

PROVIDING FOR CONSIDERATION OF THE JOINT RESOLUTION (H.J. RES.
124) MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2015,
AND FOR OTHER PURPOSES

SEPTEMBER 15, 2014.—Referred to the House Calendar and ordered to be printed

Mr. COLE, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 722]

The Committee on Rules, having had under consideration House Resolution 722, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.J. Res. 124, the Continuing Appropriations Resolution, 2015, under a structured rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The resolution waives all points of order against consideration of the joint resolution. The resolution provides that the amendment printed in part A of this report shall be considered as adopted and the joint resolution, as amended, shall be considered as read. The resolution waives all points of order against provisions in the joint resolution, as amended. The resolution makes in order only the further amendment printed in part B of this report, if offered by Representative McKeon of California or his designee, which shall be considered as read, shall be separately debatable for six hours equally divided and controlled by Representative McKeon of California and Representative Smith of Washington or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution waives all points of order against the amendment printed in part B of this report. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution amends House Resolution 567 with a new paragraph clarifying that paragraphs (f)(1) through (f)(12) of clause 4 of rule XI shall be considered to be written rules adopted by the Select Committee on Benghazi. This amendment clarifies the Select Committee's rules regarding media access and is con-

sistent with the Committee's intent as described in H. Rept. 113-442 which states the following: "Specifically, the Rules Committee intends that section 4 of the resolution, in conjunction with the standing rules of the House, shall comprise the Select Committee's rules and the adoption of separate written rules is not necessary."

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of the joint resolution, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in the joint resolution, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendment printed in part B of this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

SUMMARY OF THE AMENDMENT IN PART A CONSIDERED AS ADOPTED

Rogers, Harold (KY): Makes the following technical corrections: (1) amends section 130 to ensure that the Department of the Interior and the Forest Service can continue to collect fees from park passes through the CR period, as intended, (2) amends section 134 to refer to the correct division of Public Law 113-76, and (3) amends sections 136 and 137 to ensure proper execution of funds provided to address the Ebola outbreak.

SUMMARY OF THE AMENDMENT IN PART B MADE IN ORDER

McKeon (CA): Authorizes the Secretary of Defense, in coordination with the Secretary of State, to train and equip appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups or individuals. Additionally, the amendment would strengthen congressional oversight by requiring detailed reports, including progress reports, on the plan, vetting process, and procedures for monitoring unauthorized end-use of provided training and equipment. It would also require the President to report on how this authority fits within a larger regional strategy. While this amendment does not authorize additional funds, it would allow the Department of Defense (DOD) to submit a reprogramming request to Congress should the President request DOD funds to execute this authority and permit the Secretary of Defense to accept foreign contributions. Lastly, the amendment would state that nothing in this section be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

PART A—TEXT OF AMENDMENT CONSIDERED AS ADOPTED

Amend section 130 to read as follows:

SEC. 130. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) shall be applied by substituting "on the date that is 1 year after the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015" for "10 years after the date of the enactment of this Act".

In section 134, strike "division F" and insert "division H".

Amend section 136 to read as follows:

SEC. 136. In addition to the amount otherwise provided by this joint resolution for “Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund”, there is appropriated \$58,000,000 for an additional amount for fiscal year 2015, to remain available until September 30, 2015, for expenses necessary to support acceleration of countermeasure and product advanced research and development pursuant to section 319L of the Public Health Service Act for addressing Ebola.

Amend section 137 to read as follows:

SEC. 137. In addition to the amount otherwise provided by this joint resolution for “Department of Health and Human Services—Centers for Disease Control and Prevention—Global Health”, there is appropriated \$30,000,000 for an additional amount for fiscal year 2015, to remain available until September 30, 2015, for expenses necessary to support the responses of the Centers for Disease Control and Prevention (referred to in this section as the “CDC”) to the outbreak of Ebola virus in Africa: *Provided*, That such funds shall be available for transfer by the Director of the CDC to other accounts of the CDC for such support: *Provided further*, That the Director of the CDC shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 30 days after the date of any transfer under the preceding proviso.

PART B—TEXT OF AMENDMENT MADE IN ORDER

AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKEON OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 6 HOURS

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

SEC. __. (a) The Secretary of Defense is authorized, in coordination with the Secretary of State, to provide assistance, including training, equipment, supplies, and sustainment, to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups and individuals for the following purposes:

(1) Defending the Syrian people from attacks by the Islamic State of Iraq and the Levant (ISIL), and securing territory controlled by the Syrian opposition.

(2) Protecting the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria.

(3) Promoting the conditions for a negotiated settlement to end the conflict in Syria.

(b) Not later than 15 days prior to providing assistance authorized under subsection (a) to vetted recipients for the first time—

(1) the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees and leadership of the House of Representatives and Senate a report, in unclassified form with a classified annex as appropriate, that contains a description of—

(A) the plan for providing such assistance;

(B) the requirements and process used to determine appropriately vetted recipients; and

(C) the mechanisms and procedures that will be used to monitor and report to the appropriate congressional com-

- mittees and leadership of the House of Representatives and Senate on unauthorized end-use of provided training and equipment and other violations of relevant law by recipients; and
- (2) the President shall submit to the appropriate congressional committees and leadership of the House of Representatives and Senate a report, in unclassified form with a classified annex as appropriate, that contains a description of how such assistance fits within a larger regional strategy.
- (c) The plan required in subsection (b)(1) shall include a description of—
- (1) the goals and objectives of assistance authorized under subsection (a);
 - (2) the concept of operations, timelines, and types of training, equipment, and supplies to be provided;
 - (3) the roles and contributions of partner nations;
 - (4) the number of United States Armed Forces personnel involved;
 - (5) any additional military support and sustainment activities; and
 - (6) any other relevant details.
- (d) Not later than 90 days after the Secretary of Defense submits the report required in subsection (b)(1), and every 90 days thereafter, the Secretary of Defense, in coordination with the Secretary of State, shall provide the appropriate congressional committees and leadership of the House of Representatives and the Senate with a progress report. Such progress report shall include a description of—
- (1) any updates to or changes in the plan, strategy, vetting requirements and process, and end-use monitoring mechanisms and procedures, as required in subsection (b)(1);
 - (2) statistics on green-on-blue attacks and how such attacks are being mitigated;
 - (3) the groups receiving assistance authorized under subsection (a);
 - (4) the recruitment, throughput, and retention rates of recipients and equipment;
 - (5) any misuse or loss of provided training and equipment and how such misuse or loss is being mitigated; and
 - (6) an assessment of the effectiveness of the assistance authorized under subsection (a) as measured against subsections (b) and (c).
- (e) For purposes of this section, the following definitions shall apply:
- (1) The term “appropriately vetted” means, with respect to elements of the Syrian opposition and other Syrian groups and individuals, at a minimum, assessments of such elements, groups, and individuals for associations with terrorist groups, Shia militias aligned with or supporting the Government of Syria, and groups associated with the Government of Iran. Such groups include, but are not limited to, the Islamic State of Iraq and the Levant (ISIL), Jabhat al Nusra, Ahrar al Sham, other al-Qaeda related groups, and Hezbollah.
 - (2) The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.

(f) The Department of Defense may submit a reprogramming or transfer request to the congressional defense committees for funds made available by section 101(a)(3) of this joint resolution and designated in section 114 of this joint resolution to carry out activities authorized under this section notwithstanding sections 102 and 104 of this joint resolution.

(g) The Secretary of Defense may accept and retain contributions, including assistance in-kind, from foreign governments to carry out activities as authorized by this section which shall be credited to appropriations made available by this joint resolution for the appropriate operation and maintenance accounts, except that any funds so accepted by the Secretary shall not be available for obligation until a reprogramming action is submitted to the congressional defense committees: *Provided*, That amounts made available by this subsection are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amounts shall be available only if the President so designates such amounts and transmits such designations to the Congress.

(h) The authority provided in this section shall continue in effect through the earlier of the date specified in section 106(3) of this joint resolution or the date of the enactment of an Act authorizing appropriations for fiscal year 2015 for military activities of the Department of Defense.

(i) Nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

(j) Nothing in this section supersedes or alters the continuing obligations of the President to report to Congress pursuant to section 4 of the War Powers Resolution (50 U.S.C. 1543) regarding the use of United States Armed Forces abroad.