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[S. 1356, National Defense Authorization Act \(NDAA\) for Fiscal Year 2016, as amended](#)

FLOOR SITUATION

On Thursday, November 5, 2015, the House will consider the [S. 1356](#), *the National Defense Authorization Act for Fiscal Year 2016, as amended*, under suspension of the rules. S. 1356 is being used as the vehicle to conform funding authorized by the previously-passed version of the NDAA to the revised budget caps included in the Bipartisan Budget Act.

SUMMARY

S. 1356 reduces spending authorized by the Conference Report to the Fiscal Year 2016 NDAA, [H.R. 1735](#), by approximately \$5 billion, which is necessary because of enactment of the Bipartisan Budget Act of 2015 ([H.R. 1314](#)). The bill “would authorize \$599.2 billion in fiscal year 2016, including \$521.9 billion for base Department of Defense programs, \$58.8 billion for overseas contingency operations, and \$18.6 billion for national security programs in the Department of Energy and the Defense Nuclear Facilities Safety Board.”¹ The bill reflects a \$5 billion reduction from the previously-passed version of the bill to conform to the revised budget caps included in the Bipartisan Budget Act. A complete list of funding adjustments in the new legislation, which is otherwise identical to H.R. 1735, can be found [here](#).

BACKGROUND

The National Defense Authorization Act has historically been the key mechanism through which Congress fulfills one of its primary responsibilities as mandated in Article I, Section 8 of the Constitution of the United States, which grants Congress the power to provide for the common defense; to raise and support an Army; to provide and maintain a Navy; and to make rules for the government and regulation of the land and naval forces. On October 1, 2015, the House passed the NDAA Conference Report by a vote of [270 to 156](#). The Senate then passed the Conference Report on October 7, 2015 by a vote of [70 to 27](#). The President vetoed the bill on October 22, 2015.

¹ See [Joint Explanatory Statement](#) to Accompany S. 1356, the National Defense Authorization Act for Fiscal Year 2016, at 2.

Armed Services Committee Chairman Mac Thornberry responded to the President's veto by stating that "President Obama's veto of the National Defense Authorization Act is not only unprecedented, but it is reckless, cynical and downright dangerous. Never before has an American President used the bill that provides pay and support to our troops and their families as political leverage for his domestic agenda. The American people, and most importantly, the men and women in uniform deployed to fight in dangerous war zones around the world, expect more from their Commander-in-Chief."²

On October 28, 2015, the House passed H.R. 1314, the Bipartisan Budget Act of 2015 by a vote of [266 to 167](#). The Senate then passed the House-passed bill on October 30, 2015, by a vote of [64 to 35](#). The President signed the bill into law on November 2, 2015. The total level of defense spending authorized by the law in fiscal year 2016 is \$5 billion below the amount authorized by the Conference Report to H.R. 1735.³

COST

The Congressional Budget Office (CBO) [estimates](#) enacting S. 1356 will reduce the deficit by \$10 million over the 2016 to 2025 period.

STAFF CONTACT

For questions or further information please contact [John Huston](#) with the House Republican Policy Committee by email or at 6-5539.

² See Armed Services Committee Press Release—"[President Will Veto the Defense Bill](#)," October 22, 2015.

³ See [Joint Explanatory Statement](#) at 2.