

115TH CONGRESS
1ST SESSION

H. R. 1326

To direct the Secretary of Defense to submit to Congress a certain study by the Defense Business Board regarding potential cost savings in the Department of Defense and to provide for expedited consideration of legislation to implement such cost savings.

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2017

Mr. SCHRADER (for himself and Mr. WELCH) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Defense to submit to Congress a certain study by the Defense Business Board regarding potential cost savings in the Department of Defense and to provide for expedited consideration of legislation to implement such cost savings.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Department of Defense
5 Overhead Cost Savings and Transparency Act”.

1 **SEC. 2. SUBMISSION OF REPORT.**

2 (a) IN GENERAL.—Not later than 30 days after the
3 date of the enactment of this Act, the Secretary of Defense
4 shall submit to the congressional defense committees the
5 covered study and any supporting information used by the
6 Defense Business Board to conduct such study.

7 (b) PUBLIC RELEASE.—Pursuant to section 122a of
8 title 10, United States Code, the Secretary shall ensure
9 that the covered study is made publicly available.

10 (c) DEFINITIONS.—In this section:

11 (1) The term “congressional defense commit-
12 tees” has the meaning given that term in section
13 101(a)(16) of title 10, United States Code.

14 (2) The term “covered study” means the study
15 conducted by the Defense Business Board titled
16 “Transforming Department of Defense’s Core Busi-
17 ness Processes for Revolutionary Change”.

18 **SEC. 3. EXPEDITED CONSIDERATION OF LEGISLATION TO**
19 **IMPLEMENT STUDY.**

20 (a) QUALIFYING LEGISLATION DEFINED.—In this
21 section, the term “qualifying legislation” means a bill or
22 joint resolution of the House of Representatives or the
23 Senate—

24 (1) that is introduced by the Chairman or rank-
25 ing member of the Committee on Armed Services of
26 the House of Representatives, the Chairman or

1 ranking member of the Committee on Armed Serv-
2 ices of the Senate, the Majority Leader of the House
3 of Representatives, the Minority Leader of the
4 House of Representatives, the Majority Leader of
5 the Senate, or the Minority Leader of the Senate;

6 (2) the title of which is as follows: “To imple-
7 ment cost savings in the Department of Defense as
8 identified by the Defense Business Board.”; and

9 (3) consists solely of the following provisions:

10 (A) Provisions that allow for a short title,
11 findings, or other text that does not affect the
12 authority or responsibility of the President or a
13 department or agency of the Federal Govern-
14 ment.

15 (B) Provisions that implement not less
16 than 80 percent of the cost savings in the De-
17 partment of Defense as identified by the De-
18 fense Business Board in the study titled
19 “Transforming Department of Defense’s Core
20 Business Processes for Revolutionary Change”
21 and submitted to Congress pursuant to section
22 2.

23 (b) CONSIDERATION.—

24 (1) COMMITTEE REFERRAL.—Qualifying legisla-
25 tion that is introduced in the House of Representa-

1 tives shall be referred to the Committee on Armed
2 Services of the House of Representatives. Qualifying
3 legislation introduced in the Senate shall be referred
4 to the Committee on Armed Services of the Senate.

5 (2) REPORTING AND DISCHARGE.—If the com-
6 mittee to which qualifying legislation is referred has
7 not reported the qualifying legislation within 10 ses-
8 sion days after the date of referral of the legislation,
9 the committee shall be discharged from further con-
10 sideration of the legislation, and the qualifying legis-
11 lation shall be placed on the appropriate calendar of
12 the House involved.

13 (3) CONSIDERATION.—On or after the third
14 day after the date on which the committee to which
15 qualifying legislation is referred has reported, or has
16 been discharged under paragraph (2) from further
17 consideration of, such legislation, it is in order (even
18 though a previous motion to the same effect has
19 been disagreed to) for any Member of the respective
20 House to move to proceed to the consideration of the
21 qualifying legislation. A Member may make the mo-
22 tion only on the day after the calendar day on which
23 the Member announces to the House concerned the
24 Member's intention to make the motion, except that,
25 in the case of the House of Representatives, the mo-

1 tion may be made without such prior announcement
2 if the motion is made by direction of the committee
3 to which the qualifying legislation was referred. All
4 points of order against the qualifying legislation
5 (and against consideration of the qualifying legisla-
6 tion) are waived. The motion is highly privileged in
7 the House of Representatives and is privileged in the
8 Senate and is not debatable. The motion is not sub-
9 ject to amendment, or to a motion to postpone, or
10 to a motion to proceed to the consideration of other
11 business. A motion to reconsider the vote by which
12 the motion is agreed to or disagreed to shall not be
13 in order. If a motion to proceed to the consideration
14 of the qualifying legislation is agreed to, the respec-
15 tive House shall immediately proceed to consider-
16 ation of the qualifying legislation without intervening
17 motion, order, or other business, and the qualifying
18 legislation shall remain the unfinished business of
19 the respective House until disposed of.

20 (4) DEBATE.—Debate on qualifying legislation,
21 and on all debatable motions and appeals in connec-
22 tion therewith, shall be limited to not more than 20
23 hours, which shall be divided equally between, and
24 controlled by, the Majority Leader and the Minority
25 Leader or their designees. A motion to further limit

1 debate is in order and not debatable. The only
2 amendments to the qualifying legislation that are in
3 order are amendments that seek to ensure the quali-
4 fying legislation meets the criteria under subsection
5 (a)(3). A motion to postpone, or a motion to proceed
6 to the consideration of other business, or a motion
7 to recommit the qualifying legislation is not in order.
8 A motion to reconsider the vote by which the quali-
9 fying legislation is agreed to or disagreed to is not
10 in order.

11 (5) VOTE ON PASSAGE.—Immediately following
12 the conclusion of the debate on the qualifying legis-
13 lation and a single quorum call at the conclusion of
14 the debate if requested in accordance with the rules
15 of the appropriate House, the vote on final passage
16 of the qualifying legislation shall occur.

17 (6) RULINGS OF THE CHAIR ON PROCEDURE.—
18 Appeals from the decisions of the Chair relating to
19 the application of the rules of the Senate or the
20 House of Representatives, as the case may be, to the
21 procedure relating to qualifying legislation shall be
22 decided without debate.

23 (c) CONSIDERATION BY OTHER HOUSE.—

24 (1) IN GENERAL.—If, before the passage by one
25 House of qualifying legislation of that House, that

1 House receives from the other House qualifying leg-
2 islation, then the following procedures shall apply:

3 (A) The qualifying legislation of the other
4 House shall not be referred to a committee and
5 may not be considered in the House receiving it
6 except in the case of final passage as provided
7 in subparagraph (B)(ii).

8 (B) With respect to any qualifying legisla-
9 tion of the House receiving the qualifying legis-
10 lation—

11 (i) the procedure in that House shall
12 be the same as if no qualifying legislation
13 had been received from the other House;
14 but

15 (ii) the vote on final passage shall be
16 on the qualifying legislation of the other
17 House.

18 (2) DISPOSITION.—Upon disposition of the
19 qualifying legislation received from the other House,
20 it shall no longer be in order to consider the quali-
21 fying legislation that originated in the receiving
22 House.

23 (d) RULES OF THE SENATE AND HOUSE OF REP-
24 RESENTATIVES.—This section is enacted by Congress—

1 (1) as an exercise of the rulemaking power of
2 the Senate and the House of Representatives, re-
3 spectively, and as such is deemed a part of the rules
4 of each House, respectively, but applicable only with
5 respect to the procedure to be followed in that
6 House in the case of qualifying legislation described
7 in subsection (a)(1), and supersedes other rules only
8 to the extent that this section is inconsistent with
9 such rules; and

10 (2) with full recognition of the constitutional
11 right of either House to change the rules (so far as
12 relating to the procedure of that House) at any time,
13 in the same manner, and to the same extent as in
14 the case of any other rule of that House.

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