

AMENDMENT TO THE RULES COMMITTEE PRINT
112-22
TEXT OF H.R. 4310, THE NATIONAL DEFENSE
AUTHORIZATION ACT OF FISCAL YEAR 2013
OFFERED BY MR. RIGELL OF VIRGINIA

At the end of subtitle H of title X, add the following
new section:

1 **SEC. ____ . CONDITIONAL REPLACEMENT FOR FY 2013 SE-**
2 **QUESTER.**

3 (a) **CONTINGENT EFFECTIVE DATE.**—This section
4 and the amendments made by it shall take effect upon
5 the enactment of—

6 (1) the Act contemplated in section 201 of H.
7 Con. Res. 112 (112th Congress) that achieves at
8 least the deficit reduction called for in such section
9 for such periods; or

10 (2) similar legislation that at least offsets the
11 outlay reductions flowing from the budget authority
12 reductions mandated by section 251A(7)(A) and
13 251A(8) as it applies to direct spending in the de-
14 fense function for fiscal year 2013 of the Balanced
15 Budget and Emergency Deficit Control Act of 1985,
16 as in force immediately before the date of enactment

1 of this Act, combined with the outlay reductions
2 flowing from the amendment to section
3 251A(7)(A)(i) of the Balanced Budget and Emer-
4 gency Deficit Control Act of 1985 made by sub-
5 section (c), within five years of enactment.

6 (b) REVISED 2013 DISCRETIONARY SPENDING
7 LIMIT.—Paragraph (2) of section 251(c) of the Balanced
8 Budget and Emergency Deficit Control Act of 1985 is
9 amended to read as follows:

10 “(2) with respect to fiscal year 2013, for the
11 discretionary category, \$1,047,000,000,000 in new
12 budget authority;”.

13 (c) DISCRETIONARY SAVINGS.—Section 251A(7)(A)
14 of the Balanced Budget and Emergency Deficit Control
15 Act of 1985 is amended to read as follows:

16 “(A) FISCAL YEAR 2013.—

17 “(i) FISCAL YEAR 2013 ADJUST-
18 MENT.—On January 2, 2013, the discre-
19 tionary category set forth in section
20 251(c)(2) shall be decreased by
21 \$19,104,000,000 in budget authority.

22 “(ii) SUPPLEMENTAL SEQUESTRATION
23 ORDER.—On January 15, 2013, OMB
24 shall issue a supplemental sequestration
25 report for fiscal year 2013 and take the

1 form of a final sequestration report as set
2 forth in section 254(f)(2) and using the
3 procedures set forth in section 253(f), to
4 eliminate any discretionary spending
5 breach of the spending limit set forth in
6 section 251(c)(2) as adjusted by clause (i),
7 and the President shall order a sequestra-
8 tion, if any, as required by such report.”.

9 (d) ELIMINATION OF THE FISCAL YEAR 2013 SE-
10 QUESTRATION FOR DEFENSE DIRECT SPENDING.—Any
11 sequestration order issued by the President under the Bal-
12 anced Budget and Emergency Deficit Control Act of 1985
13 to carry out reductions to direct spending for the defense
14 function (050) for fiscal year 2013 pursuant to section
15 251A of such Act shall have no force or effect.

16 (e) REPORT.—

17 (1) IN GENERAL.—Not later than August 15,
18 2012, the Secretary of Defense shall submit to the
19 Committees on Armed Services of the House of Rep-
20 resentatives and the Senate a detailed report on the
21 impact of the sequestration of funds authorized and
22 appropriated for Fiscal Year 2013 for the Depart-
23 ment of Defense, if automatically triggered on Janu-
24 ary 2, 2013, as required by section 251A of the Bal-
25 anced Budget and Emergency Deficit Control Act of

1 1985 (2 U.S.C. 901a), as in effect immediately be-
2 fore the date of enactment of this Act.

3 (2) CONTENTS OF REPORT.—The report re-
4 quired by this section shall include—

5 (A) an assessment of the potential impact
6 of sequestration on the readiness of the Armed
7 Forces, including impacts to steaming hours,
8 flying hours, full spectrum training miles, and
9 all other readiness metrics;

10 (B) an assessment of the impact on ability
11 of the Department of Defense to carry out the
12 National Military Strategy of the United States
13 and any changes to the most recent Chairman’s
14 Risk Assessment required by section 153 of
15 title 10, United States Code;

16 (C) a listing of the programs, projects, and
17 activities across the military departments and
18 components that would be reduced or termi-
19 nated as a result of automatically triggered
20 cuts;

21 (D) an estimate of the number and value
22 of all contracts that will be terminated, restruc-
23 tured, or rescoped due to sequestration, includ-
24 ing an estimate of potential termination costs

1 and increased contracts costs due to renegoti-
2 ation and reinstatement of the contract; and

3 (E) an estimate of the number of civilian,
4 contract, and uniformed personnel whose em-
5 ployment would be terminated due to sequestra-
6 tion, including the estimated cost to the De-
7 partment of executing such a drawdown.

