

AMENDMENT TO RULES COMM. PRINT 114-51
OFFERED BY MS. DELAURO OF CONNECTICUT

At the end of subtitle D of title XII, add the following:

1 **SEC. 12xx. PROHIBITION ON USE OF FUNDS TO ENTER INTO**
2 **CONTRACTS OR AGREEMENTS WITH**
3 **ROSOBORONEXPORT.**

4 (a) PROHIBITION.—None of the funds authorized to
5 be appropriated for the Department of Defense for fiscal
6 year 2017 may be used to enter into a contract (or sub-
7 contract at any tier under such a contract), memorandum
8 of understanding, or cooperative agreement with, to make
9 a grant to, or to provide a loan or loan guarantee to
10 Rosoboronexport.

11 (b) NATIONAL SECURITY WAIVER AUTHORITY.—The
12 Secretary of Defense may waive the applicability of sub-
13 section (a) if the Secretary, in consultation with the Sec-
14 retary of State and the Director of National Intelligence,
15 certifies in writing to the congressional defense commit-
16 tees, to the best of the Secretary's knowledge, the fol-
17 lowing:

18 (1) Rosoboronexport has ceased the transfer of
19 lethal military equipment to, and the maintenance of

1 existing lethal military equipment for, the Govern-
2 ment of the Syrian Arab Republic.

3 (2) The armed forces of the Russian Federation
4 have withdrawn from Crimea, other than armed
5 forces present on military bases subject to agree-
6 ments in force between the Government of the Rus-
7 sian Federation and the Government of Ukraine.

8 (3) The Government of the Russian Federation
9 has withdrawn substantially all of the armed forces
10 of the Russian Federation from the immediate vicin-
11 ity of the eastern border of Ukraine.

12 (4) Agents of the Russian Federation have
13 ceased taking active measures to destabilize the con-
14 trol of the Government of Ukraine over eastern
15 Ukraine.

16 (c) DEPARTMENT OF DEFENSE INSPECTOR GEN-
17 ERAL REVIEW.—

18 (1) IN GENERAL.—The Inspector General of
19 the Department of Defense shall conduct a review of
20 any action involving Rosoboronexport with respect to
21 which a waiver is issued by the Secretary of Defense
22 pursuant to subsection (b).

23 (2) ELEMENTS.—A review conducted under
24 paragraph (1) shall assess the accuracy of the fac-
25 tual and legal conclusions made by the Secretary of

1 Defense in the waiver covered by the review, includ-
2 ing—

3 (A) whether there is any viable alternative
4 to Rosoboronexport for carrying out the func-
5 tions for which funds will be obligated;

6 (B) whether the Secretary has previously
7 used an alternative vendor for carrying out the
8 same functions regarding the military equip-
9 ment in question, and what vendor was pre-
10 viously used;

11 (C) whether other explanations for the
12 issuance of the waiver are supportable; and

13 (D) any other matter with respect to the
14 waiver the Inspector General considers appro-
15 priate.

16 (3) REPORT.—Not later than 90 days after the
17 date on which a waiver is issued by the Secretary of
18 Defense pursuant to subsection (b), the Inspector
19 General shall submit to the congressional defense
20 committees a report containing the results of the re-
21 view conducted under paragraph (1) with respect to
22 such waiver.

