Purpose: To provide for compliance with domestic source requirements of footwear furnished or obtained by allowance for enlisted members of the Armed Forces upon their initial entry into the Armed Forces.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

S. 1197

To authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on ______________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Ms. COLLINS (for herself and Mr. KING)

Viz:

1. At the end of subtitle D of title VIII, add the following:

2. lowing:
SEC. 864. COMPLIANCE WITH DOMESTIC SOURCE REQUIREMENTS OF FOOTWEAR FURNISHED OR OBTAINED BY ALLOWANCE FOR ENLISTED MEMBERS OF THE ARMED FORCES UPON THEIR INITIAL ENTRY INTO THE ARMED FORCES.

(a) In general.—Section 418 of title 37, United States Code, is amended by adding at the end the following new subsection:

“(d)(1) The footwear prescribed under this section to be furnished to, or to be paid for by allowance under this section by, members of the Army, Navy, Air Force, or Marine Corps upon their initial entry into the armed forces shall comply with the requirements of section 2533a of title 10, without regard to the applicability of any simplified acquisition threshold under chapter 137 of title 10 (or any other provision of law) to the use of such allowance for such footwear.

“(2) Paragraph (1) does not apply to athletic footwear furnished to, or paid for by allowance by, a member described in that paragraph if such footwear—

“(A) is medically required to meet unique physiological needs of the member; and

“(B) cannot be met with athletic footwear that complies with the requirements referred to in that paragraph.
“(3) Paragraph (1) shall apply as provided in section 864(b) of the National Defense Authorization Act for Fiscal Year 2014.”.

(b) CERTIFICATIONS AND APPLICABILITY.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and every 120 days thereafter, the Secretary of Defense shall certify to Congress whether or not athletic footwear that is is available to be furnished or obtained by members of the Armed Forces in accordance with the provisions of subsection (d) of section 418 of title 37, United States Code (as added by subsection (a)), is available such that the procurement of such footwear would not be covered by the availability exception in section 2533a(c) of title 10, United States Code, if procured directly by the Department of Defense.

(2) APPLICABILITY OF COMPLIANCE REQUIREMENTS.—The provisions of subsection (d) of section 418 of title 37, United States Code (as so added), shall apply to footwear furnished or obtained by members of the Armed Forces on and after the date on which the Secretary certifies to Congress under paragraph (1) that athletic footwear is available as described in that paragraph.
(3) ADDITIONAL ELEMENT IN SUBSEQUENT CERTIFICATIONS.—Each certification under paragraph (1) after the certification described in paragraph (2) shall include a description of the cost and quantity of athletic footwear currently available as described in such certification.