the Department for which reimbursement from a third party is authorized.

(iii) To increase the collection of any other amounts owed to the Department.

(2) ELEMENTS OF SCHEDULING ASSESSMENT.—In carrying out the assessment required by paragraph (1)(A), the independent third party shall do the following:

(A) Review all training materials pertaining to scheduling of appointments at each medical facility of the Department.

(B) Assess whether all employees of the Department conducting tasks related to scheduling are properly trained for conducting such tasks.

(C) Assess whether changes in the technology or system used in scheduling appointments are necessary to limit access to the system to only those employees that have been properly trained in conducting such tasks.

(D) Assess whether health care providers of the Department are making changes to their schedules that hinder the ability of employees conducting such tasks to perform such tasks.

(E) Assess whether the establishment of a centralized call center throughout the Department for scheduling appointments at medical facilities of the Department would improve the process of scheduling such appointments.

(F) Assess whether booking templates for each medical facility or clinic of the Department would improve the process of scheduling such appointments.

(G) Recommend any actions to be taken by the Department to improve the process for scheduling such appointments, including the following:

(i) Changes in training materials provided to employees of the Department with respect to conducting tasks related to scheduling such appointments.

(ii) Changes in monitoring and assessment conducted by the Department of wait times of veterans for such appointments.

(iii) Changes in the system used to schedule such appointments, including changes to improve how the Department—

(I) measures wait times of veterans for such appointments;

(II) monitors the availability of health care providers of the Department; and

(III) provides veterans the ability to schedule such appointments.

(iv) Such other actions as the independent third party considers appropriate.

(3) TIMING.—The independent third party carrying out the assessment required by paragraph (1) shall complete such assessment not later than 180 days after entering into the contract described in such paragraph.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date on which the independent third party completes the assessment under this section, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of such assessment.

(2) PUBLICATION.—Not later than 30 days after submitting the report under paragraph (1), the Secretary shall publish such report in the Federal Register and on an Internet website of the Department accessible to the public.

SEC. 102. TECHNOLOGY TASK FORCE ON REVIEW OF SCHEDULING SYSTEM AND SOFTWARE OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) TASK FORCE REVIEW.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall, through the use of a technology task force, conduct a review of the needs of the Department of Veterans Affairs with respect to the scheduling system and scheduling software of the Department of Veterans Affairs that is used by the Department to schedule appointments for veterans for hospital care, medical services, and other health care from the Department.

(2) AGREEMENT.—

(A) IN GENERAL.—The Secretary shall seek to enter into an agreement with a technology organization or technology organizations to carry out the review required by paragraph (1).

(B) PROHIBITION ON USE OF FUNDS.—No Federal funds may be used to assist the technology organization or technology organizations under subparagraph (A) in carrying out the review required by paragraph (1).

(b) REPORT.—

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the technology task force required under subsection (a)(1) shall submit to the Secretary, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives a report setting forth the findings and recommendations of the technology task force regarding the needs of the Department with respect to the scheduling system and scheduling software of the Department described in such subsection.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) Proposals for specific actions to be taken by the Department to improve the scheduling system and scheduling software of the Department described in subsection (a)(1).

(B) A determination as to whether an existing off-the-shelf system would—

(i) meet the needs of the Department to schedule appointments for veterans for hospital care, medical services, and other health care from the Department; and

(ii) improve the access of veterans to such care and services.

(3) PUBLICATION.—Not later than 30 days after the receipt of the report required by paragraph (1), the Secretary shall publish such report in the Federal Register and on an Internet website of the Department accessible to the public.

(c) IMPLEMENTATION OF TASK FORCE RECOMMENDATIONS.—Not later than one year after the receipt of the report required by subsection (b)(1), the Secretary shall implement the recommendations set forth in such report that the Secretary considers are feasible, advisable, and cost-effective.

TITLE II—TRAINING AND HIRING OF HEALTH CARE STAFF

SEC. 201. TREATMENT OF STAFFING SHORTAGE AND BIANNUAL REPORT ON STAFFING OF MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) STAFFING SHORTAGE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not later than September 30 each year thereafter, the Inspector General of the Department of Veterans Affairs shall determine, and the Secretary of Veterans Affairs shall publish in the Federal Register, the five occupations of health care providers of the Department of Veterans Affairs for which there is the largest staffing shortage throughout the Department.

(2) RECRUITMENT AND APPOINTMENT.—Notwithstanding sections 3304 and 3309 through 3318 of title 5, United States Code, the Secretary may, upon a determination by the Inspector General under paragraph (1) that there is a staffing shortage throughout the Department with respect to a particular occupation of health care provider, recruit and directly appoint highly qualified health care providers to serve as health care providers in that particular occupation for the Department.

(3) PRIORITY IN HEALTH PROFESSIONALS EDUCATIONAL ASSISTANCE PROGRAM TO CERTAIN PROVIDERS.—Section 7612(b)(5) of title 38, United States Code, is amended—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) shall give priority to applicants pursuing a course of education or training towards a career in an occupation for which the Secretary has, in the most current determination published in the Federal Register pursuant to section 201(a)(1) of the Veterans' Access to Care through Choice, Accountability, and Transparency Act of 2014, determined that there is one of the largest staffing shortages throughout the Department with respect to such occupation; and''.

(b) REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not later than December 31 of each even numbered year thereafter until 2024, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report assessing the staffing of each medical facility of the Department of Veterans Affairs.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following:

(A) The results of a system-wide assessment of all medical facilities of the Department to ensure the following:

(i) Appropriate staffing levels for health care providers to meet the goals of the Secretary for timely access to care for veterans.

(ii) Appropriate staffing levels for support personnel, including clerks.

(iii) Appropriate sizes for clinical panels.

(iv) Appropriate numbers of full-time staff, or full-time equivalents, dedicated to direct care of patients.

(v) Appropriate physical plant space to meet the capacity needs of the Department in that area.

(vi) Such other factors as the Secretary considers necessary.

(B) A plan for addressing any issues identified in the assessment described in subparagraph (A), including a timeline for addressing such issues.

(C) A list of the current wait times and workload levels for the following clinics in each medical facility:

(i) Mental health.

(ii) Primary care.

(iii) Gastroenterology.

(iv) Women's health.

(v) Such other clinics as the Secretary considers appropriate.

(D) A description of the results of the most current determination of the Inspector General under paragraph (1) of subsection (a) and a plan to use direct appointment authority under paragraph (2) of such subsection to fill staffing shortages, including recommendations for improving the speed at which the credentialing and privileging process can be conducted.

(E) The current staffing models of the Department for the following clinics, including recommendations for changes to such models:

(i) Mental health.

(ii) Primary care.

(iii) Gastroenterology.

(iv) Women's health.

(v) Such other clinics as the Secretary considers appropriate.

(F) A detailed analysis of succession planning at medical facilities of the Department, including the following:

(i) The number of positions in medical facilities throughout the Department that are not filled by a permanent employee.

(ii) The length of time each position described in clause (i) remained vacant or filled by a temporary or acting employee.

(iii) A description of any barriers to filling the positions described in clause (i).

(iv) A plan for filling any positions that are vacant or filled by a temporary or acting employee for more than 180 days.

(v) A plan for handling emergency circumstances, such as administrative leave or sudden medical leave for senior officials.

(G) The number of health care providers of the Department who have been removed from their positions, have retired, or have left their positions for another reason, disaggregated by provider type, during the two-year period preceding the submittal of the report.

(H) Of the health care providers specified in subparagraph (G) who have been removed from their positions, the following:

(i) The number of such health care providers who were reassigned to other positions in the Department.

(ii) The number of such health care providers who left the Department.

(iii) The number of such health care providers who left the Department and were subsequently rehired by the Department.

SEC. 202. CLINIC MANAGEMENT TRAINING FOR MANAGERS AND HEALTH CARE PROVIDERS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) CLINIC MANAGEMENT TRAINING PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall commence a clinic management training program to provide in-person, standardized education on health care management to all managers of, and health care providers at, medical facilities of the Department of Veterans Affairs.

(2) ELEMENTS.—The clinic management training program required by paragraph (1) shall include the following:

(A) Training on how to manage the schedules of health care providers of the Department, including the following:

(i) Maintaining such schedules in a manner that allows appointments to be booked at least eight weeks in advance.

(ii) Proper planning procedures for vacation, leave, and graduate medical education training schedules.

(B) Training on the appropriate number of appointments that a health care provider should conduct on a daily basis, based on specialty.

(C) Training on how to determine whether there are enough available appointment slots to manage demand for different appointment types and mechanisms for alerting management of insufficient slots.

(D) Training on how to properly use the appointment scheduling system of the Department, including any new scheduling system implemented by the Department.

(E) Training on how to optimize the use of technology, including the following:

(i) Telemedicine.

(ii) Electronic mail.

(iii) Text messaging.

(iv) Such other technologies as specified by the Secretary.

(F) Training on how to properly use physical plant space at medical facilities of the Department to ensure efficient flow and privacy for patients and staff.

(3) SUNSET.—The clinic management training program required by paragraph (1) shall terminate on the date that is two years after the date on which the Secretary commences such program.

(b) TRAINING MATERIALS.—

(1) IN GENERAL.—After the termination of the clinic management training program required by subsection (a), the Secretary shall provide training materials on health care management to each of the following employees of the Department upon the commencement of employment of such employee:

(A) Any manager of a medical facility of the Department.

(B) Any health care provider at a medical facility of the Department.

(C) Such other employees of the Department as the Secretary considers appropriate.

(2) UPDATE.—The Secretary shall regularly update the training materials required under paragraph (1).

SEC. 203. USE OF UNOBLIGATED AMOUNTS TO HIRE ADDITIONAL HEALTH CARE PROVIDERS FOR THE VETERANS HEALTH ADMINISTRATION.

(a) IN GENERAL.—At the end of each of fiscal years 2014 and 2015, all covered amounts shall be made available to the Secretary of Veterans Affairs to hire additional health care providers for the Veterans Health Administration of the Department of Veterans Affairs, or to carry out any provision of this Act or the amendments made by this Act, and shall remain available until expended.

(b) PRIORITY IN HIRING.—The Secretary shall prioritize hiring additional health care providers under subsection (a) at medical facilities of the Department and in geographic areas in which the Secretary identifies the greatest shortage of health care providers.

(c) COVERED AMOUNTS DEFINED.—In this section, the term ''covered amounts'' means amounts—

(1) that are made available to the Veterans Health Administration of the Department for an appropriations account—

(A) under the heading ''MEDICAL SERVICES'';

(B) under the heading ''MEDICAL SUPPORT AND COMPLIANCE''; or

(C) under the heading ''MEDICAL FACILITIES''; and

(2) that are unobligated at the end of the applicable fiscal year.

TITLE III—IMPROVEMENT OF ACCESS TO CARE FROM NON-DEPARTMENT OF VETERANS AFFAIRS PROVIDERS

SEC. 301. EXPANDED AVAILABILITY OF HOSPITAL CARE AND MEDICAL SERVICES FOR VETERANS THROUGH THE USE OF CONTRACTS.

(a) EXPANSION OF AVAILABLE CARE AND SERVICES.—

(1) FURNISHING OF CARE.—

(A) IN GENERAL.—Hospital care and medical services under chapter 17 of title 38, United States Code, shall be furnished to an eligible veteran described in subsection (b), at the election of such veteran, through contracts authorized under subsection (d), or any other law administered by the Secretary of Veterans Affairs, with entities specified in subparagraph (B) for the furnishing of such care and services to veterans.

(B) ENTITIES SPECIFIED.—The entities specified in this subparagraph are the following:

(i) Any health care provider that is participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(ii) Any Federally-qualified health center (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

(iii) The Department of Defense.

(iv) The Indian Health Service.

(2) CHOICE OF PROVIDER.—An eligible veteran who elects to receive care and services under this section may select the provider of such care and services from among any source of provider of such care and services through an entity specified in paragraph (1)(B) that is accessible to the veteran.

(3) COORDINATION OF CARE AND SERVICES.—The Secretary shall coordinate, through the Non-VA Care Coordination Program of the Department of Veterans Affairs, the furnishing of care and services under this section to eligible veterans, including by ensuring that an eligible veteran receives an appointment for such care and services within the current wait-time goals of the Veterans Health Administration for the furnishing of hospital care and medical services.

(b) ELIGIBLE VETERANS.—A veteran is an eligible veteran for purposes of this section if—

(1)(A) the veteran is enrolled in the patient enrollment system of the Department of Veterans Affairs established and operated under section 1705 of title 38, United States Code; or

(B) the veteran is enrolled in such system, has not received hospital care or medical services from the Department, and has contacted the Department seeking an initial appointment from the Department for the receipt of such care or services; and

(2) the veteran—

(A)(i) attempts, or has attempted under paragraph (1)(B), to schedule an appointment for the receipt of hospital care or medical services under chapter 17 of title 38, United States Code, but is unable to schedule an appointment within the current wait-time goals of the Veterans Health Administration for the furnishing of such care or services; and

(ii) elects, and is authorized, to be furnished such care or services pursuant to subsection (c)(2);

(B) resides more than 40 miles from the nearest medical facility of the Department, including a community-based outpatient clinic, that is closest to the residence of the veteran; or

(C) resides—

(i) in a State without a medical facility of the Department that provides—

(I) hospital care;

(II) emergency medical services; and

(III) surgical care rated by the Secretary as having a surgical complexity of standard; and

(ii) more than 20 miles from a medical facility of the Department described in clause (i).

(c) ELECTION AND AUTHORIZATION.—

(1) IN GENERAL.—If the Secretary confirms that an appointment for an eligible veteran described in subsection (b)(2)(A) for the receipt of hospital care or medical services under chapter 17 of title 38, United States Code, is unavailable within the current wait-time goals of the Department for the furnishing of such care or services, the Secretary shall, at the election of the eligible veteran—

(A) place such eligible veteran on an electronic waiting list described in paragraph (2) for such an appointment; or

(B)(i) authorize that such care and services be furnished to the eligible veteran under this section for a period of time specified by the Secretary; and

(ii) send a letter to the eligible veteran describing the care and services the eligible veteran is eligible to receive under this section.

(2) ELECTRONIC WAITING LIST.—The electronic waiting list described in this paragraph shall be maintained by the Department and allow access by each eligible veteran via www.myhealth.va.gov or any successor website for the following purposes:

(A) To determine the place of such eligible veteran on the waiting list.

(B) To determine the average length of time an individual spends on the waiting list, disaggregated by medical facility of the Department and type of care or service needed, for purposes of allowing such eligible veteran to make an informed election under paragraph (1).

(d) CARE AND SERVICES THROUGH CONTRACTS.—

(1) IN GENERAL.—The Secretary shall enter into contracts with health care providers that are participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) to furnish care and services to eligible veterans under this section.

(2) RATES AND REIMBURSEMENT.—

(A) IN GENERAL.—In entering into a contract under this subsection, the Secretary shall—

(i) negotiate rates for the furnishing of care and services under this section; and

(ii) reimburse the health care provider for such care and services at the rates negotiated pursuant to clause (i) as provided in such contract.

(B) LIMIT ON RATES.—

(i) IN GENERAL.—Except as provided in clause (ii), rates negotiated under subparagraph (A)(i) shall not be more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) or a supplier (as defined in section 1861(d) of such Act (42 U.S.C. 1395x(d))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care and services.

(ii) EXCEPTION.—The Secretary may negotiate a rate that is more than the rate paid by the United States as described in clause (i) with respect to the furnishing of care or services under this section to an eligible veteran if the Secretary determines that there is no health care provider that will provide such care or services to such eligible veteran at the rate required under such clause—

(I) within the current wait-time goals of the Veterans Health Administration for the furnishing of such care or services; and

(II) at a location not more than 40 miles from the residence of such eligible veteran.

(C) LIMIT ON COLLECTION.—For the furnishing of care and services pursuant to a contract under this section, a health care provider may not collect any amount that is greater than the rate negotiated pursuant to subparagraph (A)(i).

(3) INFORMATION ON POLICIES AND PROCEDURES.—The Secretary shall provide to any health care provider with which the Secretary has entered into a contract under paragraph (1) the following:

(A) Information on applicable policies and procedures for submitting bills or claims for authorized care and services furnished to eligible veterans under this section.

(B) Access to a telephone hotline maintained by the Department that such health care provider may call for information on the following:

(i) Procedures for furnishing care and services under this section.

(ii) Procedures for submitting bills or claims for authorized care and services furnished to eligible veterans under this section and being reimbursed for furnishing such care and services.

(iii) Whether particular care or services under this section are authorized, and the procedures for authorization of such care or services.

(e) CHOICE CARD.—

(1) IN GENERAL.—For purposes of receiving care and services under this section, the Secretary shall issue to each eligible veteran a card that the eligible veteran shall present to a health care provider that is eligible to furnish care and services under this section before receiving such care and services.

(2) NAME OF CARD.—Each card issued under paragraph (1) shall be known as a ''Choice Card''.

(3) DETAILS OF CARD.—Each Choice Card issued to an eligible veteran under paragraph (1) shall include the following:

(A) The name of the eligible veteran.

(B) An identification number for the eligible veteran that is not the social security number of the eligible veteran.

(C) The contact information of an appropriate office of the Department for health care providers to confirm that care and services under this section are authorized for the eligible veteran.

(D) Contact information and other relevant information for the submittal of claims or bills for the furnishing of care and services under this section.

(E) The following statement: ''This card is for qualifying medical care outside the Department of Veterans Affairs. Please call the Department of Veterans Affairs phone number specified on this card to ensure that treatment has been authorized.''.

(4) INFORMATION ON USE OF CARD.—Upon issuing a Choice Card to an eligible veteran, the Secretary shall provide the eligible veteran with information clearly stating the circumstances under which the veteran may be eligible for care and services under this section.

(f) INFORMATION ON AVAILABILITY OF CARE.—The Secretary shall provide information to a veteran about the availability of care and services under this section in the following circumstances:

(1) When the veteran enrolls in the patient enrollment system of the Department under section 1705 of title 38, United States Code.

(2) When the veteran attempts to schedule an appointment for the receipt of hospital care or medical services from the Department but is unable to schedule an appointment within the current wait-time goals of the Veterans Health Administration for delivery of such care or services.

(g) PROVIDERS.—To be eligible to furnish care and services under this section, a health care provider must—

(1) maintain at least the same or similar credentials and licenses as those credentials and licenses that are required of health care providers of the Department, as determined by the Secretary for purposes of this section; and

(2) submit, not less frequently than once each year, verification of such licenses and credentials maintained by such health care provider.

(h) COST-SHARING.—

(1) IN GENERAL.—The Secretary shall require an eligible veteran to pay a copayment to the Department for the receipt of care and services under this section only if such eligible veteran would be required to pay such copayment for the receipt of such care and services at a medical facility of the Department.

(2) LIMITATION.—The copayment required under paragraph (1) shall not be greater than the copayment required of such eligible veteran by the Department for the receipt of such care and services at a medical facility of the Department.

(i) CLAIMS PROCESSING SYSTEM.—

(1) IN GENERAL.—The Secretary shall provide for an efficient nationwide system for processing and paying bills or claims for authorized care and services furnished to eligible veterans under this section.

(2) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall prescribe regulations for the implementation of such system.

(3) OVERSIGHT.—The Chief Business Office of the Veterans Health Administration shall oversee the implementation and maintenance of such system.

(4) ACCURACY OF PAYMENT.—

(A) IN GENERAL.—The Secretary shall ensure that such system meets such goals for accuracy of payment as the Secretary shall specify for purposes of this section.

(B) ANNUAL REPORT.—

(i) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter until the termination date specified in subsection (n), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the goals for accuracy of such system.

(ii) ELEMENTS.—Each report required by clause (i) shall include the following:

(I) A description of the goals for accuracy for such system specified by the Secretary under subparagraph (A).

(II) An assessment of the success of the Department in meeting such goals during the year preceding the submittal of the report.

(j) MEDICAL RECORDS.—The Secretary shall ensure that any health care provider that furnishes care and services under this section to an eligible veteran submits to the Department any medical record related to the care and services provided to such eligible veteran by such health care provider for inclusion in the electronic medical record of such eligible veteran maintained by the Department upon the completion of the provision of such care and services to such eligible veteran.

(k) TRACKING OF MISSED APPOINTMENTS.—The Secretary shall implement a mechanism to track any missed appointments for care and services under this section by eligible veterans to ensure that the Department does not pay for such care and services that were not furnished to an eligible veteran.

(l) IMPLEMENTATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall prescribe interim final regulations on the implementation of this section and publish such regulations in the Federal Register.

(m) INSPECTOR GENERAL REPORT.—Not later than 540 days after the publication of the interim final regulations under subsection (l), the Inspector General of the Department shall submit to the Secretary a report on the results of an audit of the care and services furnished under this section to ensure the accuracy and timeliness of payments by the Department for the cost of such care and services, including any findings and recommendations of the Inspector General.

(n) TERMINATION.—The requirement of the Secretary to furnish care and services under this section terminates on the date that is two years after the date on which the Secretary publishes the interim final regulations under subsection (l).

(o) REPORTS.—

(1) INITIAL REPORT.—Not later than 90 days after the publication of the interim final regulations under subsection (l), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of care and services under this section that includes the following:

(A) The number of eligible veterans who have received care and services under this section.

(B) A description of the type of care and services furnished to eligible veterans under this section.

(2) FINAL REPORT.—Not later than 540 days after the publication of the interim final regulations under subsection (l), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of care and services under this section that includes the following:

(A) The total number of eligible veterans who have received care and services under this section, disaggregated by—

(i) eligible veterans described in subsection (b)(2)(A); and

(ii) eligible veterans described in subsection (b)(2)(B).

(B) A description of the type of care and services furnished to eligible veterans under this section.

(C) An accounting of the total cost of furnishing care and services to eligible veterans under this section.

(D) The results of a survey of eligible veterans who have received care or services under this section on the satisfaction of such eligible veterans with the care or services received by such eligible veterans under this section.

(E) An assessment of the effect of furnishing care and services under this section on wait

times for an appointment for the receipt of hospital care and medical services from the Department.

(F) An assessment of the feasibility and advisability of continuing furnishing care and services under this section after the termination date specified in subsection (n).

(p) RULES OF CONSTRUCTION.—

(1) NO MODIFICATION OF CONTRACTS.—Nothing in this section shall be construed to require the Secretary to renegotiate contracts for the furnishing of hospital care or medical services to veterans entered into by the Department before the date of the enactment of this Act.

(2) FILLING AND PAYING FOR PRESCRIPTION MEDICATIONS.—Nothing in this section shall be construed to alter the process of the Department for filling and paying for prescription medications.

SEC. 302. TRANSFER OF AUTHORITY FOR PAYMENTS FOR HOSPITAL CARE, MEDICAL SERVICES, AND OTHER HEALTH CARE FROM NON-DEPARTMENT PROVIDERS TO THE CHIEF BUSINESS OFFICE OF THE VETERANS HEALTH ADMINISTRATION OF THE DEPARTMENT.

(a) TRANSFER OF AUTHORITY.—

(1) IN GENERAL.—Effective on October 1, 2014, the Secretary of Veterans Affairs shall transfer the authority to pay for hospital care, medical services, and other health care through non-Department providers to the Chief Business Office of the Veterans Health Administration of the Department of Veterans Affairs from the Veterans Integrated Service Networks and medical centers of the Department of Veterans Affairs.

(2) MANNER OF CARE.—The Chief Business Office shall work in consultation with the Office of Clinical Operations and Management of the Department of Veterans Affairs to ensure that care and services described in paragraph (1) are provided in a manner that is clinically appropriate and effective.

(3) NO DELAY IN PAYMENT.—The transfer of authority under paragraph (1) shall be carried out in a manner that does not delay or impede any payment by the Department for hospital care, medical services, or other health care provided through a non-Department provider under the laws administered by the Secretary.

(b) BUDGETARY EFFECT.—The Secretary shall, for each fiscal year that begins after the date of the enactment of this Act—

(1) include in the budget for the Chief Business Office of the Veterans Health Administration amounts to pay for hospital care, medical services, and other health care provided through non-Department providers, including any amounts necessary to carry out the transfer of authority to pay for such care and services under subsection (a), including any increase in staff; and

(2) not include in the budget of each Veterans Integrated Service Network and medical center of the Department amounts to pay for such care and services.

SEC. 303. ENHANCEMENT OF COLLABORATION BETWEEN DEPARTMENT OF VETERANS AFFAIRS AND INDIAN HEALTH SERVICE.

(a) OUTREACH TO TRIBAL-RUN MEDICAL FACILITIES.—The Secretary of Veterans Affairs shall, in consultation with the Director of the Indian Health Service, conduct outreach to each medical facility operated by an Indian tribe or tribal organization through a contract or compact with the Indian Health Service under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) to raise awareness of the ability of such facilities, Indian tribes, and tribal organizations to enter into agreements with the Department of Veterans Affairs under which the Secretary reimburses such facilities, Indian tribes, or tribal organizations, as the case may be, for health care provided to veterans eligible for health care at such facilities.

(b) METRICS FOR MEMORANDUM OF UNDERSTANDING PERFORMANCE.—The Secretary of Veterans Affairs shall implement performance metrics for assessing the performance by the Department of Veterans Affairs and the Indian Health Service under the memorandum of understanding entitled ''Memorandum of Understanding between the Department of Veterans Affairs (VA) and the Indian Health Service (IHS)'' in increasing access to health care, improving quality and coordination of health care, promoting effective patient-centered collaboration and partnerships between the Department and the Service, and ensuring health-promotion and disease-prevention services are appropriately funded and available for beneficiaries under both health care systems.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs and the Director of the Indian Health Service shall jointly submit to Congress a report on the feasibility and advisability of the following:

(1) Entering into agreements for the reimbursement by the Secretary of the costs of direct care services provided through organizations receiving amounts pursuant to grants made or contracts entered into under section 503 of the Indian Health Care Improvement Act (25 U.S.C. 1653) to veterans who are otherwise eligible to receive health care from such organizations.

(2) Including the reimbursement of the costs of direct care services provided to veterans who are not Indians in agreements between the Department and the following:

(A) The Indian Health Service.

(B) An Indian tribe or tribal organization operating a medical facility through a contract or compact with the Indian Health Service under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

(C) A medical facility of the Indian Health Service.

(d) DEFINITIONS.—In this section:

(1) INDIAN.—The terms ''Indian'' and ''Indian tribe'' have the meanings given those terms in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

(2) MEDICAL FACILITY OF THE INDIAN HEALTH SERVICE.—The term ''medical facility of the Indian Health Service'' includes a facility operated by an Indian tribe or tribal organization through a contract or compact with the Indian Health Service under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

(3) TRIBAL ORGANIZATION.—The term ''tribal organization'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 304. ENHANCEMENT OF COLLABORATION BETWEEN DEPARTMENT OF VETERANS AFFAIRS AND NATIVE HAWAIIAN HEALTH CARE SYSTEMS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall, in consultation with Papa Ola Lokahi and such other organizations involved in the delivery of health care to Native Hawaiians as the Secretary considers appropriate, enter into contracts or agreements with Native Hawaiian health care systems that are in receipt of funds from the Secretary of Health and Human Services pursuant to grants awarded or contracts entered into under section 6(a) of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 11705(a)) for the reimbursement of direct care services provided to eligible veterans as specified in such contracts or agreements.

(b) DEFINITIONS.—In this section, the terms ''Native Hawaiian'', ''Native Hawaiian health care system'', and ''Papa Ola Lokahi'' have the meanings given those terms in section 12 of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 11711).

SEC. 305. SENSE OF CONGRESS ON PROMPT PAYMENT BY DEPARTMENT OF VETERANS AFFAIRS.

It is the sense of Congress that the Secretary of Veterans Affairs shall comply with section 1315 of title 5, Code of Federal Regulations (commonly known as the ''prompt payment rule''), or any corresponding similar regulation or ruling, in paying for health care pursuant to contracts entered into with non-Department of Veterans Affairs providers to provide health care under the laws administered by the Secretary.

TITLE IV—HEALTH CARE ADMINISTRATIVE MATTERS

SEC. 401. IMPROVEMENT OF ACCESS OF VETERANS TO MOBILE VET CENTERS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IMPROVEMENT OF ACCESS.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall improve the access of veterans to telemedicine and other health care through the use of mobile vet centers of the Department of Veterans Affairs by providing standardized requirements for the operation of such centers.

(2) REQUIREMENTS.—The standardized requirements required by paragraph (1) shall include the following:

(A) The number of days each mobile vet center of the Department is expected to travel per year.

(B) The number of locations each center is expected to visit per year.

(C) The number of appointments each center is expected to conduct per year.

(D) The method and timing of notifications given by each center to individuals in the area to which such center is traveling, including notifications informing veterans of the availability to schedule appointments at the center.

(3) USE OF TELEMEDICINE.—The Secretary shall ensure that each mobile vet center of the Department has the capability to provide telemedicine services.

(b) REPORTS.—Not later than one year after the date of the enactment of this Act, and not later than September 30 each year thereafter, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the following:

(1) The use of mobile vet centers to provide telemedicine services to veterans during the year preceding the submittal of the report, including the following:

(A) The number of days each mobile vet center was open to provide such services.

(B) The number of days each mobile vet center traveled to a location other than the headquarters of the mobile vet center to provide such services.

(C) The number of appointments each center conducted to provide such services on average per month and in total during such year.

(2) An analysis of the effectiveness of using mobile vet centers to provide health care services to veterans through the use of telemedicine.

(3) Any recommendations for an increase in the number of mobile vet centers of the Department.

(4) Any recommendations for an increase in the telemedicine capabilities of each mobile vet center.

(5) The feasibility and advisability of using temporary health care providers, including locum tenens, to provide direct health care services to veterans at mobile vet centers.

(6) Such other recommendations on improvement of the use of mobile vet centers by the Department as the Secretary considers appropriate.

SEC. 402. COMMISSION ON CONSTRUCTION PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) ESTABLISHMENT OF COMMISSION.—

(1) ESTABLISHMENT.—There is established an Independent Commission on Department of Veterans Affairs Construction Projects (in this section referred to as the ''Commission'').

(2) MEMBERSHIP.—

(A) VOTING MEMBERS.—The Commission shall be composed of 10 voting members as follows:

(i) Three members to be appointed by the President from among members of the National Academy of Engineering who are nominated under subparagraph (B).

(ii) Three members to be appointed by the President from among members of the National Institute of Building Sciences who are nominated under subparagraph (B).

(iii) Four members to be appointed by the President from among veterans enrolled in the patient enrollment system of the Department of Veterans Affairs under section 1705 of title 38, United States Code, who are nominated under subparagraph (B).

(B) NOMINATION OF VOTING MEMBERS.—The majority leader of the Senate, the minority leader of the Senate, the speaker of the House of Representatives, and the minority leader of the House of Representatives shall jointly nominate not less than 24 individuals to be considered by the President for appointment under subparagraph (A).

(C) NONVOTING MEMBERS.—The Commission shall be composed of the following nonvoting members:

(i) The Comptroller General of the United States, or designee.

(ii) The Secretary of Veterans Affairs, or designee.

(iii) The Inspector General of the Department of Veterans Affairs, or designee.

(D) DATE OF APPOINTMENT OF MEMBERS.—The appointments of the members of the Commission under subparagraph (A) shall be made not later than 14 days after the date of the enactment of this Act.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) INITIAL MEETING.—Not later than five days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(5) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(6) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(7) CHAIRPERSON AND VICE CHAIRPERSON.—The Commission shall select a Chairperson and Vice Chairperson from among its members.

(b) DUTIES OF COMMISSION.—

(1) REVIEW.—The Commission shall review current construction and maintenance projects and the medical facility leasing program of the Department of Veterans Affairs to identify any problems experienced by the Department in carrying out such projects and program.

(2) REPORTS.—

(A) COMMISSION REPORT.—Not later than 120 days after the date of the enactment of this Act, the Commission shall submit to the Secretary of Veterans Affairs, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives a report setting forth recommendations, if any, for improving the manner in which the Secretary carries out the projects and program specified in paragraph (1).

(B) DEPARTMENT REPORT.—Not later than 60 days after the submittal of the report under subparagraph (A), the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the feasibility and advisability of implementing the recommendations of the Commission, if any, included in the report submitted under such subparagraph, including a timeline for the implementation of such recommendations.

(c) POWERS OF COMMISSION.—

(1) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this section.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal agency such information as the Commission considers necessary to carry out this section. Upon request of the Chairperson of the Commission, the head of such agency shall furnish such information to the Commission.

(d) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) STAFF.—

(A) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(B) COMPENSATION.—The Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(4) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(5) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(e) TERMINATION OF COMMISSION.—The Commission shall terminate 30 days after the date on which the Commission submits its report under subsection (b)(2)(A).

SEC. 403. COMMISSION ON ACCESS TO CARE.

(a) ESTABLISHMENT OF COMMISSION.—

(1) IN GENERAL.—There is established the Commission on Access to Care (in this section referred to as the ''Commission'') to examine the access of veterans to health care from the Department of Veterans Affairs and strategically examine how best to organize the Veterans Health Administration, locate health care resources, and deliver health care to veterans during the 10- to 20-year period beginning on the date of the enactment of this Act.

(2) MEMBERSHIP.—

(A) VOTING MEMBERS.—The Commission shall be composed of 10 voting members who are appointed by the President as follows:

(i) At least two members who represent an organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

(ii) At least one member from among persons who have experience as senior management for a private integrated health care system with an annual gross revenue of more than $50,000,000.

(iii) At least one member from among persons who are familiar with government health care systems, including those systems of the Department of Defense, the Indian Health Service, and Federally-qualified health centers (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

(iv) At least two members from among persons who are familiar with the Veterans Health Administration but are not current employees of the Veterans Health Administration.

(v) At least two members from among persons who are veterans or eligible for hospital care, medical services, or other health care under the laws administered by the Secretary of Veterans Affairs.

(B) NONVOTING MEMBERS.—

(i) IN GENERAL.—In addition to members appointed under subparagraph (A), the Commission shall be composed of 10 nonvoting members who are appointed by the President as follows:

(I) At least two members who represent an organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

(II) At least one member from among persons who have experience as senior management for a private integrated health care system with an annual gross revenue of more than $50,000,000.

(III) At least one member from among persons who are familiar with government health care systems, including those systems of the Department of Defense, the Indian Health Service, and Federally-qualified health centers (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

(IV) At least two members from among persons who are familiar with the Veterans Health Administration but are not current employees of the Veterans Health Administration.

(V) At least two members from among persons who are veterans or eligible for hospital care, medical services, or other health care under the laws administered by the Secretary of Veterans Affairs.

(ii) ADDITIONAL NONVOTING MEMBERS.—In addition to members appointed under subparagraph (A) and clause (i), the Commission shall be composed of the following nonvoting members:

(I) The Comptroller General of the United States, or designee.

(II) The Inspector General of the Department of Veterans Affairs, or designee.

(C) DATE.—The appointments of members of the Commission shall be made not later than 60 days after the date of the enactment of this Act.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) INITIAL MEETING.—Not later than 15 days after the date on which seven voting members of the Commission have been appointed, the Commission shall hold its first meeting.

(5) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(6) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(7) CHAIRPERSON AND VICE CHAIRPERSON.—The Commission shall select a Chairperson and Vice Chairperson from among its members.

(b) DUTIES OF COMMISSION.—

(1) EVALUATION AND ASSESSMENT.—The Commission shall undertake a comprehensive evaluation and assessment of access to health care at the Department of Veterans Affairs.

(2) MATTERS EVALUATED AND ASSESSED.—The matters evaluated and assessed by the Commission shall include the following:

(A) The appropriateness of current standards of the Department of Veterans Affairs concerning access to health care.

(B) The measurement of such standards.

(C) The appropriateness of performance standards and incentives in relation to standards described in subparagraph (A).

(D) Staffing levels throughout the Veterans Health Administration and whether they are sufficient to meet current demand for health care from the Administration.

(E) The results of the assessment conducted by an independent third party under section 101(a), including any data or recommendations included in such assessment.

(3) REPORTS.—The Commission shall submit to the President, through the Secretary of Veterans Affairs, reports as follows:

(A) Not later than 90 days after the date of the initial meeting of the Commission, an interim report on—

(i) the findings of the Commission with respect to the evaluation and assessment required by this subsection; and

(ii) such recommendations as the Commission may have for legislative or administrative action to improve access to health care through the Veterans Health Administration.

(B) Not later than 180 days after the date of the initial meeting of the Commission, a final report on—

(i) the findings of the Commission with respect to the evaluation and assessment required by this subsection; and

(ii) such recommendations as the Commission may have for legislative or administrative action to improve access to health care through the Veterans Health Administration.

(c) POWERS OF THE COMMISSION.—

(1) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this section.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this section. Upon request of the Chairperson of the Commission, the head of such department or agency shall furnish such information to the Commission.

(d) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) STAFF.—

(A) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(B) COMPENSATION.—The Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(4) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(5) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(e) TERMINATION OF THE COMMISSION.—The Commission shall terminate 30 days after the date on which the Commission submits its report under subsection (b)(3)(B).

(f) FUNDING.—The Secretary of Veterans Affairs shall make available to the Commission from amounts appropriated or otherwise made available to the Secretary such amounts as the Secretary and the Chairperson of the Commission jointly consider appropriate for the Commission to perform its duties under this section.

(g) EXECUTIVE ACTION.—

(1) ACTION ON RECOMMENDATIONS.—The President shall require the Secretary of Veterans Affairs and such other heads of relevant Federal departments and agencies to implement each recommendation set forth in a report submitted under subsection (b)(3) that the President—

(A) considers feasible and advisable; and

(B) determines can be implemented without further legislative action.

(2) REPORTS.—Not later than 60 days after the date on which the President receives a report under subsection (b)(3), the President shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives and such other committees of Congress as the President considers appropriate a report setting forth the following:

(A) An assessment of the feasibility and advisability of each recommendation contained in the report received by the President.

(B) For each recommendation assessed as feasible and advisable under subparagraph (A) the following:

(i) Whether such recommendation requires legislative action.

(ii) If such recommendation requires legislative action, a recommendation concerning such legislative action.

(iii) A description of any administrative action already taken to carry out such recommendation.

(iv) A description of any administrative action the President intends to be taken to carry out such recommendation and by whom.

SEC. 404. IMPROVED PERFORMANCE METRICS FOR HEALTH CARE PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS.

(a) PROHIBITION ON USE OF SCHEDULING AND WAIT-TIME METRICS IN DETERMINATION OF PERFORMANCE AWARDS.—The Secretary of Veterans Affairs shall ensure that scheduling and wait-time metrics or goals are not used as factors in determining the performance of the following employees for purposes of determining whether to pay performance awards to such employees:

(1) Directors, associate directors, assistant directors, deputy directors, chiefs of staff, and clinical leads of medical centers of the Department of Veterans Affairs.

(2) Directors, assistant directors, and quality management officers of Veterans Integrated Service Networks of the Department of Veterans Affairs.

(b) MODIFICATION OF PERFORMANCE PLANS.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall modify the performance plans of the directors of the medical centers of the Department and the directors of the Veterans Integrated Service Networks to ensure that such plans are based on the quality of care received by veterans at the health care facilities under the jurisdictions of such directors.

(2) FACTORS.—In modifying performance plans under paragraph (1), the Secretary shall ensure that assessment of the quality of care provided at health care facilities under the jurisdiction of a director described in paragraph (1) includes consideration of the following:

(A) Recent reviews by the Joint Commission (formerly known as the ''Joint Commission on Accreditation of Healthcare Organizations'') of such facilities.

(B) The number and nature of recommendations concerning such facilities by the Inspector General of the Department in reviews conducted through the Combined Assessment Program (CAP), in the reviews by the Inspector General of community based outpatient clinics and primary care clinics, and in reviews conducted through the Office of Healthcare Inspections during the two most recently completed fiscal years.

(C) The number of recommendations described in subparagraph (B) that the Inspector General of the Department determines have not been carried out satisfactorily with respect to such facilities.

(D) Reviews of such facilities by the Commission on Accreditation of Rehabilitation Facilities.

(E) The number and outcomes of administrative investigation boards, root cause analysis, and peer reviews conducted at such facilities during the fiscal year for which the assessment is being conducted.

(F) The effectiveness of any remedial actions or plans resulting from any Inspector General recommendations in the reviews and analyses described in subparagraphs (A) through (E).

(3) ADDITIONAL LEADERSHIP POSITIONS.—To the degree practicable, the Secretary shall assess the performance of other employees of the Department in leadership positions at Department medical centers, including associate directors, assistant directors, deputy directors, chiefs of staff, and clinical leads, and in Veterans Integrated Service Networks, including assistant directors and quality management officers, using factors and criteria similar to those used in the performance plans modified under paragraph (1).

(c) REMOVAL OF CERTAIN PERFORMANCE GOALS.—For each fiscal year that begins after the date of the enactment of this Act, the Secretary shall not include in the performance goals of any employee of a Veterans Integrated Service Network or medical center of the Department any performance goal that might disincentivize the payment of Department amounts to provide hospital care, medical services, or other health care through a non-Department provider.

SEC. 405. IMPROVED TRANSPARENCY CONCERNING HEALTH CARE PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS.

(a) PUBLICATION OF WAIT TIMES.—

(1) GOALS.—

(A) INITIAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall publish in the Federal Register, and on an Internet website accessible to the public of each medical center of the Department of Veterans Affairs, the wait-time goals of the Department for the scheduling of an appointment by a veteran for the receipt of health care from the Department.

(B) SUBSEQUENT CHANGES.—

(i) IN GENERAL.—If the Secretary modifies the wait-time goals described in subparagraph (A), the Secretary shall publish the new wait-times goals—

(I) on an Internet website accessible to the public of each medical center of the Department not later than 30 days after such modification; and

(II) in the Federal Register not later than 90 days after such modification.

(ii) EFFECTIVE DATE.—Any modification under clause (i) shall take effect on the date of publication in the Federal Register.

(C) GOALS DESCRIBED.—Wait-time goals published under this paragraph shall include goals for primary care appointments, specialty care appointments, and appointments based on the general severity of the condition of the veteran.

(2) WAIT TIMES AT MEDICAL CENTERS OF THE DEPARTMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall publish on an Internet website accessible to the public of each medical center of the Department the current wait time for an appointment for primary care and specialty care at the medical center.

(b) PUBLICLY AVAILABLE DATABASE OF PATIENT SAFETY, QUALITY OF CARE, AND OUTCOME MEASURES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop and make available to the public a comprehensive database containing all applicable patient safety, quality of care, and outcome measures for health care provided by the Department that are tracked by the Secretary.

(2) UPDATE FREQUENCY.—The Secretary shall update the database required by paragraph (1) not less frequently than once each year.

(3) UNAVAILABLE MEASURES.—For all measures that the Secretary would otherwise publish in the database required by paragraph (1) but has not done so because such measures are not available, the Secretary shall publish notice in the database of the reason for such unavailability and a timeline for making such measures available in the database.

(4) ACCESSIBILITY.—The Secretary shall ensure that the database required by paragraph (1) is accessible to the public through the primary Internet website of the Department and through each primary Internet website of a Department medical center.

(c) HOSPITAL COMPARE WEBSITE OF DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

(1) AGREEMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into an agreement with the Secretary of Health and Human Services for the provision by the Secretary of Veterans Affairs of such information as the Secretary of Health and Human Services may require to report and make publicly available patient quality and outcome information concerning Department of Veterans Affairs medical centers through the Hospital Compare Internet website of the Department of Health and Human Services or any successor Internet website.

(2) INFORMATION PROVIDED.—The information provided by the Secretary of Veterans Affairs to the Secretary of Health and Human Services under paragraph (1) shall include the following:

(A) Measures of timely and effective health care.

(B) Measures of readmissions, complications of death, including with respect to 30-day mortality rates and 30-day readmission rates, surgical complication measures, and health care related infection measures.

(C) Survey data of patient experiences, including the Hospital Consumer Assessment of Healthcare Providers and Systems or any similar successor survey developed by the Department of Health and Human Services.

(D) Any other measures required of or reported with respect to hospitals participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(3) UNAVAILABLE INFORMATION.—For any applicable metric collected by the Department of Veterans Affairs or required to be provided under paragraph (2) and withheld from or unavailable in the Hospital Compare Internet website, the Secretary of Veterans Affairs shall publish a notice in the Federal Register stating the reason why such metric was withheld from public disclosure and a timeline for making such metric available, if applicable.

(d) COMPTROLLER GENERAL REVIEW OF PUBLICLY AVAILABLE SAFETY AND QUALITY METRICS.—Not later than three years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a review of the safety and quality metrics made publicly available by the Secretary of Veterans Affairs under this section to assess the degree to which the Secretary is complying with the provisions of this section.

SEC. 406. INFORMATION FOR VETERANS ON THE CREDENTIALS OF DEPARTMENT OF VETERANS AFFAIRS PHYSICIANS.

(a) IMPROVEMENT OF ''OUR PROVIDERS'' INTERNET WEBSITE LINKS.—

(1) AVAILABILITY THROUGH DEPARTMENT OF VETERANS AFFAIRS HOMEPAGE.—A link to the ''Our Providers'' health care providers database of the Department of Veterans Affairs, or any successor database, shall be available on and through the homepage of the Internet website of the Department that is accessible to the public.

(2) INFORMATION ON LOCATION OF RESIDENCY TRAINING.—The Internet website of the Department that is accessible to the public shall include under the link to the ''Our Providers'' health care providers database of the Department, or any successor database, the location of residency training of each licensed physician of the Department.

(3) INFORMATION ON PHYSICIANS AT PARTICULAR FACILITIES.—The ''Our Providers'' health care providers database of the Department, or any successor database, shall identify whether each licensed physician of the Department is a physician in residency.

(b) INFORMATION ON CREDENTIALS OF PHYSICIANS FOR VETERANS UNDERGOING SURGICAL PROCEDURES.—

(1) IN GENERAL.—Each veteran who is undergoing a surgical procedure by or through the Department shall be provided information on the credentials of the surgeon to be performing such procedure at such time in advance of the procedure as is appropriate to permit such veteran to evaluate such information.

(2) OTHER INDIVIDUALS.—If a veteran is unable to evaluate the information provided under paragraph (1) due to the health or mental competence of the veteran, such information shall be provided to an individual acting on behalf of the veteran.

(c) COMPTROLLER GENERAL REPORT AND PLAN.—

(1) REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth an assessment by the Comptroller General of the following:

(A) The manner in which contractors under the Patient-Centered Community Care initiative of the Department perform oversight of the credentials of physicians within the networks of such contractors under the initiative.

(B) The oversight by the Department of the contracts under the Patient-Centered Community Care initiative.

(C) The verification by the Department of the credentials and licenses of health care providers furnishing hospital care and medical services under section 301.

(2) PLAN.—

(A) IN GENERAL.—Not later than 30 days after the submittal of the report under paragraph (1), the Secretary shall—

(i) submit to the Comptroller General, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives a plan to address any findings and recommendations of the Comptroller General included in such report; and

(ii) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a request for additional amounts, if any, that may be necessary to carry out such plan.

(B) IMPLEMENTATION.—Not later than 90 days after the submittal of the report under paragraph (1), the Secretary shall carry out such plan.

SEC. 407. INFORMATION IN ANNUAL BUDGET OF THE PRESIDENT ON HOSPITAL CARE AND MEDICAL SERVICES FURNISHED THROUGH EXPANDED USE OF CONTRACTS FOR SUCH CARE.

The materials on the Department of Veterans Affairs in the budget of the President for a fiscal year, as submitted to Congress pursuant to section 1105(a) of title 31, United States Code, shall set forth the following:

(1) The number of veterans who received hospital care and medical services under section 301 during the fiscal year preceding the fiscal year in which such budget is submitted.

(2) The amount expended by the Department on furnishing care and services under such section during the fiscal year preceding the fiscal year in which such budget is submitted.

(3) The amount requested in such budget for the costs of furnishing care and services under such section during the fiscal year covered by such budget, set forth in aggregate and by amounts for each account for which amounts are so requested.

(4) The number of veterans that the Department estimates will receive hospital care and medical services under such section during the fiscal years covered by the budget submission.

(5) The number of employees of the Department on paid administrative leave at any point during the fiscal year preceding the fiscal year in which such budget is submitted.

SEC. 408. PROHIBITION ON FALSIFICATION OF DATA CONCERNING WAIT TIMES AND QUALITY MEASURES AT DEPARTMENT OF VETERANS AFFAIRS.

Not later than 60 days after the date of the enactment of this Act, and in accordance with title 5, United States Code, the Secretary of Veterans Affairs shall establish policies whereby any employee of the Department of Veterans Affairs who knowingly submits false data concerning wait times for health care or quality measures with respect to health care to another employee of the Department or knowingly requires another employee of the Department to submit false data concerning such wait times or quality measures to another employee of the Department is subject to a penalty the Secretary considers appropriate after notice and an opportunity for a hearing, including civil penalties, unpaid suspensions, or termination.

SEC. 409. REMOVAL OF SENIOR EXECUTIVE SERVICE EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS FOR PERFORMANCE.

(a) REMOVAL OR TRANSFER.—

(1) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 713. Senior Executive Service: removal based on performance

''(a) IN GENERAL.—The Secretary may remove any individual from the Senior Executive Service if the Secretary determines the performance of the individual warrants such removal. If the Secretary so removes such an individual, the Secretary may—

''(1) remove the individual from the civil service (as defined in section 2101 of title 5); or

''(2) transfer the individual to a General Schedule position at any grade of the General Schedule for which the individual is qualified and that the Secretary determines is appropriate.

''(b) NOTICE TO CONGRESS.—Not later than 30 days after removing or transferring an individual from the Senior Executive Service under subsection (a), the Secretary shall submit to the

Committees on Veterans' Affairs of the Senate and House of Representatives notice in writing of such removal or transfer and the reason for such removal or transfer.

''(c) PROCEDURE.—(1) The procedures under section 7543 of title 5 shall not apply to a removal or transfer under this section.

''(2)(A) Subject to subparagraph (B), any removal or transfer under subsection (a) may be appealed to the Merit Systems Protection Board under section 7701 of title 5.

''(B) An appeal under subparagraph (A) of a removal or transfer may only be made if such appeal is made not later than 7 days after the date of such removal or transfer.

''(d) EXPEDITED REVIEW BY MERIT SYSTEMS PROTECTION BOARD.—(1) The Merit Systems Protection Board shall expedite any appeal under section 7701 of title 5 of a removal or transfer under subsection (a) and, in any such case, shall issue a decision not later than 21 days after the date of the appeal.

''(2) In any case in which the Merit Systems Protection Board determines that it cannot issue a decision in accordance with the 21-day requirement under paragraph (1), the Merit Systems Protection Board shall submit to Congress a report that explains the reason why the Merit Systems Protection Board is unable to issue a decision in accordance with such requirement in such case.

''(3) There is authorized to be appropriated such sums as may be necessary for the Merit Systems Protection Board to expedite appeals under paragraph (1).

''(4) The Merit Systems Protection Board may not stay any personnel action taken under this section.

''(5) A person who appeals under section 7701 of title 5 a removal under subsection (a)(1) may not receive any pay, awards, bonuses, incentives, allowances, differentials, student loan repayments, special payments, or benefits from the Secretary until the Merit Systems Protection Board has made a final decision on such appeal.

''(6) A decision made by the Merit Systems Protection Board with respect to a removal or transfer under subsection (a) shall not be subject to any further appeal.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''713. Senior Executive Service: removal based on performance.''.

(b) ESTABLISHMENT OF EXPEDITED REVIEW PROCESS.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Merit Systems Protection Board shall establish and put into effect a process to conduct expedited reviews in accordance with section 713(d) of title 38, United States Code.

(2) INAPPLICABILITY OF CERTAIN REGULATIONS.—Section 1201.22 of title 5, Code of Federal Regulations, as in effect on the day before the date of the enactment of this Act, shall not apply to expedited reviews carried out under section 713(d) of title 38, United States Code.

(3) REPORT BY MERIT SYSTEMS PROTECTION BOARD.—Not later than 30 days after the date of the enactment of this Act, the Merit Systems Protection Board shall submit to Congress a report on the actions the Board plans to take to conduct expedited reviews under section 713(d) of title 38, United States Code, as added by subsection (a). Such report shall include a description of the resources the Board determines will be necessary to conduct such reviews and a description of whether any resources will be necessary to conduct such reviews that were not available to the Board on the day before the date of the enactment of this Act.

(c) TEMPORARY EXEMPTION FROM CERTAIN LIMITATION ON INITIATION OF REMOVAL FROM SENIOR EXECUTIVE SERVICE.—During the 120-day period beginning on the date of the enactment of this Act, an action to remove an individual from the Senior Executive Service at the Department of Veterans Affairs pursuant to section 713 of title 38, United States Code, as added by subsection (a), or section 7543 of title 5, United States Code, may be initiated, notwithstanding section 3592(b) of title 5, United States Code, or any other provision of law.

(d) CONSTRUCTION.—Nothing in this section or section 713 of title 38, United States Code, as added by subsection (a), shall be construed to apply to an appeal of a removal, transfer, or other personnel action that was pending before the date of the enactment of this Act.

TITLE V—HEALTH CARE RELATED TO SEXUAL TRAUMA

SEC. 501. EXPANSION OF ELIGIBILITY FOR SEXUAL TRAUMA COUNSELING AND TREATMENT TO VETERANS ON INACTIVE DUTY TRAINING.

Section 1720D(a)(1) of title 38, United States Code, is amended by striking ''or active duty for training'' and inserting '', active duty for training, or inactive duty training''.

SEC. 502. PROVISION OF COUNSELING AND TREATMENT FOR SEXUAL TRAUMA BY THE DEPARTMENT OF VETERANS AFFAIRS TO MEMBERS OF THE ARMED FORCES.

(a) EXPANSION OF COVERAGE TO MEMBERS OF THE ARMED FORCES.—Subsection (a) of section 1720D of title 38, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2)(A) In operating the program required by paragraph (1), the Secretary may, in consultation with the Secretary of Defense, provide counseling and care and services to members of the Armed Forces (including members of the National Guard and Reserves) on active duty to overcome psychological trauma described in that paragraph.

''(B) A member described in subparagraph (A) shall not be required to obtain a referral before receiving counseling and care and services under this paragraph.''; and

(3) in paragraph (3), as predesignated by paragraph (1)—

(A) by striking ''a veteran'' and inserting ''an individual''; and

(B) by striking ''that veteran'' each place it appears and inserting ''that individual''.

(b) INFORMATION TO MEMBERS ON AVAILABILITY OF COUNSELING AND SERVICES.—Subsection (c) of such section is amended—

(1) by striking ''to veterans'' each place it appears; and

(2) in paragraph (3), by inserting ''members of the Armed Forces and'' before ''individuals''.

(c) INCLUSION OF MEMBERS IN REPORTS ON COUNSELING AND SERVICES.—Subsection (e) of such section is amended—

(1) in the matter preceding paragraph (1), by striking ''to veterans'';

(2) in paragraph (2)—

(A) by striking ''women veterans'' and inserting ''individuals''; and

(B) by striking ''training under subsection (d).'' and inserting ''training under subsection (d), desegregated by—

''(A) veterans;

''(B) members of the Armed Forces (including members of the National Guard and Reserves) on active duty; and

''(C) for each of subparagraphs (A) and (B)—

''(i) men; and

''(ii) women.'';

(3) in paragraph (4), by striking ''veterans'' and inserting ''individuals''; and

(4) in paragraph (5)—

(A) by striking ''women veterans'' and inserting ''individuals'' ; and

(B) by inserting '', including specific recommendations for individuals specified in subparagraphs (A), (B), and (C) of paragraph (2)'' before the period at the end.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 503. REPORTS ON MILITARY SEXUAL TRAUMA.

(a) REPORT ON SERVICES AVAILABLE FOR MILITARY SEXUAL TRAUMA IN THE DEPARTMENT OF VETERANS AFFAIRS.—Not later than 630 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the treatment and services available from the Department of Veterans Affairs for male veterans who experience military sexual trauma compared to such treatment and services available to female veterans who experience military sexual trauma.

(b) REPORTS ON TRANSITION OF MILITARY SEXUAL TRAUMA TREATMENT FROM DEPARTMENT OF DEFENSE TO DEPARTMENT OF VETERANS AFFAIRS.—Not later than 630 days after the date of the enactment of this Act, and annually thereafter for five years, the Department of Veterans Affairs-Department of Defense Joint Executive Committee established by section 320(a) of title 38, United States Code, shall submit to the appropriate committees of Congress a report on military sexual trauma that includes the following:

(1) The processes and procedures utilized by the Department of Veterans Affairs and the Department of Defense to facilitate transition of treatment of individuals who have experienced military sexual trauma from treatment provided by the Department of Defense to treatment provided by the Department of Veterans Affairs.

(2) A description and assessment of the collaboration between the Department of Veterans Affairs and the Department of Defense in assisting veterans in filing claims for disabilities related to military sexual trauma, including permitting veterans access to information and evidence necessary to develop or support such claims.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Veterans' Affairs and the Committee on Armed Services of the Senate; and

(B) the Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives.

(2) MILITARY SEXUAL TRAUMA.—The term ''military sexual trauma'' means psychological trauma, which in the judgment of a mental health professional employed by the Department, resulted from a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred while the veteran was serving on active duty or active duty for training.

(3) SEXUAL HARASSMENT.—The term ''sexual harassment'' means repeated, unsolicited verbal or physical contact of a sexual nature which is threatening in character.

(4) SEXUAL TRAUMA.—The term ''sexual trauma'' shall have the meaning given that term by the Secretary of Veterans Affairs for purposes of this section.

(d) EFFECTIVE DATE.—This section shall take effect on the date that is 270 days after the date of the enactment of this Act.

TITLE VI—MAJOR MEDICAL FACILITY LEASES

SEC. 601. AUTHORIZATION OF MAJOR MEDICAL FACILITY LEASES.

The Secretary of Veterans Affairs may carry out the following major medical facility leases at the locations specified, and in an amount for each lease not to exceed the amount shown for such location (not including any estimated cancellation costs):

(1) For a clinical research and pharmacy coordinating center, Albuquerque, New Mexico, an amount not to exceed $9,560,000.

(2) For a community-based outpatient clinic, Brick, New Jersey, an amount not to exceed $7,280,000.

(3) For a new primary care and dental clinic annex, Charleston, South Carolina, an amount not to exceed $7,070,250.

(4) For the Cobb County community-based Outpatient Clinic, Cobb County, Georgia, an amount not to exceed $6,409,000.

(5) For the Leeward Outpatient Healthcare Access Center, Honolulu, Hawaii, including a co-located clinic with the Department of Defense and the co-location of the Honolulu Regional Office of the Veterans Benefits Administration and the Capel Vet Center of the Department of Veterans Affairs, an amount not to exceed $15,887,370.

(6) For a community-based outpatient clinic, Johnson County, Kansas, an amount not to exceed $2,263,000.

(7) For a replacement community-based outpatient clinic, Lafayette, Louisiana, an amount not to exceed $2,996,000.

(8) For a community-based outpatient clinic, Lake Charles, Louisiana, an amount not to exceed $2,626,000.

(9) For outpatient clinic consolidation, New Port Riche, Florida, an amount not to exceed $11,927,000.

(10) For an outpatient clinic, Pence, Puerto Rico, an amount not to exceed $11,535,000.

(11) For lease consolidation, San Antonio, Texas, an amount not to exceed $19,426,000.

(12) For a community-based outpatient clinic, San Diego, California, an amount not to exceed $11,946,100.

(13) For an outpatient clinic, Tyler, Texas, an amount not to exceed $4,327,000.

(14) For the Arere Community Care Center, West Haven, Connecticut, an amount not to exceed $4,883,000.

(15) For the Worcester community-based Outpatient Clinic, Worcester, Massachusetts, an amount not to exceed $4,855,000.

(16) For the expansion of a community-based outpatient clinic, Cape Girardeau, Missouri, an amount not to exceed $4,232,060.

(17) For a multi specialty clinic, Chattanooga, Tennessee, an amount not to exceed $7,069,000.

(18) For the expansion of a community-based outpatient clinic, Chico, California, an amount not to exceed $4,534,000.

(19) For a community-based outpatient clinic, Chula Vista, California, an amount not to exceed $3,714,000.

(20) For a new research lease, Haines, Illinois, an amount not to exceed $22,032,000.

(21) For a replacement research lease, Houston, Texas, an amount not to exceed $6,142,000.

(22) For a community-based outpatient clinic, Lincoln, Nebraska, an amount not to exceed $7,178,400.

(23) For a community-based outpatient clinic, Lubbock, Texas, an amount not to exceed $8,554,000.

(24) For a community-based outpatient clinic consolidation, Myrtle Beach, South Carolina, an amount not to exceed $8,022,000.

(25) For a community-based outpatient clinic, Phoenix, Arizona, an amount not to exceed $20,757,000.

(26) For the expansion of a community-based outpatient clinic, Redding, California, an amount not to exceed $8,154,000.

SEC. 602. BUDGETARY TREATMENT OF DEPARTMENT OF VETERANS AFFAIRS MAJOR MEDICAL FACILITIES LEASES.

(a) FINDINGS.—Congress finds the following:

(1) Title 31, United States Code, requires the Department of Veterans Affairs to record the full cost of its contractual obligation against funds available at the time a contract is executed.

(2) Office of Management and Budget Circular A–11 provides guidance to agencies in meeting the statutory requirements under title 31, United States Code, with respect to leases.

(3) For operating leases, Office of Management and Budget Circular A–11 requires the Department of Veterans Affairs to record up-front budget authority in an ''amount equal to total payments under the full term of the lease or [an] amount sufficient to cover first year lease payments plus cancellation costs''.

(b) REQUIREMENT FOR OBLIGATION OF FULL COST.—

(1) IN GENERAL.—Subject to the availability of appropriations provided in advance, in exercising the authority of the Secretary of Veterans Affairs to enter into leases provided in this Act, the Secretary shall record, pursuant to section 1501 of title 31, United States Code, as the full cost of the contractual obligation at the time a contract is executed either—

(A) an amount equal to total payments under the full term of the lease; or

(B) if the lease specifies payments to be made in the event the lease is terminated before its full term, an amount sufficient to cover the first year lease payments plus the specified cancellation costs.

(2) SELF-INSURING AUTHORITY.—The requirements of paragraph (1) may be satisfied through the use of a self-insuring authority consistent with Office of Management and Budget Circular A–11.

(c) TRANSPARENCY.—

(1) COMPLIANCE.—Subsection (b) of section 8104 of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(7) In the case of a prospectus proposing funding for a major medical facility lease, a detailed analysis of how the lease is expected to comply with Office of Management and Budget Circular A–11 and section 1341 of title 31 (commonly referred to as the 'Anti-Deficiency Act'). Any such analysis shall include—

''(A) an analysis of the classification of the lease as a 'lease-purchase', 'capital lease', or 'operating lease' as those terms are defined in Office of Management and Budget Circular A–11;

''(B) an analysis of the obligation of budgetary resources associated with the lease; and

''(C) an analysis of the methodology used in determining the asset cost, fair market value, and cancellation costs of the lease.''.

(2) SUBMITTAL TO CONGRESS.—Such section 8104 is further amended by adding at the end the following new subsection:

''(h)(1) Not less than 30 days before entering into a major medical facility lease, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives—

''(A) notice of the Secretary's intention to enter into the lease;

''(B) a detailed summary of the proposed lease;

''(C) a description and analysis of any differences between the prospectus submitted pursuant to subsection (b) and the proposed lease; and

''(D) a scoring analysis demonstrating that the proposed lease fully complies with Office of Management and Budget Circular A–11.

''(2) Each committee described in paragraph (1) shall ensure that any information submitted to the committee under such paragraph is treated by the committee with the same level of confidentiality as is required by law of the Secretary and subject to the same statutory penalties for unauthorized disclosure or use as the Secretary.

''(3) Not more than 30 days after entering into a major medical facility lease, the Secretary shall submit to each committee described in paragraph (1) a report on any material differences between the lease that was entered into and the proposed lease described under such paragraph, including how the lease that was entered into changes the previously submitted scoring analysis described in subparagraph (D) of such paragraph.''.

(d) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, shall be construed to in any way relieve the Department of Veterans Affairs from any statutory or regulatory obligations or requirements existing prior to the enactment of this section and such amendments.

TITLE VII—VETERANS BENEFITS MATTERS

SEC. 701. EXPANSION OF MARINE GUNNERY SERGEANT JOHN DAVID FRY SCHOLARSHIP.

(a) EXPANSION OF ENTITLEMENT.—Subsection (b)(9) of section 3311 of title 38, United States Code, is amended by inserting ''or spouse'' after ''child''.

(b) LIMITATION AND ELECTION ON CERTAIN BENEFITS.—Subsection (f) of such section is amended—

(1) by redesignating paragraph (2) as paragraph (4); and

(2) by inserting after paragraph (1) the following new paragraphs:

''(2) LIMITATION.—The entitlement of an individual to assistance under subsection (a) pursuant to paragraph (9) of subsection (b) because the individual was a spouse of a person described in such paragraph shall expire on the earlier of—

''(A) the date that is 15 years after the date on which the person died; and

''(B) the date on which the individual remarries.

''(3) ELECTION ON RECEIPT OF CERTAIN BENEFITS.—A surviving spouse entitled to assistance under subsection (a) pursuant to paragraph (9) of subsection (b) who is also entitled to educational assistance under chapter 35 of this title may not receive assistance under both this section and such chapter, but shall make an irrevocable election (in such form and manner as the Secretary may prescribe) under which section or chapter to receive educational assistance.''.

(c) CONFORMING AMENDMENT.—Section 3321(b)(4) of such title is amended—

(1) by striking ''an individual'' and inserting ''a child''; and

(2) by striking ''such individual's'' each time it appears and inserting ''such child's''.

SEC. 702. APPROVAL OF COURSES OF EDUCATION PROVIDED BY PUBLIC INSTITUTIONS OF HIGHER LEARNING FOR PURPOSES OF ALL-VOLUNTEER FORCE EDUCATIONAL ASSISTANCE PROGRAM AND POST-9/11 EDUCATIONAL ASSISTANCE CONDITIONAL ON IN-STATE TUITION RATE FOR VETERANS.

(a) IN GENERAL.—Section 3679 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(c)(1) Notwithstanding any other provision of this chapter and subject to paragraphs (3) through (6), the Secretary shall disapprove a course of education provided by a public institution of higher learning to a covered individual pursuing a course of education with educational assistance under chapter 30 or 33 of this title while living in the State in which the public institution of higher learning is located if the institution charges tuition and fees for that course for the covered individual at a rate that is higher than the rate the institution charges for tuition and fees for that course for residents of the State in which the institution is located, regardless of the covered individual's State of residence.

''(2) For purposes of this subsection, a covered individual is any individual as follows:

''(A) A veteran who was discharged or released from a period of not fewer than 90 days of service in the active military, naval, or air service less than three years before the date of enrollment in the course concerned.

''(B) An individual who is entitled to assistance under section 3311(b)(9) or 3319 of this title by virtue of such individual's relationship to a veteran described in subparagraph (A).

''(3) If after enrollment in a course of education that is subject to disapproval under paragraph (1) by reason of paragraph (2)(A) or

(2)(B) a covered individual pursues one or more courses of education at the same public institution of higher learning while remaining continuously enrolled (other than during regularly scheduled breaks between courses, semesters or terms) at that institution of higher learning, any course so pursued by the covered individual at that institution of higher learning while so continuously enrolled shall also be subject to disapproval under paragraph (1).

''(4) It shall not be grounds to disapprove a course of education under paragraph (1) if a public institution of higher learning requires a covered individual pursuing a course of education at the institution to demonstrate an intent, by means other than satisfying a physical presence requirement, to establish residency in the State in which the institution is located, or to satisfy other requirements not relating to the establishment of residency, in order to be charged tuition and fees for that course at a rate that is equal to or less than the rate the institution charges for tuition and fees for that course for residents of the State.

''(5) The Secretary may waive such requirements of paragraph (1) as the Secretary considers appropriate.

''(6) Disapproval under paragraph (1) shall apply only with respect to educational assistance under chapters 30 and 33 of this title.''.

(b) EFFECTIVE DATE.—Subsection (c) of section 3679 of title 38, United States Code (as added by subsection (a) of this section), shall apply with respect to educational assistance provided for pursuit of programs of education during academic terms that begin after July 1, 2015, through courses of education that commence on or after that date.

TITLE VIII—APPROPRIATION AND EMERGENCY DESIGNATIONS

SEC. 801. APPROPRIATION OF EMERGENCY AMOUNTS.

There is authorized to be appropriated, and is appropriated, to the Secretary of Veterans Affairs, out of any funds in the Treasury not otherwise appropriated, for fiscal years 2014, 2015, and 2016, such sums as may be necessary to carry out this Act.

SEC. 802. EMERGENCY DESIGNATIONS.

(a) IN GENERAL.—This Act is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(b) DESIGNATION IN SENATE.—In the Senate, this Act is designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

Amend the title so as to read: ''To improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes.''

MOTION OFFERED BY MR. MILLER OF FLORIDA

Mr. MILLER of Florida. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Miller of Florida moves that the House concur in the Senate amendment to the title of H.R. 3230 and concur in the Senate amendment to the text of H.R. 3230 with the amendment printed in House Report 113–475.

The text of the amendment to the Senate amendment to the text is as follows:

In lieu of the matter proposed to be inserted by the amendment of the Senate to the text of the bill, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Veteran Access to Care Act of 2014''.

SEC. 2. PROVISION OF HOSPITAL CARE AND MEDICAL SERVICES AT NON-DEPARTMENT OF VETERANS AFFAIRS FACILITIES FOR DEPARTMENT OF VETERANS AFFAIRS PATIENTS WITH EXTENDED WAITING TIMES FOR APPOINTMENTS AT DEPARTMENT FACILITIES.

(a) IN GENERAL.—As authorized by section 1710 of title 38, United States Code, the Secretary of Veterans Affairs (in this Act referred to as the ''Secretary'') shall enter into contracts with such non-Department facilities as may be necessary in order to furnish hospital care and medical services to covered veterans who are eligible for such care and services under chapter 17 of title 38, United States Code. To the greatest extent possible, the Secretary shall carry out this section using contracts entered into before the date of the enactment of this Act.

(b) COVERED VETERANS.—For purposes of this section, the term ''covered veteran'' means a veteran—

(1) who is enrolled in the patient enrollment system under section 1705 of title 38, United States Code;

(2) who—

(A) has waited longer than the wait-time goals of the Veterans Health Administration (as of June 1, 2014) for an appointment for hospital care or medical services in a facility of the Department;

(B) has been notified by a facility of the Department that an appointment for hospital care or medical services is not available within such wait-time goals; or

(C) resides more than 40 miles from the medical facility of the Department of Veterans Affairs, including a community-based outpatient clinic, that is closest to the residence of the veteran; and

(3) who makes an election to receive such care or services in a non-Department facility.

(c) FOLLOW-UP CARE.—In carrying out this section, the Secretary shall ensure that, at the election of a covered veteran who receives hospital care or medical services at a non-Department facility in an episode of care under this section, the veteran receives such hospital care and medical services at such non-Department facility through the completion of the episode of care (but for a period not exceeding 60 days), including all specialty and ancillary services deemed necessary as part of the treatment recommended in the course of such hospital care or medical services.

(d) REPORT.—The Secretary shall submit to Congress a quarterly report on hospital care and medical services furnished pursuant to this section. Such report shall include information, for the quarter covered by the report, regarding—

(1) the number of veterans who received care or services at non-Department facilities pursuant to this section;

(2) the number of veterans who were eligible to receive care or services pursuant to this section but who elected to continue waiting for an appointment at a Department facility;

(3) the purchase methods used to provide the care and services at non-Department facilities, including the rate of payment for individual authorizations for such care and services; and

(4) any other matters the Secretary determines appropriate.

(e) DEFINITIONS.—For purposes of this section, the terms ''facilities of the Department'', ''non-Department facilities'', ''hospital care'', and ''medical services'' have the meanings given such terms in section 1701 of title 38, United States Code.

(f) IMPLEMENTATION.—The Secretary shall begin implementing this section on the date of the enactment of this Act.

(g) CONSTRUCTION.—Nothing in this section shall be construed to authorize payment for care or services not otherwise covered under chapter 17 of title 38, United States Code.

(h) TERMINATION.—The authority of the Secretary under this section shall terminate with respect to any hospital care or medical services furnished after the end of the 2-year period beginning on the date of the enactment of this Act, except that in the case of an episode of care for which hospital care or medical services is furnished in a non-Department facility pursuant to this section before the end of such period, such termination shall not apply to such care and services furnished during the remainder of such episode of care but not to exceed a period of 60 days.

SEC. 3. EXPANDED ACCESS TO HOSPITAL CARE AND MEDICAL SERVICES.

(a) IN GENERAL.—To the extent that appropriations are available for the Veterans Health Administration of the Department of Veterans Affairs for medical services, to the extent that the Secretary of Veterans Affairs is unable to provide access, within the wait-time goals of the Veterans Health Administration (as of June 1, 2014), to hospital care or medical services to a covered veteran who is eligible for such care or services under chapter 17 of title 38, United States Code, under contracts described in section 2, the Secretary shall reimburse any non-Department facility with which the Secretary has not entered into a contract to furnish hospital care or medical services for furnishing such hospital care or medical services to such veteran, if the veteran elects to receive such care or services from the non-Department facility. The Secretary shall reimburse the facility for the care or services furnished to the veteran at the greatest of the following rates:

(1) VA PAYMENT RATE.—The rate of reimbursement for such care or services established by the Secretary of Veterans Affairs.

(2) MEDICARE PAYMENT RATE.—The payment rate for such care or services or comparable care or services under the Medicare program under title XVIII of the Social Security Act.

(3) TRICARE PAYMENT RATE.—The reimbursement rate for such care or services furnished to a member of the Armed Forces under chapter 55 of title 10, United States Code.

(b) COVERED VETERANS.—For purposes of this section, the term ''covered veteran'' means a veteran—

(1) who is enrolled in the patient enrollment system under section 1705 of title 38, United States Code; and

(2) who—

(A) has waited longer than the wait-time goals of the Veterans Health Administration (as of June 1, 2014) for an appointment for hospital care or medical services in a facility of the Department;

(B) has been notified by a facility of the Department that an appointment for hospital care or medical services is not available within such wait-time goals after the date for which the veteran requests the appointment; or

(C) who resides more than 40 miles from the medical facility of the Department of Veterans Affairs, including a community-based outpatient clinic, that is closest to the residence of the veteran.

(c) DEFINITIONS.—For purposes of this section, the terms ''facilities of the Department'', ''non-Department facilities'', ''hospital care'', and ''medical services'' have the meanings given such terms in section 1701 of title 38, United States Code.

(d) IMPLEMENTATION.—The Secretary shall begin implementing this section on the date of the enactment of this Act.

(e) CONSTRUCTION.—Nothing in this section shall be construed to authorize payment for care or services not otherwise covered under chapter 17 of title 38, United States Code.

(f) TERMINATION.—The authority of the Secretary under this section shall terminate with respect to care or services furnished after the date that is 2 years after the date of the enactment of this Act.

SEC. 4. INDEPENDENT ASSESSMENT OF VETERANS HEALTH ADMINISTRATION PERFORMANCE.

(a) INDEPENDENT ASSESSMENT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into a contract or contracts with a private sector entity or entities with experience in the delivery systems of the Veterans Health Administration and the private sector and in health care management to conduct an independent assessment of hospital care and medical services furnished in medical facilities of the Department of Veterans Affairs. Such assessment shall address each of the following:

(1) The current and projected demographics and unique care needs of the patient population served by the Department of Veterans Affairs.

(2) The current and projected health care capabilities and resources of the Department, including hospital care and medical services furnished by non-Department facilities under contract with the Department, to provide timely and accessible care to eligible veterans.

(3) The authorities and mechanisms under which the Secretary may furnish hospital care and medical services at non-Department facilities, including an assessment of whether the Secretary should have the authority to furnish such care and services at such facilities through the completion of episodes of care.

(4) The appropriate system-wide access standard applicable to hospital care and medical services furnished by and through the Department of Veterans Affairs and recommendations relating to access standards specific to individual specialties and standards for post-care rehabilitation.

(5) The current organization, processes, and tools used to support clinical staffing and documentation.

(6) The staffing levels and productivity standards, including a comparison with industry performance percentiles.

(7) Information technology strategies of the Veterans Health Administration, including an identification of technology weaknesses and opportunities, especially as they apply to clinical documentation of hospital care and medical services provided in non-Department facilities.

(8) Business processes of the Veterans Health Administration, including non-Department care, insurance identification, third-party revenue collection, and vendor reimbursement.

(b) ASSESSMENT OUTCOMES.—The assessment conducted pursuant to subsection (a) shall include the following:

(1) An identification of improvement areas outlined both qualitatively and quantitatively, taking into consideration Department of Veterans Affairs directives and industry benchmarks from outside the Federal Government.

(2) Recommendations for how to address the improvement areas identified under paragraph (1) relating to structure, accountability, process changes, technology, and other relevant drivers of performance.

(3) The business case associated with making the improvements and recommendations identified in paragraphs (1) and (2).

(4) Findings and supporting analysis on how credible conclusions were established.

(c) PROGRAM INTEGRATOR.—If the Secretary enters into contracts with more than one private sector entity under subsection (a), the Secretary shall designate one such entity as the program integrator. The program integrator shall be responsible for coordinating the outcomes of the assessments conducted by the private entities pursuant to such contracts.

(d) SUBMITTAL OF REPORTS TO CONGRESS.—

(1) REPORT ON INDEPENDENT ASSESSMENT.—Not later than 10 months after entering into the contract under subsection (a), the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives the findings and recommendations of the independent assessment required by such subsection.

(2) REPORT ON VA ACTION PLAN TO IMPLEMENT RECOMMENDATIONS IN ASSESSMENT.—Not later than 120 days after the date of submission of the report under paragraph (1), the Secretary shall submit to such Committees on the Secretary's response to the findings of the assessment and shall include an action plan, including a timeline, for fully implementing the recommendations of the assessment.

SEC. 5. LIMITATION ON AWARDS AND BONUSES TO EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

For each of fiscal years 2014 through 2016, the Secretary of Veterans Affairs may not pay awards or bonuses under chapter 45 or 53 of title 5, United States Code, or any other awards or bonuses authorized under such title.

SEC. 6. OMB ESTIMATE OF BUDGETARY EFFECTS AND NEEDED TRANSFER AUTHORITY.

Not later than 30 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall transmit to the Committees on Appropriations, the Budget, and Veterans' Affairs of the House of Representatives and of the Senate—

(1) an estimate of the budgetary effects of sections 2 and 3;

(2) any transfer authority needed to utilize the savings from section 5 to satisfy such budgetary effects; and

(3) if necessary, a request for any additional budgetary resources, or transfers or reprogramming of existing budgetary resources, necessary to provide funding for sections 2 and 3.

SEC. 7. REMOVAL OF SENIOR EXECUTIVE SERVICE EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS FOR PERFORMANCE.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 713. Senior Executive Service: removal based on performance

"(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may remove any individual from the Senior Executive Service if the Secretary determines the performance of the individual warrants such removal. If the Secretary so removes such an individual, the Secretary may—

"(1) remove the individual from Federal service; or

"(2) transfer the individual to a General Schedule position at any grade of the General Schedule the Secretary determines appropriate.

"(b) NOTICE TO CONGRESS.—Not later than 30 days after removing an individual from the Senior Executive Service under paragraph (1), the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives notice in writing of such removal and the reason for such removal.

"(c) MANNER OF REMOVAL.—A removal under this section shall be done in the same manner as the removal of a professional staff member employed by a Member of Congress.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"713. Senior Executive Service: removal based on performance.".

SEC. 8. BUDGETARY EFFECTS OF ACT.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to House Resolution 628, the motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs.

The gentleman from Florida (Mr. MILLER) and the gentleman from Maine (Mr. MICHAUD) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this motion is to help us go to conference and to quickly work out the differences between the House and Senate bills that would provide meaningful reform to the Department of Veterans Affairs.

This motion also ensures that the House has a position from which to begin negotiations with the Senate in a conference.

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

Mr. MICHAUD. Mr. Speaker, I support the motion to concur in the Senate amendments, and a further amendment, and I support the motion to go to conference.

The crisis within the VA is of national interest and must be a congressional priority. America's veterans deserve timely access to the care and benefits they have earned. They fought for us. Now is the time that we fight for them.

But our fight should not be just about the failures in Phoenix and other facilities. The House has worked hard to develop important and much-needed legislation to address other failures within the VA. Enhanced programs ensure the VA is working on behalf of the veterans.

I am disappointed that we have not included in this amendment all relevant bills that have passed the House to ensure that these important matters are included. I am disappointed that we are not moving forward with a more comprehensive package of reforms.

I am also disappointed that the House amendment is limited to two measures we have recently passed, H.R. 4031 and H.R. 4810. Limiting ourselves

to just Republican-sponsored legislation, no matter how widely supported, runs counter to the bipartisan spirit of the committee and fails to recognize the great work of all committee Members. Republicans and Democrats have worked together to improve programs for the VA.

Finally, I am disappointed that H.R. 4399 was not included in the House amendment to H.R. 3230. Without it, we are falling short of our responsibility to hold all VA executives—I want to emphasize all VA executives—accountable for the grave failures lately.

□ 1330

I will work with Chairman MILLER and my Senate colleagues to ensure that the final agreement we reach regarding the accountability provisions of H.R. 3230 are as comprehensive and effective as possible.

I urge all conferees, once appointed, to adopt the spirit of bipartisanship that is the tradition of the House Veterans' Affairs Committee.

When our servicemembers do their jobs to earn these veterans benefits, they work together in a spirit of cooperation toward a national goal. We should do no less as we move forward with legislation to address reforms within the Department of Veterans Affairs.

Mr. Speaker, I urge my colleagues to support the motion to concur with the Senate amendments with a further amendment and the motion to go to conference.

Let us work together quickly and effectively to begin to address the problems facing the VA.

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

Mr. MILLER of Florida. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House resolution 628, the previous question is ordered.

The question is on the motion offered by the gentleman from Florida.

The motion was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 3230, PAY OUR GUARD AND RESERVE ACT

Mr. MILLER of Florida. Mr. Speaker, pursuant to House Resolution 628, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Miller of Florida moves that the House insist on its amendment to the Senate amendment to H.R. 3230 and request a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. MILLER of Florida. Mr. Speaker, this motion is to authorize a conference to combine our two bills into something that is focused on the access and accountability crisis that exists at VA.

I yield back the balance of my time, and I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida.

The motion was agreed to.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT

Ms. SINEMA. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Ms. Sinema moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to the bill H.R. 3230 (an Act to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes) be instructed to recede from the House amendment and concur in the Senate amendment.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentlewoman from Arizona (Ms. SINEMA) and the gentleman from Florida (Mr. MILLER) each will control 30 minutes.

The Chair recognizes the gentlewoman from Arizona.

Ms. SINEMA. Mr. Speaker, I offer this motion to instruct because veterans in Arizona and across the country need action from Congress and from the Department of Veterans Affairs.

Our motion instructs House conferees to accept the bipartisan bill, drafted by Senator JOHN MCCAIN and Senator BERNIE SANDERS and overwhelmingly approved by the Senate, so that we can immediately send a bill to the President's desk that will provide relief for our Nation's veterans.

The revelations that veterans at the Phoenix VA and veterans at other VA facilities across the country were placed on secret lists and had to wait months before seeing a doctor are immoral, irresponsible, and un-American. That veterans who served our country honorably may have died while waiting for care is unconscionable.

Ongoing audits by the VA and the VA Office of Inspector General revealed systemic problems with wait times, with the scheduling process, and with the honesty and integrity of the system. Those responsible for this disaster must be held accountable.

Many dedicated VA employees, many of them veterans themselves, work tirelessly to provide the best care to our veterans, but they are limited by this broken system, which is failing millions of our veterans.

The first priority of the VA and Congress must be to provide our veterans the care they need. This challenge does not need a Democratic or a Republican response. It demands an American response, and I appreciate the bipartisan leadership and work of Chairman MILLER and Ranking Member MICHAUD. In fact, I cosponsored and voted for both of Chairman MILLER's bills.

I supported bipartisan legislation to give the Secretary of the VA a greater ability to hold underperforming senior executives accountable and to fire managers, like those in Phoenix who manipulated wait times and put veterans at risk.

I also supported bipartisan legislation directing the VA to use non-VA community providers to cut those wait times and increase the capacity and capabilities of the VA health care system.

In Phoenix, we have established a working group of community providers, veterans service organizations, and the local VA to work together to improve access to services.

We joined with the American Legion to establish a veterans crisis center to provide service to our veterans, and I would say thank you to the American Legion for moving so quickly and working with our community.

We have also started to fully utilize programs, like the Patient-Centered Community Care contract, which cuts into wait times for specialty and mental health care at the Phoenix VA. A new contract for primary care should be in place by the end of this month, but more action is required.

This conference should move quickly to accept the Senate language, which passed 93–3.

In addition to the good provisions in the House bill to improve access and accountability, the Senate language directs the VA to hire more doctors and nurses. It invests in 26 new VA facilities.

It provides for instate tuition for veterans, regardless of their home concept, a concept that the House overwhelmingly supported earlier this year. It extends post-9/11 GI Bill education benefits to surviving spouses of veterans who died in the line of duty. It improves access to health care for military sexual assault survivors. It was scored as costing less than the House bill.

Both Republicans and Democrats want to provide the best possible care for our veterans and their families, and we want to move quickly to provide this care. That is why I urge my colleagues to accept this motion to instruct, so we can move a bill to the President's desk quickly, and we can provide the care and services our veterans have earned and deserve.

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

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise in opposition to the motion to instruct.

As our committee works in a bipartisan fashion in an ongoing investigation of the Department of Veterans Affairs, we have continued to work and will continue to work in that bipartisan manner through legislation and aggressive oversight.

Veterans are not a partisan issue and must remain as such. That is why I am a little bit confused about the motion to instruct that has been offered by my colleagues across the aisle today.

With the vote that was just held to authorize us to go to conference, it would really not be prudent to prematurely direct our conferees to already recede to the Senate position before we even sit down and discuss whatever the matter that we may have with the Senate is.

The House amendment contains the text of H.R. 4810 and H.R. 4031, which have both passed the House with overwhelming bipartisan majorities and could be taken up right now by the Senate and sent to the President today.

Since it is clear that the Senate doesn't intend to do that, our only option is to go to conference so that both Chambers—the House and the Senate—can work together to smooth out the differences.

I want to caution my colleagues that what we are dealing with right now is a very technical provision, a provision that will have a long-lasting effect on VA and the manner in which veterans throughout the country receive the needed care that they have earned.

The gravity of the issues before us and the differences in how we solve them does require that the House Members be given an opportunity to sit down face to face with our Senate colleagues, so that we might make sure that we get this right for our veterans and their families.

I agree with a lot of the intent of many of the provisions in the legislation, but I do have some concerns. First, as the Senate bill is currently written, it provides an expedited appeal right for Senior Executive Service employees at VA who are fired by the new removal authority that is authorized by this bill.

The House has already passed similar provisions in H.R. 4031, with appeal rights that follow exactly what we, as Members of Congress, have in regards to our congressional staff. While I am open to discussing appeal rights, I am concerned that the Senate bill really doesn't change the status quo and could, in fact, limit the Secretary's authority to remove poor-performing employees. In short, without accountability, reform will not be possible.

Secondly, another major provision of the Senate bill would be to provide the authority for VA to hire additional doctors, nurses, and other medical personnel to provide and improve access.

The House Committee on Veterans' Affairs has heard multiple times, during the course of our investigation, that one issue with VA's current policy on capacity and scheduling is that VA doctors do not see nearly enough patients in one day compared to doctors in the private sector.

We need to ensure that VA health care staff and technology are used efficiently first, then address new hiring. Therefore, before Congress authorizes new funding for a whole new slew of medical personnel, I believe that VA managers must reexamine their current policies and see if they can improve the efficiency and effectiveness of the personnel that are already in place.

Finally, the Senate bill essentially gives the VA a blank check to fund the requirements of this bill. Again, in hearing after hearing, the committee heard from VA about their wasteful spending on IT programs, poorly managed contracts, large bonuses, extravagant conferences, and bloated bureaucracy.

In short, this is not an agency for which Congress should be cutting a no-strings-attached blank check. It is imperative that Congress follow a more methodical, yet quick approach to funding new requirements which preserves Congress' oversight responsibility to protect taxpayer resources provided on behalf of America's veterans. This is the House position, and we ought to fight for it.

Now, look, I don't doubt my colleague's sincerity to quickly and efficiently pass legislation to help address the countless issues that are facing the Department of Veterans Affairs today. However, the best way to do this and to ensure that all of the issues are on the table to work out our differences with the Senate is with a conference committee.

I urge my colleagues to oppose the motion to instruct, and I reserve the balance of my time.

Ms. SINEMA. Mr. Speaker, I yield 3 minutes to my colleague from Arizona (Mrs. KIRKPATRICK).

Mrs. KIRKPATRICK. Mr. Speaker, I rise today in support of the motion to instruct the conferees and ask that the conferees agree to the Senate amendments to H.R. 3230, the Veterans' Access to Care through Choice, Accountability, and Transparency Act of 2014.

I also ask that the conferees work with urgency to resolve the differences between the House and Senate bills. Veterans cannot continue to wait. They have already waited too long. We have a duty to do our job and act now.

I introduced H.R. 4841, the companion legislation to the Senate-passed legislation, because it addresses several of the issues that currently plague the VA health care system.

This bill, sponsored by Senators SANDERS and MCCAIN, is good for veterans in my district, in Arizona, and veterans across this country. It contains provisions that are nearly identical to the House-passed legislation that I supported, including the expansion of non-VA care to veterans that cannot get timely appointment and granting the VA Secretary the authority to immediately fire high-level officials who are not doing their jobs.

H.R. 4841 does more. It will provide for an expedited hiring of more doctors, nurses, and medical staff at understaffed VA medical hospitals and clinics across the country. It will allow the VA to lease 26 new medical facilities.

It calls for an independent commission that will work to improve appointment scheduling, and it will improve access to health care for military sexual assault survivors. These additional measures are vital to address the access to care crisis in the VA health care system.

In addition to addressing the VA's access to care crisis, Sanders-McCain ensures that veterans using their post-9/11 GI Bill benefits receive instate tuition at public colleges and universities, and it extends post-9/11 GI Bill benefits to surviving spouses.

Comprehensive legislation is needed to help our veterans. I think we can all agree that we must do everything we can to help those who have fought and sacrificed for us. Let's work together to get this legislation to the President as soon as possible.

Mr. MILLER of Florida. I reserve the balance of my time.

Ms. SINEMA. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. ENYART), a veteran colleague.

□ 1345

Mr ENYART. I thank the gentlewoman.

Mr. Speaker, I rise today as a veteran and 35-year military member in support of swift action to remedy our veterans' health care concerns.

As former commanding general of the Illinois National Guard, I have seen firsthand the sacrifices our men and women in uniform make each day, sacrifices that affect not only themselves, but their families, as well. That is why it didn't come as a surprise to me to see so many family members standing beside their veterans at the Marion, Illinois, VA hospital 2 weeks ago.

I stopped by two facilities—one scheduled and one a complete surprise to the staff and administrators, a lesson learned from my days in the military. I wanted to see the true nature of the problem for myself. I didn't want to speak to administrators or to managers. More importantly, I wanted to speak to patients and to frontline workers.

Although most of the veterans I spoke to received quality care, far too many spoke of burdensome paperwork and of delays. Although the southern Illinois facilities I visited have better-than-average wait times for patients, even one patient on a waiting list is too many. And although most of the staff that report daily to our Nation's VA facilities are competent, caring individuals, there are some who are not.

That is why I support the two main goals of H.R. 3230, the Veterans Access to Care Through Choice, Accountability, and Transparency Act of 2014. This act will ensure that administrators at VA facilities can be removed from power in a timely and swift manner if they are not doing their jobs. It will also provide veterans the opportunity to seek care at private health care facilities as needed.

Join me in support of our veterans and the dire need to reform our VA health care system.

Mr. MILLER of Florida. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SINEMA. Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada (Ms. TITUS), my colleague on the Veterans' Affairs Committee.

Ms. TITUS. I thank the gentlewoman for yielding.

Mr. Speaker, I rise in support of the Democratic motion to instruct conferees. As a member of the House Committee on Veterans' Affairs, I am working hard to ensure that veterans in Las Vegas and around the country have access to high-quality health care in a timely fashion.

I believe the Sanders-McCain compromise bill that passed the Senate 93–3 makes great strides towards meeting this goal. Specifically, I would like to highlight two provisions of the Sanders-McCain compromise that should be passed as soon as possible. Both pieces are legislation that I have introduced to help veterans and their families.

The first is H.R. 3441, the Spouses of Heroes Education Act. This legislation amends the post-9/11 GI Bill to expand the Fry Scholarship by making surviving spouses of members of the armed services eligible for the benefit program. This scholarship provides full in-State tuition, fees, a monthly living stipend, and a book allowance to children of servicemembers who have died in the line of duty. And for the first time, this change would extend to spouses the same benefit.

The second is H.R. 2527, the National Guard Military Sexual Trauma Parity Act, which would include extended counseling and treatment to servicemembers who have suffered sexual trauma while serving on inactive duty training. This legislation recently passed the House with unanimous bipartisan support.

Other provisions addressing the claims backlog, access to non-VA health care, and reform of scheduling and personnel problems are also critical to include.

So, as the conferees begin their work, it is important that we continue to keep the best interests of our Nation's heroes and their families in mind, that we put aside partisan differences, and that we work expeditiously to try and solve the problems that we have discovered at the VA.

Mr. MILLER of Florida. Mr. Speaker, I reserve the balance of my time.

Ms. SINEMA. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CASTRO).

Mr. CASTRO of Texas. Thank you, Congresswoman.

Mr. Speaker, my time is short, and so I want to cut to the chase. The United States of America should honor its veterans and stand up for them in the same way that they stood up for us during their time of service.

Mr. Speaker, I had a chance, as have many other Members of Congress, to visit with the Acting Secretary of the VA about a week ago in San Antonio and also to meet with some of the veterans who were being served there at Audie Murphy. These are folks who served during the Vietnam war, Korea, and other times of conflict. These are folks who are very proud people who don't ask a lot from their country but who are there for care.

Too often in Congress, we have been Monday morning quarterbacks rather than leaders on this issue. It was mentioned a bit earlier that veterans are not a partisan issue, and I agree with that. The problem in Washington these days is too often only partisan issues are the ones that get talked about. We have to take action as soon as we can to support our veterans and to make sure that the VA has the funding that it needs to do its job properly.

There was a story that the Acting Secretary told about his visit to Phoenix. If I recall it right, he said that there was a neurosurgeon in the meeting that he had with staff who mentioned that, as he was about to go into the room for surgery, there were two X-ray machines that were not working in Phoenix, and those were the conditions that these folks were trying to work under and to serve our veterans. We need to make sure that small government inefficiency is not an excuse for doing right by our veterans. And so I support this legislation.

I want to commend not only Chairman MILLER on that committee, but also the Senators, Senators MCCAIN and SANDERS, who have come together to put aside party politics, and also thank my Democratic colleagues, BETO O'ROURKE in Texas, and many fine people here in Congress who are working on this issue.

Mr. MILLER of Florida. Mr. Speaker, I think the question that needs to be asked is why in the world, with an almost $160 billion budget, would there be two nonfunctioning machines inside a VA medical center? It just goes to show the incapability for the current bureaucracy that exists out there to do what they need to do.

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

Ms. SINEMA. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. GARCIA).

Mr. GARCIA. Mr. Speaker, I thank the gentlewoman from Arizona.

As a nation, we have a debt of gratitude to our veterans, a debt that will be very difficult to repay; but, nonetheless, we must make every effort to do so.

Mr. Speaker, I spent the last few weeks meeting with veterans in my district and getting firsthand accounts of their experiences at the hospital as well as its supporting clinics in south Florida.

While secret wait lists and months-long waits are inexcusable, it has become clear that the problems are much deeper than that. So many of my veterans felt that their concerns weren't being heard—and they were absolutely right. On top of the long waits for appointments with doctors, we heard about the need for better transportation, greater use of technology, reduced wait times and more convenient hours.

Just this week, we held our first working group meeting in my district with local veterans as well as the director of the hospital and his administrative staff. It is an important step to a dialogue that is sorely needed.

While we in Washington can wait and bicker about this issue and the ongoing relationship between us and the hospital system and the Veterans Administration, what there is no question about is that the time has come to solve this problem. We as a nation must renew our commitment to serve our veterans with the same dignity and respect with which they served us. It is the absolute least we can do. By instructing House conferees to accept the McCain-Sanders compromise, we can quickly get the bill to the President and get on with the business of ensuring every veteran gets the care and need they deserve.

Mr. MILLER of Florida. Mr. Speaker, I think what is very curious is that if people would look at the bill that they are referring to today, that 80 percent of the text in that bill is already House-passed language. The Senate could pass that—could have passed that some time ago—and they have refused to do so. And now, all of a sudden, because it is wrapped up with a tiny little bow, it is the perfect piece of legislation.

I don't believe that my colleagues are trying to imply that the bickering that takes place is not supporting the veterans. The House Committee on Veterans' Affairs has held 90 hearings in the 113th Congress. Over 50 of those are oversight hearings. The Senate has only held six oversight hearings. The House has been doing their job and has been doing it in a bipartisan fashion.

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

Ms. SINEMA. Mr. Speaker, Mr. MILLER, just know that folks on both sides of the aisle are very, very grateful for his leadership, in particular the research that was done to uncover the tragedy that occurred in the Phoenix VA in my district. So know that folks on both sides of the aisle here in the House are very, very grateful for the bipartisan nature in which the Veterans' Affairs Committee has conducted its affairs during his tenure, and we appreciate his leadership.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. TAKANO), my colleague who serves on the Veterans' Affairs Committee.

Mr. TAKANO. I thank the gentlewoman from Arizona.

Mr. Speaker, I, too, want to give praise to the gentleman from Florida, Chairman MILLER, for the way in which he has conducted the hearings and conducted the business of the Veterans'

Affairs Committee. In no way do we wish to imply that the House has not done its due diligence.

As my colleagues have mentioned, the motion before us to instruct the House conferees to accept the bipartisan McCain-Sanders bill—and I want to emphasize it is a bipartisan bill—that passed the Senate by 93 votes, would allow veterans to seek care outside the VA health care system if they face long wait times or if they live far from a VA medical facility. It also allows the VA to hire more doctors and nurses and authorizes leases for 26 new major VA facilities, which I do not believe the House language contains. It improves access to health care for military and sexual assault providers. Finally, it includes several nonhealth-related provisions, such as the provision of in-State tuition for all veterans at public colleges and universities. This is a provision that was authored by my friend, Mr. MILLER.

The revelation that numerous VA facilities manipulated data with respect to wait times is disturbing. It is even more disturbing to learn that those practices may have resulted in the deaths of dozens of our veterans.

Our veterans have sacrificed so much, and we owe it to them to make sure that they receive the best possible care from a system that is accountable and transparent. I urge my colleagues to support the motion to instruct conferees.

Mr. MILLER of Florida. Mr. Speaker, I think it is important to remind the Members here on the floor that H.R. 357, the in-State tuition and bonus elimination bill, passed the House by 390–0; H.R. 4031, the VA accountability bill, passed this House in a wide, bipartisan fashion, 390–33; H.R. 4810, the access to care bill, passed this House unanimously, 400—we are hearing about 93–3? How about 426–0? Why don't we fight for what the House believes in once in a while around here instead of giving up to the Senate? H.R. 3521, the VA clinics—27 clinics are authorized in our bill. That was a 347–1 vote.

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

Ms. SINEMA. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. BROWNLEY), my colleague who serves on the Veterans' Affairs Committee and the ranking member on the Health Subcommittee.

Ms. BROWNLEY of California. Mr. Speaker, thank you to the gentlewoman from Arizona.

I rise to support the motion to instruct conferees. I grew up in a military home. I personally understand the sacrifices our servicemembers and their families make in service to our Nation. My father was the proudest marine, my brother was a P–3 pilot for 20 years in the Navy, and my uncle served in both World War II and Vietnam.

When I was elected to Congress, I asked to serve on the House Veterans' Affairs Committee to represent our future veterans at Naval Base Ventura County and throughout our country to represent our current veterans that live in Ventura County and throughout the country, and to represent our military families who also commit to serve our Nation.

One of the greatest pleasures of working on the Veterans' Affairs Committee is addressing the issues at hand in a bipartisan way, and I want to thank Chairman MILLER for his leadership and Ranking Member MICHAUD because this committee has remained in a bipartisan mode to address these issues. Every week, we discuss innovative ways to improve access to good-paying jobs, how to strengthen education opportunities for our veterans, to reduce wait times for critical and fundamental health care, and much, much more.

I was deeply honored when my colleagues elected me to serve as the ranking member of the Subcommittee on Health to ensure our veterans' health needs are properly addressed, including improving access to traditional and mental health care.

As my colleagues know, there is a lot of improvement that needs to take place at the VA. We have a sacred responsibility to those who serve our country in uniform. Just as the military leaves no one behind on the battlefield, we must leave no veteran behind when they come home.

□ 1400

The motion to instruct is the best path to completing a conference agreement to fix the long-term problems at the VA. Let's ensure we are serving our veterans as well as they have served us.

Mr. MILLER of Florida. Mr. Speaker, I remind my fellow colleagues in the Chamber today that there are 12 pieces of legislation that have passed our committee and this full House that await action in the United States Senate, and they continue to languish.

I reserve the balance of my time.

Ms. SINEMA. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. BROWN), who serves on the Veterans' Affairs Committee.

Ms. BROWN of Florida. Mr. Speaker, I am reminded of the first words of the first President of the United States, George Washington, whose words are worth repeating at this time:

> The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional as to how they perceive the veterans of earlier wars were treated and appreciated by their country.

I want to thank the chairman for his leadership. Those 90 hearings, I was at most of them. I know the House has done their work, whether it was here in Washington, D.C., or in the field and around the country. I am the senior member on the committee, having served on the committee for over 22 years.

I have to remind the committee and this House that the problems with the veterans did not start today. They are long-term problems. I am pleased with the fact that I was on the committee when we passed the largest VA budget in the history of the United States.

In addition to that, forward budgeting—which I thought would never happen, but the veterans have not caught up with the whims of the House, not passing this appropriation or not passing this authorization, so we know today what kind of veterans benefits that we are going to get.

Many other veterans—in fact, over 99 percent of them say that they are very satisfied with the system. They love their VA system, but the key is that there are some problems, and we need to work in a bipartisan and bicameral fashion with the Senate to make sure that we address these challenges.

I really do believe to whom God has given much, much is expected, and we have to make sure that the veterans get the care that we have promised them.

Mr. MILLER of Florida. Mr. Speaker, I remind my friends here that the whims of the Congress to not pass appropriation bills blows very strong over on the Senate side because the House passes its Military Construction-VA bill year in and year out. It was the Senate that chose not to pass any appropriation bills last year.

I reserve the balance of my time.

Ms. SINEMA. Mr. Speaker, how much time remains?

The SPEAKER pro tempore (Mr. COLLINS of New York). The gentlewoman from Arizona has 9½ minutes remaining.

Ms. SINEMA. Mr. Speaker, I reserve the balance of my time to close.

Mr. MILLER of Florida. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I thank all Members who have come to speak on this very important matter. This should be a bipartisan matter, and it has been in our committee and certainly in this entire House.

I am still wondering why in the world we would just now vote to go to conference with the Senate on 80 percent of the bills that have already passed the House, and then we would turn around, and we would have a motion to instruct the conferees to just forget what the House said, take up the Senate bill.

It doesn't make sense that we would do that. In a normal course of legislative business, this is the way the process works: the House, the Senate get together, and we work out the issues that concern all of us.

I would ask the minority—or I would request the minority to not use this motion to instruct in one single political ad. I hope that I don't see this vote used in any political ads because our committee does things in a bipartisan fashion. Congressman MICHAUD and I have worked together diligently to keep the votes from becoming partisan.

I cannot see any other reason to have the vote today on the motion to instruct conferees to accept the Senate-

passed legislation after we have done the same thing in the House, passed the same bills in the House that they could take up on our side, yet we are going to cede to the Senate position.

With that, I urge defeat of the motion to instruct.

I yield back the balance of my time.

Ms. SINEMA. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to thank Chairman MILLER and Ranking Member MICHAUD for their tremendous leadership and the work that they have done over the years to provide veterans with the best possible care, holding multiple hearings and passing a multitude of bipartisan bills. By working together, I know we can address this crisis and create a VA system that our veterans deserve.

I urge our colleagues to support this motion to instruct, so we get a bill to the President's desk quickly. This is not the end of our work, but it is an important step forward to meet the needs of our veterans.

I trust that Chairman MILLER, Ranking Member MICHAUD, and the members of the conference committee will represent the interests of veterans very well in our conference committee.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

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

Ms. BROWN of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 198, nays 220, not voting 13, as follows:

[Roll No. 316]

YEAS—198

Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Richmond
Rooney
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stockman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Welch
Wilson (FL)
Yarmuth

NAYS—220

Aderholt
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—13

Crawford
Goodlatte
Hanna
Kelly (IL)
Lankford
McHenry
Miller, Gary
Mulvaney
Nunnelee
Poe (TX)
Rangel
Ryan (OH)
Waxman

□ 1441

Messrs. LUCAS, JORDAN, BUCSHON, LATTA, UPTON, LAMALFA, TERRY, POSEY, SIMPSON, SESSIONS, ROSKAM, and FLEMING changed their vote from ''yea'' to ''nay.''

Ms. LINDA T. SÁNCHEZ of California and Mrs. BEATTY changed their vote from ''nay'' to ''yea.''

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HANNA. Mr. Speaker, on Wednesday, June 18, 2014, I was absent and missed rollcall votes Nos. 315 and 316. Had I been present, I would have voted: rollcall 315—''yea,'' rollcall 316—''nay.''

The SPEAKER pro tempore (Mr. WEBSTER of Florida). Without objection, the Chair appoints the following conferees on H.R. 3230:

For consideration of the House amendment and the Senate amendment, and modifications committed to conference:

Messrs. MILLER of Florida, LAMBORN, ROE of Tennessee, FLORES, BENISHEK, COFFMAN, WENSTRUP, Mrs. WALORSKI, Mr. MICHAUD, Ms. BROWN of Florida, Mr. TAKANO, Ms. BROWNLEY of California, Mrs. KIRKPATRICK, and Mr. WALZ.

There was no objection.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2015

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 4870, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 628 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4870.

The Chair appoints the gentleman from New York (Mr. COLLINS) to preside over the Committee of the Whole.

□ 1443

IN THE COMMITTEE OF THE WHOLE

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

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentleman from Indiana (Mr. VISCLOSKY) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.

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

Mr. Chairman, as we begin consideration of this important legislation, all of us in this Chamber want to pay tribute to the men and women of our Armed Forces—all volunteers. They deserve our heartfelt thanks for their incredible service and sacrifices, and that of their families. Everything we do over the next few days should be dedicated to them.

□ 1445

My colleagues, the fiscal year 2015 Department of Defense Appropriations bill was reported out unanimously by the full Appropriations Committee on June 10. This recommendation is a product of countless staff hours, 10 official briefings, and 13 hearings.

Most of our hearings related to assuring success and reducing risk for our warfighters in their mission. It is worth noting that one of these hearings was exclusively dedicated to taking testimony from Members of the House on their views, opinions, and priorities for this year's Defense Appropriations bill.

I want to thank those Members who took time to inform and educate the committee, as well as other Members who made specific requests.

At the outset, I would also like to thank Chairman HAL ROGERS and Ranking Member LOWEY for their support of our committee's work. As they know, this bill is a product of a bipartisan and cooperative effort, for which I thank my good friend, the ranking member, PETE VISCLOSKY. He has been a valuable partner throughout this whole process. Thanks to all members of the committee and to our incredible staff.

The base funding recommendation is $491 billion, which is $202 million above the President's request and $4.1 billion above last year's enacted level.

As many Members are aware, the committee has not yet received the President's recommendation for overseas contingency operations—the OCO budget, as it is known—so we are forced to include a $79.4 billion placeholder in our legislation.

Our committee operates in a completely transparent and accountable manner, so clearly, this is not the way we wanted to proceed to the floor—with no details, with no context, with no facts for those accounts.

We have pressed the administration at every opportunity to get us the OCO plan. The administration has told us for months that it is finalizing its plan for the enduring U.S. military presence in Afghanistan, which will have a serious impact on the size of that funding request.

Three weeks ago, the President announced his plans for U.S. troop levels in Afghanistan beyond this year. The Army and Marines have already closed down bases and removed tons of equipment. Still, we have no request and are forced to debate a placeholder of nearly $80 billion.

While the Afghan Presidential elections are still unsettled, the leading candidates support the bilateral security agreement, supposedly the anchor for this funding request.

What is the holdup? We need to get on with it. I have to say that many people find it just a bit bizarre that the administration has proclaimed its opposition to the bill yesterday, when they have failed to do their job and lay out their game plan for overseas operations.

Whatever the recommendation we ultimately receive, we will closely examine their request because we still have troops and civilians on the ground, and no matter the number, they need to be protected.

Of course, we will also consider the deepening war and conflict in Iraq, the continuing disintegration of Syria, the aggressiveness of Russia in Eastern Europe and China in the Pacific, and the growing influence of Iran, increased terrorist attacks around the globe, especially in Africa.

While the administration feels the pending OCO request will have a great deal to do with our enduring U.S. military presence in Afghanistan, in reality, their request will have a great deal to do with our enduring role in the fight to protect Americans and our homeland from a growing list of global threats.

Even though we have returned to regular order this year, the committee faced many challenges in crafting this year's defense bill, but we have held firm to two guiding principles: ensuring that our men and women in uniform have the resources they need to defend our Nation and support their families; and, secondly, ensuring that the Department of Defense and our intelligence community have the resources they need to carry out their mission in the most efficient and effective manner.

Our goal throughout this bill is to support our warfighters, now and in the future, whenever the next crisis arises.

At the same time, our committee clearly recognizes the Nation's debt crisis. We found areas and programs where reductions were possible without adverse impact. Finally, it is important to note that we make every dollar count, without harming readiness or increasing risk incurred by our warfighters.

The bill before you attempts to meet those responsibilities within current fiscal restraints, while leaving no question for our allies and adversaries about our will and our ability to defend ourselves and our interests around the world. America must continue to lead, and this bipartisan bill enables that.

Let me highlight, briefly, just a few items included in this fiscal year 2015 Defense Appropriations request. It includes an additional $1.2 billion to fill readiness shortfalls; $534 million to fully fund the authorized 1.8 percent pay raise for our troops; $789 million to begin the refueling of the USS George Washington—a vital power projection platform; $5.8 billion for a total of 38 Joint Strike Fighters; $975 million to buy 12 additional electronic attack Growlers; $120 million to upgrade M1 Abrams tanks; $351 million for the very important Israeli Cooperative Program; and an additional $39 million for suicide prevention activities—$19 million of it targeted specifically to our Special Forces.

These are but a few examples of our commitment to the U.S. military dominance across the air, land, and sea, our commitment to our allies and partners, and our commitment to our servicemembers—all volunteers—and their families.

Mr. Chairman, I understand all—all of us do—that Americans are weary after 13 years of war. Despite the proclamations of some that al Qaeda and its followers have been decimated, the American people must understand the reality that terrorism is actually spreading worldwide.

Yes, our enemies have sustained serious damage, inflicted by the most skillful and powerful military intelligence organization on the globe, but in many cases, these enemies have adapted and grown to become even more dangerous.

We are witnessing an alarming collapse in Iraq. The central government now controls less than half of its sovereign territory, as it reels before a full-blown insurgency. The concept of an autonomous jihadi state or caliphate determined to attack the West is an unacceptable development that demands a response. We pivot elsewhere at our peril.

National defense is the priority job of the Federal Government. Our Constitution grants Congress the full range of authorities for establishing the defense of our Nation.

Our task in this House is to ensure that our military is ready to respond when the Commander in Chief calls. This legislation moves us towards a state of current and future military readiness that will protect America, and I urge its passage.

I reserve the balance of my time.

Department of Defense Appropriations Act - FY 2015 (H.R. 4870)
(Amounts in Thousands)

	FY 2014 Enacted	FY 2015 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I					
MILITARY PERSONNEL					
Military Personnel, Army	40,787,967	41,225,339	41,183,729	+395,762	-41,610
Military Personnel, Navy	27,231,512	27,489,440	27,387,344	+155,832	-102,096
Military Personnel, Marine Corps	12,766,099	12,919,103	12,785,431	+19,332	-133,672
Military Personnel, Air Force	28,519,993	27,815,926	27,564,362	-955,631	-251,564
Reserve Personnel, Army	4,377,563	4,459,130	4,304,159	-73,404	-154,971
Reserve Personnel, Navy	1,843,966	1,863,034	1,836,024	-7,942	-27,010
Reserve Personnel, Marine Corps	655,109	670,754	659,224	+4,115	-11,530
Reserve Personnel, Air Force	1,723,159	1,675,518	1,652,148	-71,011	-23,370
National Guard Personnel, Army	7,776,498	7,682,892	7,644,632	-131,866	-38,260
National Guard Personnel, Air Force	3,114,421	3,156,457	3,110,587	-3,834	-45,870
Total, Title I, Military Personnel	128,796,287	128,957,593	128,127,640	-668,647	-829,953
TITLE II					
OPERATION AND MAINTENANCE					
Operation and Maintenance, Army	30,768,069	33,240,148	32,671,980	+1,903,911	-568,168
Operation and Maintenance, Navy	36,311,160	39,316,857	39,073,543	+2,762,383	-243,314
Operation and Maintenance, Marine Corps	5,397,605	5,909,487	5,984,680	+587,075	+75,193
Operation and Maintenance, Air Force	33,248,618	35,331,193	35,024,160	+1,775,542	-307,033
Operation and Maintenance, Defense-Wide	31,450,068	31,198,232	30,896,741	-553,327	-301,491
Operation and Maintenance, Army Reserve	2,940,936	2,490,569	2,535,606	-405,330	+45,037
Operation and Maintenance, Navy Reserve	1,158,382	1,007,100	1,011,827	-146,555	+4,727
Operation and Maintenance, Marine Corps Reserve	255,317	268,582	270,485	+15,168	+1,903
Operation and Maintenance, Air Force Reserve	3,062,207	3,015,842	2,989,214	-72,993	-26,628
Operation and Maintenance, Army National Guard	6,857,530	6,030,773	6,116,307	-741,223	+85,534
Operation and Maintenance, Air National Guard	6,392,304	6,392,859	6,393,919	+1,615	+1,060
Overseas Contingency Operations Transfer Account	---	5,000	---	---	-5,000
United States Court of Appeals for the Armed Forces	13,606	13,723	13,723	+117	---
Environmental Restoration, Army	298,815	201,560	201,560	-97,255	---
Environmental Restoration, Navy	316,103	277,294	277,294	-38,809	---
Environmental Restoration, Air Force	439,820	408,716	408,716	-31,104	---
Environmental Restoration, Defense-Wide	10,757	8,547	8,547	-2,210	---
Environmental Restoration, Formerly Used Defense Sites	287,443	208,353	233,353	-54,090	+25,000
Overseas Humanitarian, Disaster, and Civic Aid	109,500	100,000	103,000	-6,500	+3,000
Cooperative Threat Reduction Account	500,455	365,108	365,108	-135,347	---
Department of Defense Acquisition Workforce Development Fund	51,031	212,875	51,875	+844	-161,000
Total, Title II, Operation and maintenance	159,869,726	166,002,818	164,631,638	+4,761,912	-1,371,180

Department of Defense Appropriations Act - FY 2015 (H.R. 4870)
(Amounts in Thousands)

	FY 2014 Enacted	FY 2015 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE III					
PROCUREMENT					
Aircraft Procurement, Army	4,844,891	5,102,685	5,295,957	+451,066	+193,272
Missile Procurement, Army	1,549,491	1,017,483	1,217,483	-332,008	+200,000
Procurement of Weapons and Tracked Combat Vehicles, Army	1,610,811	1,471,438	1,703,736	+92,925	+232,298
Procurement of Ammunition, Army	1,444,067	1,031,477	1,011,477	-432,590	-20,000
Other Procurement, Army	4,936,908	4,893,634	4,812,234	-124,674	-81,400
Aircraft Procurement, Navy	16,442,794	13,074,317	14,054,523	-2,388,271	+980,206
Weapons Procurement, Navy	3,009,157	3,217,945	3,111,931	+102,774	-106,014
Procurement of Ammunition, Navy and Marine Corps	549,316	771,945	629,372	+80,056	-142,573
Shipbuilding and Conversion, Navy	15,231,364	14,400,625	14,256,361	-975,003	-144,264
Other Procurement, Navy	5,572,618	5,975,828	5,923,379	+350,761	-52,449
Procurement, Marine Corps	1,240,958	983,352	927,232	-313,726	-56,120
Aircraft Procurement, Air Force	10,379,180	11,542,571	12,046,941	+1,667,761	+504,370
Missile Procurement, Air Force	4,446,763	4,690,506	4,546,211	+99,448	-144,295
Procurement of Ammunition, Air Force	729,677	677,400	648,200	-81,477	-29,200
Other Procurement, Air Force	16,572,754	16,566,018	16,633,023	+60,269	+67,005
Procurement, Defense-Wide	4,240,416	4,221,437	4,358,121	+117,705	+136,684
Defense Production Act Purchases	60,135	21,638	51,638	-8,497	+30,000
Total, Title III, Procurement	92,861,300	89,660,299	91,227,819	-1,633,481	+1,567,520
TITLE IV					
RESEARCH, DEVELOPMENT, TEST AND EVALUATION					
Research, Development, Test and Evaluation, Army	7,126,318	6,593,898	6,720,000	-406,318	+126,102
Research, Development, Test and Evaluation, Navy	14,949,919	16,266,335	15,877,770	+927,851	-388,565
Research, Development, Test and Evaluation, Air Force	23,585,292	23,739,892	23,438,982	-146,310	-300,910
Research, Development, Test and Evaluation, Defense-Wide	17,086,412	16,766,084	17,077,900	-8,512	+311,816
Operational Test and Evaluation, Defense	246,800	167,738	248,238	+1,438	+80,500
Total, Title IV, Research, Development, Test and Evaluation	62,994,741	63,533,947	63,362,890	+368,149	-171,057
TITLE V					
REVOLVING AND MANAGEMENT FUNDS					
Defense Working Capital Funds	1,649,214	1,234,468	1,334,468	-314,746	+100,000
National Defense Sealift Fund	597,213	---	---	-597,213	---
Total, Title V, Revolving and Management Funds	2,246,427	1,234,468	1,334,468	-911,959	+100,000

Department of Defense Appropriations Act - FY 2015 (H.R. 4870)
(Amounts in Thousands)

	FY 2014 Enacted	FY 2015 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE VI					
OTHER DEPARTMENT OF DEFENSE PROGRAMS					
Defense Health Program					
Operation and maintenance	30,704,995	31,031,911	30,080,563	-624,432	-951,348
Procurement	441,764	308,413	308,413	-133,351	---
Research, development, test and evaluation	1,552,399	654,594	1,245,894	-306,505	+591,300
Total, Defense Health Program 1/	32,699,158	31,994,918	31,634,870	-1,064,288	-360,048
Chemical Agents and Munitions Destruction, Defense:					
Operation and maintenance	398,572	222,728	222,728	-175,844	---
Procurement	1,368	10,227	10,227	+8,859	---
Research, development, test and evaluation	604,183	595,913	595,913	-8,270	---
Total, Chemical Agents 2/	1,004,123	828,868	828,868	-175,255	---
Drug Interdiction and Counter-Drug Activities, Defense	1,015,885	---	---	-1,015,885	---
Counter-narcotics support	---	719,096	669,631	+669,631	-49,465
Drug demand reduction program	---	101,591	105,591	+105,591	+4,000
National Guard counter-drug program	---	---	169,465	+169,465	+169,465
Total, Drug Interdiction and Counter-Drug Activities, Defense	1,015,885	820,687	944,687	-71,198	+124,000
Joint Improvised Explosive Device Defeat Fund	---	115,058	65,464	+65,464	-49,594
Joint Urgent Operational Needs Fund	---	20,000	---	---	-20,000
Support for International Sporting Competitions 1/	---	10,000	10,000	+10,000	---
Office of the Inspector General 1/	316,000	311,830	311,830	-4,170	---
Total, Title VI, Other Department of Defense Programs	35,035,166	34,101,361	33,795,719	-1,239,447	-305,642
TITLE VII					
RELATED AGENCIES					
Central Intelligence Agency Retirement and Disability System Fund	514,000	514,000	514,000	---	---
Intelligence Community Management Account (ICMA)	528,229	510,194	501,194	-27,035	-9,000
Total, Title VII, Related agencies	1,042,229	1,024,194	1,015,194	-27,035	-9,000

Department of Defense Appropriations Act - FY 2015 (H.R. 4870)
(Amounts in Thousands)

	FY 2014 Enacted	FY 2015 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE VIII					
GENERAL PROVISIONS					
Additional transfer authority (Sec.8005)	(5,000,000)	(5,000,000)	(5,000,000)	---	---
Indian Financing Act incentives (Sec.8019)	15,000	---	---	-15,000	---
FFRDC (Sec.8023)	-40,000	---	-40,000	---	-40,000
Rescissions (Sec.8039)	-1,906,089	-265,685	-964,648	+941,441	-698,963
O&M, Defense-wide transfer authority (Sec.8050)	(30,000)	(30,000)	(30,000)	---	---
Global Security Contingency Fund (O&M, Defense-wide transfer) (Sec.8067)	(200,000)	(200,000)	(200,000)	---	---
Fisher House Foundation (Sec.8068)	4,000	---	4,000	---	+4,000
National grants (Sec.8076)	44,000	---	44,000	---	+44,000
Shipbuilding & conversion funds, Navy (Sec.8080)	8,000	5,000	5,000	-3,000	---
ICMA transfer authority (Sec.8087)	(20,000)	(20,000)	(20,000)	---	---
Fisher House transfer authority (Sec.8092)	(11,000)	(11,000)	(11,000)	---	---
Defense Health O&M transfer authority (Sec.8096)	(143,087)	(146,857)	(146,857)	(+3,770)	---
Operation and Maintenance, Defense-Wide (Sec.8100) (transfer authority)	(119,400)	(80,596)	(80,596)	(-38,804)	---
Ship Modernization, Operations and Sustainment Fund (Sec.8105)	2,244,400	---	540,000	-1,704,400	+540,000
Rescission	-1,920,000	---	---	+1,920,000	---
Superintendents review	1,000	---	---	-1,000	---
Revised econonmic assumptions (Sec. 8106)	-380,000	---	-545,100	-165,100	-545,100
Special Victims Program implementation	25,000	---	---	-25,000	---
General/Flag Officers	-8,000	---	---	+8,000	---
Working Capital Fund excess cash balances	-866,500	---	---	+866,500	---
National Defense Reserve Fleet (O&M, Navy transfer authority) (Sec.8128)	---	(291,000)	(291,000)	(+291,000)	---
John C. Stennis Center for Public Service Training and Development Fund (O&M, Navy transfer authority)(Sec.8129)	---	(1,000)	(1,000)	(+1,000)	---
Military pay raise (Sec.8130)	---	---	533,500	+533,500	+533,500
Basic allowance for housing (Sec.8131)	---	---	244,700	+244,700	+244,700
Operation and Maintenance, Defense-Wide (Sec.8135)	---	---	139,000	+139,000	+139,000
Readiness (Sec.8137)	---	---	1,000,000	+1,000,000	+1,000,000
Total, Title VIII, General Provisions	-2,779,189	-260,685	960,452	+3,739,641	+1,221,137

Department of Defense Appropriations Act - FY 2015 (H.R. 4870)
(Amounts in Thousands)

	FY 2014 Enacted	FY 2015 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IX					
OVERSEAS CONTINGENCY OPERATIONS (OCO) 3/					
Military Personnel					
Military Personnel, Army (OCO)	5,449,726	---	---	-5,449,726	---
Military Personnel, Navy (OCO)	558,344	---	---	-558,344	---
Military Personnel, Marine Corps (OCO)	777,922	---	---	-777,922	---
Military Personnel, Air Force (OCO)	832,862	---	---	-832,862	---
Reserve Personnel, Army (OCO)	33,352	---	---	-33,352	---
Reserve Personnel, Navy (OCO)	20,238	---	---	-20,238	---
Reserve Personnel, Marine Corps (OCO)	15,134	---	---	-15,134	---
Reserve Personnel, Air Force (OCO)	20,432	---	---	-20,432	---
National Guard Personnel, Army (OCO)	257,064	---	---	-257,064	---
National Guard Personnel, Air Force (OCO)	6,919	---	---	-6,919	---
Military Personnel (OCO)	---	---	5,100,000	+5,100,000	+5,100,000
Total, Military Personnel	7,971,993	---	5,100,000	-2,871,993	+5,100,000
Operation and Maintenance					
Operation & Maintenance, Army (OCO)	32,369,249	---	---	-32,369,249	---
Operation & Maintenance, Navy (OCO)	8,470,808	---	---	-8,470,808	---
Operation & Maintenance, Marine Corps (OCO)	3,369,815	---	---	-3,369,815	---
Operation & Maintenance, Air Force (OCO)	12,746,424	---	---	-12,746,424	---
Operation & Maintenance, Defense-Wide (OCO)	6,226,678	---	---	-6,226,678	---
Coalition support funds (OCO)	(1,257,000)	---	---	(-1,257,000)	---
Operation & Maintenance, Army Reserve (OCO)	34,674	---	---	-34,674	---
Operation & Maintenance, Navy Reserve (OCO)	55,700	---	---	-55,700	---
Operation & Maintenance, Marine Corps Reserve (OCO)	12,534	---	---	-12,534	---
Operation & Maintenance, Air Force Reserve (OCO)	32,849	---	---	-32,849	---
Operation & Maintenance, Army National Guard (OCO)	130,471	---	---	-130,471	---
Operation & Maintenance, Air National Guard (OCO)	22,200	---	---	-22,200	---
Operation and Maintenance (OCO)	---	---	58,675,000	+58,675,000	+58,675,000
Subtotal, Operation and Maintenance	63,471,402	---	58,675,000	-4,796,402	+58,675,000
Afghanistan Infrastructure Fund (OCO)	199,000	---	---	-199,000	---
Afghanistan Security Forces Fund (OCO)	4,726,720	---	---	-4,726,720	---
Total, Operation and Maintenance	68,397,122	---	58,675,000	-9,722,122	+58,675,000

Department of Defense Appropriations Act - FY 2015 (H.R. 4870)
(Amounts in Thousands)

	FY 2014 Enacted	FY 2015 Request	Bill	Bill vs. Enacted	Bill vs. Request
Procurement					
Aircraft Procurement, Army (OCO)	669,000	---	---	-669,000	---
Missile Procurement, Army (OCO)	128,645	---	---	-128,645	---
Procurement of Ammunition, Army (OCO)	190,900	---	---	-190,900	---
Other Procurement, Army (OCO)	653,902	---	---	-653,902	---
Aircraft Procurement, Navy (OCO)	211,176	---	---	-211,176	---
Weapons Procurement, Navy (OCO)	86,500	---	---	-86,500	---
Procurement of Ammunition, Navy and Marine Corps (OCO)	169,362	---	---	-169,362	---
Procurement, Marine Corps (OCO)	125,984	---	---	-125,984	---
Aircraft Procurement, Air Force (OCO)	188,868	---	---	-188,868	---
Missile Procurement, Air Force (OCO)	24,200	---	---	-24,200	---
Procurement of Ammunition, Air Force (OCO)	137,826	---	---	-137,826	---
Other Procurement, Air Force (OCO)	2,517,846	---	---	-2,517,846	---
Procurement, Defense-Wide (OCO)	128,947	---	---	-128,947	---
National Guard and Reserve Equipment (OCO)	1,000,000	---	---	-1,000,000	---
Procurement (OCO)	---	---	12,220,000	+12,220,000	+12,220,000
Total, Procurement	6,233,156	---	12,220,000	+5,986,844	+12,220,000
Research, Development, Test and Evaluation					
Research, Development, Test & Evaluation, Army (OCO)	13,500	---	---	-13,500	---
Research, Development, Test & Evaluation, Navy (OCO)	34,426	---	---	-34,426	---
Research, Development, Test & Evaluation, Air Force (OCO)	9,000	---	---	-9,000	---
Research, Development, Test and Evaluation, Defense-Wide (OCO)	78,208	---	---	-78,208	---
Total, Research, Development, Test and Evaluation	135,134	---	---	-135,134	---
Revolving and Management Funds					
Defense Working Capital Funds (OCO)	264,910	---	---	-264,910	---

Department of Defense Appropriations Act - FY 2015 (H.R. 4870)
(Amounts in Thousands)

	FY 2014 Enacted	FY 2015 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Guard and Reserve Equipment					
National Guard and Reserve Equipment (OCO)	---	---	2,000,000	+2,000,000	+2,000,000
Other Department of Defense Programs					
Defense Health Program:					
Operation and maintenance (OCO)	898,701	---	---	-898,701	---
Drug Interdiction and Counter-Drug Activities, Defense (OCO)	376,305	---	---	-376,305	---
Joint IED Defeat Fund (OCO) 2/	879,225	---	---	-879,225	---
Office of the Inspector General (OCO)	10,766	---	---	-10,766	---
Other (OCO)	---	---	1,450,000	+1,450,000	+1,450,000
Total, Other Department of Defense Programs	2,164,997	---	1,450,000	-714,997	+1,450,000
TITLE IX General Provisions					
Additional transfer authority (OCO) (Sec.9002)	(4,000,000)	---	(4,000,000)	---	(+4,000,000)
Rescissions (OCO) (Sec.9013)	-140,370	---	---	+140,370	---
OVERSEAS CONTINGENCY OPERATIONS (OCO)	---	79,445,000	---	---	-79,445,000
Total, Title IX	85,026,942	79,445,000	79,445,000	-5,581,942	---
Net Grand Total	565,093,629	563,698,995	563,900,820	-1,192,809	+201,825
CONGRESSIONAL BUDGET RECAP					
Scorekeeping adjustments:					
Lease of defense real property (permanent)	30,000	31,000	31,000	+1,000	---
Disposal of defense real property (permanent)	10,000	8,000	8,000	-2,000	---
DHP, O&M to DOD-VA Joint Incentive Fund:					
Defense function	-15,000	-15,000	-15,000	---	---
Non-defense function	15,000	15,000	15,000	---	---
DHP, O&M to Joint DOD-VA Medical Facility Demonstration Fund:					
Defense function	-143,087	-146,857	-146,857	-3,770	---
Non-defense function	143,087	146,857	146,857	+3,770	---
O&M, Defense-wide transfer to Department of State:					
Defense function	-50,000	-30,000	-30,000	+20,000	---
Non-defense function	50,000	30,000	30,000	-20,000	---
Tricare accrual (permanent, indefinite auth.) 4/	7,258,000	6,963,000	6,963,000	-295,000	---
(OCO) 3/	164,000	---	---	-164,000	---
Total, scorekeeping adjustments	7,462,000	7,002,000	7,002,000	-460,000	---
Adjusted total (includ. scorekeeping adjustments)	572,555,629	570,700,995	570,902,820	-1,652,809	+201,825
Appropriations	(576,381,718)	(570,966,680)	(571,867,468)	(-4,514,250)	(+900,788)
Rescissions	(-3,826,089)	(-265,685)	(-964,648)	(+2,861,441)	(-698,963)
Total mandatory and discretionary	572,555,629	570,700,995	570,902,820	-1,652,809	+201,825

Department of Defense Appropriations Act - FY 2015 (H.R. 4870)
(Amounts in Thousands)

	FY 2014 Enacted	FY 2015 Request	Bill	Bill vs. Enacted	Bill vs. Request
RECAPITULATION					
Title I - Military Personnel	128,796,287	128,957,593	128,127,640	-668,647	-829,953
Title II - Operation and Maintenance	159,869,726	166,002,818	164,631,638	+4,761,912	-1,371,180
Title III - Procurement	92,861,300	89,660,299	91,227,819	-1,633,481	+1,567,520
Title IV - Research, Development, Test and Evaluation	62,994,741	63,533,947	63,362,890	+368,149	-171,057
Title V - Revolving and Management Funds	2,246,427	1,234,468	1,334,468	-911,959	+100,000
Title VI - Other Department of Defense Programs	35,035,166	34,101,361	33,795,719	-1,239,447	-305,642
Title VII - Related Agencies	1,042,229	1,024,194	1,015,194	-27,035	-9,000
Title VIII - General Provisions (net)	-2,779,189	-260,685	960,452	+3,739,641	+1,221,137
Title IX - Overseas Contingency Operations (OCO)	85,026,942	79,445,000	79,445,000	-5,581,942	---
Total, Department of Defense	565,093,629	563,698,995	563,900,820	-1,192,809	+201,825
Scorekeeping adjustments	7,462,000	7,002,000	7,002,000	-460,000	---
Total mandatory and discretionary	572,555,629	570,700,995	570,902,820	-1,652,809	+201,825

1/ Included in Budget under Operation and Maintenance
2/ Included in Budget under Procurement
3/ Global War on Terrorism (GWOT)
4/ Contributions to Department of Defense Retiree
Health Care Fund (Sec. 725, P.L. 108-375)(CBO est)

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

I would like to begin by expressing my appreciation as well to Chairman FRELINGHUYSEN and congratulate him on the collegial and transparent manner in which he crafted H.R. 4870, the fiscal year 2015 Defense Appropriations Act. I also want to express my sincere appreciation for the efforts of Chairman HAL ROGERS and Ranking Member NITA LOWEY and all of the members of the Defense Subcommittee.

Also, as I think all of my colleagues know, this bill could not have been written without the dedication, long hours, and discerning and thoughtful input by our committee staff and our associate and personal staffs. I want to thank each one of them.

I would like to begin by saying a few words about the overseas contingency operations title that the chairman referred to.

The committee has been placed in a very difficult position of having to provide $79.4 billion as a placeholder. Recent decisions on the post-2014 troop levels in Afghanistan clear up the major policy issue that held back a detailed budget request.

Unfortunately, the clarity gained was quickly muddled by the proposed $5 billion counterterrorism partnerships fund and the $1 billion European reassurance initiative.

At a time when many in Congress are rightfully looking to limit what is an eligible expense in OCO and shift activities to the base budget, these new proposals further complicate the issue. Clarity must be brought to the opaque nature of OCO, and I look forward to the debate on this during the consideration of amendments.

I support the bill we are marking up today and believe it provides for our national security and the protection of U.S. interests at home and abroad. Put simply, the bill provides stability for our military personnel, maintains readiness, and preserves the industrial base.

I am pleased by the subcommittee's continued efforts on sexual assault prevention and response. Specifically, the bill fully funds the budget request for the Special Victims' Counsel, continuing last year's initiative.

The bill increases funding relative to the President's budget request for traumatic brain injury and psychological health research, suicide prevention outreach programs, and several other invaluable medical programs.

Further, the bill and report carry strong language aimed at increasing cooperation between the Departments of Defense and Veterans Affairs in their ongoing efforts to develop interoperable electronic health records.

Specific to readiness, the bill includes an increase of $1 billion to fill gaps in key programs to prepare our troops, including $135 million for the Army Reserve and Army National Guard. The bill makes investments in programs that are vital to the rebuilding and resetting of the force after 13 years of conflict.

In particular, it increases funding by $720 million for facility sustainment and modernization and provides each military service with additional funding for depot maintenance.

I especially appreciate the chairman's focus on encouraging DOD to meet the FY 2017 deadline for achieving fully auditable financial statements. The measure provides $8 million above the request for the Comptroller's office to improve business and financial systems throughout the Department.

Continuing problems in DOD's strategic forces are also addressed in the bill, and funding is provided to address issues directly impacting intercontinental ballistic missile crews.

With regard to the industrial base, I was dismayed that, in its FY 2015 budget request, the administration proposed the elimination of several longstanding general provisions ensuring that contracts followed Buy America requirements and support domestic manufacturing.

I am pleased to note that the committee chose to reject the administration's inexplicable proposal to jettison these Buy America proposals.

The bill also contains several other provisions and initiatives aimed at securing our industrial base, including $220 million to establish a program for the domestic development of a next-generation liquid-fueled rocket engine. Hopefully, this program will swiftly fill a very troubling void in the U.S. space launch industry.

One other area of the bill I would like to highlight is the funding increase for the Humanitarian Mine Action Program. Albeit a small program, I believe its mission is of immense value.

All too often, innocent civilians are the victims of explosive remnants of war. It is only right to share our military's expertise with host nations on the detection, clearance, disposal, and demilitarization of explosive ordnance. I thank the chairman in particular for his special efforts in this area.

However, I would point out that there are certain aspects of the bill that give me pause. Fundamentally, these concerns have little to do with the detailed work of the subcommittee, which I believe did its very best under the constraints in which it operated; rather, the concerns stem from Congress' continued failure to confront our long-term fiscal challenges.

In its fiscal year 2015 budget request, the Department of Defense proposed some significant initiatives, including military pay adjustments, restructuring TRICARE, and the retirement of several weapons system—such as the A–10 and the Kiowa Warrior—in order to stay under the fiscal year 2015 budget cap, provide for future flexibility, and to meet the national security strategy.

Having said this, one could easily point out that the administration then undercut its own efforts by planning for higher spending in fiscal years 2016 through 2019 and by submitting the disingenuously named ''Opportunity, Growth, and Security Initiative,'' and subsequently also submitting unfunded priority lists.

Regardless, a number of the proposals the Department put forth for fiscal year 2015 do possess merit. With few exceptions, these proposals have gained no traction within Congress. Most were excluded or had language prohibiting or postponing their support in the recently passed National Defense Authorization Act.

I do not suggest that the administration is uniformly correct, nor do I dismiss the resultant impacts of many of these initiatives, but the alternative of staying the course and hoping for some relief in fiscal year 2016 is very wishful thinking.

The sooner Congress reaches the consensus required to make the difficult decisions that are essential to deal with the reality of finite resources, the better we can provide for our national defense.

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In closing, I want to reiterate my appreciation to the chairman for his cooperation, his friendship and diligence. He and his staff have ensured that the Defense Subcommittee continues its tradition of operating collaboratively and effectively. I am pleased to support this bill.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Kentucky (Mr. ROGERS), the chairman of the full Committee on Appropriations.

Mr. ROGERS of Kentucky. Mr. Chairman, I urge our colleagues to support this Defense spending bill for 2015.

This bipartisan legislation provides $491 billion in discretionary funding for our Nation's highest duty, and that is the security of country, the sustainment of our military operations, and the well-being of the brave men and women of our Armed Forces.

The bill before you today, Mr. Chairman, will help meet the most pressing needs of our military as we address current and arising threats to the safety of our Nation in an ever-changing global landscape. It also takes into account the ongoing challenges of our current fiscal situation, finding ways to trim excess spending and reduce lower priority programs without negatively affecting our troops or the success of our military missions.

Providing our military with the highest standard of readiness is a top priority in this bill. This includes procuring important equipment and resources, supporting troop training and flight time, and maintaining our bases and facilities. The bill marks investments in important defense technology R&D to help advance the safety and success of our military operations now and into the future. Investments like

these will help to preserve our military's status as the most effective and capable in the world.

The backbone of our military is, of course, the brave men and women who lay their lives on the line in defense of this Nation. With that in mind, the bill fully funds the authorized 1.8 percent pay raise for our military personnel instead of the 1 percent as requested by the President. Troop housing costs are also fully funded as authorized. This ensures that our more than 1.3 million Active Duty troops and 820,000 Guard and Reserve troops have the quality of life they deserve during their service. $31.6 billion is included for the Defense Health Program, to ensure a consistent and strong quality of care for our troops, their families, and retirees. Within this total, the bill includes increases above the President's request for cancer research, traumatic brain injury research, psychological health research, and suicide prevention outreach programs. The bill also provides an increase of $50 million above last year for sexual assault prevention and response programs, helping to address this growing challenge within our forces.

Lastly, the bill provides $79.4 billion in overseas contingency operations funding to support our troops in Afghanistan. As we have yet to receive an official budget request that reflects the most current and anticipated status of our troops in the field, this OCO funding will undoubtedly require further evaluation, particularly with the developing situations in Iraq and the Middle East.

By prioritizing these vital programs, closely scrutinizing the budget request and assessing the most current needs, the fiscal '15 Defense Appropriations bill ensures the best use of our limited Federal dollars. We made careful, targeted reductions wherever possible without adversely affecting the safety of our troops or the ongoing success of our military missions.

Mr. Chairman, as of today, we have completed 10 appropriations bills of the 12 through subcommittee. Eight have gone through full committee, and we have begun or we have completed the consideration of six bills on the floor. So, when we finish this bill and the ag bill, we will be half through the 12 bills. That has not happened in many years. We are moving at a remarkable pace, and if our colleagues in the other body continue their good work as well, we stand a great chance of completing this important work on time.

This is an even greater achievement because we have done so under regular order, with open rules that have allowed every Member to have his or her voice heard. Over the five bills we have considered on this floor so far, we have had more than 200 amendments, and I am sure we will add to that tally today. We have taken great care to weed out waste and excess and to terminate duplicative programs. In this year alone, we have found savings in every bill, and we have done all of this while abiding by the Ryan-Murray budget agreement.

The Acting CHAIR (Mr. MCCLINTOCK). The time of the gentleman has expired.

Mr. FRELINGHUYSEN. I am pleased to yield to the chairman an additional minute.

Mr. ROGERS of Kentucky. Before I finish, Mr. Chairman, I can't help but compliment the new chairman of this subcommittee. This is his maiden voyage after becoming chairman of the Defense Appropriations Subcommittee. I think he has steered the ship properly so far, and we look forward to the complete work that he is doing.

So congratulations to Chairman FRELINGHUYSEN and to Ranking Member VISCLOSKY. They have done a great job. It is a bipartisan bill, and I urge the Members to support it.

Mr. VISCLOSKY. Mr. Chairman, I yield 4 minutes to the gentlewoman from New York (Mrs. LOWEY), the ranking member of the Appropriations Committee.

Mrs. LOWEY. I would like to thank the chairman and the ranking member. The Defense Subcommittee has a long tradition of working closely together, and I sincerely appreciate these bipartisan efforts.

Mr. Chairman, this is an extremely important and timely bill as the Department is tasked with drawing down forces in Afghanistan, is appropriately responding to the upheaval in Iraq, and is facing other challenges across the globe. Totaling $490.7 billion, the base portion of the bill is approximately $200 million above the President's request. However, after accounting for appropriate increases in Active Duty pay and housing costs, the remainder of the bill is actually below the President's proposed level. Budget caps and sequestration force difficult decisions, many of which will be debated this week.

Before we begin that discussion, I want to again thank the chairman and ranking member and recognize the constraints under which they assembled the bill.

The bill includes a number of provisions I strongly support: additional investments to address the epidemic of sexual assault plaguing our military; substantial funds for health services and suicide prevention as my colleague just informed me that, in March, there were zero combat fatalities, but there were 700 suicides; a 1.8 percent increase for Active Duty pay; support for the National Guard and Reserves as well as family support programs; significant funding for cybersecurity to protect our critical infrastructure from cyber attacks; and continued support for the Israeli Cooperative missile defense programs.

I applaud the inclusion of language that fences 75 percent of funds for the Defense Healthcare Management System Modernization, requiring a report from the Secretary of Defense on acquisition and the cost of the program, plus the status of efforts to achieve interoperability with the Department of Veterans Affairs. This system is critical to the health of our servicemembers, and expeditious interoperability between the DOD and the VA is essential to ensuring quality of care as they become veterans. Through continued oversight, this committee will make sure that the DOD stays on course and delivers the promised objectives.

I remain concerned about the lack of a formal budget for the overseas contingency operations funds. With continued uncertainty about future U.S. actions in Afghanistan, work remains on this account.

Again, I appreciate the professionalism and collegiality of the process, and I look forward to further cooperation as we work toward passing this bill.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Florida (Mr. CRENSHAW), a member of our Defense Subcommittee.

Mr. CRENSHAW. Thank you very much, Mr. Chairman, for yielding the time, and thank you for the work that you have done, along with Mr. VISCLOSKY, to present what I consider to be a very strong bill.

Mr. Chairman, when you look at the world today, it certainly hasn't gotten any smaller, and it certainly hasn't gotten any safer, but I think this bill balances the priorities that we need to balance and focuses on being able to meet the many, many challenges that we face in terms of our national security.

I consider it an honor to serve on this subcommittee because, when I read the Constitution, it teaches me that the number one responsibility of the Federal Government is to protect American lives. The best way to keep America safe is to keep America strong, and I think this bill does that.

We make sure that we are not making any short-term, budget-driven decisions that would be easy to make in these difficult economic times. The Navy decided that it would like to deactivate 11 ships. That is one half of our cruiser fleet. We don't need fewer ships—we need more ships—and I am proud that the subcommittee has worked out a compromise by which these ships will be modernized and their lives will be extended, and they will continue to do the work that they need to do around the globe. The people I represent back in Jacksonville, Florida, care greatly about national security. They care about the men and women in uniform, and they care about the men and women who work so hard to make sure the ships are repaired and the planes are flying in the sky.

The other thing that I wanted to point out in terms of shortsighted, budget-driven decisions is that there was an effort to say there is not enough

money to refuel the USS George Washington. That is one of our nuclear carriers. It has 25 years left of useful life if we spend the money to refuel that, and we are going to do that. That will also help us comply with the law that I helped write 8 years ago that says you have to have 11 aircraft carriers unless Congress says otherwise.

Finally, when I look at the airplanes—the new E–2D Advanced Hawkeye—these planes are relatively new, but they are incredibly important to our national security. Again, the P–8 Poseidon surveillance planes are relatively new but are critical to our national defense.

I thank the chairman and the ranking member for putting together such a strong bill, and I urge all of my colleagues to support this.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), a member of the Defense Appropriations Subcommittee.

Ms. MCCOLLUM. Mr. Chairman, this appropriations bill will ensure that all of the men and women of our Armed Forces have the resources they need to keep our country safe and secure.

I want to commend Chairman FRELINGHUYSEN and Ranking Member VISCLOSKY for their working together in order to craft a good bill under difficult budgetary conditions and with the uncertainty surrounding the OCO account.

Thank you to all of the members of the subcommittee for working together in a bipartisan and collaborative manner to put this bill together.

This legislation supports our troops and our military families. It strengthens the health care services available to our servicemembers, and it provides the essential support that our industrial base needs.

One issue I am very concerned about is the epidemic of sexual assault in the military. Sexual assault will not be tolerated and must be both prevented and prosecuted. There are resources in this bill to do that, and Congress must hold military leaders accountable to make sure that this progress is made.

I am also very concerned about the complete lack of oversight by this Congress in the armed drone program, which is funded under this bill.

□ 1515

The lack of transparency surrounding drone strikes hinders our ability to evaluate their impact on innocent civilians.

There are other challenges and other tough choices made in this bill, and our hearings highlighted the fact there are tougher choices to make in the coming years.

With sequestration on the horizon for FY16 and beyond, Congress needs to act responsibly to balance the need for military readiness with the many nondefense challenges domestically that the American people face.

Congress needs to stop spending billions of dollars on excess bases and obsolete weapon systems that the Department of Defense does not want, and this bill starts that process by retiring the A–10 aircraft.

I believe this bill is responsible, and an important step forward.

Again, I want to thank the chairman and the ranking member for their leadership and doing what we need to do together as a country to maintain our military superiority in the 21st century.

Mr. Chairman, I urge passage of the bill.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Arkansas (Mr. WOMACK), a member of the Defense Appropriations Subcommittee.

Mr. WOMACK. Mr. Chairman, I thank the chairman of the subcommittee and the ranking member, Mr. FRELINGHUYSEN and Mr. VISCLOSKY, for their terrific leadership and the great work, tough work that has taken place in crafting this Defense Appropriations bill.

I also would like to thank the overall chairman and the ranking member, Mr. ROGERS and Mrs. LOWEY, for their leadership as well.

Mr. Chairman, I urge my colleagues to support this critical legislation on which our men and women in uniform, our intelligence community, and our futures depend.

America is at war, and we face continued uncertainty and new threats daily. Now is not the time to weaken our military. This bill equips the Department of Defense with the funding necessary to keep our Nation safe while making the tough decisions necessary to ensure we stay within our spending limits.

With $491 billion provided in discretionary spending, and another $80 billion as a placeholder in overseas contingency, the DOD will be able to maintain readiness at levels that protect our military's standing, support our ongoing war efforts abroad, and, most importantly, ensure that the health and well-being of our men and women in uniform and their ability to support their families is protected.

Our subcommittee, and our committee as a whole, is keenly aware of our Nation's deficits and debt. We are committed to thoroughly evaluating our spending to ensure our defense officials, both military and civilian, are accountable for smart policy objectives that responsibly steward taxpayer dollars.

We have had months of hearings, classified briefings, and bipartisan cooperation, and I believe we have successfully accomplished a bill, a good bipartisan bill, that is worthy of support.

Mr. Chairman, as I was thinking about my remarks today, I thought about that famous verse in ''America the Beautiful'' that says: ''Oh beautiful, for heroes proved, in liberating strife, who more than self their country loved, and mercy more than life.''

Mr. Chairman, we have an enormous obligation, a constitutional obligation, to protect the homeland. But we have an obligation to ensure that we protect those heroes referenced in that great patriotic song.

So the least we can do today is put our partisan differences aside and join collectively to send our collective appreciation to those who serve us in uniform by passing this very important piece of legislation.

Mr. VISCLOSKY. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE), a member of the Appropriations Committee.

Ms. LEE of California. Mr. Chairman, I thank the ranking member for yielding, and for your very hard work on this Department of Defense Appropriations bill.

Mr. Chairman, as the daughter of a veteran, I know how important it is to fully fund and support our troops. I strongly support these provisions of this legislation.

With that said, though, there are many provisions in this bill which I cannot support. These include nearly $500 billion in discretionary funding, with an increase of $4 billion above the fiscal year 2014 enacted level, which we have not seen for any other appropriations bill this year.

This inflated level of spending fails to account, mind you, for the waste, fraud, and abuse that continue at the Pentagon. We must audit the Pentagon and reduce unnecessary Pentagon spending.

This bill also includes nearly $80 billion for the overseas contingency operations slush fund, which is what it is, at a time when the President has not even made a specific request about how much is needed. This is outrageous, and this slush fund should be eliminated.

Now I will be offering several amendments to this bill, one to limit operations in Afghanistan after 2014, as well as to repeal the 2001 blank check authorization.

The farm bill, transportation bill, other bills, other authorizations have end dates. We need to end this. Come back to Congress, debate what we are going to do in Iraq, if anything, in terms of military strikes and, in fact, repeal the authorization on Afghanistan passed in 2001.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield such time as he may consume to my colleague from New Jersey (Mr. LOBIONDO) for the purpose of a colloquy.

Mr. LOBIONDO. I thank you, Chairman FRELINGHUYSEN, and also want to thank Ranking Member PETER VISCLOSKY for setting an example of how to take care of our Nation's dramatic needs and do it in an inclusive, bipartisan fashion.

Chairman FRELINGHUYSEN has shown great leadership in providing the resources our warfighters need to successfully defend our Nation, both here and abroad. He and I have often worked together on issues of shared interest, and I thank him for engaging with me on this very important issue.

Currently, the aircraft that are meant to protect our Nation's sovereign air space from both domestic and foreign threats, and also are routinely deployed, with the big Air Force, into war theaters overseas have gone without much-needed upgrades.

The F–16 Block 30 aircraft are tasked with a mission that absolutely cannot fail. The 177th Fighter Wing out of Atlantic City, New Jersey, along with other Air National Guard wings throughout the country, are assigned this critically important task of ensuring our home defense and, again, being able to integrate fully with the big Air Force into conflicts overseas, as they have done multiple times and, in fact, they are doing right now as we speak.

Due to the reduction of modernization programs, these F–16 Block 30 aircraft are without key combat avionic upgrades, such as the Scalable Agile Beam Radar.

Threats to our Nation continue to grow all over the world, from sovereign countries and terrorist organizations alike. The diversity of threats means that these aircraft must have the latest capability to make split-second decisions to protect our Nation here and abroad.

I ask that the chairman work with me to ensure that our Nation's airspace is properly defended, and that these F–16 aircraft are properly fitted for the threats of the 21st century.

With that, I yield to my good friend, the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman, my colleague, for yielding on this important issue. I agree that upgrading these legacy aircraft is vital to our Nation's defense. It is our job, as elected officials, to protect our citizens, and the mission of the Aerospace Control Alert aircraft does just that.

I will work to ensure that we include report language in conference, or take other appropriate steps regarding this issue, as we work through the appropriations process.

I thank my colleague and friend from New Jersey for bringing this vital concern to my attention.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, I rise to discuss H.R. 4870, the Department of Defense Appropriations Act.

I want to thank the committee for fully funding the Historically Black Colleges and Universities and Minority Student Initiative. The $34.4 million allocation supports the educational development of a growing number of minority scholars in science, technology, engineering, and math, also known as STEM.

I was proud when the House Armed Services Committee, and then the full House, approved my amendment to increase funding for this initiative by $10 million in the National Defense Authorization Act. By providing the full $34.4 million today, the Appropriations Committee and the full House will, once again, demonstrate our commitment to these outstanding scholars.

HBCUs produce one-fifth of the Nation's undergraduate science graduates and 20 percent of Black undergraduate engineers. This funding, through the NDAA, emphasizes our support for these students and encourages more minorities to take the STEM path.

In the long run, producing more qualified minority STEM graduates ensures a strong and diversified workforce, which is essential to our Nation's long-term well-being.

I have serious concerns about this bill. I wanted to use this opportunity to express my heartfelt appreciation for the work of the House Appropriations Committee in support of this initiative.

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

Mr. VISCLOSKY. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. ISRAEL) for the purpose of a colloquy.

Mr. ISRAEL. Mr. Chairman, I rise to engage in a colloquy with Ranking Member VISCLOSKY and Chairman FRELINGHUYSEN. But first I would like to commend the chairman and the ranking member for their leadership on this bill.

I am here today to address the importance of delivering the utmost care to our brave servicemen and -women who suffer from mental health disorders, and the benefits that public-private partnerships between the Department of Defense and teaching hospitals can provide, specifically to members of the National Guard and Reserve components who return from tours of duty and transition into civilian life far from a military base and without easy access to the care that they need.

I am pleased that the Department recognizes the benefits of these public-private partnerships and created a pilot program to improve efforts to treat members of the National Guard and Reserve components and their families who suffer from mental health disorders. But we must not stop there.

It is heartbreaking that preliminary readouts of suicide data for 2013 show that the Active component rate has come down about 18 percent, but the Reserve rates rose slightly. This problem is not going away.

That is why I am so pleased that the defense bill included language in the bill's report, recommended by the gentleman from New York (Mr. KING) and me, that encourages the Secretary of Defense to expand this initial pilot to include additional community partners through a competitive and merit-based process.

There are a number of teaching and clinical hospitals around the country that specialize in mental health treatment and can make a real difference in addressing the soaring demand for mental health treatment.

I would like to work with the chairman and the ranking member to ensure that the Department has the necessary funding to expand this vital pilot program so more of our Nation's brave servicemembers are able to receive the best care possible.

Mr. Chairman, at this time I am honored to yield to Chairman FRELINGHUYSEN.

Mr. FRELINGHUYSEN. Mr. Chairman, I appreciate the gentleman from New York's kind words.

The committee recognized that suicide remains a very serious problem in the military, particularly among National Guard and Reserve troops.

I am proud to say that our bill strongly supports the efforts of the services to address this crisis. The report includes language which speaks directly to the gentleman's interest in the pilot program that was created to treat servicemembers suffering from mental health disorders in the National Guard and Reserve components through community partnerships.

In addition, the bill provides $158 million in requested funding for suicide prevention, mental health, and risk resiliency programs for the services. This includes an extra $39 million for suicide prevention programs, including the $19 million specifically for our special operators.

All the military services have taken significant steps to make suicide prevention a top priority and to improve the resiliency and health of our servicemembers.

We support those efforts, and I will continue to work with the gentleman from New York and his colleague, Mr. KING, to address these important issues.

Mr. VISCLOSKY. Mr. Chairman, I would echo the sentiments about the importance of public-private partnerships and including teaching and clinical hospitals in finding ways to provide the best care possible to our servicemembers.

Mental health disorders are a growing trend in our military, and we must use all resources at our disposal to address the demand for treatment.

Mr. Chairman, I thank the gentleman for his interest and for the colloquy.

□ 1530

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

Mr. VISCLOSKY. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. BECERRA) for the purpose of a colloquy.

Mr. BECERRA. I thank the ranking member for yielding.

Mr. Chairman, I rise to engage in a colloquy with the gentleman from New Jersey, Chairman FRELINGHUYSEN.

First, Mr. Chairman, I would like to thank you and the ranking member for your efforts in putting together this legislation. In particular, I appreciate that this bill provides funding for the support for international sporting competition fund.

This account is crucial for ensuring the safety and security of countless Americans who participate in different Olympic initiatives, including the preparations for the Olympics, Paralympics, and Special Olympics.

The United States has a rich tradition of supporting the Special Olympics, both in the United States and abroad. These unique events empower people with intellectual and developmental disabilities, while promoting acceptance for all and fostering communities of understanding on a global scale.

Approximately 1,000 athletes participated in the first Special Olympics World Games in 1968. By comparison, there has been a sevenfold increase, with 7,000 athletes expected to participate in the 2015 Special Olympic World Games, which will be held in Los Angeles, California.

With this substantial growth, there has come an increased need for security. It is important for this legislation to match as best possible our country's previous funding commitments. This critical funding need could be addressed either through additional funding for the support for international sporting competition fund or unobligated funds at the Department of Defense.

I asked for and look forward to the opportunity to work with the chairman, ranking member, and all of our colleagues who wish to continue our country's support for the Special Olympics through any available funds in this legislation.

At this point, I yield to the chairman for his response.

Mr. FRELINGHUYSEN. The committee has a long history of support for international sporting competitions. Ranking Member VISCLOSKY and I will work with you to ensure that the remaining prior year balances appropriated for this purpose are spent for their intended purpose.

Mr. BECERRA. I thank the chairman and the ranking member.

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

Mr. VISCLOSKY. Mr. Chairman, at this point, I yield to the gentleman from Washington (Mr. HECK) for the purpose of a colloquy.

Mr. HECK of Washington. Mr. Chairman, as the ranking member may be aware, Junior Reserve Officer Training Corps programs are conducted at schools throughout our great Nation.

They are traditionally led by retired military officers and enlisted personnel, and the program prepares high school students for leadership roles. JROTC teaches the young men and women the kind of discipline and self-confidence required to succeed outside the classroom.

In my congressional district is Shelton High School, which successfully operated their Navy JROTC program for 35 years. One year, they dropped three students below the minimum threshold, were placed on probation, and yet, despite the subsequent year exceeding the enrollment threshold, they were required to get to the end of the line, notwithstanding the 35 years of successful operation.

I don't think Shelton High School ought to have to do that. I don't think any high school in the United States ought to have to do that.

The Shelton High School Navy JROTC program provided unmatched leadership opportunities for students, and it instilled exactly the kind of values we want to instill in young people: patriotism, national service, and a sense of accomplishment and responsibility.

Additionally, this JROTC program, in its community, served as the color guard at community events and helped provide volunteers for community organizations. Its absence is now being acutely felt throughout all of the county.

So I respectfully request that we somehow find a way to work together to ensure the Navy has the necessary funds to support these programs at Shelton High School and throughout the Nation.

Mr. VISCLOSKY. I certainly understand the gentleman's concerns and appreciate him making the committee aware of this issue.

I know that the Junior ROTC program has made a difference in the lives of many students, as well as our country. I would be happy to work with the gentleman on providing funding for this important program.

Mr. HECK of Washington. I thank the gentleman for agreeing to work with us, and I thank you and the chairman for your excellent work on this legislation, which I look forward to supporting.

I also want you to know that, when you tell me you will work with me, I know it to be the case because both of you are men of your word.

Mr. VISCLOSKY. I thank the gentleman and reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. THOMPSON) for the purpose of a colloquy.

Mr. THOMPSON of Pennsylvania. I thank you, Chairman FRELINGHUYSEN, for yielding for the purpose of a colloquy.

I want to thank you for your tireless efforts for our Nation's brave servicemen and -women and, just as importantly, for those who served and never made it home. This legislation fully funds the Prisoner of War/Missing in Action Personnel Office account. The hardworking staff over at the Joint POW/MIA Accounting Command, or JPAC, work tirelessly to track, locate, and recover these fallen heroes, and I thank them for their continued efforts.

I would like to have a moment to discuss a hero of the Vietnam war. Major Lewis P. Smith III majored in music at Penn State and graduated in 1964. He planned to teach music after his obligation to the Air Force was over.

Upon graduation from Penn State, Smith was trained on the T–38 and C–130 aircraft for the next 3 years, sent to Vietnam, and was assigned to the 20th Tactical Air Support Squadron in Pleiku, South Vietnam.

On May 30, 1968, Smith piloted a Cessna O–2A Skymaster aircraft in Saravane Province, Laos. During the mission, Smith encountered enemy fire, resulting in the crash of his plane.

Electronic signals were heard at the scene, indicating that he had survived the crash, but he was not rescued. Major Smith was listed as missing in action and is honored on the Vietnam Veterans Memorial, panel 62W, line 2.

Major Smith's family has been working with the Joint POW/MIA Accounting Command to recover his remains. The excavation site in Laos has been on the list for over 2 years, and the trip to excavate the crash site has been postponed twice due to budget pressures and sequestration.

Major Smith's family has reached out to me to help with their efforts to bring Lewis home. While I understand the budget-constrained times, the recovery of fallen servicemembers will bring closure to the families after such a loss.

Mr. Chairman, I ask for your support and urge the Joint POW/MIA Accounting Command to schedule the recovery trip to Laos and to bring home Major Lewis Smith's remains to his family and his country.

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

Mr. FRELINGHUYSEN. I thank the gentleman for yielding to me.

I understand the Defense Prisoner of War/Missing Personnel Office's mission is to provide the families of servicemembers lost in battle or taken as prisoners of war with information and, in applicable cases, to recover personnel from World War II, the Korean war, the cold war, the Vietnam war, and the Iraqi theater of operations.

I fully support the office and the work they do in searching and reuniting lost soldiers with their families. Returning the fallen servicemembers to their families is a priority, and I support your strong efforts and advocacy on behalf of Major Smith and his family. It is commendable. We honor it, and I thank you for bringing this to our attention.

Mr. VISCLOSKY. Mr. Chairman, at this time, I yield to the gentleman from New York (Mr. BISHOP) for the purpose of a colloquy.

Mr. BISHOP of New York. Mr. Chairman, I appreciate the opportunity to engage in a colloquy with the distinguished ranking member of the subcommittee.

As many of our colleagues know, thousands of men and women from our Armed Forces have returned from Iraq

and Afghanistan with a variety of service-connected illnesses and complications caused by exposure to the noxious fumes of open-air burn pits and other airborne hazards.

There is a growing body of research about the disabling effects of burn pit exposure that confirms that such exposure is the cause of serious illnesses, including various cancers that have killed veterans and have left countless others seriously ill.

Leading researchers in this area, including Dr. Anthony Szema of Stony Brook University's School of Medicine in my district, are discovering clear evidence that fumes from burn pits have sickened the personnel deployed in their vicinity.

While their precise numbers remain unknown, it is estimated that up to 30,000 Active Duty servicemembers and veterans might be suffering as a result of their exposure to burn pits. We must learn from past mistakes to stop open-air burn pit exposure before such exposure becomes the agent orange for this generation of veterans.

Mr. VISCLOSKY. I certainly understand the gentleman's concerns and appreciate him making the committee aware of this issue. I would be happy to work with him to provide attention and resources to this issue.

I am very pleased that he brought this to our attention today on the floor.

Mr. BISHOP of New York. I thank the gentleman for his response and his leadership. I also thank the chairman of the subcommittee for his leadership, and I look forward to working with them on this issue.

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

Mr. VISCLOSKY. Mr. Chairman, I would be delighted to yield to the gentleman from Wisconsin (Mr. POCAN) for the purpose of a colloquy.

Mr. POCAN. Mr. Chairman, I thank the ranking member and the chairman for including language supporting continued work on lithium ion battery research.

However, in reviewing the underlying bill, I am concerned about the possible interpretation by the Office of Naval Research with respect to this effort. I believe it is important that the Office of Naval Research emphasize battery safety as a part of this work.

I would also request the opportunity to continue to work with the chairman and the ranking member to allocate research and development funding to promote battery safety and to retain such funding through conference on the underlying bill.

I hope to make it clear that this Chamber encourages investment in battery safety research.

Mr. VISCLOSKY. I would want to make it clear to all of my colleagues, first of all, that my good friend from Wisconsin has been working on this issue for a number of years. I remember a meeting we had about a year ago on this issue, and he continues to press ahead, which I appreciate.

I certainly will continue to work with him on the development of lithium ion battery technology and promote battery safety as an important part of this research, and I appreciate the gentleman's concern, as well as his good work.

Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

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

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, each amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment. No pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations, or their respective designees, may offer up to 10 pro forma amendments each at any point for the purpose of debate. The Chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose. Amendments so printed shall be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 4870

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2015, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $41,183,729,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $27,387,344,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $12,785,431,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $27,564,362,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,304,159,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,836,024,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $659,224,000.

RESERVE PERSONNEL, AIR FORCE

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

personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,652,148,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $7,644,632,000.

□ 1545

AMENDMENT OFFERED BY MR. GOHMERT

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 2, after the dollar amount insert the following: ''(increased by $41,492,000)''.

Page 9, line 6, after the dollar amount insert the following: ''(reduced by $41,492,000)''.

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

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

The Acting CHAIR. A point of order is reserved.

The Chair recognizes the gentleman from Texas.

Mr. GOHMERT. Mr. Chairman, right now, as I speak, there are thousands of unaccompanied minors, many of whom are 15, 16, and 17 years of age, but nonetheless, they are classified as minors, under 18, and our Border Patrol is being overwhelmed.

Our ICE agents, who are supposed to deport people improperly here, are being overwhelmed. As one ICE agent said yesterday, Chris Crane, that is the union president for the ICE agents, he said, basically:

We are having to change diapers, and so there is no criminal interdiction going on. We are not able to do our jobs because of the thousands of children that are coming.

I saw a report today from CBP, the Border Patrol, Customs and Border Protection, and they were saying the interviews they are doing yield results from the children saying that they are coming to America now because of a new law that the President has that allows children to come in and stay here if they just get here quick enough.

It has caused a national emergency. So what $41,492,000 does is provide for 1,000 National Guard troops. We know in the amendment we cannot legislate, but in order for the money to be available for the National Guard troops to assist on the border, the money needs to be available, and, therefore, we are asking that the money be moved from one account over into an account that could be utilized for National Guard troops to help with what has been termed by so many people as a humanitarian crisis.

Why is it a crisis? Because people in the administration are refusing, and failing to refuse, to do the job and faithfully execute the laws of this Nation. They have done a terrible job, and it is a great injustice to all those children who have been sent by aunts and uncles, by parents, and by others. Just get to the border, and if their parents are sending them, we get reports that the parents are hoping once they get in then they can bring the parents in in order to take care of them.

There are other reports, as we have seen from a Federal judge in south Texas, that the Department of Homeland Security is now engaging in human trafficking. It is part of the lure of these thousands and thousands of children every week coming in, that if they get to the border and either one of their parents or any relative is in the country, then DHS will engage in human trafficking and try to take them wherever in the country they think their parents might be, even though they may be here illegally.

So this money is to help with a Federal problem that should not be costing the States. It is a Federal problem, as the Department of Justice has indicated through our Attorney General's suing States like Arizona and saying that you can't deal with this problem, this is a Federal issue, you must have hands off.

Well, the locals need help. This will provide help. And that is why I am asking to move $41,492,000 over in the DOD budget so that we can help with National Guard troops when and where they are needed.

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

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I insist on my point of order.

Mr. Chairman, the amendment proposes to amend portions of the bill not yet read.

The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of outlays in the bill.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Mr. GOHMERT. Mr. Chairman, I do.

The Acting CHAIR. The gentleman from Texas is recognized.

Mr. GOHMERT. Mr. Chairman, it is only the Congressional Budget Office, CBO, accounting that would say moving $41,492,000 from one account by that same amount into another account is having more in outlays than is being taken from one account. I think it is fuzzy math that the CBO is engaged in. To most of us, if you move $41,492,000 out of one account and you put that same amount in another account, it is not causing more outlays than we were removing from the account.

But I will leave that to the ruling of the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

To be considered en bloc pursuant to clause 2(f) of rule XXI, an amendment must not propose to increase the levels of budget authority or outlays in the bill. Because the amendment offered by the gentleman from Texas proposes a net increase in the level of outlays in the bill, as argued by the chairman of the relevant Subcommittee on Appropriations, it may not avail itself of clause 2(f) to address portions of the bill not yet read.

The point of order is sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. GOHMERT

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 2, after the dollar amount insert the following: ''(increased by $41,492,000)''.

Page 9, line 6, after the dollar amount insert the following: ''(reduced by $57,000,000)''.

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

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

The Acting CHAIR. A point of order is reserved.

The Chair recognizes the gentleman from Texas.

Mr. GOHMERT. Mr. Chairman, anticipating the fuzzy math from CBO that taking $41,492,000 from one account and putting that same amount in another account would not be considered equal, I went ahead and have another amendment that reduces the one account by $57 million, over $15 million more than we are transferring into the account that could be used for National Guard troops, so that, according to the fuzzy CBO math, the reduction will equal the increase.

But with that said, no matter how fuzzy the accounting is here in Washington, there is a massive problem on our border, and for this body to turn away when we can force the President's hand—he is not faithfully executing the laws of his office, he is not enforcing the immigration laws, and he is not enforcing the border. We can force his hand by making the proceeds available, the $41,492,000, to get the National Guard, make them available for this purpose, and then we think the outcry from America will force the President's

hand to get these people there, and the Governors will have a stake in this claim, but it is a Federal problem.

I continue to insist on this. Americans across the country are watching what we are doing. We need to be responsible and faithfully execute the laws of this country, and that is without regard to whether or not the President does. We have an obligation to get this money where it is needed. We believe this will do that, and so, Mr. Chairman, we move this amendment.

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

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I insist on my point of order.

Mr. Chairman, the amendment proposes to amend portions of the bill not yet read.

The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of outlays in the bill.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Mr. GOHMERT. Mr. Chairman, I certainly do.

The Acting CHAIR. The gentleman from Texas is recognized.

Mr. GOHMERT. Because under the math of CBO, as fuzzy as it is, by reducing one account by $57 million, even CBO says, yes, that takes care of equalizing the outlay of $41,492,000 in the account to increase that for the National Guard. So it should have been addressed with the first amendment that I made. But this second one certainly addresses the fuzzy math that CBO provides. This does not increase the amount of expenditures over what is being taken from another account.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Seeing none, the Chair is prepared to rule.

To be considered en bloc pursuant to clause 2(f) of rule XXI, an amendment must not propose to increase the levels of budget authority or outlays in the bill. Because the amendment offered by the gentleman from Texas proposes a net increase in the level of outlays in the bill, as argued by the chairman of the relevant Subcommittee on Appropriations, it may not avail itself of clause 2(f) to address portions of the bill not yet read.

The point of order is sustained. The amendment is not in order.

PARLIAMENTARY INQUIRY

Mr. GOHMERT. Mr. Chair, parliamentary inquiry.

The Acting CHAIR. The gentleman will state his parliamentary inquiry.

Mr. GOHMERT. My inquiry is this, Mr. Chairman.

Can the Chair tell me how reducing one account by $57 million is not adequate to cover a $41,492,000 increase in another account? It is $15.5 million more we are reducing than the amount we are increasing.

So my inquiry is, please, Mr. Chairman, explain how the increase of $41,492,000 is more than the $57 million reduction.

The Acting CHAIR. The Chair based the ruling on the fact that the amendment increased budget outlays.

Mr. GOHMERT. The rates are addressed, Mr. Chairman, by this $15.5 million amount. That is covered. Even CBO admits that. So I don't know where the chairman is getting his numbers. They are certainly not supported even by the fuzziest of math of our CBO.

The Acting CHAIR. The Chair has ruled that the amendment increases the amount of outlays in the bill and is not in order.

The Clerk will read.

The Clerk read as follows:

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,110,587,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law, $32,671,980,000: *Provided*, That not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law, $39,073,543,000: *Provided*, That not to exceed $15,055,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $5,984,680,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law, $35,024,160,000: *Provided*, That not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $30,896,741,000: *Provided*, That not more than $15,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than $36,262,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That $8,881,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

□ 1600

AMENDMENT OFFERED BY MS. LEE OF CALIFORNIA

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount insert the following: ''(reduced by $5,000,000)''.

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

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

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

The Chair recognizes the gentlewoman from California.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

Ms. LEE of California. Mr. Chairman, I thank the chairman and the ranking member for working with me on this very important amendment. This is a very simple amendment that would provide a $5 million increase to available funds for research, development, testing, and evaluation related to multiple sclerosis under the Defense Health Program.

These funds would increase funding for multiple sclerosis research under DOD to $10 million. This amendment fulfills the request of $10 million for MS research that was included in a bipartisan letter signed by 78 Members of Congress earlier this year, including cochairs of the Congressional MS Caucus, Representative MICHAEL BURGESS and Representative VAN HOLLEN, and I will include the Dear Colleague letter for the RECORD.

CONGRESS OF THE UNITED STATES,
Washington, DC, March 28, 2014.

Hon. RODNEY FRELINGHUYSEN,
Chairman, Subcommittee on Defense Committee on Appropriations, Washington, DC.

Hon. PETE VISCLOSKY,
Ranking Member, Subcommittee on Defense Committee on Appropriations, Washington, DC.

DEAR CHAIRMAN FRELINGHUYSEN AND RANKING MEMBER VISCLOSKY: On behalf of all people living with multiple sclerosis (MS), we would like to thank you for your past support for funding MS research through the Congressionally Directed Medical Research Programs (CDMRP). As you know, MS is a chronic, unpredictable, often disabling disease of the central nervous system. MS is generally diagnosed between the ages of 20 and 50, during the prime of an individual's life. Sadly, the cause of MS is still unknown and there is no cure. While we recognize the fiscal constraints the country faces, it is critical that we continue to fund this important research, which holds great promise for our military service members and all those who are affected by MS. We respectfully ask that you direct $10 million to fund the MS research program for Fiscal Year 2015.

MS interrupts the flow of information within the brain, and between the brain and body. Every hour in the United States, someone is newly diagnosed with the disease. Symptoms range from numbness and tingling to blindness and paralysis. The progress, severity and specific symptoms of MS in any one person cannot yet be predicted, but advances in research are improving the possibility of a world free of MS.

Currently, the FDA-approved treatments that are available to treat MS only slow the progression of the disease for a subset of the MS population. Of these available medical treatments, many are not effective for patients and cannot be tolerated by many others. Additionally, the cost of treating and living with MS is costly—approximately $69,000 annually.

Many U.S. veterans have stories and symptoms of multiple sclerosis. Preliminary evidence suggests that some combat veterans could have an increased risk of developing MS.

Over 23,000 veterans are being treated for MS through the Department of Veterans Affairs (VA).

A study in the Annals of Neurology identified 5,345 cases of ''service-connected'' MS among U.S. veterans.

An epidemiologic study found a two-fold increase in MS between 1993 and 2000 in Kuwait, which suggests a potential environmental trigger for MS.

The VA is currently funding two MS Centers of Excellence to provide clinical care and education for these veterans, but now physicians at these institutions are seeking funding to explore a potential link between MS and combat service.

MS research has the potential to help all those living with MS, including our veterans. We ask that you support MS research by including $10 million in funding for the MS program within the, CDMRP in the Fiscal Year 2015 Defense Appropriations. Thank you for your consideration of this request.

Sincerely,

Michael C. Burgess, M.D., Henry C. ''Hank'' Johnson, Jr., André Carson, Daniel W. Lipinski, James R. Langevin, Charles B. Rangel, Chris Van Hollen, Eliot L. Engel, Sander Levin, Yvette D. Clarke, John Yarmuth, Frederica S. Wilson.

Peter DeFazio, Sheila Jackson Lee, Tony Cardenas, Christopher H. Smith, Mike Michaud, Ron Kind, Brad Schneider, Lloyd Doggett, Joe Courtney, Peter King, Jon Runyan, Alcee L. Hastings, Rick Larsen, Barbara Lee, Donald M. Payne, Jr., Danny K. Davis, Ann MacLane Kuster, C.A. Dutch Ruppersberger.

Jan Schakowsky, Steve Israel, Michael Grimm, Carolyn McCarthy, Steve Cohen, Luis V. Gutiérrez, Tim Bishop, Gerald E. Connolly, Tim Murphy, Carol Shea-Porter, Stephen F. Lynch, Rush Holt, Chellie Pingree, David N. Cicilline, Bill Foster, Gloria Negrete McLeod, Jim McDermott, Elijah E. Cummings.

John F. Tierney, Chaka Fattah, Dave Loebsack, Matt Cartwright, Juan Vargas, John Delaney, David Price, Jim Himes, Julia Brownley, Lois Frankel, Collin C. Peterson, Alan Grayson, Gregory W. Meeks, Spencer Bachus, John Garamendi, Robert A. Brady, Marc Veasey, Cheri Bustos.

Mark Pocan, Elizabeth H. Esty, Ann Kirkpatrick, Susan A. Davis, Dan Kildee, Dan Benishek, M.D., Ben Ray Luján, Ron Barber, Grace Meng, Tim Walz, John Conyers, Jr., Mike Thompson.

Ms. LEE of California. There are 2 million people worldwide living with MS. This complicated and unpredictable neurological disease interrupts the flow of information within the brain and between the brain and the body.

MS is a chronic disease that can often be debilitating for those living with it, and the symptoms of MS are as diverse as the people it impacts.

I am pleased to introduce this amendment to the Defense Appropriations bill, since MS has a significant impact on our armed services. Some 23,000 veterans are currently being treated for MS, with more than 5,000 cases having been identified as service connected.

Because of increased research funding in MS, the first disease-modifying drugs became available for people living with MS 20 years ago. However, these drugs only work for a subset of the population, and many people living with MS still have no viable treatment options.

Increased research funding could give scientists a better understanding of the disease, which could potentially unveil new therapies.

I will close by adding that I understand, on a very personal level, the impact of this disease. My sister, Mildred, shows me every day what life is like to live with the disease, and I am consistently amazed by her strength and her bravery. She and the millions of people around the world living with MS are really a testament to the importance of making stronger investments to find a cure.

Mr. Chairman, on behalf of my sister Mildred and on behalf of all of those living with MS, on behalf of the families and caregivers, I urge my colleagues to vote ''yes.''

Mr. FRELINGHUYSEN. Will the gentlewoman yield?

Ms. LEE of California. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. First, I commend you on your amendment, and I withdraw my reservation.

The Acting CHAIR (Mr. DUNCAN of Tennessee). The reservation of the point of order is withdrawn.

Ms. LEE of California. Mr. Chairman, I thank the gentleman, and I urge a ''yes'' vote.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LAMBORN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount insert the following: ''(reduced by $5,000,000) (increased by $5,000,000)''.

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

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chairman, there is an important program to help our Special Forces troops and families. It is called the Preservation of the Force and Family program.

Admiral McRaven, who is the commander of Special Operations Command, has told the Armed Services Committee that this is his highest priority. It combines several kinds of help and assistance to wounded warriors and to their families in a holistic way. For those who are in it and have benefited from it, it has been a tremendous, tremendous program.

What I am proposing in this amendment is to take $5 million from the Special Operation Command's budget request for flying hours, which in my understanding was increased by the Appropriations Committee, which is normally an excellent thing to fund, but they even gave, in my understanding, Mr. Chairman, above and beyond what the command had asked for.

So based on that, I am asking for a transfer back of $5 million from the flying hours budget to the Preservation of the Force and Family Program.

This aligns with what the Armed Services Committee had put in the NDAA after their deliberations in committee. I would ask that the House adopt this amendment.

I reserve the balance of my time.

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

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

Mr. VISCLOSKY. Mr. Chairman, I rise in opposition. The subcommittee

has always done everything we can to take care of our special operators, and that is reflected in the mark.

I do believe the gentleman's amendment is philosophically inconsistent with the underlying bill. I cannot justify devoting significant resources to SOCOM's $1 billion proposal to establish their own separate contractor-staffed facilities, when our services are undergoing tremendous downsizing pressures. It runs contrary to what we are trying to do in the bill.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. VISCLOSKY. I yield to the gentleman from New Jersey, the committee chair.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Further, SOCOM has provided no information or data to support this costly new endeavor, and Congress has raised questions in both the authorization bill and the appropriations bill about the affordability and efficacy of this program.

As our mark reflects, we have also raised serious concerns regarding SOCOM's prioritization of its requirements. Again this year, SOCOM proposed to fund their flying hour readiness programs at only 67 percent of their requirement, so they could fund these new contractors and facilities. They then made restoration of flying hours their number one unfunded priority.

I believe it is ill-advised to provide a 50 percent increase to hire personal trainers, sports nutritionists, and sports psychologists for special operators at an average cost in excess of $200,000.

With all due respect, all those who serve in our military—men and women, whether they be Active Duty, Guard, and Reserve or whether they are special operators—deserve the type of equipment and programs that keep them healthy and steadfast.

Mr. VISCLOSKY. Mr. Chairman, I appreciate the gentleman's remarks and would also point out that the committee has raised significant questions regarding duplication with service-related facilities and services by the Special Forces.

More importantly—and I think this is key—we must be careful not to create or give the perception that we are treating Special Forces differently than anyone else who serves this country in uniform.

Anyone who puts the uniform of the United States military on, they are all special. I strongly oppose the gentleman's amendment.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I would agree with the assertion that every single fighting man and woman is special. The Special Operations Forces do have some tremendous stresses that they can undergo, especially in the kind of combat missions that they perform.

I believe that this is a program that has been successful in preventing suicide, so for that reason, I think it is timely. It is appropriate.

There are different programs to treat our wounded warriors who have PTSD, and every program does not work for every soldier, sailor, airman, or marine; but for those who do get the treatment they need, it is literally a lifesaver.

For that reason, I think it is a priority to address the aftereffects of PTSD, and this would be a very good program. I do appreciate the Appropriations Committee work that they do and the tough choices that they are constantly making, and I respect that, but I think this is a good choice, so I offer the amendment.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I would simply close by saying that all members of the military are equal and that this amendment is unwarranted, and I do oppose it.

I yield to the gentleman from New Jersey if he has anything to add.

Mr. FRELINGHUYSEN. Mr. Chairman, we have $19 million specifically to address the high incidence of suicide among our special operators, so it is not only servicewide, but we recognize the special burdens that special operators bear through their incredible work.

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

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

The amendment was rejected.

AMENDMENT OFFERED BY MS. JACKSON LEE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount, insert ''(reduced by $500,000)''.

Page 33, line 11, after the dollar amount, insert ''(increased by $500,000)''.

Page 33, line 19, after the dollar amount, insert ''(increased by $500,000)''.

Ms. JACKSON LEE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

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

There was no objection.

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

The Acting CHAIR. A point of order is reserved.

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

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, this is a daunting time to be on the floor of the House during Defense Appropriations, and I add my appreciation to the chairman and to the ranking member for the bipartisan approach with which they have treated our men and women.

As we speak, there are soldiers who have left our soil, and they are in Iraq protecting our men and women at our embassy. There is never a time that we do not call upon our soldiers to stand and to defend our Nation or our citizens. My amendment recognizes that.

My amendment is a budget-neutral amendment. It adds $500,000 by reducing another account by $500,000 for an emphasis on PTSD, for outreach toward hard-to-reach veterans, especially those who are homeless or reside in underserved urban and rural areas.

Let me congratulate the committee for its hard work in recognition of the crisis of PTSD, but let me also cite that Houston is the third largest military retirement community in the United States, exceeded only by San Antonio and San Diego, California.

□ 1615

Houston is the second highest military recruiting district in the United States for all Armed Forces, to include the Coast Guard, and many return back to Houston. Twenty-three percent of the Houston adult homeless population are veterans, and nearly 2,500 men and women. I see them every day in my district. I have several homeless facilities that are particularly for veterans. As I interact with them, I see the clear signs of PTSD.

Over the years, I have had the privilege of working with this committee in establishing a PTSD center in one of our hospitals that was not a veteran facility. An estimated 7.8 percent of Americans will experience PTSD at some point in their lives, with women 10.4 percent and men 5 percent to develop PTSD; as well, estimates of PTSD from the gulf war as high as 10 percent; estimates from the war in Afghanistan are between 6 percent and 11 percent; and current estimates of PTSD in military personnel who served in Iraq range from 12 percent to 20 percent.

Posttraumatic stress disorder is of course something of great concern, and many times I have seen, again, these individuals who are in these very facilities. My amendment will help to ensure that no soldier is left behind and the urgent need for more outreach toward hard-to-reach veterans suffering from PTSD, especially those who are homeless and reside in underserved areas.

Mr. Chairman, I have been to what we call stand-downs. We have a number of them in our community. I started going to stand-downs way before I came to the United States Congress. These are street events that soldiers, retirees, or veterans come together, and particularly those who are homeless. I would say to you they are the most moving experiences that I have ever seen. The soldiers, the veterans are glad to see people who care. Many of them are suffering, but many of them—all of them—put on that uniform and served us.

Joe, for example, saw a good deal of active combat during his time in the

military. Some incidents in particular have never left his mind, like the horrifying sight of Gary, a close comrade and friend, being blown up by a land mine. Even when he returned to civilian life, those images haunted him. Scenes from the battle would run repeatedly through his mind and disrupt his focus on work. Filling up at the gas station, for example, the smell of diesel immediately rekindled certain horrific memories. At other times, he had difficulty remembering the past, as if some events were too painful to allow back into his mind. He found himself avoiding socializing with old military buddies, as this would inevitably trigger a new round of memories. His girlfriend complained that he was always pent up and irritable, as if he were on guard, and Joe noticed that at night he had difficulty relaxing. When he heard loud noises, such as a truck backfiring, he literally jumped as if he were readying himself for combat. He began to drink heavily.

I am glad that this committee has recognized the importance of providing these services for our soldiers, no matter the long range of time that they have been out, that they are now veterans, that they are still important and they still were willing to put on the uniform.

In light of our crisis with the Veterans Affairs, I would ask my colleagues to support this amendment providing extra outreach to those veterans who did not think for one moment to put on that uniform and defend their Nation. Let's now provide them with that extra comfort.

Mr. FRELINGHUYSEN. Will the gentlewoman yield?

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

Mr. FRELINGHUYSEN. I withdraw my reservation.

We on the committee commend the gentlewoman for her concern for the health and well-being of all of our brave men and women in uniform. Taking care of the health and welfare of our servicemembers is of paramount importance and a concern to all of us.

I can assure you that both Mr. VISCLOSKY and I will work with you as well as the money we put in our bill to address the concerns you have rightly raised.

I thank you for yielding.

Ms. JACKSON LEE. Mr. Chairman, as I said earlier, I don't know if you heard, I thanked you for your caring response, along with the ranking member, putting together a bill that really recognizes service to our veterans.

With that, let me conclude and ask my colleagues to support the Jackson Lee amendment. I indicate that Mr. CONYERS of Michigan joins me in this amendment.

I thank you, and I yield back the balance of my time.

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

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

My amendment increases funding for the PTSD by $500,000. These funds should be used toward outreach activities targeting hard to reach veterans, especially those who are homeless or reside in underserved urban and rural areas, who suffer from Post Traumatic Stress Disorder (PTSD).

Mr. Chair, along with traumatic brain injury, PTSD is the signature wound suffered by the brave men and women fighting in Afghanistan, Iraq, and far off lands to defend the values and freedom we hold dear.

For those of us whose daily existence is not lived in harm's way, it is difficult to imagine the horrific images that American servicemen and women deployed in Iraq, Afghanistan, and other theaters of war see on a daily basis.

In an instant a suicide bomber, an IED, or an insurgent can obliterate your best friend and right in front of your face. Yet, you are trained and expected to continue on with the mission, and you do, even though you may not even have reached your 20th birthday.

But there always comes a reckoning. And it usually comes after the stress and trauma of battle is over and you are alone with your thoughts and memories.

And the horror of those desperate and dangerous encounters with the enemy and your own mortality come flooding back.

PTSD was first brought to public attention in relation to war veterans, but it can result from a variety of traumatic incidents, such as torture, being kidnapped or held captive, bombings, or natural disasters such as floods or earthquakes.

People with PTSD may startle easily, become emotionally numb (especially in relation to people with whom they used to be close), lose interest in things they used to enjoy, have trouble feeling affectionate, be irritable, become more aggressive, or even become violent.

They avoid situations that remind them of the original incident, and anniversaries of the incident are often very difficult.

Most people with PTSD repeatedly relive the trauma in their thoughts during the day and in nightmares when they sleep. These are called flashbacks. A person having a flashback may lose touch with reality and believe that the traumatic incident is happening all over again.

Mr. Chair, the fact of the matter is that most veterans with PTSD also have other psychiatric disorders, which are a consequence of PTSD. These veterans have co-occurring disorders, which include depression, alcohol and/or drug abuse problems, panic, and/or other anxiety disorders.

My amendment recognizes that these soldiers are first and foremost, human. They carry their experiences with them.

Ask a veteran of Vietnam, Iraq, or Afghanistan about the frequency of nightmares they experience, and one will realize that serving in the Armed Forces leaves a lasting impression, whether good or bad.

My amendment will help ensure that "no soldier is left behind" by addressing the urgent need for more outreach toward hard to reach veterans suffering from PTSD, especially those who are homeless or reside in underserved urban and rural areas of our country.

I urge my colleagues to support the Jackson Lee Amendment.

PTSD ANECDOTES

ANECDOTE #1: (VETERAN)

Joe saw a good deal of active combat during his time in the military. Some incidents in particular had never left his mind—like the horrifying sight of Gary, a close comrade and friend, being blown-up by a land mine.

Even when he returned from to civilian life, these images haunted him. Scenes repeatedly through his mind and disrupt his focus on work.

Filing up at the gas station, for example, the smell of diesel immediately rekindled certain horrific memories. At other times, he had difficulty remembering the past—as if some events were too painful to allow back in his mind. He found himself avoiding himself socializing with old military buddies, as this would inevitably trigger a new round of memories.

His girlfriend complained that he was always pent-up and irritable—as if he were on guard, and Joe noticed that at night he had difficulty falling asleep.

When he heard loud noises, such as a truck back-firing he literally jumped, as if here were readying himself for combat. He began to drink heavily.

ANECDOTE #2: (AS TOLD BY A MILITARY SPOUSE)

My husband's PTS manifested itself in different ways. I remember Fourth of July at Fort Huachuca, Ariz., when we were all standing outside listening to the band, enjoying the picnic and listening to fireworks.

The fireworks bothered Adrian because they sounded so much like gunfire.

It made other soldiers upset too, and we all went inside. I thought it was ironic because the celebration was supposed to be for the American soldiers; they couldn't even enjoy it.

He'd see a can on the side of the road and swerve, thinking it was an improvised explosive device.

When he'd go out to dinner with other soldiers, I'd say it looked like a ''The Last Supper'' painting because they'd all sit there with their backs against the wall.

If a room became too busy, he'd want to leave. He'd suddenly become unfriendly or unapproachable.

At first, I confused his behavior with depression, or I thought maybe he was just tired. I also couldn't help but think it had to do with me; I'm only human.

I was fortunate that Adrian was willing to get help once he got back. Once he was diagnosed, I knew we'd know better how to deal with his symptoms. I educated myself on PTSD; I went to his group therapist and reached out to the Real Warriors Campaign for information. But the most important thing I did was listen to Adrian.

ANECDOTE #3: (TEEN-AGED GIRL)

Maria was only 15 when she was attacked by a group of men on the way home from school. They took turns screaming abuse at her and then they each raped her. Finally, they tried to stab her to death and would almost certainly have succeeded had the police not arrived on the scene.

For months after this horrifying event, Maria was not herself. She was unable to keep the memories of the attack out of her mind. At night she would have terrible dreams of rape, and would wake up screaming.

She had difficulty walking back from school because the route took her past the site of the attack, so she would have to go

the long way home. She felt as though her emotions were numbed, and as though she had no real future. At home she was anxious, tense, and easily startled. She felt ''dirty'' and somehow shamed by the event, and she resolved not to tell close friends about the event, in case they too rejected her.

ANECDOTE #4: (CIVILIAN WOMAN)

A 35-year-old lady was riding a bicycle in a carpark when she was hit from behind by a car.

Six months after the accident, she still had frequent vivid and intrusive memories of the incident.

She described seeing the car's wheels stopping just in front of her face and hearing the screeching sound of the brakes.

It felt as if it were happening again each time she recalled it. She jumped whenever she heard loud traffic noises and especially when she heard car brakes screeching.

She stayed in her room much more than usual, avoided using the bicycles at all and avoided travelling in any vehicle as much as she could.

She felt helpless and useless to overcome her symptoms even though her family were warm and encouraging to her.

Houston is the 3rd largest military retirement community in the United States (exceeded by San Antonio, TX and San Diego, CA).

Houston is the 2nd largest Veterans Community in the United States in terms of resident Veterans.

Houston is the 2nd largest Military Recruiting District in the United States for all Armed Forces Services, to include the U.S. Coast Guard.

23% of the Houston adult homeless population are veterans, nearly 2,500 men and women.

The Acting CHAIR. The reservation of a point of order is withdrawn.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LAMBORN

Mr. LAMBORN. Mr. Chair, I am offering the second Lamborn amendment, 052.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount insert the following: ''(reduced by $5,000,000)''.

Page 12, line 17, after the dollar amount insert the following: ''(increased by $5,000,000)''.

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

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chairman, when you look at press accounts on what is happening at our southwest border, we are being overwhelmed. This amendment would take $5 million and give it to the Army National Guard out of the Department of Defense's administration operations account so that the National Guard is better able to get people and station them at our southwest border. They do not have dedicated funding or the additional funding they need for this border protection mission, yet they are involved in trying to establish order at the border.

The primary role of the Federal Government is to provide for our national security, and securing our borders is part of that national security mission. Mr. Chairman, I believe that this $5 million would be better spent on securing our border than adding more people to the Secretary of Defense's staff.

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

Mr. FRELINGHUYSEN. I appreciate the gentleman's interest in defending our borders, appreciate your raising this important issue, and we support your amendment.

Thank you for yielding.

Mr. LAMBORN. Reclaiming my time, I appreciate the chairman's hard work and for his support of this amendment.

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. JEFFRIES

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

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

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

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

The Chair recognizes the gentleman from New York.

Mr. JEFFRIES. Mr. Chair, let me first thank the distinguished chairman as well as the distinguished ranking member for their great work with respect to this legislation.

This amendment makes a modest adjustment to the bill that would increase funding for the Defense Health Program by $10 million. It is budget neutral by reducing the Department of Defense's departmentwide operation and maintenance funds by a corresponding amount.

Let me first take this opportunity to express my strong support for the critical work of the Defense Department overall. The adjustment made by this amendment will still leave the Department with an extremely robust amount of operation and maintenance funding while ensuring that necessary resources are available for vital research and development that will aid both servicemembers and civilians alike.

The Defense Health Program oversees all medical and health care programs for the Defense Department. DHP's research and development activities help advance medical research to provide innovative solutions for servicemembers and their families facing medical trauma as well as advance the state of medical science in areas that benefit our broader society.

Over the last 10 years, there has been a significant increase in the amount of reported cases of PTSD in servicemembers. These increases are seen in both those deployed overseas as well as in nondeployed servicemembers. For those servicemembers who are deployed, the number of incidents of PTSD has increased twelvefold over the last 10 years. For those not deployed, the number of reported incident cases has nearly doubled. The annual total for reported PTSD cases has remained at unprecedentedly high levels over the last 5 years.

While we are currently winding down the war in Afghanistan, American troops continue to see action on the battlefield. With more of these troops returning from deployments over the next several years, it is likely that the number of PTSD cases will hold steady, if not increase. Furthermore, increased international unrest and uncertainty may result in future troop deployments to other parts of world, making it likely that the number of reported PTSD cases will remain at a high level. This amendment will invest resources to help inform health professionals on how best to treat our military personnel moving forward.

Furthermore, the need for increased research concerning PTSD is not limited to our military. High levels of violence in many communities throughout America have induced PTSD-like conditions for some trapped in these unfortunate circumstances. Research undertaken by the Department of Defense can benefit families and community health professionals in treating our children and others impacted in this way. I, therefore, urge my colleagues to support additional medical research to help the military victims of PTSD and our broader society.

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

Mr. FRELINGHUYSEN. We on the committee thank the gentleman from New York for his concern regarding funding levels for traumatic brain injury, posttraumatic stress disorder, and psychological health research.

Just for the record, you should know that our bill does include $414 million, including a plus-up of $125 million above the request level of $289 million for all of those important issues.

We appreciate his work and his willingness to work with us, and we accept his amendment.

Mr. JEFFRIES. I thank the Chair for his work on this issue as well as the ranking member.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MCKINLEY

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount, insert ''(reduced by $21,000,000) (increased by $21,000,000)''.

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

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, earlier this year the Office of Management and Budget admitted that they made a mistake when they presented the President's budget request for the National Guard Youth ChalleNGe Program. Since then, they have expressed that they intend to correct this mistake by offering a supplemental appropriation, because you and I know supplemental appropriations don't happen very often around here.

Congresswoman NAPOLITANO and I have a two-part approach to solve this mistake that has been created by OMB. First, Congress already has unanimously passed our amendment to the National Defense Authorization Act by increasing the authorization by $55 million to take care of this mistake. Under this amendment—this amendment—this bipartisan approach is we are willing to compromise to lower that amount to $21 million and restore the program, keep it intact.

Mr. Chairman, we shouldn't perpetuate the mistake that has been created by OMB by rejecting this amendment. Two mistakes don't make it right.

Mr. Chairman, this program addresses some serious needs and a dropout epidemic among our youth. These are real people with real problems. They need our help. Society may have given up on them, but we in Congress shouldn't.

Ms. NAPOLITANO. Will the gentleman yield?

Ms. MCKINLEY. I yield to the gentlewoman from California.

Ms. NAPOLITANO. I rise to address this amendment, Mr. Chairman.

I thank my cochairman, Mr. MCKINLEY, on the National Guard ChalleNGe Program.

□ 1630

Thank you for your great help in the outreach to all of our Members of Congress.

We have been working in a bipartisan manner to help our Nation's throwaway children, those who have fallen through the cracks.

For 2015, Defense Appropriations will fund the program at $114 million. The current funding is $135 million, so it would be short.

This amendment increases by, as he mentioned, $21 million to have the same funding as 2014, increasing it to the same level of $135 million. It would prevent cuts to critical programs that are helping our youth integrate back into society. It reduces the budget line in operation and maintenance by the same amount.

It is critical for hundreds of our young people who drop out yearly to have an opportunity to be accepted into the program. The ChalleNGe Program has already educated 120,000 young people nationally. It also is a volunteer program free for 16- to 18-year-olds at no cost to the child or the family; 22½-week residential boot camp-like program led by the State's National Guard cadre; prepares them, educates them, instills discipline, builds employment potential, and returns them to school.

The 2012 RAND Corporation study finds that for every dollar spent, in return is $2.66, a yield of 166 percent return on investment—the best youth program in the Nation.

It effectively addresses part of our Nation's dropout epidemic on a very small level. America needs more of these programs, not less.

It is beneficial to our local businesses, to our communities, and to our Nation's ability to compete, to our future economy.

According to the 2009 National Labor Market study, California alone has 714,000 dropouts yearly, the sixth-worst State.

Our graduates are 800 a year. Basically, we need more funding to expand it to more qualified individuals who are on a waiting list. Our best retention rate is in California. It is educating, training, and retaining more than 90 percent.

There is very much a need for these programs. Please support this amendment.

Mr. MCKINLEY. Mr. Chairman, this is a mistake caused by OMB. We can correct it right here today. Again, as I said, these are real people with real problems, and they are trying to get on with their lives. The program has worked all across America. Let's not perpetuate this problem by reducing their funds. It was a mistake by OMB, and we can correct it here today.

I ask that my colleagues support this amendment, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MCGOVERN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount insert the following: ''(reduced by $3,500,000)'',

Page 33, line 11, after the dollar amount insert the following: ''(increased by $3,000,000)'',

Page 33, line 12, after the dollar amount insert the following: ''(increased by $3,000,000).

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Massachusetts (Mr. MCGOVERN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

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

Mr. Chairman, I want to thank Representatives JONES, SHEA-PORTER, TSONGAS, BORDALLO, and MOORE for joining me today in offering this amendment. They are leaders and champions in support of the benefits that service dogs provide to our servicemen and -women on and off the battlefield.

This amendment establishes a $3 million competitive grants pilot program for qualified nonprofit organizations whose mission is to address the physical and mental health needs of veterans and servicemembers with the assistance from trained service dogs. This is a very modest amount of money when we consider the need of our veterans and the number of organizations around the country dedicated to addressing this need.

Many of our servicemembers return home from the battlefield suffering from traumatic brain injury, PTSD, blindness or impaired vision, the loss of a limb, paralysis, impaired mobility, loss of hearing, and other mental and physical disabilities. Too many struggle with suicidal thoughts or find themselves unable to reintegrate back into family life or their communities.

Working with a trained service dog is a proven aid for these wounded warriors, the merits of which have been documented in decades of programs for civilians with similar mental or physical challenges. Providing grant opportunities for groups professionally engaged in this field is critical to ensuring that our military and our veterans receive the care that they deserve.

In December, I held a briefing that brought together experts to look more closely at the impact service dogs have on veterans' care. Medical experts, nonprofits, and veterans with trained service dogs participated, including retired Navy Lieutenant Bradley Snyder, who lost his eyesight to an IED while serving in Afghanistan. He was accompanied by this Fidelco-trained guide dog, Gizzy. Fidelco is a nonprofit guide dog training organization in Connecticut. Lieutenant Snyder has since gone on to compete in the 2012 London Paralympics Games, where he won two gold medals and one silver medal in swimming.

John Moon and service dog Rainbow represented the National Education for Assistance Dog Services, a nonprofit accredited service dog provider founded in 1976. Based in Massachusetts, NEADS has trained more than 1,400 assistance dogs. Since 2005, it has been actively working to bring service dogs to veterans of the Iraq and Afghanistan wars.

Brett Simon is a veteran handler for police canines. Twice deployed to Iraq as an explosives detector canine handler, he described his work as a dog training specialist at K9s for Warriors Academy in Florida.

We also heard from Rick Yount, founder of the Warrior Canine Connection. The WCC Service Dog Training

Therapy Program has operated at the National Intrepid Center of Excellence at Walter Reed National Military Medical Center in Bethesda since October 2011. I am very pleased to see that this bill continues to provide funds for this very special program.

Mr. Chairman, there are scores of similar organizations across the Nation. A modest grant pilot program will ensure that they reach even more of our wounded warriors with the assistance of a service dog.

I urge my colleagues to support this amendment.

I yield 1 minute to the gentleman from North Carolina (Mr. JONES).

Mr. JONES. Mr. Chairman, I thank the gentleman from Massachusetts.

Two weeks ago, I went to Walter Reed Hospital. I was told that two of my marines from Camp Lejeune had been severely wounded in Afghanistan. The first marine I saw was 23 years of age. He had lost both legs and an arm. His father was there from Louisiana, and I saw pain, I saw worry, I saw sadness in his eyes. The second marine I saw had stepped on a 40-pound IED and lost both legs. He was telling me about his little 8-month-old daughter and his wife. They were not there, but I heard that.

I know that these service dogs are making a difference in the life of the wounded, whether it be mental or it might be physical. This $3 million, when we are spending billions in Afghanistan, it would be a sin and a shame if we cannot find the $3 million to put into this program to make sure that those who have given so much have a little bit of support and a little bit of pleasure in having a loving animal that has been trained to give support to that person that has given so much for this country.

I hope that this amendment will be accepted.

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

Mr. FRELINGHUYSEN. The committee would like to thank you, the gentleman from Massachusetts, the gentleman from North Carolina, and your colleagues for sponsoring this amendment.

The $3 million would be added to the $3 million which the committee, Mr. VISCLOSKY and I, put into our bill for similar purposes.

Mr. VISCLOSKY. Will the gentleman yield?

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

Mr. VISCLOSKY. I thank both gentlemen for raising this issue and offering the amendment. I strongly support it.

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BENISHEK

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount, insert ''(reduced by $2,000,000)''.

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

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

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

Mr. BENISHEK. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of a very simple amendment, in which I am joined and sponsored by Mr. LOWENTHAL of California. I believe strongly that there is an epidemic, commonly referred to as Alzheimer's disease, that is sweeping our country.

My amendment would increase funding for the Defense Health Program by $2 million, with the intent of providing more peer-reviewed research to fight this devastating disease.

As a doctor who served at the Iron Mountain VA for 20 years, I know how important the health research programs at the Department of Defense are. These programs provide groundbreaking research into the health challenges that our veterans face.

These health research programs help us to provide better quality of care to those who have served our country and frequently lead to advances in treatment that benefit the rest of the population.

According to the Alzheimer's Association, over 5 million Americans are currently living with this disease. This number is expected to continue to rise, resulting in increased suffering for patients and their families and a dramatic rise in health care costs.

As a representative for a district with a large population of veterans and a large population of seniors, I have seen firsthand the devastating effects of Alzheimer's. We must do more to combat this terrible disease.

This amendment will cut $2 million in funding for the Secretary of Defense's general operation and maintenance fund, an account which I believe can take a small cut, and applies those funds to the Defense Health Program for medical research.

By voting for this amendment, you will be supporting more research and development on the ground, rather than the salaries of bureaucrats in Washington.

I believe this amendment is a good, commonsense effort, and I hope my colleagues will support me in this effort to increase research into treating and eventually curing Alzheimer's.

I urge my colleagues to support this amendment.

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

Mr. FRELINGHUYSEN. We on the committee thank you for this amendment. Understanding your professional background and many of our constituents suffering under Alzheimer's, we are supportive of it.

Mr. VISCLOSKY. Will the gentleman yield?

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

Mr. VISCLOSKY. If supplied with a copy of his amendment, I would appreciate it very much.

Mr. BENISHEK. Absolutely.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KILDEE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount, insert ''(increased by $10,000,000)''.

Page 22, line 14, after the dollar amount, insert ''(reduced by $50,000,000)''.

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

The Chair recognizes the gentleman from Michigan.

Mr. KILDEE. Mr. Chairman, my amendment would appropriate $10 million to fund an amendment passed unanimously in the 2015 NDAA that allocates additional financial literacy training programs for incoming and transitioning servicemembers. This $10 million will be spread equally among the service's operation and maintenance accounts.

This increased financial literacy training would be funded by allocating $10 million from the Navy's $14 billion aircraft procurement account, which includes nearly $1 billion in funding over the Navy's request to purchase 12 EA–18G Growler aircraft. The Navy actually requested none of these 12 aircraft.

The problem we have is that far too often servicemembers have inadequate training or experience. We are often talking about young people who have yet to really fully have their feet underneath them. When a servicemember has financial difficulty, often they are preyed upon by unscrupulous lenders, payday lenders, often.

□ 1645

In fact, in some cases—this was reported widely recently—offering and executing loans at up to 400 percent interest rates, often targeting these young servicemembers.

While this has an effect clearly on the financial condition of servicemembers, it also can have an effect on readiness, in that many servicemembers require a security

clearance to perform their duties, and financial difficulties and the loss of a clearance can have an enormous impact on readiness.

All that being said, I will be withdrawing my amendment. The offset that we offered, according to CBO, would require a $50 million offsetting cut to raise $10 million, and I will certainly yield to anybody who would like to explain to me the mathematics behind some of the scoring that comes up.

Hearing none, I will move on.

This is an important area. It is an important question. The House has already unanimously acted in the NDAA to support this program.

While it is my intention to withdraw this amendment, what I would ask, if the chairman and ranking member would engage and work with us on this—and certainly engage the Department of Defense—to find the financial resources to support this expanded literacy program, it would be of great benefit to our servicemembers, and it would be of tremendous value in terms of our readiness.

With that, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

Mr. FRELINGHUYSEN. I am sure the ranking member and I would be pleased to work with you on this issue

Mr. KILDEE. Mr. Speaker, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

AMENDMENT OFFERED BY MR. GOHMERT

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount, insert ''(reduced by $35,956,000)''.

Page 36, line 14, after the dollar amount, insert ''(increased by $35,956,000)''.

Page 36, line 17, after the dollar amount, insert ''(increased by $35,956,000)''.

Mr. VISCLOSKY. Mr. Chairman, I would point out to the Chair that we do not have a copy of the gentleman's amendment.

I would also point out to the Chair, if I would be given permission to, that this is the second time in the first hour of debate we have not been supplied with an amendment offered on the floor.

I would certainly appreciate the courtesy of making sure that we are noticed as far as the content of these very important amendments, so we can give them the appropriate consideration that they are due.

I appreciate the Chair's indulgence.

The Acting CHAIR. The Clerk will distribute copies of the amendment.

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

The Chair recognizes the gentleman from Texas.

Mr. GOHMERT. Mr. Chairman, as read, this would transfer $35.956 million into an account under the bill that specifies, ''shall be for National Guard counterdrug program.''

We have spoken with people on the border. They know the problems they are having. They need equipment.

This amount would allow eight UH–72 helicopters to help with drug interdiction on the border. It is not like there are not enough helicopters to go around. There are 100 National Guard helicopters. This would only be utilizing eight of them, putting them in a place where they could be used on the border to help with the problem.

Mr. Chairman, right now, with so many of our ICE agents and so many of our Border Patrol engaged, as ICE agents said yesterday, in changing diapers instead of being involved in interdicting, as they should be, they need this equipment. This would be National Guard equipment that would allow them to participate in stopping the drugs that are flowing.

It is very apparent, from what is going on, that we even have drug cartels that are taking advantage of the situation. As ICE agents have explained, they are using this time—with all of the attention toward the children and the humanitarian crisis on the border—to step up their game in getting drugs into the United States.

According to the figures from CBO and from the figures we have gotten from the committee, this will not create an increase in outlays and should be in order in that regard.

I would like to point out that, since 2012, aircentric operations have resulted in an almost 70 percent increase in detection and interdiction, compared to the ground-based operations.

So this could make a real difference in providing for the common defense, which is our duty here in Congress, as well as the duty of the executive branch. This would make their job easier.

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

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

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

Mr. VISCLOSKY. Mr. Chairman, I certainly appreciate the gentleman's concern, but would make three points to our colleagues.

The first is that the committee is absolutely aware of the problem that is taking place along the borders of our country.

Both relative to the problem that the gentleman has highlighted, as well as for this Nation's defense, I would point out to my colleagues that, in the underlying bill, we provide $1.356,227 billion for the procurement of 87 UH–60 Black Hawk helicopters, which is an increase of $119.226 million and eight aircraft above the President's request, so there is a recognition by the committee and in the bill that there is a need, and we filled that bill.

I would also point out that, relative to drug interdiction, the committee recommendation is for $944.687 million to deal with this problem; and I would, again, point out the gentleman's concern, that that is an increase of $124 million above the administration's request.

The last point is that the gentleman is taking it out of operation and maintenance, departmentwide.

I spoke in my opening remarks about the increases we have tried to provide to make sure our troops are prepared, maintained, trained, and ready. It is a mistake to take over $35 million away from our troops, who need that money for training.

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

Mr. FRELINGHUYSEN. Let me associate myself with the ranking member's comments earlier. We need to see the amendments. We are not seeing the amendments on a timely basis. As a basic courtesy, it would be helpful if both sides were provided with amendments by our colleagues.

Relative to this amendment, for the last several years, the National Guard has not even been able to spend the amount of money we have provided for counternarcotics, but instead has actually chosen to return funds to the Treasury; hence, the adjustment this year to actually re-source the National Guard.

Also, for the record, Mr. Chairman, the intent of the gentleman's request is to purchase equipment. This account does not provide resources to buy helicopters. This account provides funds for the National Guard's States' plan, operational funding, it is not money that can be used to buy helicopters.

I urge a ''no'' vote.

Mr. VISCLOSKY. Reclaiming my time, I appreciate the gentleman's remarks.

Again, I would point out to my colleagues that I think $1.356 million is enough, and I strongly oppose the gentleman's amendment, given the 5 minutes we were allowed to review it.

I yield back the balance of my time.

Mr. GOHMERT. Mr. Chairman, I appreciate the attention that the committee has given to the issue and that, in the past, the National Guard may have had extra funds that were moved and able to be used elsewhere, but these are recent developments that have been going on even since our Appropriations Committee has been having hearings, and so this is such a dramatic problem that it is escalating every day.

I would like to correct the record. Actually, this proposal will not purchase any new helicopters. There are

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

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

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

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

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

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

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

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

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

The motion was agreed to.

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

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

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

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2015

The SPEAKER pro tempore. Pursuant to House Resolution 628 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4870.

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

□ 1659

IN THE COMMITTEE OF THE WHOLE

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

The Clerk read the title of the bill.

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

□ 1700

AMENDMENT OFFERED BY MR. ELLISON

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

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

The Chair recognizes the gentleman from Minnesota.

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

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

This little known but very important office in the Pentagon helps communities that would otherwise be devastated when a factory shuts its doors for the last time. The Office of Economic Adjustment provides grants and technical assistance to communities so that they can develop their own strategies to transition to a postwar economy. Just this month, the Office of Economic Adjustment provided grants to Ohio, Michigan, and Indiana. Nearly 4,000 defense workers have lost their jobs in these States since 2012, but thanks to a grant from the Office of Economic Adjustment, a regional Defense Manufacturing Assistance Program is underway to help them find new areas of livelihood.

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

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

[From Roll Call, June 9, 2014]

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

(By Miriam Pemberton and William D. Hartung)

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

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

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

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

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

while attending to the economic needs of their constituents.

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

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

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

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

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

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

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RUNYAN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

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

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

The Chair recognizes the gentleman from New Jersey.

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

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

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

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

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DELANEY

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

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

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

The Chair recognizes the gentleman from Maryland.

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

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

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

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

Unfortunately, too many families are staying home without having the opportunity to be with their loved ones who have served our country when those loved ones are receiving care at a military hospital. Others make the trip, but they often sleep in their cars or sleep in tents that they have set up in parking lots around these hospitals. Our veterans and servicemen and -women and their families deserve much better than this.

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

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

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

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

Mr. VISCLOSKY. Will the gentleman yield?

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

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

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

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

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

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LOWENTHAL

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

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

The Chair recognizes the gentleman from California.

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

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

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

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

STARBASE was created under the auspices of the Department of Defense to meet its critical needs in STEM-related fields. Regrettably, the funding uncertainty caused by last year's OMB action has resulted in the elimination of all of the programs operated by the Navy, and it has reduced the fiscal year 2014 number of DOD STARBASE programs from 79 down to 56 sites. Despite the funding issues, the DOD currently has 25 sites on a waiting list for a program, and that is why we need a small increase in the number of STARBASE programs.

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

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

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

□ 1715

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

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

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

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

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRAYSON

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

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

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

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

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

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

The Acting CHAIR. The Clerk will continue to read.

The Clerk continued to read.

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

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

There was no objection.

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

The Chair recognizes the gentleman from Florida.

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

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

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

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OPERATION AND MAINTENANCE, ARMY RESERVE

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

OPERATION AND MAINTENANCE, NAVY RESERVE

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

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

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

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

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

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

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

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

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

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

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

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

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

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

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

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

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

AMENDMENT OFFERED BY MR. MURPHY OF PENNSYLVANIA

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

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

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

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

The Chair recognizes the gentleman from Pennsylvania.

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

I should say that, in addition to being a Member Congress, I am also a member of the Navy Reserve as a psychologist, but I want to make it clear I am not here representing the Navy or Navy psychology, but talking about those things which I see in our military.

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

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

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

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

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

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

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

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

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

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

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

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

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

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

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

I thank you for yielding.

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

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

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

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

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

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

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

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

AMENDMENT NO. 4 OFFERED BY MR. BLUMENAUER

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

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

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

The Chair recognizes the gentleman from Oregon.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1730

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

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

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

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

I reserve the balance of my time.

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

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

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

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

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

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

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

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

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

I yield back the balance of my time.

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

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

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

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

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

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

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

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

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

The Clerk will read.

The Clerk read as follows:

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

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

COOPERATIVE THREAT REDUCTION ACCOUNT

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

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

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

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

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

MISSILE PROCUREMENT, ARMY

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

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

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

PROCUREMENT OF AMMUNITION, ARMY

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

OTHER PROCUREMENT, ARMY

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

AIRCRAFT PROCUREMENT, NAVY

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

AMENDMENT OFFERED BY MR. KILDEE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

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

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

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

The Chair recognizes the gentleman from Michigan.

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

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

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

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

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

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

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

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

The Navy requested none of these aircraft in its budget request, and it would seem to me that, out of the $14 billion in that procurement, with nearly $1 billion in new money for something that wasn't requested, we could find $20 million to make sure that the billions of dollars that we are spending in DOD health care—particularly for our wounded warriors—is spent in the most efficient way and provides the absolute best care in the timeliest fashion available.

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

I reserve the balance of my time.

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

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

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

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

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

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

Mr. VISCLOSKY. I appreciate the chairman yielding.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The amendment was rejected.

The Clerk will read.

The Clerk read as follows:

WEAPONS PROCUREMENT, NAVY

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

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

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

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

SHIPBUILDING AND CONVERSION, NAVY

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

Carrier Replacement Program, $1,289,425,000;

Virginia Class Submarine, $3,507,175,000;

Virginia Class Submarine (AP), $2,301,825,000;

CVN Refueling Overhauls (AP), $491,100,000;

DDG–1000 Program, $419,532,000;

DDG–51 Destroyer, $2,655,785,000;

DDG–51 Destroyer (AP), $134,039,000;

Littoral Combat Ship, $951,366,000;

LPD-17 Amphibious Transport Dock, $12,565,000;

LHA replacement (AP), $29,093,000;

Moored Training Ship, $737,268,000;

Moored Training Ship (AP), $64,388,000;

LCAC Service Life Extension Program, $40,485,000;

Outfitting, post delivery, conversions, and first destination transportation, $491,797,000; and

Ship to Shore Connector, $123,233,000;

For completion of Prior Year Shipbuilding Programs, $1,007,285,000.

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

OTHER PROCUREMENT, NAVY

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

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $927,232,000, to remain available for obligation until September 30, 2017.

AIRCRAFT PROCUREMENT, AIR FORCE

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

MISSILE PROCUREMENT, AIR FORCE

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

PROCUREMENT OF AMMUNITION, AIR FORCE

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

OTHER PROCUREMENT, AIR FORCE

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

PROCUREMENT, DEFENSE-WIDE

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

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AMENDMENT OFFERED BY MS. JACKSON LEE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

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

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

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

The Chair recognizes the gentlewoman from Texas.

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

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

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

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

Mr. VISCLOSKY. Will the gentlewoman yield?

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

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

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

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

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

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

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

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

I yield back the balance of my time.

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

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

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

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

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

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

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

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

That research is particularly needed since women are joining the Armed Services in increasing numbers and serving longer, ascending to leadership. With increased age comes increased risk and incidence of breast cancer.

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

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

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

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

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

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

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

I urge my colleagues to support the Jackson Lee Amendment.

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

DEFENSE PRODUCTION ACT PURCHASES

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

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

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

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

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

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $23,438,982,000, to remain available for obligation until September 30, 2016.

AMENDMENT OFFERED BY MR. GARAMENDI

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

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

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

The Acting CHAIR. A point of order is reserved.

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

The Chair recognizes the gentleman from California.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

There was no objection.

AMENDMENT NO. 5 OFFERED BY MR. COFFMAN

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

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

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

The Chair recognizes the gentleman from Colorado.

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1800

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

It is a small investment which this amendment would eliminate. We want to have air superiority for decades to come. It is money that I think needs to be kept in there. It would be a great mistake to move it. I thank the gentleman for yielding.

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

I yield back the balance of my time.

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

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. NUGENT

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

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

The Chair recognizes the gentleman from Florida.

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

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

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

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

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

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

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

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

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

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

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

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

I reserve the balance of my time.

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

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

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

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

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

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

I reserve the balance of my time.

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

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

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

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

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

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

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

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

AMENDMENT OFFERED BY MR. GRAYSON

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

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

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

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

The Chair recognizes the gentleman from Florida.

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

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

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

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

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

Mr. GRAYSON. I thank the chairman.

I yield back the balance of my time.

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OPERATIONAL TEST AND EVALUATION, DEFENSE

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

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

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

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

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

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

AMENDMENT OFFERED BY MR. HOLT

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

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

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

The Chair recognizes the gentleman from New Jersey.

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

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

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

Suicide and the decision to take one's own life is complex and often mysterious, but we err if we think suicide is only a mental health problem. In truth, suicide is often the desperate act of a soldier or veteran in a desperate situation. One important component of that desperation is financial stress.

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

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

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

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

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

Mr. VISCLOSKY. Will the gentleman yield?

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

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

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

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

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LANGEVIN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

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

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

The Chair recognizes the gentleman from Rhode Island.

□ 1815

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

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

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

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

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

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

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

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

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

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

Mr. VISCLOSKY. Will the gentleman yield?

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

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

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

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

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

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

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

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

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

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

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

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

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

OFFICE OF THE INSPECTOR GENERAL

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

SUPPORT FOR INTERNATIONAL SPORTING COMPETITIONS

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

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

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

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

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

AMENDMENT OFFERED BY MR. HOLT

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

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

The Chair recognizes the gentleman from New Jersey.

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

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

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

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

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

Mr. VISCLOSKY. Will the gentleman yield?

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

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

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

So I appreciate the gentleman's amendment.

Mr. HOLT. I thank the gentleman.

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

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

Mr. FRELINGHUYSEN. Thank you for yielding.

Our committee has long supported whistleblower protections. May I commend you on your two amendments today. You have got two in the win column and none in the loss column.

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

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

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

TITLE VIII

GENERAL PROVISIONS

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

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

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

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

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $5,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2015: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

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

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

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

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

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

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

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

(TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

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

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

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

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

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

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

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2015, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

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

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

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

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

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

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

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) to establish a field operating agency; or

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

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

(c) This section does not apply to—

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

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

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

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

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

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

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

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

(B) $10,000,000; and

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

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

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

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

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

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

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

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

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

(RESCISSIONS)

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

''Aircraft Procurement, Army'', 2013/2015, $27,000,000;

''Weapons and Tracked Combat Vehicles, Army'', 2013/2015, $5,000,000;

''Other Procurement, Army'', 2013/2015, $30,000,000;

''Aircraft Procurement, Navy'', 2013/2015, $47,200,000;

''Weapons Procurement, Navy'', 2013/2015, $27,000,000;

''Aircraft Procurement, Air Force'', 2013/2015, $71,100,000;

''Missile Procurement, Air Force'', 2013/2015, $13,800,000;

''Other Procurement, Army'', 2014/2016, $200,000,000;

''Aircraft Procurement, Navy'', 2014/2016, $171,622,000;

''Weapons Procurement, Navy'', 2014/2016, $91,436,000;

''Other Procurement, Navy'', 2014/2016, $1,505,000;

''Aircraft Procurement, Air Force'', 2014/2016, $47,400,000;

''Missile Procurement, Air Force'', 2014/2016, $121,185,000;

''Research, Development, Test and Evaluation, Army'', 2014/2015, $5,000,000; and

''Research, Development, Test and Evaluation, Navy'', 2014/2015, $105,400,000:

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

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

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

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

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

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

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

SEC. 8045. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of ''commercial items'', as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

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

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

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

(b) This section applies to—

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

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

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

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

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

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

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

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 8050. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 8062. None of the funds provided in this Act may be used to transfer to any non-governmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary tracer (API-T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

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

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

(INCLUDING TRANSFER OF FUNDS)

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

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

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

(INCLUDING TRANSFER OF FUNDS)

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

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

(INCLUDING TRANSFER OF FUNDS)

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

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 8071. Of the amounts appropriated in this Act under the heading ''Shipbuilding and Conversion, Navy'', $1,007,285,000 shall be available until September 30, 2015, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

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

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

(1) creates a new start effort;

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

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

(4) transfers funding between appropriations,

unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

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

(INCLUDING TRANSFER OF FUNDS)

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

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

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

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

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

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

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

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

SEC. 8102. The Secretary of Defense shall report quarterly the numbers of civilian personnel end strength by appropriation account for each and every appropriation account used to finance Federal civilian personnel salaries to the congressional defense committees within 15 days after the end of each fiscal quarter.

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

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

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

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

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

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

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

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

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 8105. There is appropriated $540,000,000 for the ''Ship Modernization, Operations and Sustainment Fund'', to remain available until September 30, 2021: *Provided*, That the Secretary of the Navy shall transfer funds from the ''Ship Modernization, Operations and Sustainment Fund'' to appropriations for military personnel; operation and maintenance; research, development, test and evaluation; and procurement, only for the purposes of manning, operating, sustaining, equipping and modernizing the Ticonderoga-class guided missile cruisers CG–63, CG–64, CG–65, CG–66, CG–67, CG–68, CG–69, CG–70, CG–71, CG–72, CG–73, and the Whidbey Island-class dock landing ships LSD–41, LSD–42, and LSD–46: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred: *Provided further*, That the transfer authority provided herein shall be in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Navy shall, not less than 30 days prior to making any transfer from the ''Ship Modernization, Operations and Sustainment Fund'', notify the congressional defense committees in writing of the details of such transfer: *Provided further*, That the Secretary of the Navy shall transfer and obligate funds from the ''Ship Modernization, Operations and Sustainment Fund'' for modernization of not more than two Ticonderoga-class guided missile cruisers as detailed above in fiscal year 2015: *Provided further*, That no more than six Ticonderoga-class guided missile cruisers shall be in a phased modernization at any time: *Provided further*, That the Secretary of the Navy shall contract for the required modernization equipment in the year prior to inducting a Ticonderoga-class cruiser for modernization: *Provided further*, That the prohibition in section 2244a(a) of title 10, United States Code, shall not apply to the use of any funds transferred pursuant to this section.

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

SEC. 8107. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

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

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

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

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

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

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

(2) is—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

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

(INCLUDING TRANSFER OF FUNDS)

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

(INCLUDING TRANSFER OF FUNDS)

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

(INCLUDING TRANSFER OF FUNDS)

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

SEC. 8132. None of the funds made available by this Act may be used to reduce, convert, decommission, or otherwise move to nondeployed status (except warm status), or prepare to reduce, convert, decommission, or otherwise move to nondeployed status (except warm status), any Minuteman III ballistic missile silo that contains a deployed missile as of the date of the enactment of this Act: *Provided*, That ''warm status'' means a status that enables any such silo to remain a fully functioning element of the interconnected and redundant command and control system of a missile field and be made fully operational with a deployed missile: *Provided further*, That this section shall continue in effect through the date of enactment of an Act authorizing appropriations for fiscal year 2015 for military activities of the Department of Defense.

□ 1845

AMENDMENT OFFERED BY MR. DAINES

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

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

The Chair recognizes the gentleman from Montana.

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

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

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

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

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

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

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

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

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

Mr. FRELINGHUYSEN. Will the gentleman yield?

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

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

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

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

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

□ 1900

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

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

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

I yield back the balance of my time.

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

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. NADLER

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 123, beginning line 22, strike section 8132.

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

The Chair recognizes the gentleman from New York.

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

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

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

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

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

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

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

But I want to make a broader point about our broader nuclear strategy. I want to call attention to the obsolescence of the concept of the nuclear triad. Something that has been accepted as gospel for many years no longer makes sense. Our nuclear arsenal is designed to serve as a deterrent to prevent anyone from even considering attacking the United States. In order to deter an attack, any potential adversary needs to know that we have enough nuclear weapons that will survive an initial assault and will retaliate with overwhelming force.

As part of the triad, we have ICBMs, which are very vulnerable to an enemy strike; we have bombers, which can be made less vulnerable; and we have submarine-launched missiles, which are not vulnerable. The ICBMs, because they are fixed targets and are vulnerable to attack, need to be launched immediately and are, therefore, at the greatest risk of being launched by mistake or by accident. There is almost no time to verify that a radar contact is actually a flock of incoming missiles and not a flock of seagulls or a sounding rocket.

So why do we even need the ICBMs, which are not only vulnerable but dangerous because you have to use them or lose them, especially when we have the subs and the bombers?

That debate is for another day. Today, all we are saying is that our generals should have the discretion to spend money on nuclear weapons that best protect the interests of the United States. They should not be forced to waste taxpayer dollars to keep empty missile silos warm when they have limited real utility and are not in our strategic best interests. They should not be used to keep these empty silos warm when it means, under the treaty, we can have 50 fewer submarine-launched missiles—real missiles—as opposed to empty silos. It simply makes no sense.

I urge my colleagues to adopt the amendment, which would restore to the President and to the military the flexibility to determine whether we want to keep empty silos or real missiles.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the gentleman's yielding.

Using the same rationale as to my opposition for the previous amendment, I would support the gentleman's because what he would do is remove the limitation, if it is making sense, to allow us to reduce, convert, decommission, or otherwise move to nondeployed status these silos. I don't suggest, while standing here on the floor today, what we should or should not do, but we should allow the administration of this country those options.

I appreciate the gentleman's offering his amendment.

Mr. NADLER. In reclaiming my time, I am not suggesting what we should do other than that we should leave the administration and the military with the discretion. They may decide they would rather have more submarine-based missiles rather than empty silos or they may not decide that, but that should be a decision for them. Personally, I think I would rather have more missiles than empty silos or maybe save money, but that is my personal preference. We should leave the decision to the administration.

I yield back the balance of my time.

Mr. DAINES. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR (Mr. COLLINS of Georgia). The gentleman from Montana is recognized for 5 minutes.

Mr. DAINES. Mr. Chairman, this amendment strikes section 8132, which prohibits the use of funds to reduce or decommission Minuteman III ICBM silos or to put these silos into a nondeployed status other than warm status. A warm silo is one that can be made fully operational with the reintroduction of a missile.

Let me remind those who are listening tonight that anybody who says, ''Thank God we have never had to use our ICBMs,'' I would argue they are used every day to ensure that we maintain peace and stability in the world. This section is modeled after language that was included in the House-passed NDAA to maximize the readiness of the land-based leg of the nuclear triad.

I rise in opposition to this amendment. The language in this section is essentially the same as the language that was included in the House-passed National Defense Authorization Act. This section says that, if the Department of Defense takes a silo down to nondeployed status, it must keep it warm. That means it must be kept in a state that would allow it to become fully operational if a missile is reintroduced. This section would ensure that we maximize the readiness of the land-based leg of the nuclear triad and inhibit the administration from making unilateral cuts to our strategic deterrent.

I urge a ''no'' vote on the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 8133. None of the funds made available by this Act may be obligated or expended to divest E–3 airborne warning and control system aircraft, or disestablish any units of the active or reserve component associated with such aircraft: *Provided*, That not later than 90 days following the date of enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report providing a detailed explanation of how the Secretary will meet the priority requirements of the commanders of the combatant commands related to airborne warning and control with a fleet of fewer than 31 E–3 aircraft.

SEC. 8134. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8135. In addition to amounts provided elsewhere in this Act, there is appropriated $139,000,000, for an additional amount for ''Operation and Maintenance, Defense-Wide'', to remain available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting

through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: *Provided further*, That funds may not be made available for a school unless its enrollment of Department of Defense-connected children is greater than 50 percent.

SEC. 8136. None of the funds made available by this Act may be used to transfer AH–64 Attack helicopters from the Army National Guard to the active Army: *Provided*, That this section shall continue in effect through the date of enactment of the National Defense Authorization Act for Fiscal Year 2015.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8137. In addition to amounts appropriated in title II or otherwise made available elsewhere in this Act, $1,000,000,000 is hereby appropriated to the Department of Defense and made available for transfer to the operation and maintenance accounts of the Army, Navy, Marine Corps, and Air Force (including National Guard and reserve) for purposes of improving military readiness: *Provided*, That the transfer authority provided under this provision is in addition to any other transfer authority provided elsewhere in this Act.

SEC. 8138. Of the amounts made available under the heading ''Operation and Maintenance, Defense-Wide'' in title II and ''Operation and Maintenance'' in title IX of this Act, not to exceed $50,000,000 may be obligated for activities authorized under section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 112–81; 125 Stat. 1621): *Provided*, That none of the funds made available in this Act may be used under such section 1208 to initiate support for, or expand support to, foreign forces, irregular forces, groups, or individuals unless the congressional defense committees are notified in accordance with the direction contained in the classified annex accompanying this Act, not less than 15 days before initiating such support: *Provided further*, That, none of the funds made available in this Act may be used under such section 1208 for any activity that is not in support of an ongoing military operation being conducted by United States Special Operations Forces to combat terrorism: *Provided further*, That the Secretary of Defense may waive the prohibitions in the preceding provisos if the Secretary determines that such waiver is required by extraordinary circumstances and, by not later than 72 hours after making such waiver, notifies the congressional defense committees of such waiver.

SEC. 8139. None of the funds appropriated or otherwise made available by this Act or any other Act may be used in contravention of Sec. 1035 of the National Defense Authorization Act for Fiscal Year 2014.

SEC. 8140. None of the funds made available by this Act may be used to implement the changes to hair standards and grooming policies for female members of the Armed Forces, as contained in paragraph 3–2 of Army Regulation 670–1, issued on March 31, 2014.

TITLE IX—OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES

MILITARY PERSONNEL

For an additional amount for ''Military Personnel'', $5,100,000,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

For an additional amount for ''Operation and Maintenance'', $58,675,000,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

For an additional amount for ''Procurement'', $12,220,000,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces, $2,000,000,000, to remain available for obligation until September 30, 2017: *Provided*, That the Chiefs of the National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER APPROPRIATIONS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Other Appropriations'', $1,450,000,000: *Provided*, That ''Other Appropriations'' means the Defense Health Program, Drug Interdiction and Counter-Drug Activities, Joint Improvised Explosive Device Defeat Fund, Office of the Inspector General, and Defense Working Capital Funds: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2015.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $4,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2015.

SEC. 9003. Supervision and administration costs and costs for design during construction associated with a construction project funded with appropriations available for operation and maintenance, ''Afghanistan Infrastructure Fund'', or the ''Afghanistan Security Forces Fund'' provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs and costs for design during construction include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the U.S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of $75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed $15,000,000 of the amount appropriated in this title under the heading ''Operation and Maintenance'' may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed $10,000,000: *Provided further*, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Response Program in Afghanistan: *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9009. None of the funds provided for the ''Afghanistan Security Forces Fund'' (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: *Provided*, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of $50,000,000 annually and any non-standard equipment requirements in excess of $100,000,000 using ASFF: *Provided further*, That the AROC must approve all projects and the execution plan under the ''Afghanistan Infrastructure Fund'' (AIF) and any project in excess of $5,000,000 from the Commander's Emergency Response Program (CERP): *Provided further*, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding provisos and accompanying report language for the ASFF, AIF, and CERP.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than $250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

SEC. 9011. From funds made available to the Department of Defense in this title under the heading ''Operation and Maintenance'' up to $150,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction, and site closeout activities prior to returning sites to the Government of Iraq: *Provided*, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2015, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the Secretary of State, include non-operational training activities in support of Iraqi Minister of Defense and Counter Terrorism Service personnel in an institutional environment to address capability gaps, integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and to manage and integrate defense-related institutions: *Provided further*, That not later than 30 days following the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training activities that they determine are needed after the end of fiscal year 2015, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary of Defense shall submit to the congressional defense committees a written notification containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation in Iraq at each site where such operations and activities will be conducted during fiscal year 2015.

SEC. 9012. (a) None of the funds appropriated or otherwise made available by this Act under the heading ''Operation and Maintenance'' for payments under section 1233 of Public Law 110–181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the Committees on Appropriations that the Government of Pakistan is—

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan's military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) implementing policies to protect judicial independence and due process of law;

(6) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(7) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in paragraph (a) on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so: *Provided*, That if the Secretary of Defense, in coordination with the Secretary of State, exercises the authority of the previous proviso, the Secretaries shall report to the Committees on Appropriations on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: *Provided further*, That such report may be submitted in classified form if necessary.

SEC. 9013. None of the funds made available by this Act may be used with respect to Syria in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed or military forces into hostilities in Syria, into situations in Syria where imminent involvement in hostilities is clearly indicated by the circumstances, or into Syrian territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of that law (50 U.S.C. 1542 and 1543).

SEC. 9014. None of the funds made available by this Act for the ''Afghanistan Infrastructure Fund'' may be used to plan, develop, or construct any project for which construction has not commenced before the date of the enactment of this Act.

SEC. 9015. No more than 15 percent of the funds made available in Title IX may be obligated, until the Secretary of Defense provides the congressional defense and intelligence committees with a detailed spend plan for the funds provided, including an assurance that no funds will be used in contravention of Sec. 1035 of the National Defense Authorization Act for Fiscal Year 2014.

TITLE X—ADDITIONAL GENERAL PROVISIONS

SPENDING REDUCTION ACCOUNT

SEC. 10001. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

□ 1915

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield to the gentleman from Florida (Mr. MICA) for a colloquy.

Mr. MICA. First of all, I want to commend you, Mr. Chairman, also the ranking member and the Appropriations Defense Subcommittee staff, for your efforts in bringing this important measure to the floor for our military.

Mr. Chairman, in working with you and your staff, I know, firsthand, of your dedication to our armed services and the importance you place on ensuring the readiness of our troops.

As you well know, modeling and simulation tools are cost-effective and highly successful components in ensuring that our troops have the absolute best training available.

I thank the gentleman from New Jersey for his support, and also for the inclusion of specific language in the FY

2015 Appropriations Defense Subcommittee report specifically emphasizing the benefits of modeling and simulation.

Also, as the House considers this vital appropriations bill, I would like to take this opportunity to share with you, the committee, and my colleagues, a concern of mine affecting the modeling and simulation and training community.

As you know, part of the continuation of the Warfighter FOCUS program was expected to be the TEACH program. It is my understanding that the TEACH program has been put on hold.

It is also my understanding that the Army will continue this program under a different name and format. It is my hope that the funds allocated are used to fulfill the requirements needed for this portion of the Warfighter program.

Mr. Chairman, again, I appreciate your support for this vital tool—simulation saves taxpayers dollars and assists in training our defense personnel—and also its inclusion in the Defense Appropriations bill.

Mr. FRELINGHUYSEN. Mr. Chairman, I appreciate the gentleman bringing this important issue to my attention. A month or two ago you brought me together with some national leaders that are involved in modeling and simulation, and it was a real education for me.

So like you, I do place a great importance on ensuring our troops have the best training and support available, and that is a very good way to educate them.

I look forward to working with the gentleman to ensure our troops receive the training and equipment they need, and that our Nation's defense needs are met in a fiscally responsible manner.

Mr. MICA. I thank you, Chairman FRELINGHUYSEN, and the ranking member.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used on research, development, test, or evaluation for the F–35 Joint Strike Fighter to modify the F–35 Joint Strike Fighter in a manner that provides B–61 delivery capability until the date on which the report described under the heading ''Cost Sharing of Forward-Deployed Nuclear Weapons'' in the report of the Committee on Appropriations of the House of Representatives accompanying this Act has been delivered to the congressional defense committees and such report includes, among other matters, the total anticipated cost to make the F–35 Joint Strike Fighter nuclear capable, the number of aircraft expected to have such capability, and the total number of tactical B–61s expected to undergo the Life Extension Program, including the total anticipated program cost, specific to tactical B–61s.

Mr. FRELINGHUYSEN (during the reading). Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The Clerk will continue to read.

The Clerk continued to read.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from California and a Member opposed each will control 5 minutes.

Mr. GARAMENDI. Mr. Chairman, earlier today I took up this issue by attempting to strike the $15 million that is appropriated in this bill for the initial phases of figuring out how to make the F–35 dual-capable, that is, capable of handling both conventional as well as nuclear weapons.

This is the opening of a very, very expensive process. Probably well over somewhere between 10 and $20 billion will be spent on this entire program.

The F–35 is our plane of the future. It is extremely important for the defense of this Nation. However, the issue of whether that plane should be dual-capable or not really revolves around the role that the F–35 dual-capable plane will play in the European theater.

Presently, we are deploying in Europe the B–61 bomb. That bomb is now being life-extended, rebuilt for the purposes of doing what it has done before, that is, to sit there basically unused. It will be both a tactical as well as a strategic weapon.

There is a major cost factor that will affect this budget and future budgets for years to come with this initial decision that we are now making.

What this amendment does is to simply build off a portion of the bill that is already in place. It does call for a report. This amendment fences off the $15 million, says you can't use it until such time as the details that I add to the existing language of the bill before us—those details were read by the reader a moment ago.

Let me just quickly go through them:

Until the House of Representatives has delivered—that is, until the military has delivered to the House of Representatives defense committees a report, among other matters, on the total anticipated cost of making the F–35 joint fighter nuclear-capable;

Next, the number of aircraft expected to have such capability;

Next, the total number of tactical B–61s expected to undergo the life-extension program, including the total anticipated cost specific to the tactical B–61.

This is critical information that we have. The language in the bill is okay, but it doesn't give us the specificity that we need to make the decision, and frankly, I don't think we ought to start down this path until we really have some better notion of where we are going with the expenses of this.

We also know that the European community is, at best, ambivalent about what to do with this issue, and they certainly are ambivalent about whether they are going to pay their share of the costs of the airplanes that they will eventually acquire that will have this dual capability.

So big questions out there. This is an amendment attempting to gather the specific information that we should have to make a wise and informed decision in the future.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. GARAMENDI. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I withdraw my reservation, with the understanding the gentleman from California will be withdrawing his amendment.

Mr. GARAMENDI. Mr. Chairman, reclaiming my time, I would much prefer if you could say this is really wise and information that we need and that we would add this to the bill somewhere along the process.

I yield to the gentleman.

Mr. FRELINGHUYSEN. Well, I am a strong supporter of the Joint Strike Fighter and, indeed, the B–61. We are doing things to make sure that it is everything that we anticipate it should be.

I think the issue is worth discussing, but it was my understanding that you were planning to withdraw your amendment. Otherwise, I will make a point of order.

Mr. GARAMENDI. Mr. Chairman, reclaiming my time, what I would prefer to do, sir, is to proceed and to continue the discussion. I think this is an important matter.

Mr. Chairman, I don't know how much time I have remaining.

The Acting CHAIR. The gentleman from California has 30 seconds remaining.

Mr. GARAMENDI. Well, perhaps I will just wrap, and then we will take up your point of order and see where that goes with it.

This is an extremely important issue. It has to do with our relationships with NATO. It has to do with cost-sharing by the NATO community, who will eventually acquire these planes, and it also has to do with the B–61 bomb, which is an extraordinarily expensive program that may or may not fit into the future for NATO or even for us.

So this amendment is designed to give us the information that we need and, until we have it, it prevents the use of the $15 million.

Mr. Chairman, I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I make a point order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill. Therefore, it violates clause 2 of rule XXI.

The rule states, in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Mr. GARAMENDI. I ask to be heard on the point of order.

The Acting CHAIR. The gentleman from California is recognized.

Mr. GARAMENDI. Mr. Chairman, at the subcommittee, with great respect, I respectfully disagree with you. This does not change law. It simply writes into the law an extension of what is already in this bill, and that is, it calls for a report.

It also fences off a certain amount of money, in this case $15 million. That is really the ante, the beginning of a very expensive process. It fences it off until we have that information report from the Pentagon. I think that is the wise thing to do.

In fact, the appropriation bill in many, many respects changes laws, and I think we are all aware of that.

I am also aware that I have yet to overcome a point of order, but there is always the first time, and we can be hopeful that this might be the first.

But I draw the attention of the chair, the ranking members, and anybody else that cares to listen, be prepared to spend somewhere between $15- and $20 billion if we go forward with both the B–61 and the retrofitting to the F–35 so that it will be dual-capable—capable of both conventional as well as nuclear weapons.

I think we better know where we are going, have a good sense of the total cost, and also have a very good sense of where our European allies want this to be, and I think they ought to also pay for it.

The Acting CHAIR. The Chair is prepared to rule.

The Chair finds that this amendment imposes new duties on the officials funded in the bill.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. COLE

Mr. COLE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to provide housing on a military installation to an alien (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) who—

(1) is an unaccompanied minor; and

(2) is not a dependent of a member of the Armed Forces.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Oklahoma and a Member opposed each will control 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The Chair recognizes the gentleman from Oklahoma.

Mr. COLE. Mr. Chairman, I want to be the first to acknowledge that this legislation may not indeed be the appropriate place in which to address the issue raised in the amendment. But I do believe the amendment is an appropriate way to highlight a problem that simply must be addressed by the President and by the Congress.

In recent weeks, there have been many news accounts reporting that we have had an explosion of unaccompanied juveniles coming and crossing our borders, largely from Central America, from the countries of Guatemala, Honduras, and El Salvador.

This population has overwhelmed facilities that we normally use to house people that have entered our country illegally, and military facilities have now been used, pressed into service, to deal with this population.

In full disclosure, one of those facilities happens to be in my district, Fort Sill, Oklahoma, the home of the Field Artillery School.

But other facilities have also been used, at Ventura, at Lackland Air Force Base in Texas, and the State of Washington, and still others are being considered.

I am concerned about this for three reasons. First, these military facilities are absolutely inappropriate places to house this particular population. They are not designed for that purpose. They are not equipped for it. They have gotten very little notification of it. It is simply the wrong place to put folks.

You don't bring outsiders onto a military installation who have no business being there and, in addition, also their caretakers.

□ 1930

Second, while much of the expense will be picked up by other various departments of government, it will inevitably cause some expense and some inconvenience to the Department of Defense at a time when we have a very strained military budget.

Lastly, while we are told that these facilities are going to be used only on a temporary emergency basis, there is, indeed, the risk that they could become permanent, something I think that would create a confusion of missions on military bases, not to be avoided.

We need to address the cause of the flow, not simply manage the flow better, and we shouldn't use military facilities in that process.

The administration says that this flow of unaccompanied juveniles—which, by the way, was 6,000 2 years ago, is 66,000 now, and is projected to reach 120,000 to 150,000 within the next couple of years—is the result of a humanitarian crisis.

I would submit it is actually the result of a policy failure. We are essentially incentivizing the flow of this population by not returning the unaccompanied juveniles to their countries of origins quickly.

Indeed, once they arrive in the United States, we try to find sponsors for them in this country, and they effectively stay here permanently.

That is not what we do, by the way, with Mexican juveniles. If you are a 16-year-old illegal immigrant from Mexico, we return you immediately, and we have had no similar spike in that particular population coming across the border.

What we are doing may appear to be humane to the juveniles in question. It is actually not. First, we are disrupting the countries from which they come. We are destabilizing those countries by incentivizing this flow.

Second, these young people don't just walk across Mexico. They are transported by cartels, by criminals. It is the same people who bring drugs into our country, and they are making an enormous amount of money, and we are strengthening them by incentivizing this flow.

Finally, the young people themselves are at an enormous risk during the process of transportation. They are being brought across the length of a country—Mexico—in the company of criminal elements, very unsavory elements, and they are very much at risk.

I think we need to stop using military facilities for this purpose and to, frankly, begin to return people to their countries of origin. In my view, that would actually stop the flow and remove the incentive to come.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. COLE. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. Mr. Chairman, I would like to ask the gentleman from Oklahoma, the author, if it is the gentleman's intent to withdraw his amendment.

Mr. COLE. Mr. Chairman, I respect my friend from Indiana pressing the point of order. I suspect he will prevail, and I am prepared to withdraw.

I want to serve notice that I am going to eventually find the appropriate vehicle, so that we can address this. I think it is a real issue, but I respect my friend's concerns that this may not be the appropriate vehicle.

Mr. VISCLOSKY. If the gentleman from Oklahoma would, again, yield a moment of his time, I would just suggest to the membership that I was not fully aware of the problems that existed and that have now been exacerbated until the gentleman raised it in committee.

As a member of the subcommittee, I appreciate that happening, and the fact that you have now raised it on two significant occasions, I think, is going to compel the administration, as well as our colleagues, to find a solution to this very serious problem.

So raising the point of order was simply to preserve that right, but I appreciate what the gentleman is doing.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. COLE. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I have one additional comment. It is interesting that many of the press reports on this crisis situation—at least on the east coast—don't point out that many of these children are in military installations.

I want to commend the gentleman for pointing out that, while they are well kept and looked after in those installations, it is totally inappropriate that children be put in that situation and that the Department of Health and Human Services and the administration need to do a better job of finding housing alternatives.

Mr. VISCLOSKY. Mr. Chairman, I appreciate the gentleman from Oklahoma yielding, and I will withdraw my point of order.

Mr. COLE. Mr. Chair, I appreciate what my colleagues had to say, and I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC.____. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, pursuant to the Federal Acquisition Regulation, that the offeror or any of its principals—

(1) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(2) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (1); or

(3) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied.

Mr. GRAYSON (during the reading). Mr. Chair, I ask unanimous consent that the balance of the reading be waived.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chair, this amendment is identical to other amendments that have been inserted by voice vote into every appropriations bill that has been considered under an open rule during this Congress.

My amendment would expand the list of parties with whom the Federal Government is prohibited from contracting because of serious misconduct on the part of those contractors. It is my hope that this amendment will remain noncontroversial and that it will, again, be passed unanimously by this House.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. GRAYSON. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the gentleman yielding.

Mr. Chairman, I will suggest that I would find the amendment acceptable. I do believe it is largely duplicative of the general provision of section 8110 that is already found in the bill. Again, I understand the gentleman's intent and would agree with it and do believe it is acceptable to the subcommittee.

Mr. GRAYSON. Reclaiming my time, I thank the ranking member for making that notation.

We have compared that language to this language. We respectfully believe that this language is broader and covers more situations, more contractors who have committed wrongdoing, but I appreciate the ranking member pointing that out, and I certainly support the provision that he cited.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC.____. None of the funds made available by this Act may be used by an (officer, employee, or contractor of the intelligence community to subvert or interfere with the integrity of any cryptographic standard that is proposed, developed, or adopted by the National Institute of Standards and Technology.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 628, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chair, in the interest of brevity, I respectfully ask unanimous consent to have the point of order, if any, heard now in advance of my argument.

The Acting CHAIR. A point of order has been reserved. Does the gentleman from New Jersey wish to make a point of order at this time?

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. The gentleman from Florida is recognized.

Mr. GRAYSON. Mr. Chair, I respectfully am willing to yield my time to the gentleman from New Jersey if the gentleman will explain to me what part of this provision offends——

The Acting CHAIR. The Chair will hear each Member on their own.

The gentleman from Florida is recognized.

Mr. GRAYSON. I will reiterate what I just said, Mr. Chair.

The Acting CHAIR. The Chair is prepared to rule.

Mr. GRAYSON. Mr. Chair, I did ask that I wanted to yield to the gentleman from New Jersey to specify.

The Acting CHAIR. The Chair will hear argument offered by each Member separately.

The gentleman from Florida is recognized to make his argument.

Mr. GRAYSON. I understand that, Mr. Chair.

I am asking if the gentleman from New Jersey would provide additional information as part of my argument.

The Acting CHAIR. The Chair has heard the argument in favor of the point of order.

The Chair recognizes the gentleman from Florida if he wishes to make an argument.

Mr. GRAYSON. Yes, Mr. Chair. I will say it again.

I am offering to yield to the gentleman from New Jersey if the gentleman from New Jersey will identify any part of this amendment that offends the relevant rule.

The Acting CHAIR. At this point in time, the Chair will hear argument by the gentleman from Florida.

If not, the Chair is prepared to rule.

Mr. GRAYSON. Mr. Chair, I think it is clear that there is no part of this amendment that offends the relevant rule.

I yielded to the gentleman from New Jersey who raised the point of order. I am still willing to yield to the gentleman who raised a point of order.

If there is no part of this amendment that can be identified as offending the relevant rule, clearly it does not offend the relevant rule.

This, in fact, does not in any way legislate. I invite any Member of this body here today who can identify any part of this amendment that constitutes legislation on the relevant rule.

Since no one can, it follows that the point of order must be overruled.

The Acting CHAIR. The Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination as to what constitutes subversion or interference with integrity of a standard.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MRS. WALORSKI

Mrs. WALORSKI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds made available by this Act may be used to transfer or release to the Republic of Yemen (or any entity within Yemen) a detainee who is or was held, detained, or otherwise in the custody of the Department of Defense on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba.

The Acting CHAIR. Pursuant to House Resolution 628, the gentlewoman from Indiana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Indiana.

Mrs. WALORSKI. Mr. Chairman, the recent release of the Taliban Five was a potent reminder to Congress, as well as the American people, of the risk involved in detainee transfer decisions.

The rising rate of terrorism reengagement, the unstable security situation in Yemen, and the continuing threat posed by al Qaeda in the Arabian Peninsula have prompted me to introduce this amendment again this year.

One of President Obama's first acts in office was to sign an executive order to close the facility at Guantanamo.

However, the President himself suspended all detainee transfers from Gitmo to Yemen on January 5, 2010. This decision was made in the aftermath of the failed 2009 Christmas Day bombing attempt, which was the first attack on the U.S. by al Qaeda since 9/11.

The would-be bomber was radicalized and trained in Yemen. White House Press Secretary Gibbs said that:

Right now, any additional transfers to Yemen are not a good idea.

In May of last year, the President changed his mind, lifting the moratorium on transfers to Yemen and reviewing transfers ''on a case-by-case basis.''

Unfortunately, the U.S. intelligence community reports that the number of former Gitmo detainees who reengage in terrorism has steadily increased since 2002.

In December 2007, the first public intelligence report addressing Gitmo ''reengagement'' declared the reengagement rate was ''about 7 percent.'' As of March of this year, the reengagement rate had risen to 29 percent. The majority of these individuals remain at large.

This information, which is the best, most reliable data we have, comes from the Director of National Intelligence. The March DNI report also notes that:

Transfers to countries with ongoing conflicts and internal instability, as well as active recruitment by insurgent and terrorist organizations, pose a particular problem.

Finally, the intel community has noted there is a lag of time of ''about 2½ years between leaving Gitmo and the first identified reengagement reports.'' Therefore, estimated historical suspected and confirmed rates may be lower than the actual current rates.

The administration should seek to ensure that the transfer process is further examined and improved before proceeding with additional transfers.

Meanwhile, the security situation in Yemen is frighteningly fragile and has gone from bad to worse. According to a 2012 HASC Oversight and Investigations Subcommittee report on detainee reengagement, the United States has faced ''a persistent challenge'' in making certain that countries receiving transferred Gitmo detainees have ''the capacity and willingness to handle them in a way that sufficiently recognizes the dangers involved.''

Despite the commendable efforts of Yemeni President Hadi, numerous international organizations, such as the U.N. and the World Bank, have all noted the ''fragile environment'' in Yemen. Unfortunately, the country's progress is still at risk of being undermined by al Qaeda.

In fact, Yemen was recently ranked the sixth most failed state by The Fund for Peace, worse than even Afghanistan and Iraq, and the third most worsened state over the last 5 years.

□ 1945

It is no surprise that jailbreaks are a notorious problem in Yemen. Furthermore, press reports have characterized Yemeni prisons as ''overcrowded and under-monitored radicalization factories.''

To give one example, the Yemeni citizen who is the convicted mastermind of the USS *Cole* bombing escaped from prison in both 2003 and 2006 after his recapture. He was not recaptured after his second escape and remains at large.

In the most recent example, attackers mounted a bomb, grenade, and gun assault on the main prison in Yemen's capital this February, freeing 20 al Qaeda operatives. The U.S. Embassy has been closed since May 7 and remains closed today due to attempted kidnappings and terrorist attacks on U.S. citizens.

Finally, and most importantly, Yemen's branch of al Qaeda, commonly known as AQAP, was founded by former Gitmo detainees. Counterterrorism experts have declared AQAP to be al Qaeda's most effective affiliate, posing the greatest danger to the American homeland.

AQAP's predecessor, al Qaeda in Yemen, came into existence after the escape of 23 al Qaeda members from prison in the Yemeni capital in February of 2006. AQAP has orchestrated numerous high-profile terrorist attacks inside the Arabian Peninsula, but it has tried on numerous occasions to strike the U.S. homeland, typically through air travel.

Analysts evaluate that AQAP is the al Qaeda group that is currently the most capable and most committed to carry out sophisticated operations against the West.

To summarize, Mr. Chairman, we cannot risk trusting one of the world's most dangerous places with its most dangerous terrorists. The fundamental question is how much risk should we take with our Nation's security? This amendment helps ensure our homeland remains safe from terrorist attacks. I urge my colleagues to support it, and I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I rise in strong opposition to the gentlewoman's amendment. I believe that we need to set conditions to close the detention facility at Guantanamo. This includes retaining the option to transfer detainees from this facility elsewhere. It is in the United States' national security interest to do so.

Guantanamo has become a rallying cry. It serves as a recruitment tool for terrorists and increases the will of our enemies to fight while decreasing the will of others to work with America.

Part of the rationale for establishing Guantanamo in the first place was the misplaced idea that the facility would be beyond the law—a proposition rejected by the Supreme Court. As a result, the continued operation of this facility creates an impression in the eyes of our allies and enemies alike that the United States selectively observes the rule of law.

There is no reason that we should impose on ourselves the legal and moral problems arising from the prospect of indefinite detentions at Guantanamo after more than one decade. Working through civil courts since 9/11, hundreds of individuals have been convicted of terrorism or terrorism-related offenses and are now serving long sentences in Federal prison. Not one has escaped custody.

Mr. Chairman, I strongly oppose the gentlewoman's amendment and reserve the balance of my time.

Mrs. WALORSKI. Mr. Chairman, may I inquire as to the balance of my time?

The Acting CHAIR. The gentlewoman from Indiana has 30 seconds remaining.

Mr. FRELINGHUYSEN. Will the gentlewoman yield?

Mrs. WALORKSI. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank the gentlewoman for yielding. I strongly

support her amendment. What was particularly galling in the Guantanamo transfer of these detainees was that the Taliban were able to choose the people they wanted released, and then the picture that we saw of their being greeted in Qatar by their terrorist brothers was enough to make you sick. So I am strongly supportive of her amendment. I am glad that we have renewed this commitment to make sure these people are not released anywhere. I thank the gentlewoman.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. VISCLOSKY. Mr. Chairman, we are a nation of laws. Again, I reiterate my objection and would yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Indiana (Mrs. WALORSKI).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. VISCLOSKY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Indiana will be postponed.

AMENDMENT OFFERED BY MR. NOLAN

Mr. NOLAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. __. None of the funds made available by this Act may be used for the ''Afghanistan Infrastructure Fund''.

The Acting CHAIR. Pursuant to House Resolution 628, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. NOLAN. Mr. Chairman, I want to thank the chairman and the ranking member for the hard work that they have done in putting this appropriation bill together.

Mr. Chairman, Members of the House, there is a bipartisan group of us that have been meeting on a regular basis with the inspector general for Afghanistan and Iraq. He has over 200 investigators trying to determine where the funds have gone for this Afghan infrastructure fund.

To hear the story, it breaks your heart. Of the last $100 billion that have been spent on Afghan infrastructure, they can't find where most of that money went. Why? Well, for several reasons. One is that Afghanistan is largely a cash economy. So if you want to do a project in any of the remote areas, you have to show up with a truckload full of cash.

Secondly, it is now certified as the most corrupt nation in the world. It is the number one narco-state in the world, supplying more heroin than the rest of the world combined. As the U.S. troops withdraw, there is no way to audit these funds, there is no way to inspect these funds, and it is an absolutely unmitigated prescription for unparalleled fraud.

It has got to stop, and today and tonight is the time to put an end to it. That is why I am offering my amendment here to stop any funds from going to this Afghan reconstruction fund.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. NOLAN. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the point that the gentleman is raising and certainly would associate myself with his remarks. I do believe it will be acceptable to the committee.

Mr. NOLAN. I thank the gentleman.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. NOLAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. MILLER OF MICHIGAN

Mrs. MILLER of Michigan. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 10002. None of the funds made available by this Act may be used to divest, retire, transfer, or place in storage, or prepare to divest, retire, transfer, or place in storage, any A–10 aircraft, or to disestablish any units of the active or reserve component associated with such aircraft.

The Acting CHAIR. Pursuant to House Resolution 628, the gentlewoman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. MILLER of Michigan. Mr. Chairman, I offer this amendment because I stand shoulder to shoulder with the troops on the ground, any one of whom will tell you that the champion workhorse aircraft in theater in both Iraq and Afghanistan has been the A–10.

Now, it might be an old airplane, but I will tell you it has been proven to be ideally suited for its mission. It is lethal, it is incredibly effective, and when our troops on the ground, Mr. Chairman, hear it coming, they know what it means. But guess what? So does our enemy, because they know pain is coming their way.

The Air Force wants to save money, but they don't have an adequate follow-on at this time. And with what is happening in Iraq and the Middle East, eliminating the A–10 is the absolutely wrong move. Army Chief of Staff General Odierno says that the A–10 is the best close air support aircraft, and I agree, and, most importantly, so do our brave men and women on the ground.

The A–10s were authorized in both the House and Senate Armed Services Committee, and I urge my colleagues to continue their support and vote ''yes'' on this amendment.

Mr. Chairman, at this time, I am pleased to yield 2 minutes to the gentleman from Arizona (Mr. BARBER), the cosponsor of this amendment.

Mr. BARBER. I thank Congresswoman MILLER.

Mr. Chairman, I rise today to offer this important bipartisan amendment with my colleague from Michigan and the support of our colleagues from Illinois, from Georgia, Arizona, Missouri, and Hawaii. Our amendment would protect the A–10 Thunderbolt and keep it flying so it can continue to supply support to our troops who are on the ground.

Last month, I introduced in the House Armed Services Committee an amendment that received an overwhelming, bipartisan vote in favor of keeping the A–10 flying for FY15. This amendment passed also with overwhelming support in committee and on the House floor. It is now a part of the House version of the National Defense Authorization Act, and, I might add, of the one that is going to be coming out of the Senate.

And now, the House, I believe, wants to ensure, once again, that the A–10 is protected because it protects our troops. Our troops deserve the best close air support that we can provide, and there is no better close air support than the A–10.

When I talk to soldiers who come home from Iraq and Afghanistan who work in my district at Fort Huachuca, they have said over and over again, keep the A–10 flying. I was in Afghanistan 2 months ago, and marines and Army personnel on the ground said:

When you go back to the Congress, keep the A–10 flying. It is the best close air support we can have.

There is no other fixed-wing aircraft that is as proficient as the A–10 in operating in rugged environments while providing the most effective close air support available. With no other aircraft available and capable of taking its place with our men and women still in combat, we simply cannot allow the A–10 to be grounded. We also cannot afford to lose the knowledge and expertise of the pilots that fly this aircraft, like those who are stationed in my home district at Davis-Monthan Air Force Base.

Mr. Chairman, this is a commonsense amendment. I urge my colleagues to support it, as we did in the National Defense Authorization Act, for our national security and for our men and women on the ground.

Mrs. MILLER of Michigan. Mr. Chairman, I would yield at this time 30 seconds to the gentleman from Georgia (Mr. AUSTIN SCOTT).

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I rise in support of this amendment to preserve the A–10 Warthog, as well. This is the most effective, cost-efficient aircraft that we have for the missions that we are engaged in right now.

Our men and women who are out there in harm's way deserve to have this aircraft flying above them and protecting them. Our enemies run in fear from it, and, quite honestly, I think it is the best money we can spend in protecting our troops while they are on the ground.

The A–10 Warthog is the most effective aircraft for close air support. We need it for the missions we are in now, and we are going to need it for the missions tomorrow.

Mrs. MILLER of Michigan. Mr. Chairman, at this time, I yield 1 minute to the gentleman from Utah (Mr. STEWART) who has very personal experience with the ability of the A–10.

Mr. STEWART. Mr. Chairman, I would like to thank the gentlewoman for giving me 1 minute to speak on this.

I was an Air Force pilot for 14 years. I flew for 7 years as a combat rescue helicopter pilot. We flew and exercised with the A–10s all the time. I also flew for 7 years the B–1. We were tasked with this mission of close air support. I am not here because I have A–10s in my district. I am here because I realize what an invaluable resource this is.

Close air support is an incredibly delicate and unforgiving mission. If you hit the wrong bridge, people will forgive you. If you frag your own troops, you will never forgive yourself. It is best done by an aircraft that is low and slow, that has superb communications and superb visibility.

There is nothing that is as good as the A–10 is in this mission. I know that from my own experience. That is why I rise and stand in support of this very important amendment.

Mrs. MILLER of Michigan. Mr. Chairman, I would urge all of our colleagues to join us in supporting our troops by supporting this amendment, and I would say before you vote ''yes'' or ''no,'' speak to those who have actually fought in combat on the ground in the battle zones of Iraq and Afghanistan, and I am very confident that the message you will hear from them will be the same message that all of us have gotten, and that is to keep the A–10 flying.

Mr. Chairman, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, let me stipulate at the onset that the A–10 Thunderbolt is a tremendous aircraft. We have heard it from somebody who piloted one, and certainly we are listening to our colleagues from the respective States that have A–10s, and they could testify, as I am sure others can, as to their value. But close air support is also provided—actually 80 percent—by other aircraft, and that has been true since 2008.

The Air Force itself has recommended the retirement of the entire fleet. It is not going to happen overnight. It is not going to happen by 2019. At some point in time it is going to happen because this is not about saving millions of dollars, this is about saving billions of dollars—nearly $4 billion. And the money that we will save will allow us to procure the next generation of aircraft.

□ 2000

I understand the desire to keep an aircraft that has been doing incredible work for 30 or 40 years, but it is time we look to the future and make that investment.

I am pleased to yield to the ranking member, the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. I appreciate the chairman yielding and would also add my comments that the A–10 is a wonderful aircraft. The B–17 Flying Fortress was a wonderful aircraft. It was replaced. The Kiowa Warrior was indispensable during Vietnam. It is being replaced.

The A–10 is being replaced over a protracted period of time. In the interim, other aircraft are going to take its place until the F–35 is prepared to do its mission.

The second point I would make is that the Chief of Staff for the Air Force flew the A–10. It is their recommendation to phase this plane out. The Air Force has also stated to the committee that, if given another $4.3 billion, they have a whole range of other options they would pursue before continuing the A–10 program.

The final observation I would make is that the amendment is somewhat disingenuous, and I don't say that in a pejorative sense because I know that is not the intent of my colleagues, but while it would sound to our colleagues that there is no money involved in this amendment, I would propose that I would like to find $339 million that is not in the bill because you now need crews and you need fuel and you need maintenance that is not in the bill because we agreed with the administration's position.

There is another $200 million that would be required over the next year for spares and modifications of this aircraft.

Essentially, you are leaving the committee now in a position of $600 million by simply saying no funds shall be used to terminate this program during the coming year that aren't in the bill, and the author of the amendment and those who support it have not shown us where that money is going to come from in this bill.

I strongly urge my colleagues, for the reasons stated in my opening remarks, we have to begin to make some tough decisions. There is a finite amount of money in this bill.

Mrs. MILLER of Michigan. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentlewoman.

Mrs. MILLER of Michigan. I would just indicate that we had several other amendments that we offered up to the committee, but we were told there would be a point of order on those amendments, so we had offsets articulated in those amendments, so we were looking for additional dollars.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate that, but the fact is there is no offset in this amendment and the cost to the committee is $600 million that is not in the bill. I appreciate the chairman yielding to me.

Mr. FRELINGHUYSEN. I reclaim my time, and I urge a ''no'' vote on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. MILLER of Michigan. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan will be postponed.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC.____. None of the funds made available by this Act may be used to make aircraft (including unmanned aerial vehicles), armored vehicles, grenade launchers, silencers, toxicological agents (including chemical agents, biological agents, and associated equipment), launch vehicles, guided missiles, ballistic missiles, rockets, torpedoes, bombs, mines, or nuclear weapons (as identified for demilitarization purposes outlined in Department of Defense Manual 4160.28) available to local law enforcement agencies through the Department of Defense Excess Personal Property Program established pursuant to section 1033 of Public Law 104–201, the 'National Defense Authorization Act For Fiscal Year 1997'.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved on the amendment.

Pursuant to House Resolution 628, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, I rise today to address a growing problem throughout our country, the militarization of local law enforcement agencies.

Police in our communities should be engaged in community policing. Unfortunately, all too often, local police departments have begun to look like

military units preparing for battle on America's streets.

We fight our wars abroad, not at home, and the weapons and tactics used on our local streets should reflect that fact.

The New York Times recently reported that:

> Police departments have received thousands of pieces of camouflage and night-vision equipment and hundreds of silencers, armored cars, and aircraft.

I think this is appalling. My amendment would prohibit the Department of Defense from gifting excess equipment, such as aircraft—including drones—armored vehicles, grenade launchers, silencers, bombs, and so on to local police departments.

There is no mass rebellion brewing here in the United States. There are no improvised explosive devices on the sides of our roads, but the abuse of military equipment to ward off these nonexistent threats is happening nonetheless.

So, of course, what you would expect to happen is happening. As The New York Times article, ''War Gear Flows to Police Departments'' explains:

> Police SWAT teams are now deployed tens of thousands of times each year, increasingly for routine jobs. Masked, heavily-armed police officers raided a nightclub in 2006 as part of a liquor inspection. In Florida in 2010, officers in SWAT gear and with guns drawn carried out raids on barbershops that mostly led to charges of ''barbering without a license.''

DOD equipment is changing the mentality of police departments throughout our country. Recruiting videos now feature clips of officers storming into homes with smoke grenades and firing automatic weapons into homes, as well as clips of officers creeping through the fields in camouflage—war camouflage. This is not policing; this is war.

One South Carolina sheriff's department now takes its new tanklike vehicle with a mounted .50-caliber gun to schools and community events. The department spokesman said his tank is a conversation starter. That is not a conversation I want us to have.

I think this is wrong. The Federal Government should not be encouraging our public servants to view America as occupied territory. I prefer the views of Ronald Teachman, the police chief in South Bend, Indiana.

According to that New York Times article, he decided not to request a mine-resistant vehicle for his city of South Bend, Indiana. He said:

> I go to schools, and I bring ''Green Eggs and Ham.''

Let's encourage leaders like the very appropriately named Ronald Teachman. Let's not treat our citizens as terrorists, and let's help our police act like the public servants they need to be.

I reserve the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does the gentleman from Florida wish to be heard on the point of order?

Mr. GRAYSON. Yes.

The Acting CHAIR. The gentleman from Florida is recognized.

Mr. GRAYSON. There is no new determination out of this amendment. I call your attention to the specific language here. It says:

> None of the funds made available in this act may be used to make aircraft (including unmanned aerial vehicles), armored vehicles, grenade launchers, silencers, toxicological agents (including chemical agents, biological agents, and associated equipment), launch vehicles, guided missiles, ballistic missiles, rockets, torpedoes, bombs, mines, or nuclear weapons (as identified for demilitarization purposes outlined in Department of Defense Manual 4160.28).

In other words, all the terms that I just described are as identified for demilitarization purposes as outlined in Department of Defense Manual 4160.28. Since they are in the Department of Defense Manual 4160.28, they require no new determination of law.

I will continue:

> Available to local law enforcement agencies through the Department of Defense Excess Personal Property Program.

Again, local enforcement agencies is a defined term under statute. The Excess Personal Property Program is established, as this amendment indicates, pursuant to section 1033 of Public Law 104–201, the National Defense Authorization Act for Fiscal Year 2007.

Therefore, every single term that is used here is a term defined in law. There is no new determination to be made by anybody, including the people who enforce this amendment.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination as to the meaning of ''local law enforcement agencies'' within the context of the Department of Defense Excess Personal Property Program.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

Mr. FRELINGHUYSEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DAINES) having assumed the chair, Mr. COLLINS of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4870) making appropriations for the Department of Defense for the fiscal year ending September 30, 2015, and for other purposes, had come to no resolution thereon.

□ 2015

AMNESTY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, I want to express my appreciation to the Appropriations Committee for the appropriations process. I think we are all better when we have open amendments and have a chance to have everybody have input. It is a nasty process, but it is a good way to do it.

Input is important, because when you don't listen to proper input, you can end up having a judgment, as did the Pelletier case where a juvenile court judge in Massachusetts took away custody from her parents, and finally a victory yesterday as the court, Judge Joseph Johnston, wrote in his ruling:

> Effective Wednesday, June 18, 2014, this care and protection petition is dismissed and custody of Justina is returned to her parents, Lou and Linda Pelletier.

His first statement there is:

> I find that the parties have shown credible evidence that circumstances have changed since the adjudication on December 20, 2013, that Justina is a child in care and protection pursuant to G.L. c. 199, 24–26.

Clearly, the only thing that had changed was not credible evidence. It was a judge who finally did his job, which was not to take parents' kids away from them.

It reminded me of comments made by a daycare director in the Soviet Union back when I was an exchange student during college days. The daycare director was bragging that the children belonged to the state, that parents are only temporary caregivers that serve at the whim of—she didn't say ''whim''—but basically at the discretion of the government.

Back then, in the Soviet Union, if you ever told your child anything negative about the Soviet Union—the Soviet Government, Soviet leaders—and they found out, they would whisk in, take your child away, and as the director said, give them to more deserving parents.

It appears that is really what happened in the Pelletier case. Some bureaucrats refused to consider all of the evidence as they should have and decided that they would play God for a while and give custody of this poor child to the State instead of her parents who gave every indication of loving her and caring about her, trying to do the right thing for her. Instead, the State caused great damage. Unfortunately, that happens too often in many

different areas when the State thinks they know better than the people personally involved.

What gets even worse is when you have a Federal administration that believes they know better than the law, that they don't have to follow the law because they are better than the law, which would make them right on par with Chavez in Venezuela or pick out the dictator. They are right there, because they know so much better than anybody else in the country. That is why they are called dictators.

One of the most shocking things about the lawlessness of this administration is that they could have spokespeople with straight faces come out and say: We really don't know what is causing this wave of humanitarian crises on the border. We just really don't understand why this wave is coming now.

Well, all they have to do is review some of the reports from Border Patrolmen, ICE agents—particularly the Border Patrolmen who have been interviewing these kids, especially the older ones, 15, 16, 17: Why did you come to the United States illegally now? And the Border Patrol reports so many of the children just say basically the same thing: It is because of your new law that is going to let us come and stay legally. It is the new law that we get amnesty, that all we have to do is come.

It is incredible the humanitarian crisis that this administration has caused. There is some blame to go around for Republicans as well, that have entered into this discussion about providing amnesty, providing legal status when, if they would simply listen to the people in the field on the border and understand the trauma that they have been going through trying to protect this country, they would find out, as Chris Crane has said before, he said again yesterday, when people in Washington talk about amnesty or legal status, we see a massive influx of people coming because they want to get here for the legal status, the amnesty. That is why it is so critical that we not talk about any kind of legal status or amnesty being awarded to anyone, that we wait until we have a President, hopefully a change in this President's heart so he will start enforcing the law and start faithfully executing the laws of the country.

It is unconstitutional for anyone in the United States, including the President, to say: I don't like the law the way it is. Congress hasn't changed it, so here's the new law.

One rather shocking thing is when the President said, you know, that Congress hadn't fixed it so here is the new law on who is going to be allowed to stay and be given legal status that we are not going to throw out. Here is the new law; here are the new requirements.

I couldn't believe conservative news media, liberal news media, they are all reporting the same thing. Gee, here is the new law. Here are the new requirements that the President just pronounced into law.

Fortunately, there are many levelheaded folks that understand that we are supposed to act within a Constitution, who pointed out you can't just stand up and say, ''Here's the new law.'' You actually have to have it pass through Congress. Yeah, it is a tough thing to do, and that is exactly what the Founders intended, because they knew the easier it was to pass laws, the quicker Americans would lose their liberty.

Ever since the 17th Amendment was ratified, the States lost their check and balance over the Federal Government not usurping the power reserved to them in the 10th Amendment. Some have incorrectly reported that I want to repeal the 17th Amendment, go back to selecting Senators by State legislatures making the selection. There were some abuses there. Some legislators figured out how to game the system through the Senators they selected. All you would have to do is say: All right. We are going to select you to be our Senator, but here is our laundry list of things that we want.

So it was susceptible to being abused as well, but the point should not be lost that there has to be a way for States to regain the check and balance over the Federal Government usurpation of rights of the various States, the powers of the State.

If the States still had the check and balance over the Federal Government, you wouldn't see a report like John Roberts of FoxNews reported this week. ''Wave of humanity,'' he reports: ''Border Patrol overwhelmed by flow of illegal immigrants.'' He says:

> At daybreak in this border town, two women from Guatemala—one with a small child strapped to her back—wait patiently on the levy overlooking the Rio Grande.
>
> They have been instructed by the ''coyote'' who ferried them across the river for an exorbitant fee—as much as $1,000—to simply wait for the Border Patrol to pick them up. After processing, they will likely be given a notice to appear before an immigration judge and a bus ticket to wherever in America they may have friends or relatives.
>
> That's the way it goes, day in and day out, in what has become ground zero of the latest immigration crisis. Thousands upon thousands of people from Central America exploiting the porous border of the Rio Grande Valley to enter the United States.

To quote:

> ''If we don't send the message that they can't just come in and stay here, it's gonna continue, this wave of humanity,'' said Texas Representative HENRY CUELLAR. Cuellar is a Democrat, but an outspoken critic of how President Obama has handled this crisis.

Another story from Brandon Darby from Breitbart reports:

> Vice President Moran invoked the case of Robert Rosas, a Border Patrol agent who was ambushed by illegal immigrants in 2009 in southern California. In that instance, Agent Rosas was dispatched alone to check on a sensor activation. Breitbart News has covered that issue extensively and revealed that one of the men involved had been on supervised release from U.S. authorities. The illegal immigrants wanted Agent Rosas's night-vision equipment, so they lured, trapped, and murdered him, according to the U.S. Attorney's office. ''A repeat occurrence of an incident like this is what we fear, especially now without full staffing in the field,'' said Vice President Moran.

Shawn Moran is vice president of the National Border Patrol Council, the NBPC. He stated:

> ''The administration was already putting budgets before securing the border. Our jobs are immensely dangerous as we interrupt cartel activity on U.S. soil. Their border security policy failures have already reduced the number of agents securing the border, and now they have fewer agents out there to back each other up. The lives of Border Patrol agents should not be pawns in the political games of Washington, D.C., and this administration is literally risking our lives.''

The loss of Agent Rosas is an example of what happens when an administration is lawless. It breeds more lawlessness, and that is exactly what we have now on our United States border in the south. The story says:

> Though Border Patrol are often heavily grouped in urban areas along the U.S.-Mexican border, they are often alone in desolate rural areas—and most of the U.S.-Mexico border is desolate.

It is really tragic what is happening, and this administration wrings its hands—well, some do. Some play golf. Some wring their hands. Some make sure they have got a good grip on their 7 iron, but others wring their hands about the losses of life and the tragedies occurring on our U.S.-Mexico border.

A story from the LA Times, Molly Hennessy-Fisk:

> The call went out on Border Patrol radios just before sundown one day this week: 31 immigrants spotted illegally crossing the Rio Grande on a raft.
>
> No sooner had the migrants been found hiding in the mesquite brush then another report came in: a woman and boy were walking up riverbank.
>
> The Rio Grande Valley has become ground zero for an unprecedented surge in families and unaccompanied children flooding across the Southwest border, creating what the Obama administration is calling a humanitarian crisis as border officials struggle to accommodate new detainees.

□ 2030

> Largely from Central America, they are now arriving at a rate of 35,000 a month. Anzalduas Park, a 96-acre expanse of close-cropped fields and woodland that sits on a southern bend of the river, has turned from an idyllic family recreation area into a high-traffic zone for illegal migration. The number of children and teenagers traveling alone from Guatemala, Honduras, and El Salvador is expected to reach up to 90,000 across the southwest border by the end of the year.

This story was written June 13. We have information that that number hit 60,000 by May, and originally 60,000 was expected to be the top. So I think it would be a good estimate to expect if we got more than 60,000 and they are coming faster and faster, and that 60,000 was hit by early May or the 1st of May, I think you can pretty well count

on more than 90,000, perhaps more than 120,000, and that is this year.

As these teenagers and others are given legal status, then their parents, they will be able to be anchors to bring other family members in with them. So you are talking about just in 1 year adding maybe 1 million people when you start looking at all the other ways people are coming in.

We bring in over 1 million people with visas legally every year. No other country in the world does that. Countries a number of times our size don't allow that many visas. We do because we are an open country. But we understand there is an obligation. You have to maintain some kind of semblance of order.

At a time when you have got tens of thousands and hundreds of thousands of people coming in illegally, and you don't know who they are, you have got drug cartels that are taking advantage of that, as ICE and Border Patrol are pointing out. They are taking advantage of it, they are moving more drugs than ever. As some have said this week, we—Border Patrol, ICE agents—were changing diapers while they are stepping up the number of drugs they are bringing in.

So how is this all happening? It comes back to the administration. If you have an administration that is lawless and refuses to enforce the law, as this administration has, you are going to reap the whirlwind.

There is another story from U.S. News, from Hidalgo County, ''Migrant Surge Jams Border'':

> Sergeant Dan Broyles once had to battle through the spiky thicket of border vegetation here to find an immigrant illegally sneaking into the country.
>
> But all he had to do on a recent day was to wait in plain sight along a dirt road, as a group of Salvadoran migrants, including a 7-year-old girl with a pink Hello Kitty backpack, deliberately walked up and surrendered to him a mile north of the Rio Grande.
>
> ''They're all giving up,'' said Sergeant Broyles, 51-years-old, a Hidalgo County Constable's official whose main responsibility is supposed to be serving court papers. As he waited for Border Patrol agents to pick up the migrants, another group was coming up behind them.

And on and on and on it goes.

It is what happens when an administration refuses to enforce the law, refuses to follow the law themselves. When you have an Attorney General that obfuscates and is complicit in the hiding of evidence and keeping evidence secret of what happened with a couple of thousand guns being forced by the government to be sold to people that never should have gotten them in the operation called ''Fast and Furious.'' We have known about it for a number of years, but we have always felt like even in the John Mitchell Department of Justice, even when there was illegality somewhere, even at the top with the Attorney General, that there would be good people in the Department of Justice that would stand up and say: This is wrong, you are going to destroy our country because we are supposed to be the department that ensures justice across the country.

It seems like what we are doing here in the DOJ is going after political enemies of the administration instead of being fair across the board. The rest of the world notices these things, and they notice that we are not being fair and just and righteous, as we once were. All the time this humanitarian crisis, illegal immigrants flooding into the country from our south, and the administration saying: We don't know why this is happening; why are they rushing here?

Well, then here is a story this week:

> The White House to honor young illegal immigrants. The White House will honor 10 young adults on Tuesday who came into the United States illegally and qualified for the President's program to defer deportation actions.

I might remind, Mr. Speaker, that this is the President's program where he decided to change the law unilaterally, without Congress, to say he didn't like the existing law, so he pronounced new law into existence.

The story from Rebecca Shabad says:

> Each person has qualified for the government's Deferred Action for Childhood Arrivals program, which delays removal proceedings against them as long as they meet certain guidelines.
>
> They were honored as ''Champions of Change.''

So the White House is glorifying people that came in illegally and then is shocked that more people want to come in and be glorified for coming in illegally.

There is another story from Reuters of New York:

> A New York lawmaker wants to grant many of the rights of citizenship to millions of illegal immigrants and noncitizen residents, including the right to vote in local and State elections, under a bill introduced on Monday.

So let's give benefits, let's give a place to stay, let's give food, let's give legal counsel, as this administration is doing all, and let's give them incentives. Let's give them the right to vote so that they can vote for more people to come in illegally. Because once you give the right to vote to people who have not respected the law, and you give them that right to vote before they can be educated on the importance and the responsibility of maintaining a republic—madam, if you can keep it—you are going to lose that republic, you are going to lose the ability to have a government of the people, by the people, and for the people. It becomes lawless. Might makes right.

A story from Breitbart this week:

Pro-Bono Lawyers: Most Unaccompanied Border Children Eligible for Amnesty.

A story by Sylvia Longmire:

> Under the authority of the Homeland Security Act, the federal government transfers custody of illegal immigrant children who are apprehended alone at our borders to the Department of Health and Human Service's Office of Refugee Resettlement. Their primary goal is to reunite them with a family member or legal guardian already here in the U.S.

So, as U.S. District Judge Andrew Hanen has said, now we are engaging in human trafficking.

This is a good lesson in how you lose a great nation because you refuse to enforce your laws. This country has never had perfect laws, never will have perfect laws. They are made by man. But the thing we are supposed to internally perpetually strive for is making them better and better.

You don't have to study all that much history to understand that no nation ever lasts forever. They never have, they never will, not in this life.

So the question is: How long are you able to sustain a great nation? Some have gone for hundreds and hundreds of years. The United States has never been, will never be, an empire like the Greek or Roman empire or the British empire because the United States has never been imperialistic.

When we go in and fight for freedom, Americans die for freedom, people still speak their same language, still have their same currency. We help them to set up a government. Well, it is time we quit nation-building.

Now Iraq. So many of us warned about this, and after my last visit to Iraq, DANA ROHRABACHER and I pointed out problems to Prime Minister al-Maliki, and he didn't like it. We each pointed out promises that were made and had been broken, and he didn't like it. Even 3 or 4 years ago, it was very clear to us that Maliki was either going to totally sell out to the Iranians, who had been killing Americans who were there, or he would get knocked off, just like in Afghanistan. President Karzai is either going to have to sell out to the Taliban or he is going to be killed, or he can take money that people say he has not actually embezzled that maybe some of his family has, take off with the money and try to live on that somewhere outside of Afghanistan.

We don't have to nation-build. We should just make it clear to a country: Look, you can pick whatever government you want, but when you are a threat to us and you announce you want to destroy us as the great Satan, destroy Israel as the little Satan, and you are working on the bomb that will do that, then we need to take your government out. We need to take out all of your areas where you are working on nuclear weapons and keep bombing until we have satisfactorily done that, and then let the nation pick whatever government they want. But if it is one that wants to come after us again, as the Khomeini administration has, then we need to take them out too.

The problem is this administration has been floating ideas of working with Iran, which had been killing American soldiers the entire time that U.S. soldiers were in Iraq, providing IEDs, providing weapons, providing the means

and people to help kill Americans, and which has made clear they want to wipe our country off the map, wipe Israel off the map, and this administration has people who say: Let's work with Iran to control Iraq.

That is sheer insanity. Who is thinking of these things? Allies of the United States all over the world are asking: Are we the next ally to be thrown away as the United States continues to embrace its enemies and throw away its friends?

Take your pick of the way nations have been lost over time, great nations have lost what freedom they had, what self-control they had. Look at the way they have been lost. Some have lost it internally. They spent too much money on themselves, overspent, they lost the country, became a bankrupt nation. Or sometimes they let their defense down and people came in and overwhelmed the nation. Or sometimes they were attacked by armies who destroyed their power, their government. Everywhere you turn, it appears we are taking the steps—this administration and Congress is not doing enough yet to stop them—but it appears the administration repeatedly is taking all of those roads that lead to destruction.

□ 2045

You cannot keep punishing your friends, rewarding your enemies. You cannot keep encouraging your enemies and allowing them to develop weapons that will destroy you. You cannot leave your borders open when people have made clear: We are bringing drugs in, and we are coming in with weapons now. We are taking over gangs in your cities. We are going to destroy you from within.

You can't keep doing that. Then, all that time, we are cutting spending on our defense to keep evil out. We are still overspending.

Sure, we have given some and helped wonderful companies like Solyndra and paid $600 million or so for a Web site for ObamaCare and friends of the administration when we are told: gee, you could have done a better Web site for $4 million.

Sure, we have spent it on all kinds of things like that, but the spending of future generations' money has to stop because you can lose the country just in that way as well.

Just when you think the lawlessness of the administration could not get any worse—just when you think, wow, it is absolutely incredible—it is very clear now that this administration's Internal Revenue Service was using IRS laws to persecute political opponents of the administration, so they could not be effective and do again in 2012 what they did in 2010.

Guess what? It worked. At first, we were told: No, they were going after liberal groups and conservative groups the same way.

Well, now, we know that is not true. They were going after conservative groups, and when any administration has IRS officials that send out questions asking about the content of your prayers, it is time to start firing people right and left.

Since that hasn't happened, it tells you that there is a disease running through this administration, a cancer that needs to be stopped.

We know that the Attorney General himself is in contempt of Congress, and we know that he sat there and told me that I was not to ever think it was a big deal for him to be found in contempt, when he knew that a year before he told ABC it wasn't a big deal to him because he didn't have any respect for people in Congress that voted to hold him in contempt. He couldn't even get his story right when he was testifying before Congress.

He needs to go. Since the administration has refused to move out an Attorney General who has repeatedly failed to do his job, has repeatedly failed to do justice, has repeatedly allowed the law to be used to go after political enemies while protecting political friends, while they have refused to go after people who believe that this country ought to be part of a great radical Islamist caliphate—and we protect those people.

Not only do we protect them, according to Egyptian periodicals that were controlled by the Muslim Brotherhood, they bragged about the people in this administration who were in positions of power, amazingly—maybe it shouldn't be that amazing—but eventually, truth does have a way of coming forward.

Yes, we have the IRS, at this point, losing emails. Of course, that triggered ideas in my head because there are criminals laws about obstructing Congress. There are criminal laws about obstructing investigations. There are criminal laws about IRS agents abusing their positions.

So anyone anywhere in the administration that is in any way assisted or encouraged in any way the losing or the reported loss of emails—this active coverup that is going on—they committed a crime, and it isn't just a 6-month statute of limitations, and they should be worried.

So the IRS, despite the laws regarding redundancy, despite the requirements that they are to keep records, they haven't done so.

There was a great letter that was sent by an attorney for True the Vote, one of the persecuted conservative groups. Cleta Mitchell, the attorney, writes to the counsel for the IRS and says:

As you know, True the Vote filed its lawsuit in the above-referenced matter on May 21, 2013. By the time True the Vote filed its suit, the Internal Revenue Service and its employees and officials were on notice of the commencement of several congressional investigations.

The House Committee on Oversight and Government Reform, the House Committee on Ways and Means, and the Senate Finance Committee have each provided notice to the IRS of their ongoing investigations into the IRS and, specifically, defendant Lois Lerner and her activities related to the issues involved in the True the Vote litigation for over a year now.

Late Friday, the IRS apparently advised the Ways and Means Committee that the IRS has ''lost'' Lois Lerner's hard drive, which includes thousands of Defendant Lerner's email records.

However, several statutes and regulations require that the records be accessible by the committees and, in turn, must be preserved and made available to True the Vote in the event of discovery in the pending litigation.

Those statutes include the Federal Records Act, Internal Revenue Manual section 1.15.6.6, IRS Document 12829, 36 CFR 1230, and 36 CFR 1222.12.

Under those records retention regulations and the Federal Records Act generally, the IRS is required to preserve emails or otherwise contemporaneously transmit records for preservation.

Therefore, the failure for the IRS to preserve and provide these records to the committees would evidence further violations of numerous records retention statutes and regulations or obstruction of Congress.

Federal courts have held, in the context of trial, that the bad faith destruction of evidence relevant to proof of an issue gives rise to an inference that production of the evidence would have been unfavorable to the party responsible for its destruction.

It then cites a Federal case. That is called the doctrine of spoliation.

The fact that the IRS is statutorily required to preserve these records, yet nevertheless publicly claimed that they have been ''lost'' appears to be evidence of bad faith.

18 USC 1505 makes it a Federal crime to obstruct congressional proceedings and covers obstructive acts made during the course of a congressional investigation, even without official committee sanction.

It cites authority for that proposition.

Further, by letters dated September 17, 2013, True the Vote provided notice to counsel for the individual IRS defendants in this litigation. The individual defendants are: Steven Grodnitzky, Lois Lerner, Steven Miller, Holly Paz, Michael Seto, Douglas Shulman, Cindy Thomas, William Wilkins, Susan Maloney, Ronald Bell, Janine L. Estes, and Faye Ng.

True the Vote's September 17, 2013, correspondence reminded you and your clients of the individual defendants' obligation ''not to destroy, conceal, or alter any paper or electronic files, other data generated by and/or stored on your clients' computer systems and storage media, e.g., hard disks, floppy disks, backup tapes, or any other electronic data, such as voice mail.''

We identified the scope as encompassing both the personal and professional or business capacity of your clients and involving data ''generated or created on or after July 15, 2010.'' See attached letters to Ms. Benitez and Messrs. Lamken and Shur.

As the D.C. District Court has found, ''a party has a duty 'to preserve potentially relevant evidence . . . ' once that party anticipates litigation.'''''

It cites the authority for that.

In fact, ''that obligation 'runs first to counsel, who has a duty to advise his client of the type of information potentially relevant to the lawsuit and of the necessity of preventing its destruction.''' It ''also extends to the managers of a corporate party, who 'are responsible for conveying to their employees the requirements for preserving evidence.''''

By letter dated September 25, Ms. Benitez acknowledged receipt of our ''litigation

hold'' letter and vociferously objected to our having the temerity to send such a letter, ''rejecting'' our characterization of documents to be preserved.

Indeed, Ms. Benitez, you indicated that you took great offense at having been put on notice to preserve and maintain documents related to the issue of this litigation.

You further advised, however, that you would continue to advise ''your clients as appropriate and, as always, will abide by my legal and ethical obligations.''

The public reports released late on Friday, June 13, 2014, stated the IRS now claims to have ''lost'' the emails of defendant Lois Lerner.

I have got to inject. Ms. Benitez apparently wasn't being honest. She apparently didn't know how to properly advise her clients and properly abide by the legal and ethical obligations that she had.

This letter goes on:

These reports are particularly astonishing in light of your representations, Ms. Benitez, that you would ''advise your clients, as appropriate, and would abide by your legal and ethical obligations.''

The ''lost'' emails, from press reports, appear to cover a time period from January 2009 to April 2011.

We are deeply troubled by this news and are concerned about the spoliation of information and documents pertaining to this case and the apparent failure on your part to, a, protect and preserve all potentially relevant information and, b, to advise us of such failure and spoliation when you first learned of it.

We are even more concerned after receiving your assurances that you would ''abide by your legal and ethical obligations.''

Accordingly, we hereby request that you advise us of the following.

Then it goes on with demands. They are quite reasonable.

It says:

In addition to seeking responses to the questions in this letter, we also seek your consent to immediately allow a computer forensics expert selected by True the Vote to examine the computers that is or are purportedly the source of Ms. Lerner's ''lost'' emails, including cloning the hard drives, and to attempt to restore what was supposedly ''lost'' and to seek to restore any and all ''lost'' evidence pertinent to this litigation.

We also seek access to all computers, both official and personal, used by any and all of the defendants from and after July 1, 2010, in order to ensure preservation of the documents of all defendants in this action.

We wish to resolve our concerns amicably; but, absent your consent, we will file such motions as deemed necessary and appropriately asking the court to require that you respond to the questions contained in this letter and to permit such forensic examination described herein and for such other relief as may be appropriate for this egregious breach of legal authority and professional ethics.

Anyway, the judge in that case needs to go ahead and order all kinds of sanctions against the Internal Revenue Service. It needs to order all kinds of sanctions against the attorneys and the employees involved in that litigation who have failed to produce what was required.

The judge needs to make clear that justice, including from our own so-called Justice Department, will not permit this kind of lawlessness. It is outrageous. It is simply outrageous.

□ 2100

Just when you think the ignoring of the safety of American citizens couldn't get much worse by this administration, they brag that they are bringing a known terrorist to New York City. Nobody on the left seems to be terribly bothered by the fact that they say they are putting him on a slow ship to the U.S. when they should have put him on a fast plane to Guantanamo Bay. It is better kept than many prisons I have been to that actually meet the requirements of the law, including the requirements of liberal judges. It is better than so many prisons.

Yes, they get to play soccer, and when they continue to throw feces or urine on our guards, then they do lose some of their movie time watching. When I was down there a couple of times, somebody lost movie privileges because he figured out a way to throw urine or feces on guards. There actually was a guard who yelled back at the person who threw feces on him, and he ended up being punished, I was told, by Article 15 because you are not allowed to respond when a terrorist throws feces or urine on you. They will take care of the adequate punishment, and they think it is enough to take away some of their movie watching time or television watching time or to maybe take away some of the time they get to be outside, playing soccer.

They don't need to be in the United States if they have committed an act of war against the United States, and the evidence seems to indicate clearly that this defendant had. I am very pleased and I applaud the administration for finally picking up this guy who was so available to international media that they could get interviews with him. Yet the administration didn't want to pick him up. If they had, they could have gotten him at any time. I guess, last year, they picked up this terrible terrorist in Libya, and when I was over there, the Libyans said his address had been on the Internet for a year. The U.S. could have gotten him any time they wanted to—they knew where he lived—but the administration finally decided to do something about it, so they did.

This is an article from CBS News: ''Benghazi Suspect Expected to Face Criminal Charges in D.C. Federal Court.'' When Americans say someone who commits an act of war against the United States should be brought to a Federal district court because it is his constitutional right, it tells you immediately they don't know the Constitution because, under the Constitution, there isn't even a U.S. District Court created. How can somebody have a right to a United States district court under our Constitution when there is no U.S. district court created in our Constitution?

As David Guinn used to say, who was my old constitutional law professor, there is only one court created in the entire Constitution. That is the Supreme Court. Every other Federal court in America owes its existence and jurisdiction to the United States Congress. As Bill Cosby said his father used to say, ''I brought you in this world, and I can take you out.'' The Congress brought these courts into this world. We can take them out of this world. Nobody has a constitutional right to a U.S. district court. If you commit an act of war, you have got a right to a tribunal if we so choose, and we have. You may have a right to a military court.

I don't understand, Mr. Speaker, why in the world liberals in the United States think that someone who commits an act of war against the United States should have more constitutional rights than our United States military, and this administration thinks one does. How do you know? Look at what they are doing to our military. Go talk to some of our military members who have been put in prison. They say: We believed our lives were in jeopardy, that we were in immediate danger of death or of serious bodily injury, so we defended ourselves.

You shouldn't have because you hit a civilian or you hit somebody else or you hit somebody who was messing with an IED, but that didn't mean that he actually planted it.

There are all kinds of people we have in prison now who are serving our United States military, and they were not given near the rights that this person—this radical Islamist who wants to destroy America—is now being told he is going to get.

So they say they are questioning him, but the Federal Government said that about the last suspect they arrested and put on a slow boat to the U.S., and there were people here who were saying this is great, that this may be the one guy they say they wouldn't mind having waterboarded in order to get all of the information out of him they could.

Then we hear from an international arms dealer who says: Yes, I was the one who negotiated the arms deal for the U.S. State Department. They wanted to get arms to Libyan rebels, and I proposed just their buying them, and then I would get them to the rebels. But they said: No, no, no. We don't want it that direct. So he says he bought the weapons for the State Department and got them to Qatar and then, from Qatar, got them to the rebels who were infused with al Qaeda rebels.

Anyway, the international arms dealer sent me a statement saying he wanted to testify before Congress because the people he worked with who were representing the U.S. Government and others were either dead or they were on a boat somewhere so that nobody could talk to them. He figured, if he could get his story out before Congress, then maybe there wouldn't be any need to kill him or to stick him on a boat

somewhere so he couldn't talk. That was what the statement of the international arms dealer has been—the statement that was sent to me—and yet they want to bring here someone they say they are certain committed an act of war against the United States.

I heard on the news today that, gee, they have had evidence of this al-Shabaab involvement since the event happened. Since the event happened? That would mean all of the time that Secretary Clinton was out there—saying it was the video and looking family members of the deceased of Benghazi in the eye and saying: We are going to get the guy who did the video—she knew that the evidence was nothing of the sort, that the video had nothing to do with the loss of these four American lives.

There is no right of someone who commits an act of war against the United States to get an immediate trial. He is not entitled under our Constitution to get a speedy trial. He is not under our Constitution entitled to get a trial before a U.S. district court. He is entitled under the current law to go to Guantanamo Bay—where no one has ever been waterboarded by the way—and have a trial in that courtroom. I went through it, and I was impressed at how well equipped it was for trying terrorists, even to the extent of having bulletproof glass for the gallery.

There could be all kinds of horrible scenarios to arise out of this administration's insistence on bringing an enemy combatant—a warrior against the United States—who should be considered either an enemy combatant or a prisoner of war. He shouldn't be brought. There are too many bad things that can happen. New York has suffered enough.

I do want to finish with this one article, published this week by Breitbart and written by Kerry Picket. I have talked for some time about a Texan named Mohamed Elibiary. I questioned our Secretary of Homeland Security about her giving him a secret security clearance when he clearly should not have met any of the requirements to get such a clearance. We knew that he had downloaded two documents from using his secret classification. According to reporter Patrick Poole, not only did he download them, but he offered them to national media for publication.

Mr. Elibiary has gotten so cocky now because I have been talking about this for a number of years. The administration has not bothered to revoke his secret classification, and he continues to be one of the top advisers to Homeland Security. It is our homeland security for heaven's sake, and he sends out this tweet on June 13 that says:

> Kind of comical watching pundits on some U.S. TV channels freak out about an ISIS caliphate. Easy, folks. Take deep breaths and relax.

Kerry Picket reports:

> Mohamed Elibiary, a member on the Obama administration's Homeland Security Advisory Council, is at the center of a controversy involving allegations that former DHS Secretary Janet Napolitano gave him secret clearance, which led to his downloading classified information. According to Representative Louie Gohmert, Elibiary later shopped that classified material around to a reporter.
>
> Elibiary, a supporter of the Muslim Brotherhood, who regularly goes after the Sisi-led Egyptian Government, is also an active participant on Twitter, and mocked the ''freak out'' by U.S. talking heads discussing the terrorist activities relating to the Islamic State of Iraq and Syria, ISIS.

So Elibiary says that. He thinks it is comical watching pundits freak out over the Islamic State of Iraq and Syria's caliphate.

He goes on in another tweet in response to a tweet back that says:

> So no need to be outraged?

He says:

> As I've said before, inevitable that caliphate returns. Choice only whether we support an EU-like Muslim Union vision or not.

So Mr. Elibiary, who is a top adviser in the United States of America Homeland Security Department, is saying it is inevitable that we have an Islamic caliphate over the United States. It is just whether or not we are going to embrace a European Union-style caliphate that is coming or something else.

Even when he is questioned again by another tweet, in talking about an Islamic caliphate, he says:

> The U.S. is heading in the direction. Bush created the OIC—Organization of Islamic Council—Special Envoy.

So that took us a little bit down the road to being part of the caliphate. Then he says:

> Obama removed the discriminatory engagement policy toward the Muslim Brotherhood.

That is the purging of documents I have been talking about for years. This administration, according to their Homeland Security adviser here, has been moving toward being part of a caliphate for years. Get used to it. He finds it comical that pundits are even worried about it.

With the lawlessness that is occurring in the United States and inside our Justice Department and in this administration in numerous places—in the IRS, on our border—it is time for Americans to wake up, and it is time for Americans to let their Congressmen and Senators know we have had enough lawlessness. You guys have got to hold the Attorney General and the President accountable. Once enough people wake up and demand it, they will get it because the adage remains true: democracy ensures a people get a government no better than they deserve.

With that, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. KIRKPATRICK (at the request of Ms. PELOSI) for June 18–20 on account of family obligations.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1254. An act to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 15 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, June 19, 2014, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6013. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2014-2015 Marketing Year [Doc. No.: AMS-FV-13-0087; FV14-985-1 FR] received May 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6014. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Grapes Grown in a Designated Area of Southeastern California; Increased Assessment Rate [Doc. No.: AMS-FV-14-0010; FV14-925-1 FR] received May 28, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6015. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — User Fees for 2014 Crop Cotton Classification Services to Growers [AMS-CN-13-0085] (RIN: 0581-AD35) received May 28, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6016. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Eric E. Fiel, United States Air Force, and his advancement on the retired list to the grade of lieutenant general; to the Committee on Armed Services.

6017. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Contractor Personnel Supporting U.S. Armed Forces Deployed Outside the United States (DFARS Case 2013-D015) (RIN: 0750-AI01) received May 23, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6018. A letter from the Senior Procurement Executive, GSA, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-74; Introduction [Docket No.: FAR 2014-0051; Sequence No. 1] received June 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6019. A letter from the Senior Procurement Executive, GSA, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation;

Commercial and Government Entity Code [FAC 2005-74; FAR Case 2012-024; Item I; Docket No.: 2012-0024, Sequence No. 1] (RIN: 9000-AM49) received June 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6020. A letter from the Senior Procurement Executive, GSA, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Expansion of Applicability of the Senior Executive Compensation Benchmark [FAC 2005-74; FAR Case 2012-017; Item III; Docket No.: 2012-0017, Sequence No. 1] (RIN: 9000-AM38) received June 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6021. A letter from the Senior Procurement Executive, GSA, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Repeal of the Recovery Act Reporting Requirements [FAC 2005-74; FAR Case 2014-016; Item II; Docket No.: 2014-0016, Sequence No. 1] (RIN: 9000-AM77) received June 2, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6022. A letter from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting the Department's annual report on material violations or suspected material violations of regulations relating to Treasury auctions and other Treasury securities offerings during the period January 1, 2013 through December 31, 2013, pursuant to 31 U.S.C. 3121 nt; to the Committee on Financial Services.

6023. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Thai Airways International Public Company Limited (Thai Airways) of Bangkok, Thailand pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

6024. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 14-17, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6025. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 14-0C, pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6026. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13405 of June 16, 2006; to the Committee on Foreign Affairs.

6027. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c) pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979; to the Committee on Foreign Affairs.

6028. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, ''District of Columbia Agencies' Compliance with Fiscal Year 2014 Small Business Enterprise Expenditure Goals through the 1st Quarter Fiscal Year 2014'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

6029. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting the Semi-annual Report of the Bureau, as required under Section 1016 of the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Oversight and Government Reform.

6030. A letter from the Assistant Secretary for Civil Rights, Department of Agriculture, transmitting the Department's fiscal year 2013 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

6031. A letter from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of San Francisco, transmitting the 2013 management report and statements on the system of internal controls of the Federal Home Loan Bank of San Francisco, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

6032. A letter from the Chairman, Merit Systems Protection Board, transmitting a report entitled, ''Sexual Orientation and the Federal Workplace: Policy and Perception''; to the Committee on Oversight and Government Reform.

6033. A letter from the Chairman, Railroad Retirement Board, transmitting the semi-annual report on activities of the Office of Inspector General for the period of October 1, 2013 through March 31, 2014; to the Committee on Oversight and Government Reform.

6034. A letter from the Biologist, Ecological Services, Endangered Species, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Wood Bison in Alaska [Docket No.: FWS-R7-ES-2012-0033; 70120-1113-0000-C3] (RIN: 1018-AW57) received May 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6035. A letter from the Chief, Branch of Endangered Species Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for Leavenworthia exigua var. laciniata (Kentucky Glade Cress) [Docket No.: FWS-R4-ES-2013-0069] (RIN: 1018-AY73) received May 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6036. A letter from the Chief, Branch of Endangered Species Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Leavenworthia exigua var. laciniata (Kentucky Glade Cress) [Docket No.: FWS-R4-ES-2013-0015] (RIN: 1018-AZ47) received May 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6037. A letter from the Branch Chief, Endangered Species Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Jemez Mountains Salamander [Docket No.: FWS-R2-ES-2013-0005] (RIN: 1018-AZ28) received May 22, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6038. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the annual report of the Office of Community Oriented Policing Services (COPS) for Fiscal Year 2013; to the Committee on the Judiciary.

6039. A letter from the National Chairman, U.S. Naval Sea Cadet Corps, transmitting the annual and financial reports for the year 2013, pursuant to Public Law 87-655; to the Committee on the Judiciary.

6040. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — June 2014 (Rev. Rul. 2014-16) received May 27, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6041. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Depreciation of Ethanol Plants (RR-138367-08) (Rev. Rul. 2014-17) received May 27, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6042. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Treatment of Property Used to Acquire Parent Stock or Securities in Certain Triangular Reorganizations Involving Foreign Corporations [Notice 2014-32] received May 21, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SESSIONS: Committee on Rules. House Resolution 629. Resolution providing for consideration of the bill (H.R. 4413) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end users manage risks to help keep consumer costs low, and for other purposes (Rept. 113–476). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. YOUNG of Indiana (for himself, Mr. DELANEY, Mr. GRIFFIN of Arkansas, Mr. LARSON of Connecticut, Mr. REED, Mr. POLIS, Mr. ROSS, Mr. KENNEDY, and Mr. SCHOCK):

H.R. 4885. A bill to encourage and support partnerships between the public and private sectors to improve our nation's social programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LUMMIS (for herself and Mr. WALZ):

H.R. 4886. A bill to direct the Secretary of Agriculture to publish in the Federal Register a strategy to significantly increase the role of volunteers and partners in National Forest System trail maintenance, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BROWNLEY of California:

H.R. 4887. A bill to expand the research and education on and delivery of complementary

and alternative medicine to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. CLARK of Massachusetts (for herself and Mr. STIVERS):

H.R. 4888. A bill to provide for the identification and dissemination of best practices for medical professionals and other health care providers relative to neonatal abstinence syndrome, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COHEN:

H.R. 4889. A bill to amend title 23, United States Code, to require States to dedicate 5 percent of certain funds to projects that reduce emission to public safety vehicles, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HORSFORD:

H.R. 4890. A bill to provide for a land conveyance in the State of Nevada; to the Committee on Natural Resources.

By Mr. HORSFORD (for himself and Ms. TITUS):

H.R. 4891. A bill to provide for the conveyance of certain lands in Las Vegas, Nevada, for the development of a nonprofit work center and affordable housing for people with intellectual disabilities, and for other purposes; to the Committee on Natural Resources.

By Mr. LANGEVIN (for himself, Mr. MICHAUD, and Ms. ESTY):

H.R. 4892. A bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Armed Services, Ways and Means, Oversight and Government Reform, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 4893. A bill to amend title II of the Social Security Act to provide for the non-application of the waiting period for disability insurance benefits in cases of terminally ill beneficiaries, and for other purposes; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 4894. A bill to establish the United States Commission on an Open Society with Security; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE:

H.R. 4895. A bill to prohibit the sale or distribution of cosmetics containing synthetic plastic microbeads; to the Committee on Energy and Commerce.

By Mr. RIBBLE (for himself and Mr. RIGELL):

H.R. 4896. A bill to prohibit congressional recesses until Congress adopts a concurrent resolution on the budget that results in a balanced Federal budget by fiscal year 2024, and for other purposes; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SALMON (for himself, Mr. HASTINGS of Florida, Mr. ROE of Tennessee, Mrs. MCCARTHY of New York, Mr. THOMPSON of Pennsylvania, Mr. KELLY of Pennsylvania, Mr. HUDSON, Mr. FRANKS of Arizona, Mr. TONKO, Mr. MCKEON, Mrs. KIRKPATRICK, Mr. HUNTER, Ms. SINEMA, Mr. GARCIA, Ms. LORETTA SANCHEZ of California, Mr. SIRES, Mr. MURPHY of Florida, Mr. MATHESON, Mr. GRAYSON, and Mr. ROKITA):

H.R. 4897. A bill to require the Secretary of Education to complete a data analysis on the impact of the proposed rule on gainful employment prior to issuing a final rule on gainful employment; to the Committee on Education and the Workforce.

By Ms. SINEMA (for herself and Mr. SALMON):

H.R. 4898. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide hospital care and medical services in non-Department facilities for veterans waiting longer than 14 days for an appointment in a Department facility, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHIFF (for himself, Ms. BASS, Mr. WAXMAN, Ms. HAHN, Mr. NADLER, Ms. CLARKE of New York, and Mr. MEEKS):

H. Res. 630. A resolution recognizing the benefits and importance of music making as an essential form of creative expression and expressing support for designating the Summer Solstice, June 21, 2014, as Make Music Day; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. YOUNG of Indiana:

H.R. 4885.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States.''

By Mrs. LUMMIS:

H.R. 4886.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: ''The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.''

By Ms. BROWNLEY of California:

H.R. 4887.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. CLARK of Massachusetts:

H.R. 4888.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

Mr. COHEN:

H.R. 4889.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8 of the Constitution.

By Mr. HORSFORD:

H.R. 4890.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (relation to the power to dispose of and legislate for all territories and properties belonging to the United States.

By Mr. HORSFORD:

H.R. 4891.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (relation to the power to dispose of and legislate for all territories and properties belonging to the United States).

By Mr. LANGEVIN:

H.R. 4892.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, ''to provide for the common Defense and general Welfare of the United States.''

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 4893.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Ms. NORTON:

H.R. 4894.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: section 1 of article I, and clause 18, section 8 of article I of the Constitution.

By Mr. PALLONE:

H.R. 4895.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

[The Congress shall have Power] To regulate Commerce with foreign Nations, and among the several states, and with the Indian tribes;

By Mr. RIBBLE:

H.R. 4896.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 9, clause 7 of the United States Constitution

By Mr. SALMON:

H.R. 4897.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States of America.

By Ms. SINEMA:

H.R. 4898.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 1 and Article I Section 8 Clause 18

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills as follows:

H.R. 107: Mr. DAINES.
H.R. 346: Mr. MICA.
H.R. 494: Mr. SHUSTER.
H.R. 543: Mr. CLEAVER, Mr. BOUSTANY, and Mr. PASTOR of Arizona.
H.R. 594: Mrs. MCMORRIS RODGERS.
H.R. 661: Ms. KELLY of Illinois.
H.R. 781: Mrs. BROOKS of Indiana.
H.R. 792: Mr. CUELLAR.
H.R. 800: Mr. TONKO.
H.R. 855: Mr. COHEN.
H.R. 920: Mr. CONYERS.
H.R. 997: Mr. CAMP and Mr. WILSON of South Carolina.
H.R. 1015: Mr. KELLY of Pennsylvania.
H.R. 1020: Mr. COURTNEY, Mr. LYNCH, Mr. MATHESON, Mr. DENT, and Ms. WILSON of Florida.
H.R. 1074: Mr. CARSON of Indiana, Ms. BROWN of Florida, Mr. HASTINGS of Florida, Mr. HIGGINS, Ms. DELBENE, and Mrs. ELLMERS.

H.R. 1078: Mr. PERRY.
H.R. 1125: Mr. PIERLUISI.
H.R. 1199: Mr. CLYBURN.
H.R. 1249: Mr. HURT.
H.R. 1494: Mr. DOGGETT.
H.R. 1518: Ms. WATERS.
H.R. 1658: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 1696: Mr. FARENTHOLD.
H.R. 1750: Mr. GERLACH.
H.R. 1761: Mr. DOYLE.
H.R. 1837: Mr. QUIGLEY and Mr. RUSH.
H.R. 1838: Mr. CARSON of Indiana and Mr. SCHNEIDER.
H.R. 1893: Ms. PINGREE of Maine and Mr. TONKO.
H.R. 1984: Mr. SCHOCK.
H.R. 1998: Mr. WAXMAN.
H.R. 2001: Mr. VEASEY.
H.R. 2053: Mr. LUETKEMEYER.
H.R. 2066: Mr. TAKANO.
H.R. 2220: Mr. FINCHER.
H.R. 2453: Mr. HASTINGS of Florida, Mr. HENSARLING, Mr. NUGENT, Mr. LATTA, Mr. PIERLUISI, and Ms. SEWELL of Alabama.
H.R. 2499: Mr. TIERNEY.
H.R. 2536: Mr. CAMP.
H.R. 2591: Ms. DELBENE.
H.R. 2663: Mr. AMODEI.
H.R. 2673: Mr. FARENTHOLD.
H.R. 2737: Mr. BLUMENAUER and Mr. HONDA.
H.R. 2745: Mr. CASSIDY.
H.R. 2825: Mr. YARMUTH.
H.R. 2992: Mr. CHAFFETZ.
H.R. 3086: Mrs. BEATTY, Mr. RYAN of Wisconsin, Ms. ESTY, Mr. KENNEDY, and Mr. GOHMERT.
H.R. 3112: Mr. PAULSEN.
H.R. 3118: Ms. TITUS and Ms. CLARK OF MASSACHUSETTS.
H.R. 3133: Mr. SHUSTER.
H.R. 3199: Mr. HARRIS.
H.R. 3279: Mr. MICA and Mr. MCCAUL.
H.R. 3317: Mr. RANGEL.
H.R. 3382: Mr. ENYART.
H.R. 3383: Ms. SCHWARTZ.
H.R. 3489: Mr. MARCHANT.
H.R. 3505: Mr. JOLLY, Mr. PIERLUISI and Mr. MCALLISTER.
H.R. 3556: Ms. CLARK OF MASSACHUSETTS and Mr. COBLE.
H.R. 3566: Mr. POCAN and Ms. MENG.
H.R. 3708: Mr. FORBES.
H.R. 3723: Mr. PETERS of California.
H.R. 3740: Ms. WILSON of Florida.
H.R. 3741: Mr. MCDERMOTT.
H.R. 3782: Mr. PEARCE.
H.R. 3833: Mr. COURTNEY.
H.R. 3877: Mr. BISHOP of New York.
H.R. 3921: Mr. MCDERMOTT.
H.R. 3992: Mr. WELCH and Mr. GRIJALVA.
H.R. 4026: Mr. VEASEY, Ms. EDWARDS, and Mr. PERLMUTTER.
H.R. 4040: Mr. MURPHY of Pennsylvania.
H.R. 4060: Mr. LATTA.
H.R. 4086: Mr. MICHAUD.
H.R. 4148: Mr. LARSON of Connecticut.
H.R. 4149: Ms. WILSON of Florida.
H.R. 4162: Ms. CLARK of Massachusetts.
H.R. 4169: Mr. LOEBSACK.
H.R. 4187: Mr. SIRES.
H.R. 4190: Mr. JOLLY and Mr. LUETKEMEYER.
H.R. 4234: Mr. TAKANO, Mr. KLINE, and Mr. YOUNG of Indiana.
H.R. 4240: Ms. LORETTA SANCHEZ of California.
H.R. 4252: Mr. LUETKEMEYER.
H.R. 4315: Mrs. MCMORRIS RODGERS.
H.R. 4320: Mr. HUELSKAMP and Mr. TIPTON.
H.R. 4325: Ms. MENG.
H.R. 4351: Mr. GRAVES of Missouri, Mr. SCHRADER, and Mr. BRADY of Pennsylvania.
H.R. 4437: Mr. FORTENBERRY and Mr. WILLIAMS.
H.R. 4445: Mr. JEFFRIES.
H.R. 4446: Mr. SCHOCK.
H.R. 4450: Mr. COBLE, Mr. BRADY of Pennsylvania, Mr. BECERRA, Mrs. DAVIS of California, Mr. MCNERNEY, Mr. SCHIFF, Mr. HONDA, Mr. GARAMENDI, Mr. CALVERT, Mr. LARSON of Connecticut, Mr. YARMUTH, and Mr. SERRANO.
H.R. 4489: Mr. SMITH of Missouri and Mr. CLAY.
H.R. 4510: Mr. POCAN, Mr. MEEHAN, Mr. JEFFRIES, Mr. WALDEN, Mr. CAPUANO, Ms. MENG, Mr. KLINE, Mr. MCGOVERN, Mr. THOMPSON of California, Mr. COLE, Ms. DELBENE, Mr. GIBBS, and Mr. REED.
H.R. 4521: Mr. FARENTHOLD and Mr. MCALLISTER.
H.R. 4531: Mr. LUETKEMEYER.
H.R. 4577: Mr. COLLINS of New York, Mrs. CAPITO, and Mr. RICE of South Carolina.
H.R. 4589: Mr. BOUSTANY.
H.R. 4590: Mr. MICHAUD.
H.R. 4612: Mr. SCHWEIKERT.
H.R. 4622: Mr. RANGEL, Mr. SIRES, and Mr. PERLMUTTER.
H.R. 4630: Ms. ESTY and Ms. WILSON of Florida.
H.R. 4635: Mr. HURT.
H.R. 4636: Mr. ELLISON, Mr. PASTOR of Arizona, and Mrs. NAPOLITANO.
H.R. 4645: Mr. CARTWRIGHT, Ms. SPEIER, Ms. NORTON, and Mr. SWALWELL of California.
H.R. 4653: Mr. ENGEL.
H.R. 4664: Ms. TITUS.
H.R. 4680: Mr. CAPUANO and Ms. WILSON of Florida.
H.R. 4701: Mr. BARROW of Georgia and Mr. KEATING.
H.R. 4704: Ms. CLARK of Massachusetts.
H.R. 4717: Mr. TERRY and Mr. MAFFEI.
H.R. 4726: Mr. ENYART.
H.R. 4749: Mr. DESJARLAIS, Mr. SALMON, Mr. JONES, Mr. KELLY of Pennsylvania, Mrs. HARTZLER, and Mrs. BACHMANN.
H.R. 4773: Mr. DESANTIS.
H.R. 4781: Mr. STIVERS and Mr. COLLINS of New York.
H.R. 4782: Mr. POLIS and Mr. MEEKS.
H.R. 4786: Mr. CARNEY.
H.R. 4792: Mr. OLSON, Mr. GRIFFIN of Arkansas, Mr. HARPER, Mr. MULVANEY, and Mr. ROE of Tennessee.
H.R. 4805: Mr. OLSON.
H.R. 4808: Mr. GRIFFIN of Arkansas, Mr. RAHALL, Mr. ROTHFUS, and Mr. RIBBLE.
H.R. 4826: Ms. NORTON and Mr. ENGEL.
H.R. 4827: Mr. CROWLEY and Mr. TONKO.
H.R. 4834: Mr. GARAMENDI.
H.R. 4841: Ms. SCHWARTZ, Mr. SCHNEIDER, Mr. RANGEL, Mr. CICILLINE, Mrs. NEGRETE MCLEOD, Mr. GALLEGO, Mr. GEORGE MILLER of California, Ms. SHEA-PORTER, Ms. MOORE, Ms. ESTY, Mr. DAVID SCOTT of Georgia, Mr. COURTNEY, Ms. HANABUSA, Mr. PALLONE, Ms. KUSTER, Mr. SWALWELL of California, Ms. TSONGAS, Mr. RAHALL, Mrs. BUSTOS, Ms. BROWNLEY of California, Mr. WALZ, Mr. RUIZ, Ms. HAHN, Mr. ENYART, and Ms. ESHOO.
H.R. 4851: Ms. WATERS.
H.R. 4852: Mr. ENYART, Mr. LOWENTHAL and Mr. POCAN.
H.R. 4855: Mr. SCHOCK.
H.R. 4864: Mr. HIGGINS and Mr. ELLISON.
H.R. 4871: Mr. ROYCE, Mr. BACHUS, Mr. MULVANEY, Mr. MCHENRY, Mr. GARRETT, and Mr. STIVERS.
H.R. 4878: Mr. SCHOCK and Mr. TIBERI.
H.R. 4881: Mr. FINCHER and Mr. GARRETT.
H.J. Res. 20: Mrs. CAROLYN B. MALONEY of New York.
H. Con. Res. 27: Mr. HASTINGS of Florida.
H. Con. Res. 52: Mr. HANNA.
H. Res. 30: Mr. KENNEDY.
H. Res. 72: Mr. GARAMENDI.
H. Res. 170: Mr. ROONEY, Mr. SCHIFF, and Mr. ROHRABACHER.
H. Res. 412: Mr. GRIFFIN of Arkansas.
H. Res. 435: Mr. GRAYSON and Mr. SCHNEIDER.
H. Res. 442: Mr. CALVERT.
H. Res. 519: Ms. LINDA T. SÁNCHEZ of California.
H. Res. 564: Mrs. LOWEY and Mr. SABLAN.
H. Res. 587: Mr. GEORGE MILLER of California.
H. Res. 588: Mr. STIVERS, Mr. TIERNEY, Mr. DOGGETT, Mr. KLINE, Ms. BASS, and Mrs. BLACKBURN.
H. Res., 593: Ms. LEE of California.
H. Res. 606: Ms. ESHOO and Mr. YARMUTH.
H. Res. 607: Mr. JOLLY.
H. Res. 612: Mr. ROHRABACHER.
H. Res. 621: Mr. NUNNELEE, Mr. COLE, Mr. LATTA, Mr. JORDAN, and Mr. SALMON.
H. Res. 622: Mr. HARRIS and Mr. DUNCAN of South Carolina.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4870

OFFERED BY: MR. BRIDENSTINE

AMENDMENT NO. 7: Page 7, line 2, after the dollar amount, insert ''(increased by $8,000,000)''.

Page 9, line 6, after the dollar amount, insert ''(reduced by $15,000,000)''.

Page 12, line 17, after the dollar amount, insert ''(increased by $2,000,000)''.

H.R. 4870

OFFERED BY: MR. BRIDENSTINE

AMENDMENT NO. 8: At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds made available by this Act may be used for any bilateral military-to-military contact or cooperation between the United States and the Republic of France unless and until the Republic of France cancels a contract to provide the Russian Federation with Mistral-class warships.

H.R. 4870

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 9: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, pursuant to the Federal Acquisition Regulation, that the offeror or any of its principals—

(1) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(2) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (1); or

(3) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied.

H.R. 4870

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 10: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for flag or general officers for each military department that are in excess to the number of such officers serving in such military department as of January 17, 2014.

H.R. 4870

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 11: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by an officer, employee, or contractor of the intelligence community to subvert or interfere with the integrity of any cryptographic standard that is proposed, developed, or adopted by the National Institute of Standards and Technology.

H.R. 4870

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 12: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to make aircraft (including unmanned aerial vehicles), armored vehicles, grenade launchers, silencers, toxicological agents (including chemical agents, biological agents, and associated equipment), launch vehicles, guided missiles, ballistic missiles, rockets, torpedoes, bombs, mines, or nuclear weapons (as identified for demilitarization purposes outlined in Department of Defense Manual 4160.28) available to local law enforcement agencies through the Department of Defense Excess Personal Property Program established pursuant to section 1033 of Public Law 104-201, the 'National Defense Authorization Act for Fiscal Year 1997'.

H.R. 4870

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 13: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to detain, without conviction, any person for more than 15 years at United States Naval Station, Guantanamo Bay, Cuba.

H.R. 4870

OFFERED BY: MR. FLEMING

AMENDMENT NO. 14: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to appoint chaplains for the military departments in contravention of Department of Defense Instruction 1304.28, dated June 11, 2004, incorporating change 3, dated March 20, 2014, regarding the appointment of chaplains for the military departments.

H.R. 4870

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 15: Page 9, line 6, after the dollar amount insert the following: ''(reduced by $10,000,000)''.

Page 33, line 11, after the dollar amount insert the following: ''(increased by $10,000,000)''.

Page 33, line 19, after the dollar amount insert the following: (increased by $10,000,000)''.

H.R. 4870

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 16: Page 31, line 18, after the dollar amount, insert the following: ''(reduced by $10,000,000)''.

Page 33, line 11, after the dollar amount, insert the following: ''(increased by $10,000,000)''.

Page 33, line 19, after the dollar amount insert the following: ''(increased by $10,000,000)''.

H.R. 4870

OFFERED BY: MRS. MILLER OF MICHIGAN

AMENDMENT NO. 17: At the end of the bill (before the short title), insert the following:

SEC. 10002. None of the funds made available by this Act may be used to divest, retire, transfer, or place in storage, or prepare to divest, retire, transfer, or place in storage, any A–10 aircraft, or to disestablish any units of the active or reserve component associated with such aircraft.

H.R. 4870

OFFERED BY: MR. BRIDENSTINE

AMENDMENT NO. 18: At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds made available by this Act may be used for any bilateral military-to-military contact or comparable activities between the United States and the Republic of France.

H.R. 4870

OFFERED BY: MR. VARGAS

AMENDMENT NO. 19: At the end of the bill (before the short title), insert the following:

SEC. _____. (a) LIMITATION.—None of the funds made available in this Act may be obligated or expended to implement a final decision affecting the homebasing of F–35 aircraft on the West Coast of the United States until the date on which the Comptroller General of the United States submits to the congressional defense committees the comparative financial analysis under subsection (b).

(b) ANALYSIS.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a comparative financial analysis of homebasing F–35 aircraft at Naval Air Facility El Centro and Naval Air Station Lemoore.

(2) MATTERS INCLUDED.—The analysis conducted under paragraph (1) shall include the following:

(A) Annual operational costs to perform the training missions at each location specified in paragraph (1).

(B) Annual costs associated with detachment training at each location specified in paragraph (1).

(C) Estimated annual costs of flying F–35 aircraft to and from each location specified in paragraph (1) to the depots for such aircraft.

(D) Cost savings that might be achieved by homebasing such aircraft at Naval Air Facility El Centro, which is in close proximity to the F–35 aircraft of the Marine Corps located at both Miramar Marine Corps Air Station and Yuma Marine Corps Air Station.

(E) Cost savings that might be achieved by homebasing the F–35 aircraft at Naval Air Station Lemoore.

(F) Estimated annual costs of F-35 aircraft detachment training that would continue at each location specified in paragraph (1), even if the location is not used as the homebase for F–35 aircraft.

(G) Comparison of military construction costs associated with homebasing such aircraft at Naval Air Facility El Centro versus Naval Air Station Lemoore.

(H) Comparison of the net cost savings to be achieved over 10 and 20 year budget horizons by homebasing such aircraft at Naval Air Facility El Centro versus Naval Air Station Lemoore.

H.R. 4870

OFFERED BY: MR. DELANEY

AMENDMENT NO. 20: Page 9, line 6, after the dollar amount insert the following: ''(reduced by $24,000,000)''.

Page 88, line 6, after the dollar amount insert the following: ''(increased by $16,000,000)''.

H.R. 4870

OFFERED BY: MR. FORTENBERRY

AMENDMENT NO. 21: At the end of the bill (before the short title), insert the following:

SEC. __. None of the funds made available in this Act may be used to provide weapons to combatants in Syria.

H.R. 4870

OFFERED BY: MR. MORAN

AMENDMENT NO. 22: Strike section 8108.

H.R. 4870

OFFERED BY: MR. MORAN

AMENDMENT NO. 23: Strike section 8107.

H.R. 4870

OFFERED BY: MR. MCKINLEY

AMENDMENT NO. 24: Page 9, line 6, after the dollar amount, insert ''(reduced by $21,000,000) (increased by $21,000,000)''.

H.R. 4870

OFFERED BY: MR. KILDEE

AMENDMENT NO. 25: Page 22, line 14, after the dollar amount, insert ''(reduced by $20,000,000)''.

Page 33, line 11, after the dollar amount, insert ''(increased by $20,000,000)''.

Page 33, line 17, after the dollar amount, insert ''(increased by $20,000,000)''.

H.R. 4870

OFFERED BY: MR. NUGENT

AMENDMENT NO. 26: Page 31, line 6, after the dollar amount, insert ''(reduced by $10,000,000) (increased by $10,000,000)''.

H.R. 4870

OFFERED BY: MR. NUGENT

AMENDMENT NO. 27: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to plan for or carry out a furlough of a dual status military technician (as defined in section 10216 of title 10, United States Code).

H.R. 4870

OFFERED BY: MS. LOFGREN

AMENDMENT NO. 28: At the end of the bill (before the short title), insert the following new section:

SEC.____. (a) Except as provided in subsection (b), none of the funds made available by this Act may be used by an officer or employee of the United States to query a collection of foreign intelligence information acquired under section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) using an identifier of a United States person.

(b) Subsection (a) shall not apply to queries for foreign intelligence information authorized under section 105, 304, 703, 704, or 705 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805; 1842; 1881b; 1881c; 1881d), or title 18, United States Code, regardless of under what Foreign Intelligence Surveillance Act authority it was collected.

(c) Except as provided for in subsection (d), none of the funds made available by this Act may be used by the National Security Agency or the Central Intelligence Agency to mandate or request that a person (as defined in section 1801(m) of title 50, United States Code) redesign its product or service to facilitate the electronic surveillance (as defined in section 1801(f) of title 50, United States Code) of any user of said product or service for said agencies.

(d) Subsection (c) shall not apply with respect to mandates or requests authorized under the Communications Assistance for Law Enforcement Act (47 U.S.C. 1001 et seq.).

H.R. 4870

OFFERED BY: MR. SENSENBRENNER

AMENDMENT NO. 29: At the end of the bill (before the short title), insert the following new section:

SEC.____. (a) Except as provided in subsection (b), none of the funds made available by this Act may be used by an officer or employee of the United States to query a collection of foreign intelligence information acquired under section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) using an identifier of a United States person.

(b) Subsection (a) shall not apply to queries for foreign intelligence information authorized under section 105, 304, 703, 704, or 705

of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805; 1842; 1881b; 1881c; 1881d), or title 18, United States Code, regardless of under what Foreign Intelligence Surveillance Act authority it was collected.

(c) Except as provided for in subsection (d), none of the funds made available by this Act may be used by the National Security Agency or the Central Intelligence Agency to mandate or request that a person (as defined in section 1801(m) of title 50, United States Code) redesign its product or service to facilitate the electronic surveillance (as defined in section 1801(f) of title 50, United States Code) of any user of said product or service for said agencies.

(d) Subsection (c) shall not apply with respect to mandates or requests authorized under the Communications Assistance for Law Enforcement Act (47 U.S.C. 1001et seq.).

H.R. 4870

OFFERED BY: MS. LEE OF CALIFORNIA

AMENDMENT NO. 30: At the end of the bill (before the short title), insert the following:

SEC. __. None of the funds made available by this Act may be used for deploying members of the Armed Forces on the ground in Iraq for purposes of engaging in combat operations except to protect the United States Embassy.

H.R. 4870

OFFERED BY: MS. LEE OF CALIFORNIA

AMENDMENT NO. 31: At the end of the bill (before the short title), insert the following:

SEC. __. None of the funds made available by this Act may be used for the purposes of conducting combat operations in Iraq.

H.R. 4870

OFFERED BY: MS. LEE OF CALIFORNIA

AMENDMENT NO. 32: At the end of the bill (before the short title), insert the following:

SEC. __. None of the funds made available by this Act may be used for the purpose of conducting combat operations in Afghanistan after December 31, 2014.

H.R. 4870

OFFERED BY: MS. LEE OF CALIFORNIA

AMENDMENT NO. 33: At the end of the bill (before the short title), insert the following:

SEC. __. None of the funds made available by this Act may be obligated or expended pursuant to the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 50 U.S.C. 1541 note).

H.R. 4870

OFFERED BY: MS. LEE OF CALIFORNIA

AMENDMENT NO. 34: At the end of the bill (before the short title), insert the following:

SEC. __. None of the funds made available by this Act may be obligated or expended pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) after December 31, 2014.