

**AMENDMENT TO H.R. 3082, AS REPORTED**  
**OFFERED BY MR. GOHMERT OF TEXAS**

Page 58, after line 6, insert the following:

1       SEC. 409. Section 503 of title 10, United States  
2 Code, is amended—

3           (1) by redesignating subsection (d) as sub-  
4 section (e); and

5           (2) by inserting after subsection (c) the fol-  
6 lowing new subsection (d):

7       “(d) RESPONSE TO PROHIBITIONS OR RESTRICTIONS  
8 ON MILITARY RECRUITING OFFICES.—

9           “(1) CUT-OFF OF CERTAIN FEDERAL FUND-  
10 ING.—No funds described in paragraph (3) of this  
11 subsection may be provided by appropriation, grant,  
12 award, contract or any other means to a State or a  
13 city, county, or other political subdivision of a State  
14 if the Secretary of Defense determines that the  
15 State or political subdivision prohibits or unreason-  
16 ably restricts, through the imposition of zoning re-  
17 quirements more restrictive than the requirements  
18 imposed on most small businesses within the juris-  
19 diction involved, the ability of the armed forces to  
20 establish and operate a military recruiting office.

1       The prohibition on a State receiving Federal funds  
2       applies only if the State acts to prohibit or unrea-  
3       sonably restrict military recruiting offices, and the  
4       State is not held responsible for the actions of polit-  
5       ical subdivisions of the State.

6               “(2) NOTIFICATION.—The Secretary of Defense  
7       shall notify the President and the Congress of each  
8       determination made under paragraph (1) of this  
9       subsection regarding a State or political subdivision  
10       and the basis for the determination.

11               “(3) COVERED FUNDS.—The limitations estab-  
12       lished in paragraph (1) of this subsection apply to  
13       the following:

14                       “(A) Any funds made available by the De-  
15       partment of Defense.

16                       “(B) Any funds made available by any de-  
17       partment or agency for which regular appro-  
18       priations are made in a Departments of Labor,  
19       Health and Human Services, and Education,  
20       and Related Agencies Appropriations Act.

21                       “(C) Any funds made available by the De-  
22       partment of Homeland Security.

23                       “(D) Any funds made available by the Na-  
24       tional Nuclear Security Administration of the  
25       Department of Energy.

1           “(E) Any funds made available by the De-  
2           partment of Transportation.

3           “(F) Any funds made available by the De-  
4           partment of Agriculture.

5           “(G) Any funds made available by the  
6           Central Intelligence Agency.

7           “(H) Any other Federal funds, whether  
8           made available by appropriation, grant, award,  
9           contract or any other means to a State or a po-  
10          litical subdivision of a State.

11          “(4) TERMINATION OF FUNDING CUT-OFF.—  
12          The limitation imposed by paragraph (1) of this sub-  
13          section shall not apply to a State or political subdivi-  
14          sion if the Secretary of Defense determines that the  
15          State or political subdivision has terminated or oth-  
16          erwise ceased to enforce the prohibition or restric-  
17          tions described in such paragraph.

18          “(5) DEFINITIONS.—In this subsection:

19                 “(A) The term ‘military recruiting office’  
20                 means any permanent structure used by the  
21                 armed forces as a location to recruit persons to  
22                 enlist in the armed forces.

23                 “(B) The term ‘State’ means any of the  
24                 several States, the District of Columbia, the  
25                 Commonwealth of Puerto Rico, Guam, the

1 United States Virgin Islands, the Common-  
2 wealth of the Northern Mariana Islands, Amer-  
3 ican Samoa, and any other territory or posses-  
4 sion of the United States.”.

