

## HOUSE REPUBLICAN CONFERENCE Chair Cathy McMorris Rodgers

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# Amendments to H.R. 2397, Department of Defense Appropriations Act, 2014

#### **FLOOR SITUATION**

On Tuesday, July 23, 2013 the House will begin consideration of <u>H.R. 2397</u>, the *Department of Defense Appropriations Act, 2014*, under a rule. H.R. 2397 was introduced on June 17, 2013 by Subcommittee on Defense Chairman Bill Young (R-FL). H.R. 2397 was marked up on June 12, 2013 and ordered reported as amended by a voice vote.[1]

#### AMENDMENT SUMMARY

- 1) Rep. Walberg (R-MI) Amendment #58 Amendment increases funding for the Special Purpose Marine Air Ground Task Force-Crisis Response by \$10 million and reduces funding to the Operations and Maintenance, Defense-Wide account by \$11 million.
- **2)** Rep. Delaney (D-MD) Amendment #177 Amendment increases Fisher House Account by \$16 million. Amendment also decreases Operation and Maintenance Account Defense-Wide by \$25 million. Difference in values maintains outlay neutrality.
- **3)** Rep. Gabbard (D-HI) Amendment #155 Amendment increases funding for the Navy Offensive Anti-Surface Warfare weapon and Air-Launched Long Range Anti-Ship Missile program by \$104,000,000, and reduces Operations and Maintenance, Defense-wide by the same.
- **4)** Rep. Grayson (D-FL) Amendment # 83 Amendment increases the Defense Health Program Account by \$10 million to specifically target finding a cure for Gulf War Illness which directly affects over one-fourth of veterans from the first Gulf War.
- **Reps. Israel (D-NY), Peter King (R-NY) Amendment #45** Amendment increases by \$10 million the Defense Human Resources Activity account for the purpose of enhancing DOD efforts in mental health research, treatment, education, and outreach and reduces the same amount from the Office of the Secretary of Defense account.
- 6) Rep. Kilmer (D-WA) Amendment #107 Amendment makes a symbolic cut of \$1 million to the Defense Human Resources Activity, Operation and Maintenance, Defense-Wide, account. Funds are reinserted at the same place, with the intent of encouraging a study on how the Defense Human Resources Activity components and the Chief Information Officer identify, catalogue, process, notify appropriate personnel, and rectify mistakes or inconsistencies found when data is uploaded to the Defense Manpower Data Center.

- **Rep. Langevin (D-RI) Amendment #89** Amendment reduces the appropriation for Operations and Maintenance, Defense-Wide by \$5 million and transfers this amount to RDT&E, Defense-Wide for the purpose of restoring the funding for Cyber Security Advanced Research to the amount requested in the President's Budget.
- **Rep. Langevin (D-RI) Amendment #91** Amendment reduces the appropriation for Operations and Maintenance, Defense-Wide by \$22 million and transfers this amount to RDT&E, Navy for the purpose of supporting development, demonstration, evaluation and fielding of promising undersea technologies in RDT&E Project Number 2033, for Advanced Submarine Systems Development.
- **9)** Rep. Jackson Lee (D-TX) Amendment #158 Amendment increases funding for Defense Health Program account (intended for PTSD) by \$500,000 offset by a similar reduction in the Environment Restoration, Army account.
- **10)** Reps. Blumenauer (D-OR), Gabbard (D-HI) Amendment #51 Amendment restores funding for Environmental Restoration, Formerly Used Defense Sites to FY 2013 levels so that DoD can clean up and remediate UXO in a timely and safe fashion.
- **11)** Rep. Jackson Lee (D-TX) Amendment #156 Amendment reduces funding for Procurement, Defense-Wide, by \$1 million and transfers the same amount to the Spending Reduction Account.
- **12)** Rep. Jackson Lee (D-TX) Amendment #157 Amendment reduces funding for Procurement, Defense-Wide, by \$2 million and transfers the same amount to the Spending Reduction Account.
- **13)** Rep. Jackson Lee (D-TX) Amendment #135 Amendment increases the Defense Health Program's Research and Development account by \$10 million and reduces the Defense Procurement-Wide account by the same amount.
- **14)** Rep. Polis (D-CO) Amendment #92 Amendment strikes \$107,000,000 for 14 Ground-based Interceptors and reduces the deficit by the same amount.
- **15)** Reps. Blumenauer (D-OR), Convers (D-MI) Amendment #53 Amendment reduces funding for the Ohio-class submarines by 10 percent to help prepare the Department of Defense for the sequestration.
- **Rep. Pocan (D-WI) Amendment #122** Amendment makes available from amounts available for the Department of Defense for research, development, test, and evaluation \$10,000,000 for applied research to improve the safety of advanced batteries, specifically lithium-ion (Li-ion) batteries.
- **17)** Rep. Nugent (R-FL) Amendment #142 Amendment reduces appropriations for Defensewide rapid innovation and increases the appropriations to develop a high power microwave cruise missile weapon.
- **18)** Rep. Heck (R-NV) Amendment #138 Amendment transfers \$15,000,000 to Defense-Wide RDTE for producing the Iron Dome short-range rocket defense program in the United States, including for infrastructure, tooling, transferring data, special test equipment, and related components.
- **19)** Reps. Lujan Grisham (D-NM), Lamborn (R-CO) Amendment #128 Amendment reduces RDT&E by \$10 million and adds \$10 million to RDT&E for Operationally Responsive Space (ORS).

- **20)** Reps. Nadler (D-NY), Garamendi (D-CA), Polis (D-CO) Amendment #125 Amendment cuts \$70 million of unrequested funds for the East Coast Missile Defense site and dedicate that funding to deficit reduction instead.
- **21)** Reps. Shea-Porter (D-NH), LoBiondo (R-NJ) Amendment #118 Amendment designates funding to study the Therapeutic Service Dog Training Program, which was directed in House Report 113-102 accompanying the FY14 NDAA.
- 22) Rep. O'Rourke (D-TX) Amendment #62 Amendment strikes Section 8058.
- **Reps. Moran (D-VA), Smith (D-WA) Amendment #154** Amendment strikes sections 8107, which prohibits funding to transfer or release any individual detained at Guantanamo Bay, Cuba into the United States, its territories, or possessions. Strikes section 8198, which prohibits funding to transfer any individual detained at Guantanamo Bay, Cuba to a country of origin or other foreign country or entity unless the Secretary of Defense makes certain certifications. Strike Section 8109, which prohibits funding to modify any United States facility (other than the facility at Guantanamo Bay, Cuba) to house any individual detained at Guantanamo Bay, Cuba.
- **24)** Rep. Terry (R-NE) Amendment #14 Amendment increases Defense wide O/M by \$1 billion, while reducing funding in the Afghanistan Security Forces Fund by \$2.6 billion. The reduction would be in order to give DOD more flexibility to offset civilian furloughs.
- **25)** Rep. Poe (R-TX) Amendment #162 Amendment cuts funding to Pakistan by \$600 million.
- **Rep. Bonamici (D-OR) Amendment #97** Amendment provides \$30 million for the purchase of emergency response medical equipment sets for National Guard M997A3 HMMWV ambulances to ensure they carry adequate life-saving equipment.
- **Reps. Walberg (R-MI), Cohen (D-TN), Esty (D-CT), Rigell (R-VA) Amendment #59** Amendment reduces the Afghanistan Infrastructure Fund by \$79 million and transfer the savings to the Spending Reduction Account.
- **Rep. Cicilline (D-RI) Amendment #64** Amendment reduces appropriations for the Afghanistan Infrastructure Fund by \$279,000,000 and apply the savings to the spending reduction account.
- **29)** Rep. Cohen (D-TN) Amendment #66 Amendment reduces the Afghanistan Infrastructure Fund from \$279 million to \$140 million and transfers the savings to deficit reduction.
- 30) Reps. Coffman (R-CO), Garamendi (D-CA), Murphy (D-FL), Cohen (D-TN) Amendment #43 Amendment decreases the Afghanistan Security Forces Fund by \$553.8M (contract to Rosoboronexport for 30 Mi-17 helicopters) and increases the Spending Reduction Account by the same amount.
- 31) Rep. Cicilline (D-RI) Amendment #63 Amendment reduces appropriations for the Afghanistan Security Forces Fund by \$60 million and increase appropriations for the Defense Health Program by \$14 million. Within this increase, \$13 million in additional funds would be provided to fund peer-reviewed traumatic brain injury and psychological health research and \$1 million in additional funds would be provided to fund peer-reviewed alcohol and substance abuse disorders research in order to ensure the Department meets the health needs of American military personnel.

- **Rep. Esty (D-CT) Amendment #68** Amendment adds \$10 million to the Defense Health Program for suicide prevention awareness and outreach in the Overseas Contingency Operations account, which is offset by reductions to the Afghan Security Forces Fund.
- **33)** Rep. Garamendi (D-CA) Amendment #57 Amendment cuts \$2,615,000,000 from the Afghan Security Forces Fund.
- **34)** Rep. Poe (R-TX) Amendment #163 Amendment eliminates the waiver to conditions on aid to Pakistan.
- 35) Reps. Fleming (R-LA), Bridenstine (R-OK), Forbes (R-VA), Jordan (R-OH), Pitts (R-PA), Lankford (R-OK) Amendment #160 Amendment prevents funds from being used to appoint chaplains without an endorsing agency.
- **Rep. Rigell (R-VA) Amendment #48** Amendment prohibits funds in the Afghanistan Infrastructure Fund from being used to commence new projects.
- **37)** Rep. Scalise (R-LA) Amendment #153 Amendment prohibits the Department of Defense from entering into any new contracts for the procurement or production of non-petroleum based fuels for use as the same purpose or as a drop-in substitute for petroleum.
- **Rep. Terry (R-NE) Amendment #12** Amendment prohibits the Department of Defense to spend any appropriated funds in FY14 to enforce Section 526 of the Energy Independent and Security Act of 2007.
- **Rep. Wittman (R-VA) Amendment #35** Amendment provides that none of the funds made available by this Act may be used to propose, plan for, or execute an additional Base Realignment and Closure round.
- **40)** Rep. Broun (R-GA) Amendment #90 Amendment prohibits the Department of Defense from using any funds to propose, plan for, or execute an additional Base Realignment and Closure round involving military installations located within the United States.
- 41) Reps. Flores (R-TX), Gingrey (R-GA), Conaway (R-TX), Hensarling (R-TX) Amendment #129 Amendment prohibits any funds from being used to enforce the selective fuel bans set forth in Sec. 526 of the Energy Independence and Security Act of 2007, which expands options for the federal government to purchase fuels by from unconventional sources like California heavy oil resources or Canadian oil sands.
- **Reps. Cole (R-OK), Kilmer (R-WA), McCarthy (R-CA), Bishop (R-UT), Jones (R-NC), Loebsack (D-IA), McCollum (D-MN), Scott (R-GA) Amendment #37** Amendment provides that none of the funds appropriated by this Act shall be available to implement a furlough of Department of Defense federal employees who are paid from the Working Capital Fund (WCF) Account, which is a revolving fund and does not receive direct funding from Congressional appropriations to finance its operations.
- 43) Reps. Cole (R-OK), Kilmer (D-WA), McCarthy (R-CA), Bishop (R-UT), Jones (R-NC), Loebsack (D-IA), McCollum (D-MN), Scott (R-GA) Amendment #159 Amendment provides that none of the funds appropriated by this Act shall be available to implement a furlough of Department of Defense federal employees who are paid from the Working Capital Fund (WCF) Account, which is a revolving fund and does not receive direct funding from Congressional appropriations to finance its operations.

- **Reps. DeLauro (D-CT), Moran (D-VA), Wolf (R-VA), McGovern (D-MA), Bridenstine (R-OK), Connolly (D-VA), Garamendi (D-CA), Cohen (D-TN) Amendment #65** Amendment prohibits funds to train the Afghan Special Mission Wing (SMW) to operate or maintain Mi-17 helicopters manufactured by Russia's state arms dealer that the Special Inspector General for Afghanistan Reconstruction reports the SMW does not have the capacity to use.
- 45) Reps. Lee (D-CA), Blumenauer (D-OR), Schrader (D-OR), Conyers (D-MI), Polis (D-CO)

  Amendment #132 Amendment reduces funding by 1%, excluding the Defense Health Program and Military Personnel Accounts.
- **Rep. Quigley (D-IL) Amendment #41** Amendment limits funds made available in the bill to operate and maintain no more than 300 land-based intercontinental ballistic missiles.
- **Rep. Denham (R-CA) Amendment #88** Amendment prohibits funds from being used to implement the Trans Regional Web Initiative.
- **Rep. Jones (R-NC) Amendment #19** Amendment restricts the use of funds approved by this Act from being used to carry out activities under the United States Afghanistan Strategic Partnership Agreement, without being approved by Members of Congress.
- **49)** Rep. Jones (R-NC) Amendment #20 Amendment restricts the use of funds approved by this Act from being used to carry out activities under the United States Afghanistan Strategic Partnership Agreement.
- **Reps. Kline (R-MN), Polis (D-CO), Paulsen (R-MN) Amendment #16** Amendment prohibits funds to carry out recent DOD recruitment policies in contravention of congressional intent in the Fiscal Year 2012 NDAA and to ensure all students are given the same opportunities to enlist in the armed forces.
- **Sep. LaMalfa (R-CA) Amendment #31** Amendment provides that none of the funds made available in this act may be used to pay any fine assessed against a military installation by the California Air Resources Board.
- 52) Reps. Lamborn (R-CO), Lummis (R-WY), Daines (R-MT), Cramer (R-ND) Amendment #109 Amendment prohibits the use of funds to conduct an environmental impact study on ICBMs.
- 53) Reps. Lamborn (R-CO), O'Rourke (D-TX), Barrow (D-GA), Jenkins (R-KS) Amendment #108 Amendment prohibits the use of funds to implement sequestration-related furloughs of civilian Department of Defense employees.
- **Rep. Meadows (R-NC) Amendment #23** Amendment prohibits the use of funds for payment of salaries to recess appointees until the appointee is formally confirmed by the Senate.
- **Reps. Mulvaney (R-SC), Van Hollen (D-MD), Coffman (R-CO), Murphy (D-FL) Amendment #44** Amendment reduces funds made available in the Overseas Contingency Operations budget by \$3,546,000,000 to better correspond with the President's request. Protects all amounts made available for the National Guard and Reserve Component Equipment modernization shortfalls for homeland defense and emergency response.
- **Rep. Palazzo (R-MS) Amendment #34** Amendment Prevents any funds from being used to rebase any Air Force, Air Guard, or Air Force Reserve aircraft until 60 days after the National

Commission on the Structure of the Air Force has submitted its report as required by the FY 2013 NDAA.

- **Reps. Palazzo (R-MS), Nugent (R-FL) Amendment #33** Amendment prevents any funds from being used to plan for or carryout furloughs of Dual Status Military Technicians.
- **Rep. Rogers (R-AL) Amendment #10** Amendment provides that none of the funds made available by this act may be used to carry out reductions to the nuclear forces of the United States to implement the New START Treaty.
- **Rep. Rohrabacher (R-CA) Amendment #168** Amendment prohibits any funds in the bill from being provided to Pakistan.
- **Reps. Stockman (R-TX), Rohrabacher (R-CA) Amendment #174** Amendment prohibits participation by the People's Republic of China in joint U.S. military exercises.
- **Reps. Turner (R-OH), Rogers (R-AL) Amendment #27** Amendment prevents funds from being used to reduce strategic delivery systems and ensures that the President is in compliance with the Arms Control and Disarmament Act.
- **Rep. Walorski (R-IN) Amendment #38** Amendment prohibits any funds made available by this Act from being used to transfer or release detainees from Guantanamo Bay to Yemen.
- **Rep. Blumenauer (D-OR) Amendment #50** Amendment prevents any funds in this Act to be used for the purposes out carrying out section 5062(b) of title 10, United States Code.
- **Rep. Blumenauer (D-OR) Amendment #52** Amendment prevents any funds in this Act from being used to carry out or implement any furlough of National Guard military technicians.
- **Rep. Bonamici (D-OR) Amendment #98** Amendment prevents the retirement, divestment, transfer, or preparation to do so of C-23 aircraft used by the National Guard and to designate \$34 million for the sustainment and operation of the C-23 aircraft in a viable state.
- **Rep. Hanabusa (D-HI) Amendment #39** Amendment prohibits funds from being used to implement an enrollment fee in the TRICARE for Life program.
- **67)** Rep. Kilmer (D-WA) Amendment #106 Amendment protects DoD civilians' security clearances.
- **Reps. Murphy (D-FL), Coffman (R-CO) Amendment #119** Amendment prevents funds from being used to maintain or improve facilities that DOD lists as being completely unused.
- **Rep. Nadler (D-NY) Amendment #123** Amendment prevents the further detention of Guantanamo Bay detainees that have already been cleared for release.
- **Rep. Nadler (D-NY) Amendment #124** Amendment prevents further construction or expansion of existing facilities at Guantanamo Bay, Cuba.
- 71) Reps. Pierluisi (D-PR), Young (R-AK) Amendment #93 Amendment enables the Department of Defense to respond to significant public safety hazards and fulfill its environmental restoration responsibilities under CERCLA by removing unexploded ordnance from the Northwest

Peninsula of the island of Culebra in Puerto Rico, which is a formerly used defense site where U.S. Navy ship-to-shore bombing and weapons training occurred from 1903 until 1975.

- **Rep. Brooks (R-AL) Amendment #5** Amendment prohibits funds from this Act to be used to implement or execute any agreement with the Russian Federation concerning the missile defenses of the United States.
- **Rep. Schiff (D-CA) Amendment #178** Amendment prohibits funding the use of force pursuant to the Authorization for Use of Military Force (AUMF, PL 107-40) effective on December 31, 2014 concurrent with the end of our combat role in Afghanistan.
- 74) Reps. Speier (D-CA), Wilson (D-FL), Chu (D-CA), Eshoo (D-CA), Keating (D-MA), Brownley (D-CA), Esty (D-CT), Rush (D-IL), Schakowsky (D-IL), Walz (D-MN), Meng (D-NY), Maloney (D-NY), Braley (D-IA) Amendment #173 Amendment provides funds to identify individuals who were separated from the military on the grounds of a disorder subsequent to reporting a sexual assault and, if appropriate, correcting their record.
- 75) Reps. Speier (D-CA), Schrader (D-OR), Wilson (D-FL), Chu (D-CA), Eshoo (D-CA), Keating (D-MA), Brownley (D-CA), Esty (D-CT), Rush (D-IL), Schakowsky (D-IL), Walz (D-MN), Meng (D-NY), Maloney (D-NY), Braley (D-IA) Amendment #172 Amendment provides \$10 million in additional funds to increase training for investigators to properly investigate sexual assault related offenses.
- **Reps. Sessions (R-TX) and Thompson (D-CA) Amendment #26** Amendment reduces the Operation and Maintenance, Defense-Wide account (with the intention of cutting the Office of the Sec. of Defense) by \$10 million and increases the Defense Health Program by a similar amount to create a pilot program to assist service individuals suffering from Traumatic Brain Injury (TBI) and Post Traumatic Stress Disorder (PTSD).
- 77) Reps. Bridenstine (R-OK), Wilson (R-SC), and Bordallo (D-GU) Amendment #127 Amendment increases funding by \$10 million for the National Guard State Partnership Program, split evenly between the Army National Guard (Operations & Maintenance, Army National Guard) and Air Force National Guard (Operations & Maintenance, Air Force National Guard), which is offset by \$11m reduction to Defense Media Activity (Operations & Maintenance, Defense-wide) account.
- **Reps. McKinley (R-WV), Napolitano (D-CA), McNerney (D-CA), and Lowenthal (D-CA) Amendment #8** Amendment increases the Youth Challenge Program under Civil Military Programs within the Operations and Maintenance, Defense-Wide account by \$10,000,000. Decreases by \$10,000,000 under Operations and Maintenance, Defense-Wide the general account for the Office of the Secretary of Defense.
- **79)** Rep. Bass (D-CA) Amendment #126 Amendment reduces the department-wide Operations & Maintenance account by \$3 million, then increases it by the same amount with the intent to combat illicit poaching and trafficking of animal products commonly linked to terrorism and armed conflict.
- **80)** Rep. Velázquez (D-NY) Amendment #55 Amendment increases the funding to the Defense Health Program by \$5 million for the purposes of reducing military hazing and suicides.
- **81)** Rep. Grayson (D-FL) Amendment #79 Amendment reduces the Research, Development, Test and Evaluation, Defense-Wide account by \$10 million and increases the Defense Health Program account by \$10 million in order to bolster prostate cancer research efforts.

- **Rep. Esty (D-CT) Amendment #67** Amendment adds \$5 million to the Operations & Maintenance Defense Wide account for overseas contingency operations to strengthen support services like the Yellow Ribbon Reintegration Program for members of the National Guard and Reserve.
- **Rep. Lowenthal (D-CA) Amendment #99** Amendment increases funding by \$5,000,000 for the STARBASE Youth Program which falls under the Operation and Maintenance, Defense-Wide and reduce the same amount from the Maintenance, Defense-Wide, Office of the Secretary of Defense account.
- **84)** Rep. Esty (D-CT) Amendment #69 Amendment reduces funding for the Afghanistan Infrastructure Fund for overseas contingency operations by \$25,000,000 and redirect those funds to the Spending Reduction Account.
- **Rep. Broun (R-GA) Amendment #87** Amendment prohibits the Department of Defense from using any funds to operate an unmanned aerial system in contravention of the fourth amendment to the Constitution.
- **Rep. Griffin (R-AR) Amendment #6** Amendment provides that none of the funds made available by this Act may be used to cancel or modify the avionics modernization program of record for C–130 aircraft.
- **Rep. Hunter (R-CA) Amendment #29** Amendment prohibits the use of funds from this Act to plan for, consider, or carry out any action to remove any portion of the Mount Soledad Veterans Memorial in San Diego, California.
- **Reps. Kline (R-MN) and Paulsen (R-MN) Amendment #17** Amendment prohibits funds from this Act to be used by the DOD to enlist an individual into the Armed Forces convicted of rape, sexual assault, or other sex crimes as outlined in the DOD enlistment waivers policy. Provides oversight to ensure DOD is properly screening individuals entering the military.
- 89) Reps. Nunes (R-CA), Costa (D-CA), Langevin (D-RI), Keating (D-MA), Cicilline (D-RI), and Valadao (R-CA) Amendment #110 Amendment prohibits the Secretary of the Air Force from using FY14 funds for the reduction in force structure at Lajes Field, Azores Portugal.
- **90)** Rep. Runyan (R-NJ) Amendment #2 Amendment prohibits the use of appropriated funds for any purpose that would violate 49 U.S.C. § 41106, the Fly CRAF Act. The amendment also prohibits the use of appropriated funds for unapproved foreign carrier flights without proper authorization.
- **91)** Rep. Bustos (D-IL) Amendment #40 Amendment prohibits the Department of Defense from purchasing American flags that aren't made in the United States.
- **92)** Rep. Engel (D-NY) Amendment #4 Amendment mandates that all vehicles purchased by DOD and related agencies must conform to the Presidential Memorandum dated, May 24, 2011.
- **Rep. Grayson (D-FL) Amendment #73** Amendment prevents contracts from being awarded to contractors who have been convicted within the last three years for crimes against the federal government such as fraud, theft, bribery, making false statements, and tax evasion.

- **94)** Rep. Grayson (D-FL) Amendment #84 Amendment provides that none of the funds made available by this Act may be used to engage in an act covered by or described in 18 USC 2340A (torture or conspiracy to commit torture).
- **95)** Rep. Grayson (D-FL) Amendment #111 Amendment prohibits the use of funds to have a net increase of additional flag or general officers above current levels.
- **Rep. LoBiondo (R-NJ) Amendment #3** Amendment prohibits funding for Department of Defense aviation demonstration teams to perform outside of the United States.
- **97)** Rep. Radel (R-FL) Amendment #102 Amendment prohibits the use of any funds with respect to military action in Syria to the extent such action would be inconsistent with the War Powers Resolution.
- **Reps. Massie (R-KY), Amash (R-MI), and Yoho (R-FL) Amendment #105** Amendment provides that no funds made available by this Act may be used to fund military or paramilitary operations in Egypt.
- **99)** Rep. Nugent (R-FL) Amendment #147 Amendment ensures none of the funds may be used by the NSA to target a US person or acquire and store the content of a US person's communications, including phone calls and e-mails.
- 100) Reps. Amash (R-MI), Conyers (D-MI), Mulvaney (R-SC), Polis (D-CO), and Massie (R-KY)

  Amendment #101 Amendment ends authority for the blanket collection of records under the Patriot Act. The amendment also bars the NSA and other agencies from using Section 215 of the Patriot Act to collect records, including telephone call records that pertain to persons who are not subject to an investigation under Section 215.

### **STAFF CONTACT**

For questions or further information contact the GOP Conference at 5-5107.