AMENDMENT TO RULES COMM. PRINT 114-14
OFFERED BY MS. DeLAURO OF CONNECTICUT

At the end of subtitle E of title XII (page 594, after line 25), add the following:

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

(a) PROHIBITION.—None of the funds authorized to be appropriated for the Department of Defense for fiscal year 2016 may be used to enter into a contract (or subcontract at any tier under such a contract), memorandum of understanding, or cooperative agreement with, to make a grant to, or to provide a loan or loan guarantee to Rosoboronexport.

(b) NATIONAL SECURITY WAIVER AUTHORITY.—The Secretary of Defense may waive the applicability of subsection (a) if the Secretary, in consultation with the Secretary of State and the Director of National Intelligence, certifies in writing to the congressional defense committees, to the best of the Secretary’s knowledge, the following:

(1) Rosoboronexport has ceased the transfer of lethal military equipment to, and the maintenance of
existing lethal military equipment for, the Government of the Syrian Arab Republic.

(2) The armed forces of the Russian Federation have withdrawn from Crimea, other than armed forces present on military bases subject to agreements in force between the Government of the Russian Federation and the Government of Ukraine.

(3) The Government of the Russian Federation has withdrawn substantially all of the armed forces of the Russian Federation from the immediate vicinity of the eastern border of Ukraine.

(4) Agents of the Russian Federation have ceased taking active measures to destabilize the control of the Government of Ukraine over eastern Ukraine.

c Department of Defense Inspector General Review.—

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

(2) Elements.—A review conducted under paragraph (1) shall assess the accuracy of the factual and legal conclusions made by the Secretary of
Defense in the waiver covered by the review, including—

(A) whether there is any viable alternative to Rosoboronexport for carrying out the functions for which funds will be obligated;

(B) whether the Secretary has previously used an alternative vendor for carrying out the same functions regarding the military equipment in question, and what vendor was previously used;

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

(D) any other matter with respect to the waiver the Inspector General considers appropriate.

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