

H. Res. __

H.R. 5293 - Department of Defense Appropriations Act, 2017

1. Structured rule for further consideration of H.R. 5293.
2. The rule provides that no further general debate shall be in order.
3. Provides that the bill shall be considered as read through page 170, line 7.
4. Waives all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI.
5. Makes in order only those amendments printed in the Rules Committee report, amendments en bloc described in section 3 of the rule, and pro forma amendments described in section 4 of the rule. Each amendment printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.
6. Waives all points of order against the amendments printed in the report or against amendments en bloc described in section 3 of the resolution.
7. Provides that it shall be in order at any time for the chair of the Committee on Appropriations or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.
8. Provides 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.
9. Provides one motion to recommit with or without instructions.
10. Section 6 provides that it shall be in order at any time on the legislative

day of June 16, 2016 for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV and that the Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

RESOLUTION

Resolved, That 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 further consideration of the bill (H.R. 5293) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes. No further general debate shall be in order.

Sec. 2. (a) The bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read through page 170, line 7. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived.

(b) No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution, amendments en bloc described in section 3 of this resolution, and pro forma amendments described in section 4 of this resolution.

(c) Each amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as provided by section 4 of this resolution, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against amendments printed in the report of the Committee on Rules or against amendments en bloc described in section 3 of this resolution are waived.

Sec. 3. It shall be in order at any time for the chair of the Committee on Appropriations or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees, shall not be subject to amendment except as provided by section 4 of this resolution, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Sec. 4. During consideration of the bill for amendment, 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.

Sec. 5. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. 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. 6. It shall be in order at any time on the legislative day of June 16, 2016, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

SUMMARY OF AMENDMENTS PROPOSED TO BE MADE IN ORDER

(summaries derived from information provided by sponsors)

| Sponsor | # Description | Debate Time |
|---|---|--------------|
| 1. Jackson Lee (TX) | #82 (LATE) Increases funding for Military Personnel, Navy by \$2 million and to reduce the amount made available for the same account, by \$2 million. | (10 minutes) |
| 2. Shuster (PA), Rogers, Mike (AL), Jones (NC), Cartwright (PA) | #47 (REVISED) Restores 170 million to Army Operations & Maintenance (O&M) for the purpose of preventing a cut to depots and the Organic Industrial Base (OIB), offset with funds from Operations & Maintenance Defense-Wide and non-critical environmental restoration accounts. | (10 minutes) |
| 3. Lujan Grisham (NM) | #42 (REVISED) Increases funding for Air Force Research, Development, Test and Evaluation by \$7 million to support the development of beam directors and adaptive optics, including deformable mirrors and high efficiency and high temperature diodes, that provide enabling technology for the development of high energy laser weapon systems. Decreases funding in the Operations and Maintenance for the Army by \$1 million, decreases funding in the Operations and Maintenance for the Navy by \$3 million, and decreases funding in the Operations and Maintenance for the Air Force by \$3 million. | (10 minutes) |
| 4. Hartzler | #97 (LATE) (REVISED) Increases funding for Army | (10 minutes) |

- (MO) Ammunition Procurement by \$20,000,000.
- 5. Meehan** #67 **(LATE)** Reduces and then increase, the amount in the (10 minutes)
(PA), Boyle Operations and Maintenance Defense-Wide fund by
(PA) \$7,000,000 to offer health screenings in communities
near formerly used defense sites with contaminated
groundwater.
- 6. Paulsen** #45 Increases funding for Defense Production Act purchases (10 minutes)
(MN) by \$25 million for Strategic Radiation Hardened
Microelectronics Trusted Foundry Sustainment.
- 7. Rooney** #91 **(LATE) (REVISED)** Restores TRICARE (10 minutes)
(FL), Larson, reimbursement rates for Applied Behavior Analysis
John (CT), under the Comprehensive Autism Demonstration.
Smith,
Christopher
(NJ)
- 8. Zinke (MT),** #10 Appropriates \$80,000,000 for the UH-1N Replacement (10 minutes)
Schweikert Program, offset with \$50,000,000 from the Office of the
(AZ), DeLauro Secretary of Defense and \$30,000,000 from the
(CT), Lummis Washington Headquarters' Services accounts.
(WY),
Cramer,
Kevin (ND)
- 9. Ellison** #52 Reprograms already appropriated funds to create an (10 minutes)
(MN), Office of Good Jobs for the Department of Defense.
Grijalva (AZ)
- 10. Gibson** #40 Reduces the Aerostat Joint Project Office funding by \$1 (10 minutes)
(NY), Tonko million and increases the Weapons and Munitions
(NY) Advanced Technology funding for extended range
cannon artillery by \$1 million.
- 11. Langevin** #43 **(REVISED)** Appropriates \$29,800,000 to Navy (10 minutes)
(RI), Conaway programs for the development and demonstration of
(TX), advanced technologies, including high energy lasers and
Lamborn the Electromagnetic Railgun for naval weapon systems.
(CO),
Garamendi
(CA), Nugent
(FL)
- 12. Rogers,** #46 Adds additional funding for directed energy and other (10 minutes)
Mike (AL), research and development at the Missile Defense
Garamendi Agency.
(CA),
Lamborn
(CO),
Gabbard (HI),

**Bridenstine
(OK), Franks
(AZ), Stefanik
(NY), McSally
(AZ), Nugent
(FL), Hartzler
(MO), Knight
(CA), Shuster
(PA), Young,
Don (AK),
Langevin (RI)**

- | | | |
|--|---|--------------|
| 13. Quigley (IL), Blumenauer (OR), Garamendi (CA), Polis (CO), Smith, Adam (WA) | #13 Decreases funding for the Long Range Standoff Weapon by \$75,802,000 and increase the spending reduction account by the same amount. | (10 minutes) |
| 14. Forbes (VA), Wittman (VA) | #39 Strikes Sec. 8055, which prohibits the Department from modifying the command and control relationships between U.S. Fleet Forces Command and the U.S. Pacific Fleet. | (10 minutes) |
| 15. Nadler (NY) | #26 Strikes sections 8097 and 8098 related to the detention facility at Guantanamo Bay, Cuba. | (10 minutes) |
| 16. O'Rourke (TX) | #22 Strikes Section 8121, which prevents the use of funds for proposing, planning, or executing a new Base Realignment and Closure (BRAC) round. | (10 minutes) |
| 17. Huffman (CA), McClintock (CA) | #8 Strikes a provision of the bill requiring the Air Force to utilize specific energy sourced domestically within the United States as the base load energy for heating at U.S. defense installations in Kaiserslautern, Germany. | (10 minutes) |
| 18. Peters, Scott (CA) | #101 (LATE) Strikes the prohibition of funds to enforce section 526 that restricts Federal Agencies from entering into contracts to buy alternative fuels that are more polluting than conventional fuels. | (10 minutes) |
| 19. Poe (TX), Gabbard (HI) | #41 Cuts funding to Pakistan from \$900 million to \$700 million. | (10 minutes) |
| 20. Duncan (TN) | #54 Reduces the funding level for the Afghanistan Security Forces Fund of \$3,448,715,000 by \$448,715,000 to \$3,000,000,000 and transfers that money for deficit reduction. | (10 minutes) |
| 21. Sanford (SC), Brat | #29 Ensures that the Department of Defense retains its statutory authority to provide new military recruits a | (10 minutes) |

- (VA),
Hastings,
Alcee (FL)
- small cash voucher that they can use to purchase running shoes for training.
- 22. Buck (CO),** #56 Prohibits funds to implement Department of Defense (10 minutes)
Bridenstine
(OK) (DOD) Directive 4715.21 on Climate Change Adaption and Resilience, requiring the Pentagon to prioritize climate change over national security.
- 23. Buck (CO)** #57 **(REVISED)** Prevents DOD from partnering with (10 minutes)
private organizations to create or expand national heritage asset areas in southeast Colorado.
- 24. Byrne** #5 **(REVISED)** Prohibits funds to be used to modify a (10 minutes)
(AL), Miller, military installation in the United States, including
Jeff (FL), construction or modification of a facility on a military
Fleming (LA), installation, to provide temporary housing for
Brooks (AL) unaccompanied alien children.
- 25. King, Steve** #92 **(LATE) (REVISED)** Ensures no funds are used by the (10 minutes)
(IA), Brooks Department of Defense to carry out or in response to the
(AL) memorandum of the Deputy Assistant Secretary of Defense for Homeland Defense Integration and Defense Support of Civil Authorities titled "Memorandum for Secretaries of the Military Departments Director, Joint Staff" and dated November 25, 2015.
- 26. Gosar** #4 **(REVISED)** Prohibits funds from being used by this (10 minutes)
(AZ), Brat Act to enlist DACA aliens in the military, who are
(VA), currently only considered eligible through the MAVNI
DesJarlais program as a result of a September 2014 memo from the
(TN), King, administration.
Steve (IA),
Harris (MD),
Weber (TX),
Brooks (AL),
Smith, Lamar
(TX), Graves,
Garret (LA),
Babin (TX)
- 27. King, Steve** #2 **(REVISED)** Ensures no funds are used by the (10 minutes)
(IA), Gosar Department of Defense to enlist DACA youth in the
(AZ) United States military.
- 28. Hudson** #81 **(LATE)** States no funds in this act may be used to (10 minutes)
(NC) transfer a detainee at Guantanamo Bay to any other location.
- 29. Lamborn** #70 **(LATE) (REVISED)** Prohibits the use of funds to (10 minutes)
(CO) survey, assess, or review potential detention locations in the United States to detain any individual presently

detained at United States Naval Station, Guantanamo Bay, Cuba.

- 30. Massie (KY), Jones (NC)** #11 Blocks funding for DOD drug interdiction and counter-drug activities in Afghanistan. (10 minutes)
- 31. Massie (KY), Lofgren (CA), Poe (TX), Amash (MI), DelBene (WA), Farenthold (TX), Lieu (CA), Nadler (NY), Pocan (WI), Conyers (MI), Jordan (OH), Butterfield (NC), O'Rourke (TX), Gabbard (HI), Labrador (ID), Sensenbrenner (WI), Issa (CA)** #1 Prohibits warrantless searches of government databases for the communications of U.S. persons and prohibits government agencies from mandating data security vulnerabilities in products or services for surveillance purposes. (10 minutes)
- 32. McClintock (CA), Fleming (LA)** #14 Prohibits the Department of Defense from obligating or expending funds on certain green energy mandates found in various provisions of US Code and two Executive Orders. (10 minutes)
- 33. Mulvaney (SC)** #28 **(REVISED)** Prohibits Overseas Contingency Operation funds found in Title IX from being used for anything other than a Contingency Operation as defined by United States Code. (10 minutes)
- 34. Pompeo (KS), DeSantis (FL)** #27 **(REVISED)** Prohibits funds for any salaries or expenses for the offices of the Special Envoy for Guantanamo Detention Closure or the Principal Director, Detainee Policy. (10 minutes)
- 35. Reichert (WA), McCaul (TX), Ratcliffe (TX), Smith,** #9 **(REVISED)** Ensures no funds shall be used to implement President Obama's Executive Order 13688 limiting the donation of surplus federal equipment to state and local law enforcement as part of the DOD's (10 minutes)

- Jason (MO)** Excess Property Program (1033 program).
- 36. Rohrabacher (CA)** #66 **(LATE)** Prohibits funds in the bill from being used to provide assistance to Pakistan. (10 minutes)
- 37. Walberg (MI), Jones (NC), Cohen (TN), Cicilline (RI), Massie (KY), Welch (VT), Rigell (VA), Nolan (MN)** #62 Prohibits funds from being used by the Secretary of Defense to obligate or expend funds on Afghanistan Infrastructure Fund projects. (10 minutes)
- 38. Beyer (VA), Cartwright (PA), Bishop, Rob (UT), Jones (NC)** #68 **(LATE) (REVISED)** Prohibits Department of Defense funds from being used to for a public-private competition under the OMB Circular A-76, for work performed by DOD employees. (10 minutes)
- 39. Cartwright (PA), Jones (NC), Beyer (VA), Bishop, Rob (UT)** #30 **(REVISED)** Requires that no funds be used to plan for, begin, continue, complete, process, or approve a public-private competition under the Office of Management and Budget Circular A-76. (10 minutes)
- 40. Conyers (MI), Ellison (MN), Grijalva (AZ), Johnson, Hank (GA), McGovern (MA), Lieu (CA), Lee, Barbara (CA)** #32 Blocks funds from being used to transfer or authorize the transfer of cluster munitions to Saudi Arabia. (10 minutes)
- 41. Yoho (FL), Conyers (MI), Lee, Barbara (CA)** #33 **(REVISED)** Blocks funds from being used to engage in hostilities in Libya in contravention of the War Powers Resolution. (10 minutes)
- 42. Gabbard (HI), Welch (VT)** #60 **(REVISED)** Prohibits funds appropriated under this act from being used to fund assistance authorized by Section 1209 of the National Defense Authorization Act for Fiscal Year 2015. (10 minutes)
- 43. Grayson (FL)** #78 **(LATE)** Prohibits the intelligence community from subverting or interfering with the integrity of any (10 minutes)

cryptographic standard that is proposed, developed, or adopted by NIST.

- | | | |
|---|---|--------------|
| 44. McGovern (MA), Jones (NC), Lee, Barbara (CA), Amash (MI), Garamendi (CA) | #64 States no funds may be obligated or spent for combat operations in Iraq or Syria unless an AUMF is enacted. | (10 minutes) |
| 45. Lee, Barbara (CA), Jones (NC), Welch (VT) | #20 Prohibits funding for the 2001 AUMF beginning on April 30, 2017. | (10 minutes) |
| 46. Polis (CO), Lee, Barbara (CA) | #50 Reduces the total amount appropriated by 1% excluding military personnel and the Defense Health Program account. | (10 minutes) |
| 47. McSally (AZ), Hartzler (MO), Jones (NC), Franks (AZ), Miller, Candice (MI), Walz (MN) | #69 (LATE) Appropriates wing upgrades authorized for the A-10 and moves money from within the Air Force Aircraft Procurement OCO account to the A-10 wing upgrade. | (10 minutes) |
| 48. McSally (AZ), McCollum (MN), Pearce (NM) | #99 (LATE) Limits the Defense Department from using money to have musical military units perform in an official capacity for certain entertainment purposes in 10 USC 974, including dinners, dances, and social events. | (10 minutes) |
| 49. Jackson Lee (TX) | #83 Reduces funding for Environmental Restoration Army, by \$1 million and increases funding for Defense Health Care for PTSD by a similar amount. | (10 minutes) |
| 50. Lowenthal (CA), Comstock (VA), Tsongas (MA), Benishek (MI), Castro (TX), Emmer (MN), McCollum (MN), Welch (VT), Jenkins (KS) | #44 (REVISED) Increases the STARBASE fifth grade youth STEM education program found in Operations and Maintenance, Defense-Wide, Civil Military Programs by \$5 million, and to reduce Operations and Maintenance, Army, Other Servicewide Activities (042G) by the offsetting amount. | (10 minutes) |
| 51. Coffman | #7 Requests a transfer of \$6.086 million from within the | (10 minutes) |

- (CO) Navy's fiscal year 2017 Operations & Maintenance (O&M) account, to increase funding for the Weapons Support, Fleet Ballistic Missiles, Project 934, Engineering and Technical Services sub-account managed by the Navy's Strategic Systems Program office.
- 52. Duffy (WI)** #15 Reduces and then increases the amount in the Operations and Maintenance Defense-Wide fund by \$1,000,000. This is the account that pays for the Student Transportation Security Services Program. (10 minutes)
- 53. McKinley (WV), Napolitano (CA)** #24 Increases funding for the National Guard Youth Challenge Program (NGYCP) under Civil Military Programs by \$5 million and decrease by the same amount Operations and Maintenance, Defense-Wide. (10 minutes)
- 54. Aguilar (CA)** #6 **(REVISED)** Appropriates \$5 million for the Information Assurance Scholarship Program (IASP); a DoD program designed to address our cyber personnel demands through the recruitment and retention of top IT/Cybersecurity talent. (10 minutes)
- 55. Nadler (NY)** #25 Increases funding by \$10 million for Israeli Cooperative Programs (procurement of the Iron Dome defense system) and offsets by reducing by \$10 million the Operation and Maintenance, Defense-Wide account. (10 minutes)
- 56. Noem (SD), Neugebauer (TX)** #100 **(LATE) (REVISED)** Increases Aircraft Procurement, Air Force by \$7 million intended for B-1 Bomber modifications and decreases Operation and Maintenance, Defense-Wide by \$7 million. (10 minutes)
- 57. Aderholt (AL)** #34 Reduces Defense Wide Operation and Maintenance funding by \$17,000,000, and increases Research, Development, Test and Evaluation, Army funding by \$17,000,000. (10 minutes)
- 58. Grayson (FL)** #74 **(LATE)** Increases the Research, Development, Test and Evaluation, Army account by \$5 million and offsets it by reducing \$5 million from Operation and Maintenance, Defense-wide account. (10 minutes)
- 59. Bera (CA)** #23 Increases funding for the Defense Advanced research projects Agency by \$5 million, offset with a reduction from Operation and Maintenance. (10 minutes)
- 60. Grayson (FL)** #79 **(LATE) (REVISED)** Increases funding for prostate cancer research under the Defense Health Program by \$5 million. (10 minutes)
- 61. Grayson (FL)** #75 **(LATE) (REVISED)** Increases funding for Gulf War illness research under the Defense Health Program by (10 minutes)

| | | | |
|--|------|--|--------------|
| | | \$1 million. | |
| 62. Hartzler (MO), Garamendi (CA) | #98 | (LATE) (REVISED) Increases Defense Health Program Funding by \$5,000,000. | (10 minutes) |
| 63. Meng (NY) | #71 | (LATE) Moves \$8 million from the Operation and Maintenance, Defense-Wide account to the Peer-Reviewed Cancer Research Program in order to make funding for brain cancer, colorectal cancer, listeria-based regimens for cancer, liver cancer, melanoma, mesothelioma, pancreatic cancer, and stomach cancer consistent with the funding levels in the FY17 Senate DOD appropriations bill. | (10 minutes) |
| 64. Nolan (MN), LoBiondo (NJ), Capps (CA) | #18 | (REVISED) Provides an additional \$2 million for the Department of Defense's Lung Cancer Research Program and decreases the Operation and Maintenance, Defense-wide account by the same amount. | (10 minutes) |
| 65. Delaney (MD), Yoho (FL), Dingell (MI), Jones (NC) | #16 | (REVISED) Amendment provides for an additional \$5 million for the Fisher House Foundation which is offset by an outlay neutral reduction in the Operation and Maintenance, Defense-wide account. | (10 minutes) |
| 66. Fitzpatrick (PA) | #103 | (LATE) Increases funding for the Tuberous Sclerosis Complex Research Program (TSCR) at the Department of Defense (DoD) in the fiscal year 2017 Defense Appropriations Act by \$2 million. | (10 minutes) |
| 67. Jackson Lee (TX) | #88 | (LATE) Reduces funding for Procurement, Defense-Wide, by \$10 million and increases funding for Defense Health Programs by a similar amount in order to address breast cancer research. | (10 minutes) |
| 68. MacArthur (NJ), Stefanik (NY) | #37 | Funds US-Israel Cooperative Directed Energy missile defense research, development, testing, evaluation, and procurement at \$25 million and reduces Missile Defense Agency Headquarters by \$25 million. | (10 minutes) |
| 69. Larsen, Rick (WA), Kilmer (WA) | #49 | (REVISED) Reduces and then increases Navy RDT&E by \$2 million to support F/A-18 squadron noise reduction programs. | (10 minutes) |
| 70. Gabbard (HI), Rogers, Mike (AL) | #65 | (LATE) (REVISED) Increases the Ballistic Missile Defense Sensors RDT&E Defense-Wide account by \$5M, with offset, to fund missile defense requirement for the Asia Pacific. | (10 minutes) |
| 71. Walberg | #12 | Prohibits funds to be used for implementing the | (10 minutes) |

(MI)

Department of Labor Office of Federal Contract
Compliance Program's Directive 293.

**72. Grayson
(FL)**

#77 **(LATE)** Prohibits DOD from entering into a contract (10 minutes)
with an entity that discloses, as it is required to by the
Federal Acquisition Regulation, that it has been
convicted of fraud or another criminal offense in the last
three years in connection with obtaining, attempting to
obtain, or performing a public contract or subcontract.
Prohibits DOD from contracting with entities that have
been notified of any delinquent Federal taxes for which
the liability remains unsatisfied.

**73. Yoho (FL),
Conyers (MI)**

#36 Blocks funds from being used to provide weapons or (10 minutes)
training to neo-Nazi Azov Battalion in Ukraine.

**74. Barletta
(PA)**

#61 **(REVISED)** Prohibits funding from being used to enter (10 minutes)
into contracts for the procurement of energy or fuel for
military installations if such energy or fuel originates
from the Russian Federation.

**75. Smith,
Adrian (NE)**

#106 **(LATE)** Prohibits DOD from excluding meat from their (10 minutes)
Food Service Program Manual.