

**41. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
SCHAKOWSKY OF ILLINOIS OR HER DESIGNEE, DEBATABLE  
FOR 10 MINUTES**

**AMENDMENT TO H.R. 1540, AS REPORTED  
OFFERED BY MS. SCHAKOWSKY OF ILLINOIS**

At the end of subtitle F of title X, add the following  
new section:

1 **SEC. 1068. FREEZE IN BUDGET OF DEPARTMENT OF DE-**  
2 **FENSE UNTIL UNQUALIFIED AUDIT OPINIONS**  
3 **ACHIEVED.**

4 (a) FREEZE.—

5 (1) IN GENERAL.—Unless and until the require-  
6 ment specified in paragraph (2) is met for the entire  
7 Department of Defense, except as provided in sub-  
8 section (b), the aggregate amount of funds appro-  
9 priated or otherwise made available for military  
10 functions administered by the Department of De-  
11 fense (other than the functions excluded by sub-  
12 section (c)) for a fiscal year may not exceed—

13 (A) in the case of fiscal year 2012, the ag-  
14 gregate amount of funds appropriated or other-  
15 wise made available for military functions ad-  
16 ministered by the Department of Defense (other  
17 than the functions excluded by subsection (b))  
18 for fiscal year 2011; and

1 (B) in each fiscal year after fiscal year  
2 2012, the aggregate amount of funds appro-  
3 priated or otherwise made available for such  
4 functions for the previous fiscal year.

5 (2) REQUIREMENT FOR UNQUALIFIED AUDIT  
6 OPINION.—The requirement of this paragraph is  
7 that the Department of Defense (including every  
8 major Pentagon component and every major defense  
9 acquisition program of the Department) is certified  
10 by the Inspector General of the Department of De-  
11 fense or an independent public accountant as achiev-  
12 ing an unqualified audit opinion.

13 (b) WAIVER.—The President may waive subsection  
14 (a) with respect to a component or program of the Depart-  
15 ment if the President certifies that applying the subsection  
16 to that component or program would harm national secu-  
17 rity or members of the Armed Forces who are in combat.

18 (c) EXCLUSION OF OVERSEAS CONTINGENCY OPER-  
19 ATIONS AND MILITARY PERSONNEL PAY AND BENE-  
20 FITS.—In determining the aggregate amount of funds ap-  
21 propriated or otherwise made available for military func-  
22 tions administered by the Department of Defense for fiscal  
23 year 2012 or any subsequent fiscal year for purposes of  
24 subsection (a), there shall be excluded all amounts appro-  
25 priated or otherwise made available—

- 1 (1) in any supplemental appropriations Act; or  
2 (2) in any general appropriations Acts for—  
3 (A) overseas contingency operations;  
4 (B) military personnel, reserve personnel,  
5 and National Guard personnel accounts of the  
6 Department of Defense, generally title I of the  
7 annual Department of Defense appropriations  
8 Act; and  
9 (C) wounded warrior programs of the De-  
10 partment of Defense.

