AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. TURNER OF OHIO

At the end of subtitle D of title XVI, add the following new section:

SEC. 1636. LIMITATION ON AVAILABILITY OF FUNDS FOR REMOVAL OR CONSOLIDATION OF DUAL-CAPABLE AIRCRAFT FROM EUROPE.

(a) LIMITATION.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Department of Defense may be used for the removal or consolidation of dual-capable aircraft from the area of responsibility of the United States European Command until the Secretary of Defense, in consultation with the Secretary of State, certifies to the appropriate congressional committees that—

(A) the armed forces of the Russian Federation are no longer illegally occupying Ukrainian territory;

(B) the Russian Federation is no longer violating the INF Treaty; and
(C) the Russian Federation is in compliance with the CFE Treaty and has lifted its suspension of Russian observance of its treaty obligations.

(2) EXCEPTION.—The limitation in paragraph (1) shall not apply in instances where a dual-capable aircraft is being replaced by an F–35 aircraft.

(b) WAIVER.—The Secretary of Defense may waive the limitation in subsection (a)(1) if—

(1) the Secretary of Defense, in coordination with the Secretary of State, submits to the appropriate congressional committees—

(A) a notification that such a waiver is in the national security interest of the United States and a description of the national security interest covered by the waiver;

(B) certification that such consolidation is consistent with the policy established in the NATO Deterrence and Defense Posture Review of 2012 concerning reciprocal non-strategic nuclear weapons reductions by the Russian Federation; and

(C) a report, in unclassified form, explaining why the Secretary of Defense cannot make the certification under subsection (a)(1); and
(2) a period of 30 days has elapsed following
the date on which the Secretary of Defense submits
the information in the report under paragraph
(1)(C).

(c) REPORT.—The Secretary of Defense shall provide
a report on the cost and burden sharing arrangements of
forward-deployed nuclear weapons in place with the North
Atlantic Treaty Organization and its members and any
recommendations for changes to these arrangements.

(d) DEFINITIONS.—In this section:

(1) The term “CFE Treaty” means the Treaty
on Conventional Armed Forces in Europe, signed at
Paris November 19, 1990, and entered into force
July 17, 1992.

(2) The “dual-capable aircraft” means tactical
fighter aircraft that can perform both conventional
and nuclear missions.

(3) The term “INF Treaty” means the Treaty
Between the United States of America and the
Union of Soviet Socialist Republics on the Elimina-
tion of Their Intermediate-Range and Shorter-
Range Missiles, commonly referred to as the Inter-
mediate-Range Nuclear Forces (INF) Treaty, signed