AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 1735
OFFERED BY MR. HUNTER OF CALIFORNIA

Page 656, strike line 22 and all that follows through line 9 on page 657, and insert the following:

“(b) WAIVER.—The Secretary may waive one or both of the prohibitions under paragraphs (1) and (2) of subsection (a) if the Secretary determines, and certifies to the congressional defense committees not later than 30 days before the waiver takes effect, that—

“(1) the waiver is necessary for the national security interests of the United States; and

“(2) the space launch services and capabilities covered by the contract could not be obtained at a fair and reasonable price without the use of rocket engines designed or manufactured in the Russian Federation.”.

Page 657, strike lines 17 through 24, insert the following:

“(B) subject to paragraph (2), a contract awarded for the procurement of property or services for space launch activities that includes
the use of rocket engines designed or manufactured in the Russian Federation if the contractor had either, prior to February 1, 2014—

“(i) fully paid for such rocket engines;

or

“(ii) entered into a contract to procure such rocket engines, and the Secretary has determined, consistent with the report submitted under subsection (d), that there is a shortfall in the number of rocket engines required to make a competitive launch award in the following fiscal year.”.

Page 658, after line 10, add the following new subsection:

“(d) REPORT.—

“(1) SUBMISSION.—Together with the budget justification materials submitted to Congress in support of the budget of the President (as submitted to Congress under section 1105(a) of title 31, United States Code) for each fiscal year described in paragraph (3), the Secretary shall submit to Congress a report on planned evolved expendable launch vehicle launch competitions to be awarded in the fiscal year covered by such materials.
“(2) ELEMENTS.—Each report under paragraph (1) shall include the following:

“(A) The number of competitive launches planned to be awarded in the fiscal year covered by the report.

“(B) The number of rocket engines designed or manufactured in the Russian Federation that, pursuant to either subsection (b) or (c), are available to be used on a certified launch vehicle that will compete for such launches in the evolved expendable launch vehicle program.

“(C) Any shortfall in the number of launch vehicles described in subparagraph (B) compared with the number of competitive launches to be awarded in the fiscal year.

“(3) FISCAL YEAR DESCRIBED.—The fiscal year described in this paragraph is fiscal year 2017 and each fiscal year thereafter until the Secretary determines that there are no rocket engines designed or manufactured in the Russian Federation available to be used on certified launch vehicles that will compete for launches under the evolved expendable launch vehicle program.”.